

Financial Aid Above the Legal Standard at the Municipal Level: Case Study of the Influence of Civil Servants on Policy Design

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Abstract: The paper explores various policy designs of financial aid provided above the legal standard in some of the municipalities in the Czech Republic and aims to describe the specifics of those of the designs which were introduced by civil servants. The paper is theoretically based on the concepts of social construction of target populations, street-level bureaucracy and co-operation between politicians and civil servants. The case study of nine policy designs of the financial aid in five Czech municipalities reveal that both the role of civil servants introducing policy and the level of their discrecy are derived from the relationship of the civil servant with respective politician. Financial aid introduced by civil servants has – compared to the aid introduced by politicians – lower budget and its target populations are narrower. At the same time, the civils servants' designs support individuals from generally negatively constructed populations who are usually addressed by repressive policies.

Points for Practitioners: As the paper reflects relationship between politicians and civil servants on the municipal level, it may make the politicians think more about the control, support or neglect they give to their subordinated civil servants. The paper may as well make the civil servants think about their discretion. For both politicians and civil servants the paper reveals an inspired perspective focusing on various forms of policy design.

Keywords: *bureaucrats, civil servants, municipality, policy design, social policy.*

Introduction

Governmental cuts in social policies and animosity against people dependent on social allowances were reality in the Czech Republic in the 2010's (Mertl, 2016). Therefore, it was interesting to observe that some municipalities in the Czech Republic were able to go against the stream and implement policy measures to support the poorest. This contrast literally calls for better understanding under which conditions this phenomenon may occur. There are several ways to explain it (see Hejzlarová – Kotrusová 2016) – my findings show that the key role in initiative and design as well as implementation of such measures have civil servants – heads of the departments of social affairs. That is why in this paper I will focus on the role of these civil servants in designing these measures which go above legal standards and which I generally call direct financial aid to people in need.

The aim of the paper is to explain the influence of the civil servant - head of the municipal department of social affairs on the process of formation and implementation of measures going above legal standards. To achieve the goal it is necessary to depict the role of the civil servant with special attention paid to his relationship with respective politician who legally bears political responsibility for the civil servant's activities. As for theoretical

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background, first, the characteristics of the civil servant will be embedded in Lipsky's street-level bureaucracy concept (Lipsky 1980; 2010) and theoretical approaches focusing on civil servants showing „political“ activities with respect to the specifics of Czech public administration on the municipal level. Second, the paper relies on concept exploring policy design. In this case I decided the concept of social construction of target populations (Schneider – Ingram 1993; 1997; 2005; Schneider – Sidney 2009; Pierce et al. 2014) which focuses on the design of public policy tools and measures with respect to their creators on one hand, and receivers on the other.

From the aim I evolved following research questions: What are the characteristics of policy design of direct financial aid on the municipal level (with special attention paid to measures initiated by civil servants)? What are the specifics and presumptions of civil servant's influence on design of these measures?

Empirically, the paper takes benefit from a case study where both quantitative and qualitative research designs were involved. I conducted a large questionnaire survey with municipalities regarding their use of direct financial aid and a detailed research (including interviews and studying documents) of five municipalities where the measures occurred.

1. Civil servant as a (non)political actor

The discussion of the role of civil servants in public administration was initiated by Max Weber who strictly divided the political and bureaucratic spheres. The real breakthrough to Weber's notion came with Lipsky and his idea of street-level bureaucrats (Lipsky 1980; 2010), i. e. civil servants who are in direct contact with their clients. The Lipsky's concept depicts ways by which a street-level bureaucrat (police-officer, social worker) may influence the outputs of the policy he is to implement – or how he may cause a policy failure. Lipsky argues that civil servant decides on the nature of benefits, on the eligibility of the access to them and on the setting of rules, limits and services.

Lipsky emphasizes that street-level bureaucrat's superiors are dependent on the outcomes of his work and that's why they respect their discretion at the same time they also try to limit his autonomy to ensure the policy goals will be achieved. The concept also adds that with regard to his clients, street-level bureaucrat aims to broaden his autonomy which may result in the deviation of his acts and the organisation goals. This happens when the street-level bureaucrat's behaviour is not „bureaucratic“ in sense of following legal and organisational rules and practices but is „professional“, i. e. following the norms and principles of the profession coming from the specific education and experience.

