

# When attitude matters

A study of the influence of street-level bureaucratic implementation behaviour in the field of conflict-ridden employment policies



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# Abstract

When street-level bureaucrats implement conflict-ridden policies in the field of cash benefits, attitude matters. This thesis illustrates that through several interviews with caseworkers working in various jobcentres in Danish municipalities and implementing 'Jobreform fase 1'. 'Jobreform fase 1' is a Danish reform containing a so-called 'ceiling' to the cash benefits and a 225-hour rule. It was found that the genesis of 'Jobreform fase 1' was highly conflict-ridden, both in relation to the left-right political spectrum and relevant influential actors. Four different behavioural rationalities were discovered when investigating how the street-level bureaucrats implemented the reform. These behavioural rationalities identified different motivations to implement and showed how the street-level bureaucrats' loyalty targeted either the clients or legal and political system and that this had an impact on their will to implement the reform. Moreover, they were bound up by the attitude of the street-level bureaucrat and how that related to their implementation-behaviour, and thereby influence on the result of the implementation.

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*All quotes and excerpts originally in Danish are translated by the author of this thesis.*

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# 1 Introduction

The Scandinavian countries have long been highly acknowledged for their high levels of public benefits, including cash benefits. But the past decades have offered several examples of welfare reforms crumbling these features and values (Alestalo et al. 2010: 1ff).

In December 2015 the Danish Venstre-led government put forward a bill presenting significant changes in the existing *Act on Active social Policy* aiming at reducing the number of cash benefit recipients while expecting to move at least 700 full time persons from public support to ordinary employment (Beskæftigelsesministeriet, 2015; Beskæftigelsesministeriet, 2019). The policy was dividing political waters and instantly created a large opposition. Nonetheless it was adopted on the 17<sup>th</sup> of March 2016, with the name *Jobreform fase 1* (JRF1) (Folketinget 2016 e; Beskæftigelsesministeriet 2015 c).

In the aftermath of the adoption several evaluations were made on the effects of JRF1. In 2017 the Danish Association of Social Workers (DASW) published a survey about the caseworkers' experience with the effects of the reform. When asked whether the 225-hour rule worked regarding job-ready cash benefit recipients, 62 pct. of the respondents answered "highly" or "to some degree" whereas only 14 pct. stated that the rule worked regarding the activity-ready cash benefit recipients (Dansk Socialrådgiverforening 2017: 3). In relation to the survey results Majbrit Berlau, chairman of DASW, stated that:

The survey indicates that large sums are being wasted on failed efforts, and that the increased pressure, as a result of the low benefits, harm both clients and caseworkers (Nørby, 2017 b).

Also caseworkers themselves have ventured out into the public debate to state their opinions. On the 22<sup>nd</sup> of September 2016 more caseworkers and unions stated their considerations and worries regarding the possible effects of the reform (Arbejderen 2016). Line Moth Larsen, joint representative for caseworkers in Faaborg-Midtfyn Municipality, voiced a collective worry:

I receive many specific warnings from the caseworkers, for instance in the area of benefits, they are afraid they cannot fulfil the task (ibid.).

The worries continued among the caseworkers and on the 23<sup>rd</sup> of February 2017, Bent Nielsen, a Danish caseworker working with activity-ready cash benefit recipients, stated in an interview with a Danish newspaper:

I like the idea that we should move people out into the labour market. It is neither good for society nor the individual when someone is left outside. But to me, treating everyone equally is not equal (Christensen 2017).

On the 28<sup>th</sup> of February 2018 the Ministry of Employment published an analysis on the employment effects of JRF1 under the headline “Impact Analysis: The cash benefit ceiling and the 225-hour rule work” (Beskæftigelsesministeriet 2018) and continued with the fact that almost 600 full time persons have moved from cash benefit to employment or education (Beskæftigelsesministeriet 2018). Only two months after this press release, the conservative-liberal think tank CEPOS published an analysis disproving the Ministry of Employment’s analysis of the employment effects of JRF1 stating “the conclusion of the analysis is wrong, as the Ministry of Employment misinterprets its own results and makes errors in the calculations” (Hansen 2018). Thereby the debate was stirred up and the Ministry of Employment was forced to withdraw their conclusions. In December 2018 The Economic Council of the Labour Movement (ECLM) published a report revealing the development in childhood poverty in Denmark. The analysis showed the number of poor children increasing by more than 12.000 since JRF1 was adopted as a result of this, and that the number was expected to increase even further (Caspersen 2018).

After a withdrawal of the previous analysis from the Government on the employment effects the first actual results of JRF1 were published in April 2019 by the Ministry of Finance – with a result a little different from the previous analysis. According to the new analysis around 450 full time persons had become employed as a result of JRF1 (Finansministeriet 2019). The number was not as high as hoped for, but as Kristian Jensen, the former Minister of Finance, stated:

The analysis shows that the government’s politics are working. With the ceiling of the cash benefit and the 225-hour rule we have ensured that it pays off to work rather than to receive public support. It is beneficial for the individual and for the public economy (Finansministeriet 2019).

Not all the Danish political parties were equally positive regarding the results. Amongst the Danish left-wing parties the result was received a little different. Supported by many other left-wing politicians, the employment spokesperson for the Red-Green Alliance party, Finn Sørensen put:

It has been documented that the number of poor families with children has increased after the introduction of poverty benefits. To this I will say: It has simply not been worth it (Vestergaard 2019).

Undoubtedly the legislative change has caused a vast debate among politicians as well as interest groups and the public, and the result of 450 full time employed persons and 12.000 poor children is no way near the initially stated goal and expectations of 700 full time employed persons. When dealing with a conflict-ridden policy, theory often points to a high number of veto-points in the

implementation-process potentially counteracting the goal and purpose of the legislation – and that one or more explanatory factors to the unintended result are often to be found with one or more of the implementing actors (Winter & Nielsen 2017: 76).

As the results of the reform were somewhat unintended and as the survey of DASW showed that the caseworkers did not find the reform working regarding the activity-ready cash benefit recipients, and they expressed great dissatisfaction with the reform, the caseworkers' implementation behaviour becomes of interest. One may wonder what their implementation behaviour was influenced by and what the rationality behind their actions, behaviour and intentions were.

## 1.1 Research question

**Main research question:** *How do street-level bureaucrats implement conflict-ridden policies in the field of cash benefit?*

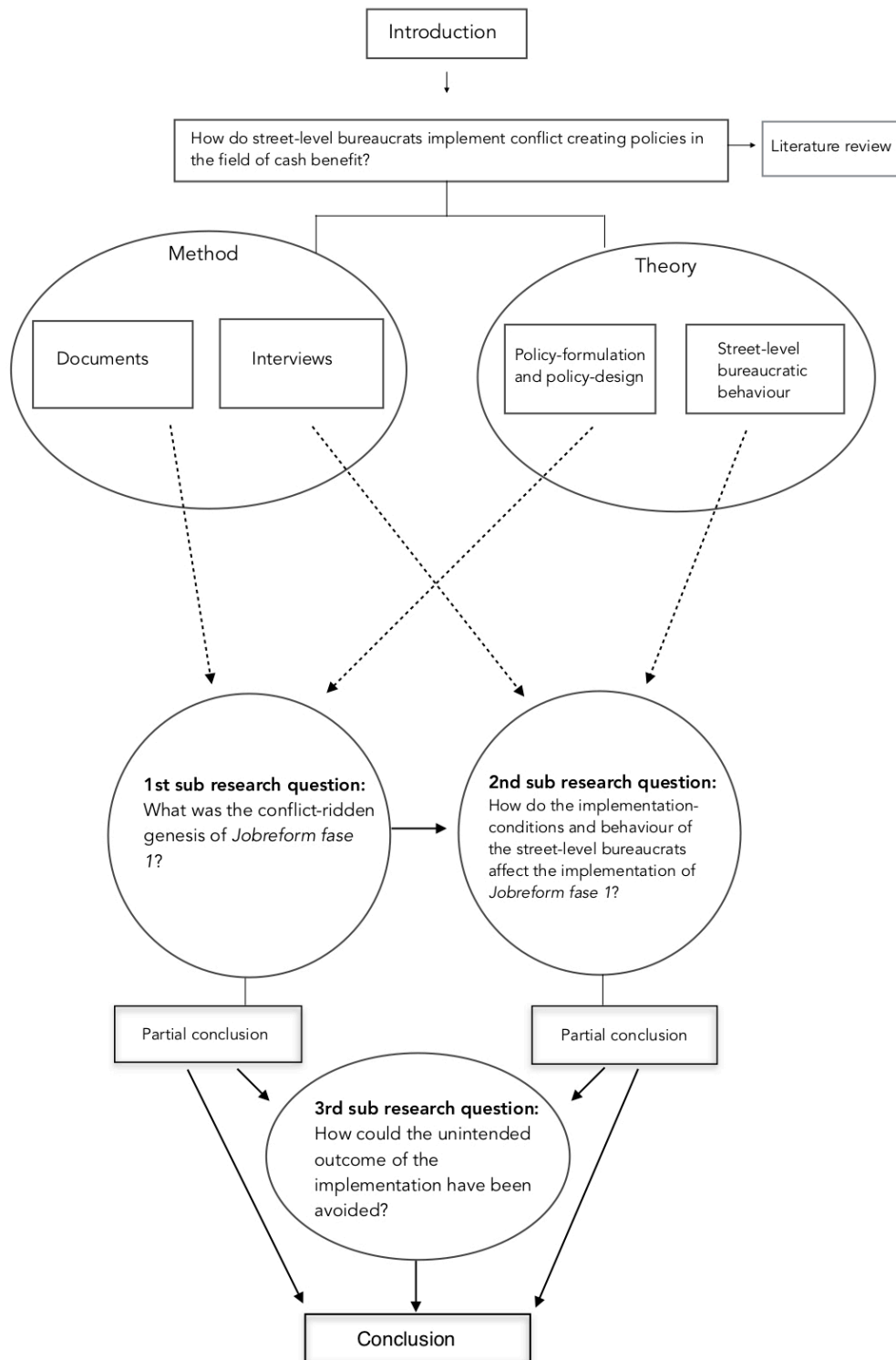
The main research question will be investigated through the following sub research questions:

- 1) What was the conflict-ridden genesis of *Jobreform fase 1*?
- 2) How do the implementation-conditions and behaviour of the street-level bureaucrats affect the implementation of *Jobreform fase 1*?
- 3) How could the unintended outcome of the implementation have been avoided?

## 1.2 Research design and disposition

The research design of this thesis is visualised in Figure 1.

FIGURE 1: RESEARCH DESIGN



The following disposition has been developed in order to answer the main research question:

*How do street-level bureaucrats implement conflict-ridden policies in the field of cash benefits?*

The overall framework of the thesis is based upon Søren C. Winter's Integrated Implementation model cf. section 3.1 and takes the form of a case study of the implementation of JRF1.

1. *What was the conflict-ridden genesis of Jobreform fase 1?*

The purpose of the first sub research question is to cover the conflict-ridden policy-formulation and policy-design of JRF1 in order to set the base for the thesis' analysis and discussion to develop upon. The aim is to illustrate the prelude to and final version of JRF1 using Winter's framework supplemented by Paul Sabatier and Daniel Mazmanian's take on conditions of an effective implementation cf. section 3.2. The question will be answered through an analysis of relevant documents about the genesis and final form of JRF1 cf. chapter 5.

2. *How do the implementation-conditions and behaviour of the street-level bureaucrats affect the implementation of Jobreform fase 1?*

The aim of the second sub research question is to analyse and investigate the attitude, practice and influence of the caseworkers in the implementation-process based on a conflict-ridden policy in order to illustrate how their behavioural rationality and execution of discretion affect the outcome of the implementation. This is done through a series of interviews with caseworkers at different Danish jobcentres which will be analysed using Lennard Lundquist, James Perry and James G. March and Johan P. Olsen's theories and perspectives on street-level bureaucratic behaviour cf. section 3.3.

3. *How could the unintended outcome of the implementation have been avoided?*

The intention of the third sub research question is to discuss different possibilities to how the generally unintended implementation might have been avoided in the light of the findings from the first and second sub research question.

Together these three sub research questions answer the main research question, as they through a study the implementation of JRF1 illustrate the conflict-ridden genesis of the policy and subsequently examine how the involved street-level bureaucrats implement it and discuss how it could have been avoided.



## 1.3 Clarification of concepts

In the following paragraphs, main concepts of this thesis will be explained.

### 1.3.1 Cash benefit

This thesis operates with and within the Danish cash benefit system with caseworkers working with activity-ready cash benefit recipients above 30 years. According to the ‘Act on Active Social Policy, cash benefit in Denmark is a welfare payment which all Danish citizens can apply for if the person cannot support themselves or their family, meaning ones spouse and children under the age of 18. However, in the Danish cash benefit system one cannot receive cash benefit if the ones spouse has the ability to economically support one, or if ones spouse or oneself has an assets from which one could live (Beskæftigelsesministeriet 2019).

