The Territorial Reconfiguration of Welfare States in Europe and the United States : Evidence from Active Labor Market Policy : 特集アメリカ福祉国家とグローバル化(3)

The Territorial Reconfiguration of Welfare States in Europe and the United States: Evidence from Active Labor Market Policy[1)]

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▶ Abstract

The late 20th century was a crucial period for welfare states given that many advanced industrial countries reformed the nature *and* the territorial organization of their social policies. These changes have been very pronounced for active labor market policies, or what is known in some contexts as "workfare" policies. The first part of the paper outlines policy changes related to the implementation of activation in Germany, Italy, Spain, the United Kingdom, and the United States since the late 1980s. These policy changes are characterized by two elements – conditionality and social investment. The second part of the paper shows that these policies changes have been matched by territorial and governance reforms. More specifically, the countries under consideration have launched decentralization and re-centralization reforms, which have reshaped the organization of their welfare states. Yet, the direction and nature of these changes are not homogenous across countries – the US implemented extensive decentralization reforms; labor market policy arrangements remained very centralized in the UK; and Germany has modernized its federal structure by introducing re-centralization matched with local flexibility.

1. Introduction

The late 20th century was a crucial period for welfare states given that many advanced industrial countries reformed the nature *and* the territorial organization of their social policies. These reconfiguration trends are illustrated by the passage of the 1996 Personal Responsibility and Work Opportunity Reconciliation Act in the United States (US), which devolved welfare powers to the states and "ended welfare as we knew

1) The majority of the findings presented in this paper are developed in my book (see López-Santana 2015). I wish to thank Dr. Milena Büchs who gathered the data for the UK and German cases (for more details, see Chapters 4 and 5 of López-Santana 2015).

it." Besides the US, Belgium, Canada, Italy, Germany, Denmark, Finland, the Netherlands, Spain, and Sweden have also jumped on the reconfiguration bandwagon, which has been actively promoted by the Organization for Economic Co-operation and Development (OECD) and the European Union (EU).

The aforementioned welfare state transformations are characterized by various trends. First, many scholars have pointed at qualitative changes in the *nature* of welfare states. As Rik van Berkel (2010: 29) noted, labor market policies (LMPs) have been transformed from 'people-sustaining' to 'people-changing' measures, which emphasize 'work-first' policies. This social policy paradigm shift, which is commonly known as 'activation,' is characterized by two components – conditionality and social investment. More specifically, 'passive' unemployment benefits provided by the state are no longer seen as an automatic right and are often combined with a range of conditions (e.g., work, integration measures), which could result in recipients being denied access to welfare benefits[2]. Under this LMP paradigm, governments and/or private actors should invest in people by providing a variety of labor market integration measures (e.g., counseling, individual actions plans, training, work experience programs) which would allow them to actively participate in the labor market (e.g., Barbier and Ludwig-Mayerhofer 2004; Serrano Pascual and Magnusson 2007; Bonoli 2010; Bengtsson, de la Porte, and Jacobsson 2017).

When it comes to the balance between conditionality and social investment, there are wide cross-national variations (and in some contexts, cross-regional variations). For instance, the US model is characterized as "workfare" given that there are tight links between unemployment benefits and work, as well as many conditions and sanctions. By contrast, other countries (e.g., Germany) are less punitive in nature, and welfare benefits are matched with a variety of integration measures and social services (see, e.g., Lødemel and Trickey 2000; Dingeldey 2007; Bonoli 2012; Brodkin and Marston 2013).

To implement the activation paradigm, many countries have also had reformed the governance and territorial organization of LMPs. These changes, which are inspired by New Public Management Reforms[3], have resulted in complex multilevel

2) Chapter 2 of López-Santana's book (2015) provides a detailed account of the nature of the activation paradigm.