I state that that civil servant – head of department of social affairs is largely in the position of street-level bureaucrat. He implements measures but it is mainly his superior who is responsible for them, he deals with clients (although not as much as his subordinates). He may also experience the clash of various (bureaucratic/professional) identities.

The limits of putting head of the department of social affairs to the role of street-level bureaucrat lie in the following distinctions: Lipsky focuses on implementation whereas I focus on implementation and initiative (this deficit will be compensated by the studies of Svára and Page, see later), the difference can be seen also in the hierarchy of state administration and the administration system of municipal autonomies where discretion is wider. The most important difference however lies in the roles of civil servants and politicians-deputies. Municipal deputy is not a typical superior in Lipsky's notion: first, he is often not familiar with the agenda (especially contrary to the civil servant who has many-years-experience), second, he has only limited capacities to understand, influence

or control the agenda as there are only a small number of „paid“ deputies on this level and these have typically more agendas under their gestion. Last but not least, civil servant – head of the department is the only counterpart for politician, the relations of power are more complicated here. In this case a Crozier's (1965) perspective may be of help as it follows both formal and informal rules of bureaucratic organisation and interprets power as the ability to anticipate the action of the counterpart and realize one's goals in the arisen space.

Policy formation is another level where we may watch the relation between civil servant and politician. Svava (Mouritzen – Svava 2002; Svava 2006) comes with the model of four types of the relation with respect to the extent of control which is executed by politician over the civil servant and with respect to the distance between the two of them regarding norms (Svava 2006: 955–956).

The „standard“ relations are: 1) „separate roles“ – civil servant is subordinated and the norms aren't taken over by any of the two parts, 2) „autonomous civil servant“ – civil servants are engaged in the policy formulation and the politicians don't adopt servant's norms, 3) „obedient civil servant“ – civil servant is subordinated to the politician and political norms dominate, 4) „Roles overlay“ – politicians and civil servants influence each other and share and balance their roles. Svava concludes that for local administration types 2 and 4 are typical.

Another contribution to the topic was done by Page (2012) who observed the role of politicians and civil servants in the policy formulation. According to Page, politicians may initiate policy measures, they may also be active participants in the formulation process and they may also be the ones who add their signature and legitimize the measure when it is prepared by civil servants (ibid.: 147).

The theoretical concepts provide us following support for the conception of civil servant as a political actor. Civil servant may play an active role not only in the implementation process but also in the process of policy formulation. His activity may be influenced mainly by his relationship to his superior politician, extent of discretion, extent of identification with bureaucratic/professional behaviour and ability to use formal rules to achieve one's goals. All these factors shouldn't be perceived as isolated – these rather form a dynamic system which enables the civil servant enter the public policy process far more differently than Max Weber would ever permit.

2. Policy design as a result of social construction a political power of target population

Policy design is a key notion of the concept of social construction of target populations (SCTP) (Schneider – Ingram 1993; 1997; 2005; Schneider – Sidney 2009; Pierce et al. 2014). SCTP explains particular shape of policy design by the characteristics of the policy's target population and it models the shape according to social construction of the population (positive/negative) and political power (high/low). The mechanism is run mainly by policy-designers, i. e. most often politicians. The politicians reflect social construction of the population and its power as two of the factors which influence their re-election. Schneider and Ingram state that while formulating policies, politicians take into account the reaction of population that is targeted by the policy (whether the population is able to appreciate it) and the reaction of other voters (whether they assess the measures adequate). Table no. 1 shows how particular type of policy design correlate with particular type of target population: advantaged, contenders, dependents and deviants.

Table no. 1: Types of target populations, their characteristics and respective types of policy design

	<i>Advantaged</i> (f. e. scientists)	<i>Contenders</i> (f. e. tobacco companies)
Construction	Positive	Negative
Power	Large	Large
Policy design	Benefits: strong focus, universal entitlement, high financial allocation Burdens: weak focus, differentiated, low allocation	Benefits: weak focus, differentiated, low financial allocation (hidden benefits) Burdens: strong focus, differentiated, low allocation
	<i>Dependents</i> (f. e. mothers and children)	<i>Deviants</i> (f. e. drugs addicted)
Construction	Positive	Negative
Power	Small	Small
Policy design	Benefits: weak focus, differentiated (high level of control, tested benefits), low financial allocation, typically allowances (risk of stigmatisation) Burdens: average focus, differentiated, low allocation	Benefits: hardly any focus on benefits, very differentiated, very low financial allocation Burdens: very strong focus, universal, considerable financial allocation

Source: Author's synthesis based on Schneider – Ingram 1997 a 2005.