TABLE 1: RELEVANT CASH BENEFIT TYPES

<i>Categories of cash benefit recipients</i>		<i>Description</i>
<b>Cash benefit if you are above 30 years of age</b>	Activity-ready	A cash benefit recipient is considered activity-ready if “the jobcentre assesses that you cannot take on an ordinary job that enables you to support yourself within three months, for example, because you have compound or complex problems, such as of a professional, social or medical nature” (Borger 2019).
	Job-ready	A cash benefit recipient is considered job-ready if “the municipality judges that you are able to undertake an ordinary job, that enables you to support yourself within three months. If the municipality judges you to be job-ready you must be available for work etc., and you must actively apply for jobs” (Borger 2019)

### 1.3.2 Caseworker

This thesis uses the term ‘caseworker’ for an employee at a jobcentre who handles and advices regarding activity-ready cash assistance recipients about the 225-hour rule. Thus, in this thesis a caseworker is equivalent to the theoretical term ‘street-level bureaucrat’ cf. section 3.3.

### 1.3.3 Jobreform fase 1

*Jobreform fase 1* (JRF1) is a reform of the Danish cash benefit system. In this thesis only the following two elements will be included and referred to as 'JRF1': the 'cash assistance ceiling' and the '225-hour-rule' cf. chapter 5 (Beskæftigelsesministeriet 2015).

### 1.3.4 The political process

In short, the process within the Danish Parliament cf. section 5.3 is founded on the following full legislative process: 1) The bill is formulated in the ministry in question, 2) the bill is approved at a cabinet meeting and at a Meeting of Ministers of State, 3) bill is circulated for consideration, 4) the law is presented in the Parliament, 5) first reading of the bill, 6) the bill is referred to a committee, 7) second reading of the bill, 8) (rarely) the bill is referred to another committee, 9) third reading of the bill and possible adoption, 10) the law is signed by the Queen of Denmark and thereby enforced (Folketinget 2019).

## 2 Literature review

In 1973 Jeffery L. Pressman and Aaron B. Wildavsky were the pioneers demonstrating how the implementation-process can be the dominating factor regarding the outcome, showing how differentiations such as priorities, perspectives and mission among implementing agents along with bad policy-designs can cause distortion in the implementation of policies (Pressman & Wildavsky 1973; Peters & Pierre 2012: 265f). The research interest in implementation and actor behaviour has increased ever since. Paul Sabatier and Daniel Mazmanian followed with their top-down based study on implementation problems in 1981 while Michael Lipsky, the notorious ‘street-level bureaucracy’ theorist, in 1977 together with Richard Weatherley studied the implementation-process of a special-education law in Massachusetts (Peters & Pierre 2012: 267) after which where after Lipsky himself developed a bottom-up perspective to implementation theory in 1980 emphasising the importance and influence of street-level bureaucrats in implementation-processes and outcomes by identifying different coping mechanisms in the implementation behaviour of street-level bureaucrats (Lipsky 1980). In the aftermath of the introduction of ‘Street-level bureaucracy’, many scholars have followed a Lipsky-inspired approach to implementation theory.

Moreover, in 2002 Søren C. Winter studied street-level bureaucratic behaviour in regulatory and social policies in Denmark through a survey, finding that street-level bureaucrats’ work was more influenced by their own preferences and that they have a very value-based and individual role in policy-making (Winter 2002). In 2005 Brian Graversen and Karen Tinggaard published a report on the implementation of the previous reform from 2003 concerning cash benefit, which also included reduction in the benefits. The results showed that the reform did not have much effect regarding employment of the affected clients, while it had a negative effect on the consumption possibilities (medication, dentist visits etc.) and income (Graversen & Tinggaard 2005).

In 2006 Vibeke Lehmann Nielsen published a study on street-level bureaucratic behaviour showing that behaviour can be motivated by maximizing their job satisfaction, implying that coping mechanisms are not only frustration-avoiders but also a key to satisfaction (Nielsen 2006). In 2007, Peter J. May and Søren C. Winter examined policy-actors’ influences on implementation of employment policies, finding that most caseworkers’ own emphasis on their actions is consistent with the policy-goals, and their understanding, predispositions and professional knowledge have a larger influence than the managers’ and politicians’ (May & Winter 2007). In 2013, Lars Tummors and Victor Bekkers published a study of the important role

of discretion in the work of street-level bureaucrats. They found that the discretion provides street-level bureaucrats with the ability to exercise their own verdicts in the discretions, and that their willingness to implement is highly influenced by their own perception of their work being meaningful to the client (Tummers & Bekkers 2013).

This thesis seeks to contribute to the research on street level bureaucratic implementation behaviour regarding implementation of conflict-ridden legislation within the field of employment policies.

## 3 Theory

This chapter initially presents the overall analytical framework for this thesis, followed by an elaboration on policy-making, and finally a theoretical gathering of street-level bureaucratic behaviour will be illustrated.

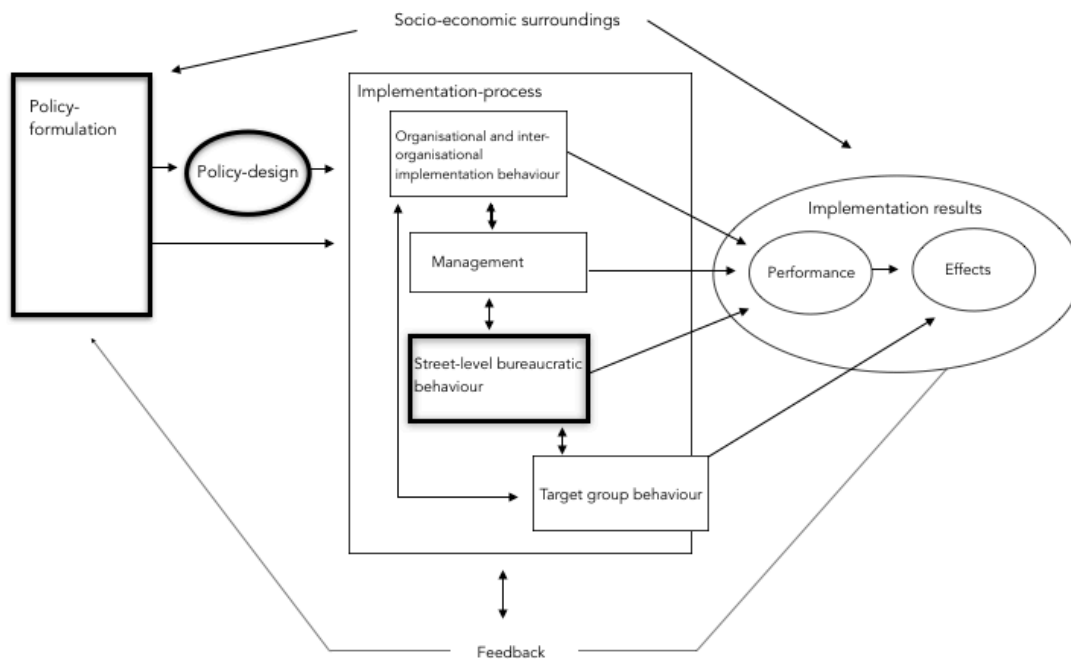
### 3.1 The integrated implementation model – a framework for analysis

Søren C. Winter's theory on implementation is highly inspired by Michael Lipsky's emphasis on the importance of street-level bureaucracy in implementation-processes. His *Integrated Implementation Model* has the character of an analytical framework for studying the entire implementation-process, and the model aims at presenting the central mechanisms and explanatory factors regarding the outcome of a given implementation-process (Agger & Löfgren 2013: 69; Winter 2001: 58f). Winter integrates a top-down and a bottom-up perspective regarding the implementation-process. In this thesis the model will be used as an overall analytical and partly theoretical framework to illustrate the role of and how the different stages affect the results of the implementation and investigate possible veto-points<sup>1</sup> and their consequences for the implementation-process.

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<sup>1</sup> Veto-points are points or stages in the implementation-process where one or more involved actors hold the power to affect and perhaps complicate the implementation-process. The success rate of the implementation decreases the more veto-points there are involved in the process (Winter & Nielsen 2017: 76) .

FIGURE 1: THE INTEGRATED IMPLEMENTATION MODEL (WINTER, 2001: 59)



The model illustrates different phases in an implementation-process and builds upon two central assumptions. Initially, that different actors' *incentives* to complicate the implementation is the primary reason for complications in the implementation-process. This assumption also allows for the expectation that the right incentives will scale down the possible complications. Secondly, the model relies on the assumption that the involved actors' capacity to contribute to the implementation-process holds importance regarding the outcome (Agger & Löfgren 2013: 69).

In order to answer the first sub research question, *What was the conflict-ridden genesis of Jobreform fase 1?*, Winter's phases *policy formulation* and *policy-design*, supplemented by Paul Sabatier and Daniel Mazmanian's theory on successful implementation conditions, will be used to illustrate the prelude to and final version of the conflict-ridden reform in order to elaborate on the implementation conditions and legislative foundation, that the street-level bureaucrats base their discretion upon.

Subsequently, this thesis will examine Winter's phase *street-level bureaucratic behaviour* through the second sub research question, *How do the implementation-conditions and behaviour of the street-level bureaucrats affect the implementation of Jobreform fase 1?*, using Lennard Lundquist, James Perry and James G. March and Johan P. Olsen's suppositions on street-level bureaucratic behaviour.

Operating through these phases of the Integrated Implementation Model accommodates the answering of the main research question, *How could the unintended outcome of the implementation have been avoided?*, as the phases *policy formulation* and *policy-design* will illustrate the conflict-ridden policy, and then the phase *street-level bureaucratic behaviour* will illustrate how they implement the conflict-ridden policy.

TABLE 2: THEORY OVERVIEW

<i>Winter's Integrated Implementation Model</i>	<i>Supplementary theories</i>
<b>Policy-formulation and Policy-design</b>	Paul Sabatier and Daniel Mazmanian: The Conditions of Effective Implementation
<b>Street-level bureaucratic behaviour</b>	Lennard Lundquist: The steering organization
	James Perry: Public Service Motivation
	James G. March and Johan P. Olsen: Logic of appropriateness and Logic of consequences

### 3.2 Policy-formulation and Policy-design

In the following the policy-formulation and policy-design will be elaborated upon in the light of Winter's Integrated Implementation Model cf. section 3.1.

The *policy formulation* serves as a scale to measure whether an implementation has been successful and fulfils the formulation of purpose and goals of a political decision. The policy-formulation relies on the process that leads to the final policy formulation, e.g. political debates and strategies (Winter & Nielsen, 2017: 19; Winter 2001: 61). There are different ways to secure interests and success in the implementation-process.

According to Winter an important point regarding implementation is, that the goals and purpose of the policy must be clearly formulated (Winter & Nielsen 2017: 42f). A clear and consistent formulation accommodates better implementation communication, less confusion and leaves only little if anything to interpretation. Winter states that you cannot expect any success if the formulation of the policy is not clear and consistent and that a valid causal theory holds great importance to the success of the implementation (ibid.). Regarding the construction of a successful policy to implement, Sabatier and Mazmanian have identified conditions concerning effective implementation of legislation and other political decisions much related to the policy formulation and design (Sabatier & Mazmanian 1979: 481f). They too emphasize the need for a valid causal theory ensuring the desired outcome from the target group and a clear and consistent formulation of goal and purpose of the policy. Moreover, they state that:

The statute (or other basic policy decision) provides substantial hierarchical integration within and among implementing agencies by minimizing the number of veto/clearance points and by providing supporters of statutory objectives with inducements and sanctions sufficient to assure acquiescence among those with a potential veto (Sabatier & Mazmanian 1979: 490).

After the policy formulation comes the *policy design*, meaning the policy tool or tools used to implement a political decision (Winter & Nielsen 2017: 19). Winter provides a number of policy tools, emphasizing that none of these are mutually exclusive: Rules, financial management instruments, information, and service delivery.

*Rules* denote how the behaviour of the client is shaped using legal rules, including injunctions, prohibitions and permissions while sanctioning if the beforementioned is not complied with. *Information* implies guidance, for instance campaigns, which is not legally binding. The *financial management instruments* in public administration are mainly subsidies, rewards or income transfers including economic incentives. Finally, *service production* can be a policy tool implying the providing of service (Winter & Nielsen 2017: 44).

Besides the policy-makers must choose one or more organizations to be in charge of the implementation-process, e.g. the jobcentre (Winter & Nielsen, 2017: 45ff). The two factors tending to be the main barriers in this matter are the lack of correlation between political means and goals, and a contemporary political logic favouring specific policy tools and choosing them, even if they are not the most suitable for the purpose (Winter & Nielsen 2017: 58f). Ideology too plays an important role when formulating policies, and according to recent research within the field, right wing parties in Denmark seem to favour market orientated policy tools while the left wing tend not to (Winter & Nielsen 2017: 61f).



### 3.3 Street-level bureaucrats

Through the past decades, street-level bureaucratic behaviour in implementation-processes has raised research interest (Cerna 2013; Peters & Pierre 2012: 265ff). Many approaches to investigate this topic comprehensively exist, however this thesis' theoretical understanding of street-level bureaucracy is inspired by Lipsky's theory and emphasis of their crucial role in the implementation process (Lipsky 1980). Lipsky's highly recognized theory identify coping mechanisms as a strategic behaviour and reaction to high levels of time and resource pressure (Lipsky 1980; Agger & Löfgren 2013: 67). However, the focus of this thesis will rely less on these coping-mechanisms and more on his emphasis on the importance of street-level bureaucrats in the implementation process as a result of their ability and power to exercise discretion. This theoretical focus is based on the empirical material compiled for this thesis, as the provided information evolves less about time and resources and more about individual attitude and positioning in the discretion. As Lipsky's theory can be argued to rely more on organisational conditions for the street-level bureaucratic behaviour due to the focus on how organisational factors affect their work and behaviour, and as the theoretical focus of this thesis evolves around the influence of behavioural rationalities in the execution of discretion, Lipsky will be supplemented with theories founded on actor-based approaches. The theoretical approach of this thesis is furthermore inspired by Winter and May's assumption on the important role of the personal attitude of the street-level bureaucrat in the execution of discretion (May & Winter 2007). In their work on the influences of Danish caseworkers and employment policies, *Politicians, Managers and Street-level Bureaucrats*, Winter and May conclude, that individual attitude, knowledge and understanding of a given policy when a street-level bureaucrat is to implement that policy, carries an extremely high level of importance and influence on the outcome of the implementation (May & Winter 2007: 469).

Lundquist's perspective on whether the street-level bureaucrats understand, can and will implement a given political decision will act as a theoretical and analytical framework for the analysis. March and Olsen's theory on the underlying reasonings behind implementation behaviour along with Perry's theory on Public Service Motivation will illustrate the behaviour, power and influence of the street-level bureaucrats' work relating to the outcome of an implementation-process.

The theoretical approach of this thesis is inspired by Richard E. Elmore's ideas of organisational models of social programme implementation, more specifically Elmore's model on implementation as a bureaucratic process where discretion and routine are dominating attributes implying a large degree of control and power over specific tasks in the work and outcome of the so-called 'small units', in this case caseworkers. The implementation consists of an identification of where the street-level bureaucrats' discretions clusters along with the identification, use and change of routines within the organisation (Hill 1993: 315, 322). Thus, the focus of the model is on how the implementation process is a bureaucratic process, but also

acknowledges how the street-level bureaucrats play an important role in the process and outcome.

As the analytical framework of the case study of the thesis relies on a top-down as well as a bottom-up perspective cf. Winter's Integrated Implementation Model, the use of theories illustrating both perspectives is appropriate. Also, the theories supplement each other as Perry's and Lundquist's approaches lean towards a more political new-institutional attitude (Nielsen 2005: 48), whereas March and Olsen's 'Logic of consequences' is more of a rational choice inspired approach. This allows for a more nuanced analysis and discussion of the street-level bureaucratic behaviour without leaving any the possibility of different approaches out.

### 3.3.1 The work of the street-level bureaucrats

In the following, characteristics of the work of a street-level bureaucrat in Denmark will be elaborated upon. First, the work of the street-level bureaucrats is not minutely regulated, meaning that they have to fill an unregulated space by exercising discretion (Winter & Nielsen 2017: 106). This discretion relies on five principles of administrative law: that it is illegal to carry other interests than the ones given by the law,; the street-level bureaucrat needs to weigh and prioritize the intentions of the law against the clients rights when exercising the discretion,; that the street-level bureaucrat cannot exercise a discretion that is out of proportion,; that the street-level bureaucrat cannot put discretion before rule,; and that the street-level bureaucrat is duty bound to treat and process equally (Winter & Nielsen 2017: 108). Secondly, the work of the street-level bureaucrats is almost impossible to observe and monitor, as a consequence enabling the street-level bureaucrats to act and behave unintended compared to the desired (Winter & Nielsen 2017: 106).

### 3.3.2 The behaviour of the street-level bureaucrats

Initially March and Olsen's perspective on street-level bureaucratic behaviour will be presented followed by Perry's and finally Lundquist's theoretical framework for analysis will be elaborated upon.

March and Olsen present a "model of man" in organisations, where behaviour of actors rely on an institutional approach, meaning that their preferences, identity and interpretation of reality are institutionally cognisant (Nørgaard 1996: 36). They present two ways in which a policy participant can act relying on a system of reasoning: *Logic of consequences* and *logic of appropriateness* (March & Olsen 1984: 675; March & Olsen 2010: 160ff).

*Logic of consequences* relies on maximizing and amplifying good consequences and is "a logic that sees human behaviour as driven by anticipation of its consequences and evaluation of these consequences by some kind of utility function

that reflects the desire of the actor” (March & Olsen 1984: 675; March & Olsen 2010: 160ff).

*Logic of appropriateness* is “a logic that sees human behaviour as driven by a commitment to an identity and its rules” (March & Olsen 1984: 675; March & Olsen 2010: 160ff; March & Olsen 2010: 160ff). Hence, the more homo socio approach that they present, relies on an assumption that an individual is shaped by normative structures within a given organisation. Thus March and Olsen’s term, Logic of appropriateness, relies on a somewhat more organisational conditional context (Nørgaard 1996: 36). As there is no definition hewn in stone of the origin of what steers such an implementational homo socio behaviour, it makes sense to include a similar theory, relying on a more individually founded theory as a supplement to the more organisational approach. This angle is also motivated by Chyi-Lu Jang and van Arjen Witteloostuijn’s studies on bureaucratic behaviour, emphasising how the sociologically founded theory *Public Service Motivation*, which is often found as a dominating behavioural approach for street-level bureaucrats in the public sector, is related to individually founded personality traits (Jang 2012; van Witteloostuijn et. al. 2017; Nørgaard 2018: 11). Therefore, March and Olsen’s *logic of appropriateness* will be supplemented by James Perry’s theory on *Public Service Motivation* (1996) emphasising the attitude and personal interests of the street-level bureaucrats. The term relates to an orientation towards helping through provision of public services and can be described in three variations: *compassion*, *public interest* and *attraction to public policy-making*. With inspiration from Lotte B. Andersen, Nicolai Kristensen and Lene H. Pedersen (Andersen et. al. 2012), an Annie Hondeghem and James Perry inspired fourth variation of Public Service Motivation, *user orientation*, is included in order to accommodate the different modes of this motivation typology (Hondeghem & Perry 2009; Andersen et. al. 2012: 9). Table 4 elaborates on the definitions of these dimensions

TABLE 3: PUBLIC SERVICE MOTIVATION (PERRY 1996; ANDERSEN ET. AL. 2012: 9; PERRY & WISE 1990; HONDEGHEM & PERRY 2009).

<i>Dimension</i>	<i>Description</i>
<b>Compassion</b>	Emotion-bound and affective motivation aiming at helping others, playing an important role regarding the work with very vulnerable and/or needy citizens as they their situations appeal to the street-level bureaucrats' pathos.
<b>Public interest</b>	A motivation concerning the norms of loyalty and duty to serve what the street-level bureaucrat perceives as the public good.
<b>Attraction to public policy-making</b>	The motivation to improve public policy-making with the intention of making it better for others and/or the public good.
<b>User orientation</b>	The motivation to help out the person that the public service is being delivered to by delivering public goods.

In the book *Implementation steering* Lundquist writes about how politicians *steer* street-level bureaucrats and how the relationship in an implementation-process between two actors can be viewed (Lundquist 1987: 171). Lundquist identifies three ways a street-level bureaucrat can act in the implementation-process. This concerns whether the street-level bureaucrat *understands*, *can* and *will* implement efficiently as desired by the politicians. These three terms will act as the analytical framework within Winter's phase 'street-level bureaucrat's behaviour' in order to get an analytical frame and theoretical views on street-level bureaucratic behaviour. Lundquist refers to an 'A' and a 'B' representing two actors in an implementation process in order to illustrate how their behaviour can affect each other and the outcome (ibid.).

This relationship between A and B is interpreted in this thesis as: The relationship between the policy-makers, A, and the street-level bureaucrats, B.

Regarding B's *can*, several causes can trip it: too heavy a workload, lack of experience or training, or lack of the right equipment or capital. Considering B's *understanding*, loss of control plays a large role, as it implies that B misinterprets the steering information. Such information problems can cause changes in the implementation. A can affect this by modelling the steering according to what A knows that B *will* or *can*, e.g. by steering clearly in order to secure the implementation success – or vice versa (ibid.). Lundquist writes that B's *will* to effectuate the implementation holds the key to the realization of the implementation. Especially in cases where B's share in the realization of the policy goals is decisive, e.g. by having specialized knowledge that A needs but does not have. A's dependence, considerations, knowledge and steering regarding B thereby holds great importance (Lundquist 1987: 171f). In these cases where A needs to steer the implementation in a direction that accommodates the desired goal and purpose, and B holds a prevailing role in reaching it, Lundquist argues that A can act in two different ways: 1) by considering B's *understanding*, *will* and *can* in the formulation of the steering methods, 2) or provide B autonomy (Lundquist 1987: 172).

Another important notion regarding B's behaviour is the need for autonomy as it holds great importance to A. If A steers too detailed, and therefore gives less autonomy to B, the B's *can* is not exploitable to A (ibid.). Moreover, B's work, in detail, is very hard to steer, providing B with a naturally high degree of autonomy. However, Bs as a consequence of the relatively large degree of autonomy develop strategies in their work (ibid.). When B has a high degree of autonomy, and thus more will to effectuate the implementation, it is therefore important for A that these strategies do not obstruct the intention or purpose of the outcome of the implementation.

## 4 Method

This thesis is based on a qualitative study of the implementation behaviour of street-level bureaucrats. No generally acknowledged definition of qualitative methodology exists but *qualitative* research and method usually imply studies of *how* and *why* something is developed or experienced in order to understand or deconstruct the quality of human experiences (Brinkmann & Tanggaard, 2015: 13) It can thereby be argued to be a more ‘in depth’ study method of specific phenomena. As the aim of this thesis is to explore the implementation-process of a specific case, JRF1, the qualitative approach qualifies as the most suitable methodological choice for this thesis. Besides, as the thesis seeks to identify and explain the reasons and mechanisms behind street-level bureaucratic behaviour in the implementation of a conflict-ridden policy, the thesis occupies an epistemological and ontological positioning leaning towards critical realism as philosophy of science (Juil & Pedersen, 2012: 280-284, 408f; Archer et. al. 1998)

### 4.1 Case study

In order to answer the main research question, *How do street-level bureaucrats implement conflict-ridden policies in the field of cash benefit?*, this thesis’ overall methodological framework will be a case study of JRF1, as the reform is a case of a conflict-ridden policy cf. section 5.3. As the purpose of the thesis is to investigate and understand a specific and complex issue in depth, a case study seems purposeful (Brinkmann & Tanggaard, 2015: 497). In this section it will be elaborated how this thesis methodological framework is based on a case study. This thesis will rely on John Gerring’s definition of a case study:

”I propose to define the case study as an intensive study of a single unit for the purpose of understanding a larger class of (similar) units. A unit connotes a spatially bounded phenomenon—e.g., a nation-state, revolution, political party, election, or person—observed at a single point in time or over some delimited period of time.” (Gerring 2004: 342).

In short, this definition implies three aspects specifying a case study: 1) a *population* implying investigated and un-investigated cases of a phenomenon 2) and a *case* capturing a desired aspect of the phenomenon that seeks to be illustrated 3) and a *unit* consisting of more components within the investigated case (Gerring 2004: 342). Since the phenomenon which this thesis seeks to investigate, is how a conflict-ridden policy is implemented in the field of cash benefits, the *case* therefore

is JRF1 making the *population* all street-level bureaucrats working with activity-ready cash benefit recipients above the age of 30 within the cash benefit system. The *unit* thereby becomes 12 interviewed street-level bureaucrats, whereas each of them represent components.

## 4.2 Material

This thesis uses documents to enlighten the policy-formulation and policy-design of the legislation and interviews to clarify how the street-level bureaucrats implemented it.

### 4.2.1 Documents

The sort of documents used for this type of analysis are reports, law documents, policy-papers, meeting summaries, transcribed interviews, newspapers etc. (Brinkmann & Tanggaard: 153f). In order to answer the first sub research question, *What was the conflict-ridden genesis of Jobreform fase?*, this thesis uses official law documents such as consultations to the law proposal, debates and summaries of political meetings in order to cover the policy-design, as these documents cover the process leading to the adoption of the legislation and are available at the Danish Parliament's webpage along with various reports on evaluations of JRF1 and previous similar reforms. As the first sub research question aims at illustrating how the policy is conflict-ridden, official documents providing information on the political debates and process seems the most appropriate and selectively neutral choice.

### 4.2.2 Interviews

As the aim is to gain in-depth knowledge of how the street-level bureaucrats implementation behaviour, interviews seem purposeful as empirical material. In total the author of this thesis has conducted 12 interviews intended to answer the second sub research question, *How do the implementation-conditions and behaviour of the street-level bureaucrats affect the implementation of Jobreform fase 1?*. The interviews follow these steps of an interview process cf. Steiner Kvale and Svend Brinkmann being *interviewing* involving the making of an interview guide and completion of the interviews, *transcribing* being the preparation of the interviews for analysis, *analysing* the material using the relevant analytical method to investigate the findings from the interviews and *verifying* the interviews by reviewing the reliability, validity and generalization (Kvale & Brinkmann 2009: 497, 122).