(the chapter is to be more elaborated...)

One of the weaknesses of SCTP is the exclusive focus on politicians as policy-makers (influence of public administrators isn't taken into account). This deficit creates one of the starting points of the paper as I could be able – thanks to my focus on the role of civil servants in policy formulation – to explore the influence civil servants have.

I finished the previous part by summing up a dynamic system of factors enabling civil servant to enter actively the public policy process. Design of the particular public policy measure which is initiated/formulated by civil servant may be a confirmation of how the civil servant takes the shape of this activity and what specifics does his influence have regarding target population and distribution of benefits.

3. Context of municipal social policy

To understand the role of civil servant – head of department of social affairs it is important to understand the context in which he or she operates.

Social policy on municipal level is executed both in the independent and delegated powers (Kuchařová 2001; Liedermanová 2011). Within the independent powers, Czech municipalities (with support of state and NGOs) are developing a system of local social services, set up organisations of social services, organise social housing etc. (Horecký 2011). Within its delegated powers the municipality takes care of endangered children.

Social policy – both in the independent and delegated powers – is typically organised within the Department of Social Affairs. The Head of the department is responsible to the secretary of the city office and to the municipal deputies for the activities under the independent powers and to regional authorities and ministry for activities executed under delegated powers.

The range of independent powers is delimited in the law on municipalities 128/2000 Sb. and offers the municipalities a large space to evolve public policy measures of their own will. Although the types of social measures may be more or less the same, each municipality has its own mix of measures. One of them may be also the direct financial aid to people in need.

4. Methods and data

Direct financial aid to people in need is a measure which may have many forms. In some municipalities these consist a stable part of local social policy, in some others it was applied just once. In some municipalities annual budget goes above hundred thousand CZK, in some others it is just a few hundreds or thousands CZK. There are also huge differences in numbers of beneficiaries or amounts which are given to them. Last but not least, there are also differences regarding conditions of the aid, characteristics of beneficiaries and whether the measure is anchored in a public document.

The research design is a multiple instrumental case study (Stake 2003) with a mixed approach or put it more specifically, an explanatory approach and case selection (Creswell – Plano Clark 2007: 73). For this approach it is typical to conduct a quantitative research which is followed by selection of cases for a more detailed analysis. Final interpretation thus takes benefit from both types of data.

In 2011 and 2015 I organised two questionnaire surveys focusing on years 2010 and 2014 – in both cases, respondents were 205 municipalities and 22 Prague city municipalities (whose legal situation is similar to the municipalities²). The recoverability was 78% (177 municipalities) and 82% (186 municipalities). The survey revealed that in 2010 the aid was applied in 23 of 177 municipalities, in 2014 it was 17 of 186. The purpose of the aid differed (see Hejzlarová – Kotrusová 2016).

I decided to follow more cases (and I defined case as a particular measure) and I was searching for so called critical cases for better options of generalisation (which is still limited though). The criteria for cases selection were the amount of finances allocated in 2014 (one extreme was allocation under 20.000 CZK, another was above 150.000 CZK²) and existence of document where the conditions of aid provision is formulated (whether it exists or not). 11 municipalities met the criteria and five of six I addressed gave me permission to conduct the interview/s and see the documents. In these five municipalities there are nine existing measures of my interest (see table 2).

I conducted eight semi-structured interviews in the municipalities and analysed documents related to the measures. Five of the interviewees were the civil servants – heads of department of social affairs, one with opposition deputy, one with civil servant – former head of the department of social affairs and one with councillor. The number of interviews may seem small – on the other hand raising the number may be counter-productive as the openness I experienced when talking to the civil servants wouldn't probably be as high when talking to their political superiors. Another source of data were the municipal documents and (in some cases) also local media releases. When reflecting upon the method of analysis I was inspired by interpretive approach (Yanow – Schwartz-Shea 2007) for which a reconstruction of meaning which actors associate with their actions is crucial.

All the municipalities are anonymised and have fiction names.

² This means less than app. 800 Euro and more than 5800 Euro.

5. Measures of direct financial aid to people in need with regard to social construction of target populations

Each of the measures has its unique form and context of formulation. In Table no. 2, there are characteristics of the measures combining the criteria of selection and other specifics which emerged as significant during the analysis. I will focus on the analysis of policy design, target populations and then I will explore the specifics of policy designs initiated by civil servants.