The interviews take form of *in-depth* and *exploratory interviews*. *In-depth* interviews contain detailed knowledge or explanation of a topic, whereas the *exploratory* interview research an area that has not been researched yet. It often proves valuable to use both approaches during an interview as some of the interview topics might be given beforehand and some might not (Fuglsang et. al. 2007: 282). Hence, this semi-structured style allows for an in-depth investigation of a topic while making room for the informant and the interviewer to explore other possible topics of importance that might add important value to the investigation. Using both *in-depth* and *exploratory interview* style in order to get in-depth knowledge on how street-level bureaucrats implement JRF1 seemed suitable as the aim was to interview people who work at jobcentres within the area of advising beneficiaries of cash benefit and the 225-hour rule about their work, thoughts and experiences with the reform. The interview style thereby opens for an exploitation of topics already known about work and behaviour, while still being open to other subjects that might hold importance. Thus, the interviews are semi-structured in order to keep a comparable structure among them but at the same time allowing a more free conversation. The aim of these interviews is to gain in-depth knowledge of the work and behaviour of the street-level bureaucrats in order to review how they affect the results of the implementation.

Interviews with caseworkers from eight Danish jobcentres have been conducted. Three of the interviews were done through the phone and the rest were face-to-face interviews. The interviewed caseworkers have been selected based on the following considerations: 1) different jobcentres 2) smaller and larger municipalities, 3) geographically spread municipalities, 4) municipalities with a different number of people receiving cash benefit, 5) and gender. This selection was made in order to prevent geographical and demographical biases. Furthermore, the selection of informants was done through contacting the jobcentres requesting an interview with a caseworker within the field of cash assistance.

#### *Ethics of the interviews*

As the selection of informants was made through their management, it might imply some consequences as the contact with the caseworkers is “official” which might impact the provided information as the caseworkers might fear to speak truthfully about their work, preferences and experiences with JRF1 as they might fear that their employers – or anyone else – would hear about it. In order to prevent this and to create a confident atmosphere, all names, actual titles and names of municipalities have been anonymized.

#### *Processing of the interviews*

All interviews have been recorded on a phone and subsequently been transcribed followed by a theoretical reading of the interview transcriptions. All interviews are conducted in Danish and the quotes used in the thesis have been translated into English. As both the informants and interviewer speak Danish as their first language, doing the interviews in Danish eases the conversation for the informant and prevent any misunderstandings and details getting lost as a result of speaking



another language. However, by translating the interviews from Danish to English might also include a risk of details getting lost as the translation. That being said, the translation will include the meaning of the sentence and be true to the original sentence.

Each of the interviews has been transcribed and have been processed through a coding of themes and quotes inspired by Kvale and Brinkmann’s distinction between the *central theme*, being the thematic the thesis seeks to describe, and *natural unit*, being the quotes from the informants (Kvale & Brinkmann 2009: 229). Most of the *central themes* has been selected before the interviews took place as they are based upon Lennard Lundquist’s theoretical concepts ‘understand’, ‘can’ and ‘will cf. section 3.3.2 in order to enable a comparison of the interviews to analyse subsequently. The following is an example of how the central theme, being the theoretical concept, and the natural unit, being the informants’ quotes, have been coded:

TABLE 4: CODING OF TRANSCRIPTION

<i>Central theme</i>	<i>Natural Unit</i>	<i>Explanation</i>
<b>Understand</b>	“The 225-hour rule implies that one has to work 225 ordinary hours in total within 12 months and if one has failed to do so, the cash assistance is deducted” (Informant 5).	The informant was asked to explain the what the reform consist of. This quote shows the informants understanding of the content of the 225-hour rule. It shows that the informant understands the content of the reform.
<b>Can</b>	“[...] in the beginning it was just an annoying extra thing we had to register and now it has become, sometimes, the turning point of our work. So one can really use it while making the evaluation if one writes down each time what has happened and ”where are we now? How far are we in the process?” and something like that, I mean, one can use it to maintain a progression.” (informant 2).	The quote show the informants ability to implement the reform. It shows that the informant is able to implement the reform.
<b>Will</b>	“Well, it is about finding holes here and there in the legislation and try to argue that the consequence is that it is ruining to the family” (informant 3).	This quote reflects the informants will to implement the reform. It shows how the informant bypass the law and thereby how the informant does not want to implement it in accordance to the goal and purpose of the reform.

### 4.3 Reliability and validity

*Reliability* depends on whether the material that has been collected to answer the research question can be relied upon, that is whether another researcher using the same tools and questions would find the same results (Olsen & Pedersen 2013: 321). When using interviews as material, the role of the interviewer holds an essential role. This especially concerns interview technique, hereunder the use of leading questions and transcription where both contribute to the reliability and quality of the interviews (Kvale & Brinkmann 2009: 272).

In order to maintain a high degree of reliability, comprehensive transparency of the used methods, selection of informants and interview questions has been presented and reflected upon. Moreover, the interview guide, transcriptions of all interviews and the thematic clustering of findings in the interviews are available on request. The interview guide was prepared and developed with the aim of being as objective as possible for the findings to be as unbiased of subjective opinions or interests of the interviewer as possible. Each of the questions in the interview guide have been reflected upon in the light of the research questions to judge whether the question had purposeful in the process of answering the research questions.

When each of the interviews took place, the questions being asked and the tone of the conversation aimed at being as neutral as possible but with an acknowledgement of the importance of trust in the situation. As the informants talked about sensitive subjects, a comfortable and trustful atmosphere was important. If another researcher was to redo the methods of this thesis one would, even if asking the same informants, perhaps not get the same results as the informants already have been asked the questions and thereby be more prepared and perhaps more aware of their work and perhaps be more selective in the provided information. If asking other informants the same questions by using the same selection criteria, the same results *might* not occur, but as the transparency of the methodology and operationalization in this thesis is of a sufficiently high quality, a redo study by other researchers following the steps and considerations, it should be possible to get similar results. However, the interview technique also allowed for a semi structured approach leading to natural follow-up questions and situations that might be hard to redo naturally. Therefore, the reliability of this thesis can be argued to be relatively low as the potential to recreate the study is not very realistic.

For the thesis to have a strong reliability, it is important to look into the validity. *Validity* suggests that the used method in this thesis measures what it is intended to (Olsen & Pedersen 2013: 317). Regarding the use of interviews in the thesis, they were intended to measure the work and behaviour of the street-level bureaucrats in order to map how their execution of discretion affects the outcome of the implementation. By ensuring that the interview guide and the related questions mapped their *understanding, can* and *will* cf. section 3.3.2, and by being as objective and verbatim as possible in the transcriptions, the validity of the interviews can be argued to be high. Not using leading questions contribute to the

validity of the interviews and thereby the findings, as an approach as objective as possible that interviewer can obtain is important in order to get as close as possible to the actual outcome and influences of and on the implementation. The documents used to illustrate the policy-formulation and policy-design of JRF1 are official documents from the Danish Parliament website, Ministry of Employment and official research institutions contributing to the validity of the thesis, as the documents contain both background material and other documents from the first, second and third reading and the adoption of the bill along with subsequent evaluation of the same. Thus, the validity of the thesis can be considered relatively high.

#### 4.3.1 Generalization

The purpose of this thesis is not to generalize any knowledge to other situations or cases but is to be seen as an input to the debate and discussion of policy-making in the area of cash benefit and the behaviour of street-level bureaucrats (Kvale & Brinkmann 2009: 350).

## 5 What was the Policy-formulation and Policy-design of ‘Jobreform fase 1’?

Looking at the policy-formulation and policy-design a political battleground created the foundation from which JRF1 originated. The policy-formulation and policy-design will be presented followed by an elaboration on the conflict-ridden genesis of these.

### 5.1 The Policy-formulation

Prior to JRF1 similar policies had seen the political stage-light. Previously, a 300-hour rule, a 450-hour rule and a 250-hour rule were introduced by right-wing led governments all intending for cash benefit recipients to pass from public support to jobs by economic incentives (Nørby, 2017 a). These rules implied assigning a certain amount of hours that a cash benefit recipient must work within one year in order to maintain the right to receive cash benefit e.g. the case of the 300-hour rule one needs to work 300-hours within a year (ibid.). According to evaluations made by ECLM on the 300-hour rule, the results of the implementation of the 300-hour rule did have a reducing effect on the number of cash benefit recipients (Vilhelmsen 2010). Anvendt KommunalForskning pointed to the same fact, that the number of cash benefit recipients had decreased but at the same time that the caseworkers had experienced problems with the implementation regarding the policy-formulation as it appeared not to be very clear or precise in the definitions - which according to Winter cf. section 3.2 is a complication for a successful implementation (Jensen & Lauritzen 2008). The experiences with the implementations of availability-enhancing rules such as these in the area of cash benefit, can thus be argued to be less successful when looking at the implementation-process.

JRF1 was based on a similar desire as the ones shaping the previous reforms within the field of cash benefit. The goal was to reduce the number of cash benefit recipients (Beskæftigelsesministeriet 2015 b). After two social democratic government periods, Lars Løkke Rasmussen, Venstre, was elected prime minister on the 28<sup>th</sup> of June 2015. Only a couple of months later, on the 18<sup>th</sup> of November, an agreement to change the cash benefit system was in place with the officially stated intention to “make it worth working” (Beskæftigelsesministeriet 2015 a). In a press release from the Ministry of Employment about the agreement, the former Minister of Employment, Jørn Neergaard Larsen said:

Taking a job instead of being on cash assistance should pay off. That is not only common sense – it is also crucial to the cohesion of our welfare society. Therefore, I am very pleased with the agreement we have reached today, which puts a ceiling onto the amount of money a cash benefit recipient can receive in welfare payments. Far more people need to take the step from public support and into the labour market, which first and foremost requires that there is a noticeable gain in moving from cash benefits to a job (Beskæftigelsesministeriet 2015 a).

The agreement was founded on the four main political worries. Initially the increase in full time persons receiving cash benefit from 129.000 in 2011 to 159.900 in 2015 denotes, according to an official fact sheet on the challenges and potentials of the cash benefit system, that it has not succeeded in turning over the increasing number of cash benefit recipients. Secondly, the number of couples receiving cash benefits has increased from 2011 to 2015 by 50 pct. Thirdly, the number of persons who have received cash benefits for more than 12 months continuously had increased from 76.600 in 2011 to 98.200 in 2015. Finally, the Venstre-led government introduced the worry that the incitement to work compared to receive cash benefit was too small (Beskæftigelsesministeriet 2015 b).

It can be argued that the policy-formulation was highly inspired by previous reforms within the field of cash benefits and implied a goal of reducing the number of cash benefit recipients and having more join the labour market. Specifically, the goal was to make 700 cash benefit recipients join the ordinary labour market full time (Folketinget 2016 a). It can be argued that the policy-formulation is founded on the idea that money is the primus motor for working along with an assumption of the cash assistance recipients to react to economic incitements cf. section 3.2.

## 5.2 The Policy-design

The final policy-design, being the political tool to realize the policy-formulation cf. section 3.2, is constituted by a legislative change of the existing Act on Active Social Policy containing the ceiling on the cash benefits and the 225-hour rule, which will be illustrated in the two following paragraphs (Beskæftigelsesministeriet 2019). The implementing actor chosen to execute the reform is the jobcentres, hereunder caseworkers.

### 5.2.1 A ceiling to cash benefits

The ceiling on the cash benefits is an upper limit to how much a person can receive in sums of cash benefit and special support or housing benefits per month. This imply a reduction of the “core” cash benefit where a person needs to work, cf. the 225-hour rule, in order to maintain the same amount of benefits as previously. Work thereby “releases” a lower limit to what one can receive in cash benefit. An example can be a 30 year old single person with two children e.g. would before the reform would receive 18.535 DKK in total per month in cash benefit. After the introduction of the ceiling they would receive 15.554 DKK in total support where work would release the possibility of receiving special support or housing benefits (Borger 2016). Thereby the actual amount of cash benefit is reduced and the income from ordinary work cf. section 5.2.2 replaces some of the reduced benefits.

### 5.2.2 The 225-hour rule

The 225-hour rule imply a requirement to work at least 225 hours per calendar year in order to receive the beforementioned benefits so the total income that a person receives somehow matched the previous amount before the introduction of JRF1. According to the official ‘Guidance on the 225-hour rule for married couples and unmarried persons receiving assistance under the Act on Active Social Policy §11’ the only persons who are to be exempt from the 225-hour rule is:

Persons with such limited capacity to work that the municipality evaluates, based on a specific estimate, that the given persons will not be able to work in the ordinary labour market at this time. It is expected that a large proportion of the persons assessed by the municipality as activity-ready beneficiaries of assistance will be exempt from the 225-hour rule. Conversely, it is expected that all job-ready and most recipients of education assistance will be covered by the 225-hour requirement (Beskæftigelsesministeriet 2016 b).

Persons receiving integration benefit, educational benefit or cash benefit, where the municipality together with the citizen has started completing the preparatory part of the rehabilitation plan for submission to the rehabilitation team prior to a decision on referral to resource course, flex job or early retirement (Beskæftigelsesministeriet 2016 b).

Persons receiving integration benefit, educational benefit or cash benefit during pre-rehabilitation, as well as persons receiving integration benefit during rehabilitation (Beskæftigelsesministeriet 2016 b).

The assessment that the caseworker makes regarding the cash benefit recipient’s ability to work and participate as a part of the ordinary labour market at the moment, also includes an evaluation of the person’s capacity to perform unsupported and at ordinary work while “there is no assessment of whether it is realistic for the person to find a job” (Beskæftigelsesministeriet 2016 b). Besides, the 225-hour rule is, naturally a rule, in the terms of Winter’s policy-design cf. section 3.2.

According to Winter's theory on policy-design cf. section 3.2, the nature of both legislative elements can be argued to take the form of *financial instruments* comprehending a rational choice approach, as they imply economic incentives as a primary motivating factor which, according to Sabatier and Mazmanian is a typical choice of policy-tools for right-wing parties cf. section 3.2. The political goal to "make it worth working" ended up with a result highly inspired by the previous policies within the cash benefit system. Moreover, the policy-design implies a high degree of autonomy, as the 225-hour rule is formulated very vaguely regarding when a client should be exempt from it.

### 5.3 The conflict-ridden genesis of 'Jobreform fase 1'

Prior to the presentation of the bill in the Danish Parliament a vast number of responses to the demand for consideration from relevant actors, more specifically 25, was received (Folketinget 2016 f).

The collected responses to the demand for consideration was a 110 pages long prediction of a negative outcome if the bill was adopted. Almost all were opposed to the proposed bill and more even warned about adopting it except for the Confederation of Danish Employers who shortly emphasised and acknowledged the need for more incitements for cash benefit recipients to work. In short, the majority of the responses emphasised: First, that 700 full time persons is a modest number compared to the general number of recipients. The rest of the recipients, still a large number, will only be negatively affected by the proposed bill. Secondly, that the reform will result in an increased number of poor children. Thirdly, the majority also stressed the notion that the majority of the activity-ready recipients are expected to be exempt from the 225-hour rule, so if the intention is to exempt activity-ready recipients, then that should be stated directly in the law – and also that activity-ready cash assistance recipients do not respond to economic incentives. Fourthly, attention was called to the policy-formulation being too weak and unclear which they were warned would leave a huge responsibility in the discretion being exercised by the caseworkers which often results in a handling too varying between the different municipalities (ibid.).

DASW, supported by other relevant actors, stated that they agreed with the government that on the need to get more cash benefit recipients in jobs or education. However, they stated in their response to the demand for consideration that the methods implied in the bill, i.e. the 225-hour rule and ceiling, are inefficient regarding the goal of the legislation. They stated that it would only create more poverty and failure to thrive along with other issues and would not have the intended effect on employment. Moreover they put forward a number of alternative policy-designs which in their opinion would be more efficient, mainly implying social investments and emphasizing that all activity-ready cash benefit recipients should

be exempt from the rule as they have already been assessed as incapable of having a job (ibid.).

In short, all actors representing the implementing organs were against the adoption of the bill.

The *225-hour rule* and a *ceiling over the cash benefits* which combined formed JRF1 was introduced in the Danish parliament on the 3<sup>rd</sup> of February 2016 (Folketinget 2016 g). In the introduction speech, the former Minister of Employment, Jørn Neergaard Larsen said:

The incentive to take all kinds of jobs is strengthened, as the income from ordinary work reduces the effect of the ceiling by reducing the amount of cash benefit as a result of labour income (taxable amount), creates room under the ceiling for more special support and housing support (which is tax-free). A requirement is also introduced that a recipient of cash benefit, etc. - when the person has received assistance for a total of one year - must document a minimum of 225 hours of regular, unsupported employment within the past 12 months in order to retain the right to full benefits (Folketinget 2016 g).

However, also in the introduction speech, a specification on the target group was:

Persons with such a limited work capacity that the municipality estimates, based on a specific assessment, that they will not be able to work 225 hours within a year in the ordinary labour market are exempt from the rule (Folketinget 2016 g).

Thereby people whom the caseworkers estimate to be incapable of working, will be exempt from the 225-hour rule and this was the starting point for the debate on whether the activity-ready cash benefit recipients should be exempt from the 225-hour rule.

After the 1<sup>st</sup> reading of the bill, acting chairman of the parliament sent the bill to the Employment Committee for further discussion before moving on to the 2<sup>nd</sup> reading.

A main concern in the amendments was an emphasis for a need to exempt specific target groups from the 225-hour rule, among these activity-ready cash benefit recipients (Folketinget 2016 b). From this point on, activity-ready cash benefit recipients became a highly debated subject concerning the legislation. One of the amendments introduced by the Social Democrats and the Danish Social-Liberal Party strongly supported by the left-wing was the following:



2) In the nr. 4 proposed §13 f PCS. 9, section 1. 'if the capacity for work is considered to be so limited that he or she cannot obtain employment in the ordinary labour market' is changed to: 'which is assessed by the municipality as activity-ready'. [All activity-ready beneficiaries of integration benefit or educational or cash benefits are exempt from the requirement of 225 hours of work within the past 12 calendar months] (Folketinget 2016 b).

The Social Democrats and Danish Social-Liberal Party motivated their proposal regarding the exempt of activity-ready cash assistance recipients with:

To this should be added that the bill is not considered to have a strong employment effect [...] According to the Ministry of Employment's own figures, of the 24,000 people affected by the cash benefit ceiling, less than 5,000 are job-ready [...] Instead of encouraging them to take a job, they risk being further away from the labour market (Folketinget 2016 b).

Beside the amendments a vast number of questions was directed at the former Minister of Employment regarding the bill. Among these were many questions concerning the inclusion of activity-ready cash benefit recipients. One of them concerned how many the Minister expected to be exempt from the 225-rule. Referring to a technical estimate, the Minister stated that 87,5 pct. of activity-ready cash benefit recipients will be exempt (Beskæftigelsesministeriet 2016 a). Moreover, the Minister emphasised, that if an activity-ready cash assistance recipient is able to work, the given person should be evaluated by a caseworker to be included by the rule. But he also stated that if the activity-ready cash assistance recipients are evaluated not to be able to work they should be exempt. Hence, the statement about how the discretion by the caseworkers should be exercised was very unclear (ibid.).

Regardless of the many objections and warnings the bill was put forward and went to 2<sup>nd</sup> reading, another round of conflicting political debates as only a minority of The Employment Committee<sup>2</sup> recommended that the bill was rejected (Folketinget, 2016 d). At the vote in the 2<sup>nd</sup> reading, all amendments proposed by the left-wing were rejected by a very small margin (Folketinget, 2016 d), and the amendment suggesting that all activity-ready cash benefit recipients should be exempt by the 225-hour rule was rejected by 58 votes against and 53 votes (Folketinget, 2016 a). The bill was then put forward for the 3<sup>rd</sup> reading.

In the 3<sup>rd</sup> reading, one of the arguments for the inclusion of activity-ready recipients in the 225-hour rule made by Hans Andersen, Employment spokesperson from Venstre was that:

This is a very debated bill that we are finally settling here today, but the government's and Venstre's ambition is for more people to be employed.

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<sup>2</sup> The Social Democrats, The Danish Social-Liberal Party, The Alternative, Socialist People's Party and The Red-Green Alliance.

Therefore we want to increase the advantage of working rather than being on passive support (Folketinget, 2016 e).

A final vote denoted that 51<sup>3</sup> voted for adoption of the bill, where 49<sup>4</sup> voted against it with a clear division between the left- and right-wing parties. Thus, the bill was adopted on the 17<sup>th</sup> of March 2016 (Folketinget, 2016 e).

The highly conflict-ridden policy, which JRF1 showed to be even before the actual subsequent implementation of it, involved both a political aspect as all left-wing parties were strongly against the bill while all right-wing parties were favouring it and a conflict involving all relevant interest groups and actors who represent the implementing organs. According to Sabatier and Mazmanian it is important to include relevant actors in order to accommodate a successful implementation process, and Lundquist along similar lines argues that an inclusion of the street-level bureaucrats' understanding of, will and ability to implement in the policy-making can accommodate a higher will of the street-level bureaucrats to implement in accordance with the goal and purpose of the law. The fact that all responses to the demand for consideration, objections and warnings from the actors representing the implementing organs were completely ignored witnessed that none of this was the case with the adoption of JRF1. On that note, we would expect the implementation-process to face complications.

## 5.4 Partial conclusion

Chapter 5 shows that the policy-formulation, meaning the purpose and goal of the political decision, of JRF1 is to reduce the number of cash benefit recipients and have 700 recipients work full time ordinary hours. The policy-design, being the executing tool to realize the policy-formulation, is a ceiling to the cash benefit and a 225-hour rule.

The policy – the formulation of purpose and goals along with how the design should be the catalysator of these – is vaguely and very shallowly formulated and imply a grey area regarding the assessment that the caseworkers are then left to exercise. Especially regarding the contradiction between not wanting to exempt all activity-ready cash benefit recipients from the 225-hour rule, but still emphasising that all that people having been evaluated by the caseworkers to be unable to work at the moment – which is the definition of an activity-ready cash benefit recipient – should be exempt. All relevant actors, both external actors and actors more directly related to the exercising organs, the caseworkers, within the implementation-process were more or less ignored in their objections which can cause implementation complications cf. section 3.2. The policy-design is based on an ideological

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<sup>3</sup> The Danish People's Party, Venstre, Liberal Alliance, The Conservative People's Party

<sup>4</sup> The Social Democrats, The Danish Social-Liberal Party, The Alternative, Socialist People's Party

favouring of a rational choice orientated approach to human nature, as they believe that economic incitements will make cash benefit recipients work instead of being supported at public expense. Another complication is that the government was presented with alternative solutions (policy-designs) for the same goals (policy-formulation) from relevant actors and experts, which they chose to reject. Conclusively, the implementation of the policy could be expected to face complications.

## 6 How do the implementation-conditions and street-level bureaucratic behaviour affect the implementation of ‘Jobreform fase 1’?

In order to investigate how the implementation-conditions and behaviour of the caseworkers affect the implementation of JRF1, three elements will be illustrated: *understanding*, *can* and *will* cf. section 3.3.2.

### 6.1 Understand

Looking at the caseworkers’ *understanding* of the reform each of the informants were asked to describe in their own words what the reform imply.

The 225-hour rule implies that you has to work 225 ordinary hours in total within 12 months and if you has failed to do so, the cash benefit will be reduced (Informant 5).

As illustrated by Informant 5, it was known to all informants what the content of the 225-hour rule was and imply and that it was their job to exercise it. All informants were aware that they could exempt cash benefit recipients from the rule (Informant 1-12). The so-called ceiling to the cash benefit was however less emphasised in their statements justified either by the fact that the actual, practical work with the ceiling is not within their work description whereas the 225-hour rule is, naturally making it of greater interest to the informants (*ibid.*). However, when JRF1 first was introduced the reactions amongst the caseworkers were marked by confusion. Not about the content of the reform but of what the consequences of executing it might be.

I remember when I first started. I just sat there and exempted whole case-strains to be completely sure (Informant 12).

On the one hand, the majority of the informants stated that the initial reaction was to exempt all recipients from the rule regardless of their correct interpretation of the rule. The reactions were founded upon a general confusion about the consequences of what it means to include recipients by the rule, and an

interpretation of the rule to imply large economic consequences for the recipients and therefore the need for it to be handled gently (Informant 1-2, 5-12). They understood the rule as if an exemption from it would have the least impact on the current situation – both for themselves and the recipients. And as the reform was enforced without any trials the caseworkers were forced from one day to another to assess all the cash benefit recipients regarding the newly introduced law, which they had no idea how would impact the recipients (ibid.). On that ground it can be argued that this reaction, which essentially equals counteracting the intention and purpose of the reform as they do not assess the recipients' capacity for work, was steered by a fear of what the consequences of the inclusion of the rule would imply in practice, even if they understood the consequences in theory. Hence it can be argued that the initial deviation from the purpose and intention of the reform lies within the contemplation that theory is separate from practice.

On the other hand, a minority of the informants showed less confusion – and less fearfulness – of the consequences of the reform. They evaluated each recipient from the beginning and thereby executed more in line with the intentions of the law while contrary to the other reaction showing less separation between theory and practice (Informant 3-4). Hence, less of what the consequences might be.

In this case, it can be reasoned that the initial understanding of the reform was in theory, generally, in accordance with the officially stated purpose and intention of the reform, whereas the influencing factor deciding how the execution of the rule happened from the beginning relied on different perceptions of the consequences of the reform.

However, the first reactions became more aligned in the aftermath of the introduction.

Well, we talk a lot about it and it is a large part of the work. At least it has become that. In the beginning we did not really know... I mean, we were more prone to standardize it, put things in boxes. Now it is something really important in our work and we use it as a good wake-up call in cases like "hey, wake up. Try to make an evaluation about your citizen where are you going and what should happen in the case?" So we use it kind of constructively (Informant 2).

As Informant 2 exemplifies, when the first distress had subsided and the caseworkers had become more familiar with the consequences in practice, a tendency to include more recipients by the rule was emerging and more caseworkers began to express higher understandings of the content of the reform, as they had seen the consequences. All informants stated that becoming more familiar with the rule increased the *understanding* of the content of it (Informant 1-2, 5-12). Thus, it can be resolved that in this case time eliminated the distance between theory and practice and thereby increased the total understanding of the reform.

There was no doubt that all informants understood the content of the reform. However, the majority of the informants did not see how the *content* (policy-design) was to execute the *purpose* (policy-formulation) of the reform.