Table no. 2: Measures of direct financial aid for people in need in selected municipalities

<i>Measure</i>	<i>Municipality</i>	<i>Initiator</i>	<i>Goal of the measure</i>	<i>Target populations</i>	<i>Annual budget</i>	<i>Annually spent</i>	<i>Number of beneficiaries per year</i>	<i>Existence of rules</i>	<i>Medialisation</i>
1	Otmárovice	Politicians	Compensation of rent deregulation	Seniors, people with disabilities, single mothers with child/ren with severe disease	Above 150k	75 %	Hundreds	Yes	Yes
2	Prokopín	Politicians	Support of leisure time activities and representation of the town	Gifted children	80–100k	Not available	Not available	Yes	Yes
3	Tomašín	Politicians	Help in urgent case (health)	People with severe disease	80–100k	50 %	Ones	Yes	Yes
4	Prokopín	Civil servants	Support of leisure time activities	Children from socially excluded families	80–100k	80 %	Tens	Yes	Yes
5	Prokopín	Civil servants	Help in urgent case (housing)	People in need (administration fee)	20–40k	20–80 %	Not available	No	No
6	Prokopín	Civil servants	Help in urgent case (in general)	People in need	20–40k	50 %	Ones	No	No
7	Radimov	Civil servants	Help in urgent case (in general)	People in need	40–60k	5–20 %	Ones	No	No
8	Slavojná	Civil servants	Help in urgent case (housing)	People in need	120–150k	60–80 %	Ones	Yes	No
9	Tomašín	Civil servants	Help in urgent case (in general)	People in need	Up to 20k	10 %	Ones	No	No

Note: With respect to anonymisation, the intervals of 0–20k CZK, 20–40k CZK, 40–60k CZK, 60–80k CZK, 80–100k CZK, 100–120k CZK, 120–150k CZK, above 150k CZK.

(the chapter is to be more elaborated... - the main findings are gathered in the conclusion)

6. Civil servant – head of the department of social affairs as political actor

(the chapter is to be more elaborated... - the main findings are gathered in the conclusion)

Conclusion

Within a multiple case study, I explored policy designs of direct financial aid to people in need in various Czech municipalities and the influence civil servants have on their forms.

The analysis of particular measures revealed a wide range of designs as well as definite findings. One of them is the difference between policy designs initiated by politicians on the one hand and civil servants on the other hand. Measures formulated by civil servants have typically lower budget and they address a smaller range of beneficiaries. It is thus possible to conclude that the impact of civil servants' „actorship“ is smaller. At the same time, the analysis showed that the difference between the two design lies not only in the amount of financial aid but also type of beneficiaries. Whereas „political“ measures address almost exclusively populations with positive social construction, measures by civil servants would more likely address beneficiary from the population with a more negative social construction. The extent of data cannot state it for sure but the extent of willingness to support the design opposing the expectable scheme relates to the „professional“ identity of civil servant.

The shift in targeting the measure where the measure may support populations otherwise constructed as deviants is made possible probably by a low allocation of financial sources, specific work with construction of target population, i. e. beneficiary, and – last but not least – by civil servant's expertise. The scope of “civil-servant” measures is narrower on one side but on the other side the help may be materially and symbolically extremely valuable and we may conclude that civil servant bring to the public policy process a specific quality because he (although in a small extent) straightens a suboptimal distribution of benefits. The research doesn't conclude how often civil servants occur in this situation but it is possible to say that it proved that in some cases civil servant may take over a political initiative and this should be reflected in research of policy designs.

Other findings relate to the presumptions of civil servant's political initiative. The most important factor is the specific context of local administration. Social policy agenda is relatively complicated and deputies rotate in their positions more often than the heads of departments of social affairs. Although formally it's deputies who carry the responsibility, it is not necessary for the position to be “paid”. At the same time, he typically doesn't have knowledge or experience for an effective agenda control. The motive of “absent” or distant politician was rather strong in the case study and it corresponds to the Svára's “autonomous” civil servant. We may also conclude that political activity of the civil servant is – to a large extent – enabled by the relationship negotiated between him and politician. In the interviews a category of trustworthiness showed up as a very strong one. The trustworthiness of the civil servant (rigidified by politician) is strengthened by smooth run of social policy agenda and expertise of the head of the department. The discretion thus occurs not only from the formalised sources (legislation) but also from informal relations between him and politician.

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