Even if the core understanding of the *content* of the reform was in accordance with the officially stated, the *purpose* divided the waters. A vast majority of the informants did not understand the relation between the purpose and the content. Even if they shared the view that cash benefit recipients must aim to become a part of the labour market and that cash benefit was a temporary benefit, they emphasised that the rule as the means to move more activity-ready cash benefit recipients into ordinary work was not the optimal solution.

Conclusively it can be argued that all informants predominantly *understand* the reform as they all understand the content of it, which can be argued to be the predominant implementation factor compared to the understanding of the purpose. They might disagree with the connection between the purpose and content of the reform, but they all understood their function in the implementation process and the content that they must hereby execute.

## 6.2 Can

Regarding the caseworkers' ability to execute the implementation this sub chapter will look at the workload, experience and equipment present in the implementation-process cf. section 3.3.2.

As introduced in the first chapter, the 225-hour rule imply that the caseworkers perform a discretion at each meeting with an activity-ready cash benefit recipient, where they have the opportunity to exempt them from the rule if they evaluate that the recipient cannot work cf. section 5.2.2. Thereby they are equipped with a large degree of autonomy.

Despite these instructions a majority of the informants experienced a complete shock as there had been a lack of preparations leading up to the day the rule was locally enforced. They felt like they were stepping into unknown waters as the lack of preparations were closely followed by a feeling of lacking training and experience as the 225-hour rule was new to them, resulting in the development of different strategies in order to cope with the new rule (Informant 1-2, 5-12).

When the law was enforced we would ask the doctor about the test, and that was perhaps not very smart, but at that point that was the drill. There were some standard questions (the test, red.) we would send to the doctor where you would write a little bit about the 225-hour rule as well and then ask if the given citizen was able to work for five hours per week. And after some months, we were told that we could not do this any longer.. and of course that was also wrong (Informant 9).

One of the strategies was resorting to doctors' opinions regarding the specific recipient's ability to work, and thereby medical documentation became an initial solution to how to evaluate the capacity for work (Informant 1, 9).

Another was to simply to exempt everyone, as there were no restrictions regarding how many could be exempt and no local procedure on how to evaluate:

I was just sitting there and exempting people, I mean exempting whole case strains to be sure.. and in reality that was really good, because then we start by exempting you and then we evaluate whether or not you should be included. I remember myself just massively putting in macros (informant 12).

This strategy was the dominating strategy amongst the informants. Most of them motivated the action with an emphasis on the economic damage an inclusion could cause for the cash benefit recipient (Informant 2-7, 10-12).

As stated in both quotes above describing initial strategies regarding the execution of the 225-hour rule, continuous medical consultation and automatic exemption of everyone were both insufficient reactions. It can be argued that the medical consultation was too time demanding and somewhat displaced the responsibility of the evaluation from the caseworker to the involved doctor, while the automatic exemption directly counteracted the purpose and goal of the reform while somewhat bypassing the law cf. section 5.1. As the framework for the implementation illustrated very unspecified local strategies for the implementation, resulted in a variety implementation strategies, as is would be expected when the caseworkers were given such a high degree of autonomy by the policy-makers without any further instructions cf. section 5.2.2. The high degree of autonomy limits the steering of the caseworkers and thereby misdirects the outcome of the implementation.

On that note, different restrictive elements were enforced in the jobcentres, all internally constructed which theoretically would enable a more intended steering of the caseworkers' work cf. section 3.3.2.

The aim was to accommodate better procedures enabling the caseworkers to become better at using the rule more in line with the law and actually evaluating at each meeting with the cash benefit recipient by introducing a higher demand for documentation, describing and arguing the basis for the outcome of the evaluation (1-6, 10-12).

[...] now it has sometimes become the turning point of our work. So one can really use it while making the evaluation, if one writes down each time what has happened and "where are we now? How far are we in the process?" and something like that, I mean, one can use it to maintain a progression. Make sure that there is progression in the case and that we get somewhere [...] We somehow evaluate their ability to work, right? I think it is a bit challenging, because we usually do not do that and have not been doing it ongoingly (informant 2).

When it was implemented, we could just write “you are exempt”. Then the rules were tightened up [...] and we wrote something like “your back hurts, therefore you are exempt” and then it was tightened again and then we wrote “The fact that your back is hurting is affecting your functionality so you cannot participate in the labour market” (informant 12).

The tightening forced the caseworkers to be more detailed in their documentation and argumentation for the evaluations of the cash benefit recipients’ work capacity. In some jobcentres different internal quality supervisions were introduced to make randomized samples of the caseworkers’ evaluations ensuring that their evaluations were in line with the law (Informant 1-12). Thus, regarding the 225-hour rule, the general caseworker had to make a rather detailed description of the cash benefit recipient’s work ability at each meeting in order to ensure that they actually do evaluate and observe the law.

Several of the informants mentioned that the jobcentres had – confidential - guidelines for when a cash benefit recipient should be exempt from the rule, however they varied in an exceptional degree, from very vague to very detailed, and the use of them varied just as much (Informant 2-3, 7, 9, 12). In one case an informant presented the description, which was very vague and in two sentences stated that an exemption from the rule should be founded upon “complex problems”, and when asking the caseworker what complex problems implied, the informant’s answer was that “Umh, a complex problem can be, well what can it be, it can be umh... what can it be, what can it be. It can be mental health” and emphasising that the guideline was not the casting viable when exercising discretion (informant 7). Hence the impact of the guidelines was not in itself the decisive factor when exempting, but paved the way for a free interpretation of the rule. Moreover informant 7 had not experienced any restrictive elements since the enforcement of the rule, and as the person themselves stated: ”I exempt based on mental or physical health.. but I do not argue very much about it in the system” (informant 7).

Along similar lines, in a jobcentre where they have a highly detailed guideline to the work with the 225-hour rule and when to exempt from it, the mood differentiated from caseworker to caseworker, as one said that “I am sure that there is a guideline somewhere in our centre but I have not read it. I am not very good with guidelines” (informant 12). And another caseworker stated that ”there is a whole catalogue, I would say, and it is used in different discussions, knowledge-sharing and presentations” (informant 2). Thus, the impact of the guidelines does not seem to be of any essential character.

After the introduction of the different internal specifications of the rule, most of the informants experienced work with the 225-hour rule as easier but still not strictly straightforward (1-12). When asked if the initial strategy would have stayed the same had there been no further approach to steer the implementation, one informant directly stated that it would be “most likely. There need to be changes, also top-down. Some demands in order to change the way you work.” (Informant 1).



Noteworthy in this matter is that none of the informants articulated the introduction of the rule and the extra workload it implied as particularly pressuring, leaving out this part. The things concerning the majority of the informants the most and that somehow triggered their ability to implement the reform, were the possible negative consequences for the cash benefit recipients and the initial lacking experience in combination with the initial lack of local equipment to implement, making their work with the rule very flighty and somewhat impulse driven. As time passed they became more familiar with the consequences of the rules and developed different internal strategies aiming at implementing in a more desired direction. The minority of the informants did not see any complications regarding lacking experience, workload or equipment in order to implement the reform as desired by the policy (Informant 1-12).

Conclusively it can be argued that the high degree of autonomy which was assigned to the caseworkers in combination with lack of local preparations and strategies and streamlining across municipalities resulted in an ocean of actions and strategies, and some can be argued to have directly counteracted the law. The caseworkers were theoretically able to implement the reform from the beginning but the lack of instruments, equipment and framework about how the local organisations should implement the reform, caused a heavy stumble in the initial phase of their implementation-process. But this was overcome as time progressed enhancing all the caseworkers' ability to implement the reform. Thus, they can implement the reform.

## 6.3 Will

Exemption holds the key to the outcome of the implementation, and what was found in the interviews was that the will to implement was mostly centralized around the exemption of the rule. The will of street level bureaucrats is often illustrated by their behaviour in the implementation-processes cf. section 3.3.2. In order to investigate the will of the caseworkers to implement the reform, this sub chapter will look at the behavioural rationalities behind the way they exercise the discretions and thereby the rationality that might affect the outcome of the implementation.

As the caseworkers were provided with a high degree of autonomy and as time has provided better equipment, more experience and ability to implement along with a not particularly increased workload or stress, one would expect, given Lundquist's theory, that the caseworkers' will to implement would be of a relatively high degree.

Besides, their will to implement the reform should be increased as they understood the content of the reform cf. section 3.3.2. Hence the caseworkers had fairly good implementation-conditions. These being a great deal of autonomy, equipment and ability to execute the reform while understanding the reform. One

of the conditions being provision of autonomy, according to Lundquist this will enable an increased will to cooperate and implement the reform - even though chapter 5 would expect implementation complications, Lundquist argued that a high degree of autonomy alone will accommodate a higher will of the caseworkers to cooperate cf. section 3.3.2

When analysing the 12 interviews regarding the informants' will to implement the reform, the informants are grouped into four different behavioural rationalities cf. section 3.3.2: 1) Citizen compassion, 2) Rational logic, 3) Strict appropriateness, and 4) Compassionate appropriateness.

The following sub sections will elaborate on the behavioural rationality of each grouping followed by an elaboration of how their attitude affects their will to implement the reform. The caseworkers' behavioural rationality will initially be elaborated on by their attitude towards the reform followed by how it affects their execution of discretion.

### 6.3.1 Client compassion

*Client compassion* is a combination of Compassion and User orientation cf. section 3.3.2. The four informants fitting this category have a strong emotion-based motivation in their work and an eagerness to help and protect all activity-ready cash benefit recipients. This motivation is based on the notion that they find their actions and strategies to be the appropriate way of executing discretion, applying an element of Logic of appropriateness to the behavioural rationality cf. section 3.3.2.

When asked about their personal opinion of the reform, all four informants in this category clearly stated that they disliked it.

I might get it regarding the job-ready where one could think that they might actually be able to work and that they can be pushed a little bit. But these citizens, where many of them are so far from the labour market. It seems almost idiotic that they must be included by the rule (Informant 12).

Along similar lines, Informant 2 indicated in a highly ironic voice that "It should not be too nice, not too comfortable to receive cash benefit. I mean, it should not be that one can live, just survive, right?" (Informant 2) and "We have tried it before with the 450-hour rule [...] which has not really worked" (Informant 2) followed closely by Informant 3 who stated that it does not make sense to include activity-ready recipients as "those are the absolutely weakest ones because they have multiple problems" (Informant 3) and that "it is just another problem I can't seem to care for" (Informant 3) and finally informant 7 who stated that "I think it is a stupid rule" (Informant 7) while laughing.

These informants had a highly negative attitude towards the reform. Common to all of them was that they exempted all the cash benefit recipients in their case

strains – even in cases where they knew that they should not. When informant 2 was asked if the person had ever exempted an activity-ready cash benefit recipient knowing that they should not be exempted, the answer was a loud and clear “Yes.” (Informant 2) followed by:

and I know that people do that. They just write whatever in order to make it look appropriate. Well, I am not sure if it would pass if an external auditing saw it. But I always say that “this is our evaluation”. As long as you can document the thought behind it and why you postpone it, it ought to be enough. [...] We are the ones who know the citizens (Informant 2).

Informant 2 illustrated a strategy to bypass the law by documenting and arguing why an activity-ready cash benefit recipient should not work, when in reality the person was able to work. This strategy illustrated a direct counteraction of the reform and a near breaking of the law, as an activity-ready cash benefit recipient who is able to work five hours a week, should not be exempt by the rule cf. section 5.2.2. Besides, this strategy shows a lack of will to implement the reform, as it is directly counteracted due to a negative attitude towards it. Thus the high degree of autonomy is used to implement the caseworkers’ own attitude towards the reform. A lack of will to implemented is thereby essential to the outcome of the reform. This strategy is one which all the informants in this category practise.

Well, it is about finding holes here and there in the legislation and trying to argue that the consequence is, that it is ruining to the family (Informant 3).

Informant 3 practised the same strategy of writing and documenting in favour of an unrightful exemption. The informant had made up own rules overwriting the official ones:

As a rule they are not included (Informant 3).

When asked if that was the official rule or the informant’s own rule the answer was:

That is my own rule. Because the main rule is that they are included, that is how it is. But it is because I know the citizens really, really well. We have had long processes together. So I know if the person should feel better or be able to get a job. I know the citizens really well, I know the challenges they face and therefore my rule is that they are exempt (Informant 3).

The informant was fully aware that this strategy was bypassing the law but motivated the strategy with the fact that the informant knew what was best for the activity-ready cash benefit recipients. This strategy however was supported implicitly by the management in the jobcentre in question. The informant expressed that the management turned a blind eye to them by holding a certain distance to micro management and instead just letting the caseworkers execute the discretions as they please:

Because then we just work out these loopholes here and there in the law, which might not have been accepted if we had a management that was very close (Informant 3).

Informant 12 practiced the same strategy even as the informant got reprimanded for arguing and documenting the exemptions too vaguely in general:

I comply. But it does not mean that I do not exempt. I just write more of what they want me to write. So I think it is fine. In reality I am doing it with the citizen in mind. And if that requires that I write and document more then I will write and document more (Informant 12).

Informant 7 too practised this strategy but supplemented it with another strategy. The informant provided several examples on exemptions from the 225-hour rule, among these a woman who the informant told was working and who therefore in theory should be job-ready and not activity-ready:

But I keep her as long as I can until we get her a job where she can work around 25 hour a week or something like that [...] Because I can give her some offers and efforts to support a lasting employment which she will not be able to get if she is job-ready (Informant 7).

Informant 7 provided several examples of how this was the case with most of the cash benefit recipients in the informant's case-strain. So, another strategy reflecting the will of the informant to implement the reform is simply by keeping them in the system in order to personally provide them with help and efforts that they cannot receive otherwise. The strong emotion-based implementation behaviour hereby acts as a massive veto-point in the implementation of JRF1—perhaps even more than an exemption of the rule.

On this note all four informants somewhat bypassed the law and all motivated their actions by emphasising that they did it for the clients' best, because they were the ones who knew the clients and therefore were the most capable to decide the course of the battle. Hence they bypassed the law and they were aware of it. The fact that the informants are driven by an identity and norm-set anticipation that it is appropriate to exercise these strategies, because they are somehow the "protectors of the clients" along with the fact that their lack of will to implement the reform counteracts the goal and purpose of the reform, can be argued to be a potentially determining factor in the undesired outcome of the reform. Thus, what they believe to be appropriate implementation behaviour relates more to what is appropriate towards the clients more than towards the legal or political system.

### 6.3.2 Rational logic

Rational logic is a combination of Logic of consequences and Logic of appropriateness cf. section 3.3.2. The three informants in this category mainly rely on a logic of consequences as behavioural rationality due to their focus on consequences of actions, and view human motivation as driven by economic incentives, while they also interpret this behaviour as the most appropriate and are driven by an identity and rules which are strongly connected to consequences of actions.

When asked about their personal opinion of the reform all informants in this category had a positive attitude towards it.

I think it makes great sense because those who can, must [...] Well, the thought is, that those who can contribute must contribute. Our experience is - and I guess that this is also the aim of it (the rule, red.) - that it provides job openings and that is what provides the experience, courage and competence to get back to the labour market [...] We do not do them a favour by not demanding anything of them (Informant 8).

As illustrated by informant 8 this attitude towards the reform rely on the opinion that the best way to help and guide the cash benefit recipients was through demanding things from them, and that the tools included in the reform provided the necessary means that the cash benefit recipients lack, and act as a facilitator to labour market entrance.

Informant 5 shared the positive attitude and emphasised that the reform made it easier to make activity-ready cash benefit recipients work.

It is easier to make people work even if it is only a few hours. [...] people are more motivated regarding their economic situation. If they work these hours then they maintain the right to receive the total benefit. It is easier to motivate them that way, (Informant 5).

The utmost positive attitude towards the reform relied on a belief that economic incitements were good motivators and had a positive effect on the cash benefit recipients. This attitude naturally accommodated JRF1 as they relied on the same motivational view cf. section 5.4 (4,5,8). The informants viewed the cash benefit recipients as driven by the anticipation of the consequences that would follow if they did not align with the demands of the law.

When asked if situations did occur where sympathy or compassion for the cash benefit recipients could weigh the judgement in favour of an exemption, the caseworkers all expressed that they found it inappropriate to counteract the legislation in any way.

In the end we are professionals. There is no “pity” or “feeling sorry for”. It can be a professional discussion of what the catalysator of this situation

is and what we can do about it. How we can help the citizen to help oneself out of the situation (Informant 8).

If one might feel sorry for the citizen... It depends on which glasses you are wearing – and I assume that you almost always put on the professional glasses (Informant 5).

Their anticipation of appropriate behaviour was thereby closely linked to professionalism. Unprofessionalism thus became inappropriate behaviour making the informants more prone to a loyal implementation. The informants in this category were driven by the consequences of their actions, as they found it inappropriate to let their judgement be influenced by any subjective relation to the cash benefit recipients. Their attitude towards deviating from the professional attitude illustrated an anticipation that bypassing the law would amplify bad consequences. Thereby it can be argued that they seek to amplify good consequences by being professional and loyal to the goal and purpose of the law and the implementation of it. They find it appropriate to maximize the number of clients moving from cash benefits to payed work and thereby maximizing good consequences of the reform regarding the goal of it.

Clearly the positive attitude and shared motivational view with the policy-makers accommodated a more loyal implementation behaviour amongst the informants in this category, as it is in accordance with what they found to be appropriate behaviour. Hence the caseworkers are loyal to the implementation as their attitude and behavioural rationality is consistent with the purpose and goal of JRF1.

### 6.3.3 Strict appropriateness

Strict appropriateness relies on Logic of appropriateness as the overshadowing behavioural rationality cf. section 3.3.2. The three informants in this category are dominated by appropriateness in their actions regardless of their personal opinion or attitude towards the reform.

Somehow I think that it is alright that there is focus on the citizens having to get out and try to perform if they can. So, I think it is OK – that is also what the scientific research says and there is evidence in favour of it. And the mantra being used everywhere now is: Reality works. The citizens need to get into the labour market and that is where we build them up. That is what the scientific research says right now. The trend is everywhere, that that is how you do it... and in that context the 225-hour rule fits just fine. That we in the jobcentre should make the citizen earn an actual salary instead of continuous job trainings (Informant 11).

As Informant 11 illustrated, the attitude towards the reform was based on facts and evidence. Thereby evidence and scientific research created the foundation of what was appropriate in the implementation.

Just because a person is activity-ready it does not mean that the person is unable to do something. This is exactly where reality works. [...] We have to look at resources. Not just barriers. And if we just automatically exempt then we only look at barriers (Informant 11).

“Reality works”, the new scientifically based trend mentioned by the informant, was seemingly articulated every time the informant needed a reminder of positive elements in the reform. Thereby a legitimizing factor and strategy to motivate a loyal implementation was reliance on evidence based facts. Thus it was not always easy to keep up the positive attitude:

The part which can be a little difficult regarding the thinking that “reality works” is when the citizen is having a really hard time. Then it can be difficult to see through it and look at “the reality” and think that, that is where we have to build up that person. That is the tricky part as a caseworker. Because we are human beings and if one can see that a citizen is having a really hard time, but we still have to focus on labour market participation – because that is what we have to. We must focus on labour market participation whether they are activity-ready or not (Informant 11).

The informant illustrated how compassion was a hard factor to keep down and how it could challenge the will to implement the reform loyally. The informant accentuated that the informant had found two strategies to somewhat overcome this inappropriate compassionate attitude.

We need to get the citizens out into the labour market, but where at the same time they are supported with everything we have got regarding the other present problems so that at the same time there are parallel, assisting efforts (Informant 11)

One of the strategies was to go all in on supplementing and supportive social efforts. The fact that the informant felt like they did all they could to support every need of the cash benefit recipient somehow made it more bearable to implement the reform – and increased the will to do so. The second strategy was also an acceptance that caseworkers could feel compassion for the citizens and that it should be avoided, as it is inappropriate behaviour.

It requires that we jointly try to lift these citizens .. so that it is not the caseworker's own affairs, it is our common cause. When you have a dialogue with others and get their views and other possibilities of action... You exempt more when you are on your own (Informant 11).

In the particular jobcentre where Informant 11 worked they had established a strategy in order to counteract any inappropriate behaviour, meaning any bypassing of the law by exempting when not supposed to. They evaluated each case together creating a space where any inappropriate behaviour was killed.

We are all subject to the same rules which we all should be following (Informant 9).

As illustrated by Informant 9 and common to all informants in this category was the emphasis that all caseworkers were subject to the same rules and therefore should follow them (Informant 9-11) whether they like them or not. When asked directly about the informant's personal opinion of the reform, informant 9 stated that "I have not seen the rule work in the way the politicians want it to" (Informant 9) and emphasising in an ironic voice that:

If there is any advantage of the rule right now it is only economical, I mean literally [...] regarding the municipality having to pay out less benefits to the citizen (Informant 9).

Clearly, the informants in this category were personally struggling with the reform but did not let it influence the implementation of it. As they were strongly influenced of what is appropriate to do in the context of implementation of legislation, they exhibited a high degree of loyalty towards the implementation. Conclusively their will to implement the reform can be argued to be high, as what they believe to be appropriate implementation behaviour and appropriate in their profession relates to a larger loyalty towards the legal and political system.

#### 6.3.4 Compassionate appropriateness

Compassionate appropriateness is a combination of Logic of appropriateness and Compassion cf. section 3.3.2. The two informants in this category were primarily driven by what they believed to be appropriate behaviour while occasionally being influenced by compassion for the clients in their work.

All three informants in this category stated that they did not view the reform positively but that it was the law and it should be followed regardless of their personal attitude (Informant 1, 6-7).

In its (the rule's, red.) outmost consequence it is just stupid [...] I mean it has, in my eyes, been a punitive expedition. But that is how it is. I mean, I cannot remove it so I have to work by it [...] That is it. Those are the terms. That is just how it is [...] Some of my colleagues are far more generous than I am regarding the exemptions simply because they think it is an idiotic rule (Informant 6).

As Informant 6 illustrated the personal opinion of the rule was highly negative but was however a rule that should be complied to as was the law. Thereby it can be argued that the informant found it most appropriate to implement in accordance to the law. The notion that it was found to be more appropriate to exempt in the respective jobcentre where the informant worked, might have influenced the informant's will to bypass the law even as the informants own perception of what is appropriate was more related to an implementation behaviour loyal to the legislation. The informant shared a story from an instance where the informant had been in a dilemma about whether to sanction a cash benefit recipient who was



already exempt by the rule but did not attend the meetings that were required by the law in order to maintain the cash assistance.

I could do two things. One was to sanction him. But then he will not get any money. And then he could not pay his rent etc. and then he would end up living on the streets and then we would have a social incident. So, instead I arranged that his cash benefit was withheld. Because then at some point he will return. Because the source runs out. And that was more efficient than if we just had done what we were supposed to do (Informant 6).

Thereby compassion for the particular client undermined what was appropriate to do. The notion that the norms in the respective jobcentre relied on a more bypassing approach towards the law might affect the informant's implementation behaviour as the colleagues' perceptions of what was appropriate might influence the informants own perception. Hence, the general perception of appropriateness had an influence on this informant's actions in the implementation-process.

The other informant in this category also had a negative attitude towards the reform, but regardless of the personal opinion thought that the appropriate thing to do was to implement in accordance to the law.

It is just another smart trick... and then, a year later, some statistics are published revealing that more cash benefit recipients have stopped receiving public benefits (Informant 1).

Regarding activity-ready it is another case. They are mostly ill. But if they are not, I am not exempting them.(Informant 1).

However, the informant occasionally made exceptions from this otherwise loyal implementation behaviour. The informant explained a dilemma in a specific case in which the informant knew that the cash benefit recipient in question according to the law should have been included by the rule:

But there I am, in the middle of a dilemma whether I should do it. Because it is like giving them 1000DKK for free. But then again those, excuse the expression, shitty politicians, what do they do about Danske Bank or the Ministry of Taxation that take so much money away from the citizens [...] Then I just think, you know what, I would rather make this citizen happy... when it does not have any consequences (Informant 1)

As illustrated by Informant 1 compassion towards the particular client and the bypassing of the law was somehow legitimized by a scale-comparison. The informant viewed these cases of compassion as appropriate actions as the informant balanced the economic weight of the informant's own action by comparing to a larger scale of inappropriate actions. Both informants emphasised in very confident voices that their deviating actions, even as they themselves saw them as inappropriate, did not have any negative consequences for themselves.

I do not have to argue so much regarding that. Because it is my evaluation if they should be exempt or not (Informant 1).

Sometimes we exercise a very humane discretion and perform some very humane actions. Then we just make up an explanation to legitimize that that is just how it is (Informant 6).

A strategy to bypass the law thereby is a simple argument in favour of the exemption. Both informants were fairly confident in doing so because they were familiar with the autonomy of the discretion and knew that the reform did not imply any control per se of their evaluations. They knew that it was inappropriate behaviour but at the same time they are willing to deviate a little in order to help the clients. Thereby the overall belief that they in their profession were expected to – and thereby should – obey the rules, had the largest impact on their implementation behaviour but they occasionally deviated from this behaviour as their compassion towards some clients tilted it. For both informants it was clear that they felt like they were doing something inappropriate when they bypassed the law, but they did it for the benefit of the individual client. Thus the deviating will to implement can also be influenced by the general notion in the respective jobcentres of what is appropriate implementation behaviour.

## 6.4 Partial conclusion

Conclusively, it was found that what seems an appropriate implementation behaviour to the informants is very different, mostly relating to their attitude and perception of the reform. On one hand the appropriate implementation behaviour can be chained to a negative attitude towards the reform along with a loyalty towards the clients, which the informants with the behavioural rationalities ‘Citizen compassion’ and ‘Compassionate appropriateness’ respectively mostly and occasionally practice, which results in an unintended and somewhat counteracting implementation of JRF1.

On the other hand the appropriate behaviour can be based on a positive attitude towards the reform along with a loyalty towards the legislative and political system which the informants with ‘Rational logic’ behavioural rationality strongly practice, implying an implementation in line with the purpose and goal of JRF1.

Finally the seemingly appropriate behaviour can also be founded on a negative attitude towards the reform along with a loyalty towards the legislative and political system, which the informants with the behavioural rationality ‘Strict appropriateness’ strongly practice. This accommodated a loyal implementation regardless of their personal attitude towards it.

On that note, it be argued that the informants’ anticipation of appropriate implementation behaviour reflects an indirect top-down or bottom-up approach as the groups feeling loyal to the clients reflect an understanding of decision-making in line with an bottom-up approach and the groups feeling loyal to the legislative and political system reflect a more top-down approach to decision-making. It can

be argued that these differentiating perceptions of appropriateness further reflect the informants' anticipations of what professionalism is and what it relates to. For the 'Citizen compassion' and 'Compassionate appropriateness' behavioural rationalities it is loyalty towards the cash benefit recipients and relates to a behaviour favouring their needs, while the 'Rational logic' and 'Strictly appropriateness' behavioural rationalities professionalism is about implementing the law in accordance with the purpose.

What the informants found to be appropriate behaviour was related to whom their feeling of loyalty was directed at. The majority of the informants expressed a loyalty towards the legislative and political system making them more willing to implement in accordance with the goal and purpose of JRF1, but still some of them occasionally deviated from that as their compassion towards some clients could trick their primary loyalty. The minority felt a loyalty towards the clients making them less willing to implement in accordance with the goal and purpose of the law and more in favour of the clients.

Finally the informants' will to implement the reform is predominantly very low even though we expected it to be of a relatively high degree given Lundquist's equation, that a high degree of autonomy along with the ability to implement and a fairly good understanding of the reform would cause a higher degree of will to implement the reform amongst the caseworkers. Thereby this analysis can be argued to show that the caseworkers' attitude towards the reform and will to implement it play a dominating role in these informants' implementation behaviour.

## 7 How could the unintended outcome have been avoided?

This chapter will discuss different possibilities of how the generally unintended implementation-process might have been avoided in the light of the findings from the fifth and sixth chapter of this thesis.

A possible way to avoid the unintended outcome could be if the policy-makers had included the notions and warnings in the making of the policy-design cf. section 5.3, as they represent the implementing organs, and as all relevant actors did not see how the policy-design could be a fitting solution to the policy-formulation. Inclusion of relevant actors in the policy-making would ease the implementation-process as their sense of commitment to the reform would increase, and the disobeying caseworkers might have been more willing to implement the reform loyally.

As the analysis showed, many of the caseworkers, both the loyal and less loyal implementers, expressed trouble connecting the content and purpose of the reform, arguing in favour of a different policy-design. Besides, the caseworkers who implemented the reform in accordance with the desired cf. section 5.1, showed an implementation behaviour loyal to the legislative and political system, making them more reliable to implement in accordance with the desired, regardless of the content of the policy-design and thereby a will to implement regardless of their own attitude. The loyal implementers would be more likely to implement regardless of the content, whereas the less loyal implementers would be more likely to implement if they saw a connection between content and purpose of the reform cf. section 6.4.

Another possible way to avoid the unintended behaviour could be increased control with the caseworkers' work. According to Lundquist, the high degree of autonomy would make the informants more cooperative, i.e. willing, to implement the reform section 3.3.2. But as that had seemingly enabled a somewhat easier way to implement own attitudes rather than the legislation cf. section 6.4, it can be argued that simply giving a high degree of autonomy does not necessarily accommodate a higher will to implement. Questions that arise from this is, if less autonomy would remedy it? Or if the will and strategies of the caseworkers are too strong?

As the caseworkers are able to bypass the law due to the high degree of autonomy and lacking control, it can be argued that less autonomy could hold potential for an implementation more in accordance with the desired cf. section 5.1.

However, according to Lundquist, this might result in even less will to implement cf. section 3.3.2. If the autonomy is decreased, it can be argued that the

policy-makers should have resorted to Lundquist considering the caseworkers' 'can', 'understand' and 'will' in the prelude to the adoption of the reform as it would theoretically counterbalance the low degree of autonomy cf. section 3.3.2

So, once more, it can be argued that the policy-makers should have taken the relevant actors' notions into consideration before the adoption and thereby increase their consideration of the caseworkers' 'can', 'understand' and 'will' which, according to Lundquist, would have increased the possibility for a more desired implementation-process cf. section 3.3.2.

However, a lower degree of autonomy will result in a less exploitable 'can' making it a less desirable choice cf. section 3.3.2, as the analysis shows that the will and attitude of the caseworkers are strongly dominating in their execution of discretion, making the possibility of their personal attitude and strategies to execute it desirable to be exploitable.

Thereby, it can be argued that an optimal solution in this case would be to consider the caseworkers 'can', 'understand' and 'will' while also provide them with a somewhat high degree of autonomy in order to accommodate an implementation, where their will to implement would supposedly be higher along with an exploitable 'can' cf. section 3.3.2.

Yet another possible way to avoid the unintended outcome could be to include subsidised work in the 225 hours of work cf. section 5.2.2. One of the main arguments against the reform put forward by opposing politicians, was the duality in first evaluating a cash benefit recipient to be activity-ready, implying that the person is not job-ready, and thereafter, having to have their work capacity evaluated once again cf. section 5.3. This was also the view of the majority of the informants, whereas the minority informants stated that the 225-hour rule could be judged a helpful tool for the caseworkers to sharpen the focus on work-related efforts aiming at getting the activity-ready cash benefit recipients to enter the ordinary labour market cf. section 6.4. True as this might be, a majority of the informants stated in chapter 6, the vast majority of the activity-ready cash benefit recipients are not equipped to enter the ordinary labour market even just for a few hours a week, as working within the ordinary labour market also implies that you are participating on ordinary conditions like the rest. To expect that a person, who has already been evaluated not to be job-ready, can participate in the ordinary labour market on ordinary conditions is like throwing a person never having swum into a swimming pool and expecting the person to perform like a trained swimmer.

On the other hand, the activity-ready cash benefit recipients are evaluated to this category as they are expected at some point to be able to participate in the ordinary labour market cf. Table 1. Therefore, efforts aiming at moving the activity-ready recipients in direction of the ordinary labour market is not a provoking thought of itself. It is to be expected. However, it can be argued that the 225-hour rule implying that an activity-ready cash benefit recipient should be able to work 225 hours of ordinary work within one calendar year might be a little optimistic, cf. the before-mentioned swimming pool metaphor. One of the informants, who did not express an overly thrilled attitude towards the reform, but implemented it loyally anyhow, illustrated a strategy where the activity-ready cash benefit

recipients who were included by the 225-hour rule, received massive social efforts at the same time which according to the informant made for great results cf. section 6.3.3. The aim of JRF1 was to make it worth working cf. section 5.1 and if it takes a lot of resources to build a long lasting effort for the activity-ready cash benefit recipients to enter the labour market, that can perhaps also be interpreted as making it worth working.

Another way in which the unintended implementation-process could have been avoided can be argued to be that an inclusion of subsidised work in the 225 hours of work, would have eased the implementation-process, as it would allow a less harsh transition towards the ordinary labour market, making room for the cash benefit recipient to wear a swimming belt before having to swim on ordinary conditions, while the legislative elements would still stay within the same lines. This too should have happened in the prelude to the adoption of the reform.

In sum, the phase with the biggest potential for avoiding the unintended outcome lies within the policy-design cf. section 5.2.

Or unless, as Lundquist points out cf. section 3.3.2, the policy-makers consciously steered the implementation unclearly or provokingly in order to intentionally ruin the implementation success. If that is the case, is the reform then simply a pure example of political tokenism?

## 8 Conclusion

This thesis has investigated how street-level bureaucrats implement conflict-ridden policies in the field of cash benefit through three sub research questions together answering the main research question: *How do street-level bureaucrats implement conflict-ridden policies in the field of cash benefit?*

In chapter 5 it is shown how the prelude to the adoption of JRF1 was highly conflict-ridden as the former Venstre-led government introduced a reform dividing political waters as it covered one of the main conflict areas, being policies regarding public benefits. The policy-formulation of the reform was to move cash benefit recipients from public welfare to ordinary employment. This policy-formulation was to be executed by a policy-design implying legislative reform, containing a ‘ceiling’ to the cash benefit and a 225-hour rule. The former being a maximum to how much a cash benefit recipient can be allocated, and the latter a rule inferring that a cash benefit recipient, who is evaluated to be able to work 225 hours a year, must be included by the rule - and if the person is able to work the requested hours, but fails to do so, their benefits will be reduced. The reform was based on a rational choice conditioned approach, expecting cash benefit recipients to react to monetary incentives, resulting in a highly debated and conflict-ridden adoption of the law, as all objections, notions and warnings from the political opposition and relevant interest groups were rejected. The final result of the policy contained a vague formulation of goal and purpose along with a vaguely formulated policy-design, leaving the caseworkers with a very high degree of autonomy. Given the vague formulation of goals along with the ideologically grounded policy-design, it was expected to face implementation-problems.

Chapter 6 investigates how the street-level bureaucrats implement the conflict-ridden reform through an examination of the informants’ understanding of the reform and ability and will to implement it. As expected, the implementation-process contained some problems, as some of the caseworkers prevent an fulfilment of the reform’s intentions, as the large degree of autonomy enabled them to develop counteracting strategies preventing an implementation-success. The vague design and formulation resulted in various strategies on how to initially execute the reform, as a vast majority of informants expressed that a lack of experience and preparation caused unintended start-up problems. However, the informants understood the content of the reform and were able to implement it.

Four behavioural rationalities concerning the caseworkers’ implementation behaviour were identified in the informant interviews: Client compassion, rational logic, strict appropriateness and compassionate appropriateness. Their attitudes

towards the reform played a large role in the way they implemented it. Most of the informants implemented loyally regardless of attitude, but given the large degree of autonomy, some of the caseworkers freely developed strategies to bypass the law, where the primary strategy was to “write themselves out of it”, meaning that they wrote an un-true evaluation that enabled the clients to be exempted from the rule even though they should, in theory, have been included.

Chapter 6 concluded that what these groups found to be appropriate behaviour related to whom their feeling of loyalty was directed at. Most of the informants showed a loyalty towards the legislative and political system, making them more prone to implement in accordance with the goal of the reform. Some of them deviated from this otherwise loyal implementation behaviour as they were occasionally triggered by compassion towards specific clients. On the other hand a minority of the informants expressed a loyalty towards the clients making them more willing to implement in favour of the clients, even if it counteract the goal and purpose of the reform while also illustrating a bypassing of the law, which, looking to the law on public administration, can be on the edge of what is legal implementation behaviour.

The informants identified as having a ‘Rational logic’ behavioural rationality who primarily leans against a ‘Logic of consequences’ find their implementation behaviour to be the most appropriate behaviour given their positive attitude towards the reform along with their feeling of loyalty towards the legislative and political system. Their behavioural rationality consists both of a ‘Logic of consequences’ and a ‘Logic of appropriateness’, as they find maximizing consequences for themselves and the legal and political system to the appropriate behaviour, and vice versa. Thereby, the findings of this thesis challenge the theoretical differentiation between ‘Logic of consequences’ and ‘Logic of appropriateness’ and contribute to March and Olsen’s theory on street-level bureaucratic behaviour by empirically showing that caseworkers can contain both approaches – and that the individual attitude towards the reform and approach an the essential factor determining how it plays out.

Moreover, the informants’ will to implement is more influenced by attitude than by ability to implement the reform and the understanding of it, despite what one would expect following Lundquist’s theory on implementation behaviour. Thereby the findings of this thesis contribute to Lundquist’s theory by challenging it by showing how the influence of attitude and behavioural rationality mostly dominates the implementation behaviour regardless of the informants’ understanding of and ability to implement the reform.

Thereby, as chapter 7 argues that a large degree of autonomy cannot stand alone in a case of implementation of a highly conflict-ridden policy, as it in this case holds great potential to trigger the impact of the attitude of the caseworkers. Besides, chapter 7 argues that including subsidised work in the 225 hours of work could potentially to heighten the counteracting caseworkers’ will as the client’s road towards the ordinary labour market will be less harsh.



As none of the informants mention any noteworthy increased time or resource pressure, the empirical findings of this thesis suggest that not only time or resource pressure can cause developing coping strategies such as Lipsky suggests, but that in this case another essential factor is attitude. The findings of this thesis contribute to Lipsky's theory - which suggests that coping mechanisms and time and resource pressure are somewhat causally linked - by showing that coping mechanisms can also be developed more independently from time and resource pressure than Lipsky suggests.

In short, the street-level bureaucrats implement the conflict-ridden policy mainly according to how their behavioural rationalities view it.

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#### THE INTERVIEW INFORMANTS

- Informant 1: a caseworker working in medium-sized Danish Municipality.
- Informant 2: a caseworker working in large Danish Municipality.
- Informant 3: a caseworker working in large Danish Municipality.
- Informant 4: a caseworker working in small Danish Municipality.
- Informant 5: a caseworker working in small Danish Municipality.
- Informant 6: a caseworker working in large Danish Municipality.
- Informant 7: a caseworker working in medium-sized Danish Municipality.
- Informant 8: a caseworker working in small Danish Municipality.
- Informant 9: a caseworker working in medium-sized Danish Municipality.
- Informant 10: a caseworker working in medium-sized Danish Municipality.
- Informant 11: a caseworker working in medium-sized Danish Municipality.
- Informant 12: a caseworker working in large Danish Municipality.