3) New public management refers to a manner to manage and modernize the public sector with

structures in which supranational, national, subnational, and non-governmental actors are involved in various stages of the social policy-making and delivery processes (for a review see van Berkel, de Graaf, and Sirovátka 2011; López-Santana 2006, 2015). For instance, to support labor market inclusion and participation at the local level many countries have transferred social policy powers to lower levels of government. These downward transfers of powers seek to bring labor market policies closer to local circumstances and individuals (see, e. g., Heidenreich and Rice 2016). As one interviewee in Italy put it,

> Decentralization has made employment services much closer to people actually, much closer to local population, to local business, to local politics, to local institutions that are working with poor people or working on disadvantaged people, on foreigners, foreign workers [⋯] It places the employment services within the local texture, interwoven with the local texture of these services, training services, etc. (Interview by the author, Rome, Italy 2009).

This article outlines the implementation of activation, as well territorial and governance reforms linked to the implementation of activation, in Germany, Italy, Spain, the United Kingdom (UK), and the US since the late 1980s. The paper is structured as follows. The second section explains the shift towards activation in the five countries under consideration. The third section, first, discusses the logic behind territorial and governance changes in the activation era. Then, the second part of the third section describes the nature of territorial and governance changes in the US, the UK, and Germany. Finally, the conclusion summarizes the main findings and discusses their implications for future research.

2. Activating Welfare States in Germany, Italy, Spain, the UK, and the US

With the end of the Golden Age era, the 1980s marked the beginning of an era of welfare state recalibration (Pierson 2001). More specifically, there was a shift towards activation in the US and the UK, which was spread out throughout Continental Europe

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the end of making it more efficient and effective. It draws on strategies of the private-sector by viewing citizens as customers and emphasizing outcome-oriented methodologies. The national level might develop targets, benchmarks, and reporting scenarios as a way to direct and monitor the performance of regional and local actors. Regarding the provision of public goods and services, outsourcing, marketization, and decentralization are additional strategies promoted by this school of thought (see, e. g., Pollitt and Bouckaert 2011).

in the 1990s[4]. This section outlines the main changes in the nature of LMPs in the five countries under consideration.

In the US, the Job Opportunity and Basic Skills Training Program of 1988 signalled the establishment of activation, or the US version known as "workfare." This program, which was introduced by the Republican President Ronald Reagan (1981–1989), sought to reduce welfare dependency through increasing obligations and sanctions as it required certain categories of Aid for Families with Dependent Children (AFDC)[5] recipients to participate in education, training, and job search activities. These transformations culminated in 1996 under the government of President Bill Clinton (a Democrat who was in power from 1993–2001) with the replacement of AFDC with Temporary Aid for Needy Families (TANF). Under the Personal Responsibility and Work Opportunity Act (PRWORA), cash benefits were no longer an entitlement. This law, in addition, sought to increase the flexibility of states in operating a program designed to "end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage" (TANF 1996). These state-level benefits were matched with a range of conditions (e.g., work conditions, drug-tests), sanctions, and a five-year federal lifetime limit (see Weaver 2000). As Daguerre (2017: 31) puts it, "states required that recipients make efforts in finding work or engage in work-related activities as a condition for both initial qualification for assistance and continued eligibility."

The TANF work conditions were furthered by the 2005 Deficit Reduction Act, under Republican President George W. Bush (2001–2009), which required that "50 percent of all adults in a state that are receiving TANF assistance – and 90 percent of two-parent households receiving assistance – to participate in a set of work activities defined in the law" (Parrott et al. 2007: 1)[6]. States who did not comply with federal

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4) It is important to clarify that the term UK refers to England, Scotland, Wales, and Northern Ireland, whilst Great Britain only refers to the first three countries which make up the British island.

5) AFDC was the main means-tested federal assistance program in the US from 1935 until 1996. It was created by the 1935 Social Security Act to provide financial assistance to children whose families had low or no income. For an historical account of the US welfare system, see Katz (1989, 1996), and Daguerre (2017).

6) According to Parott et al. (2007: 15) "A single-parent family with a child under age 6 must participate for an average of 20 hours a week; all other single-parent families must participate for an average of 30 hours a week. To count toward the two-parent family work participation rate, a

requirements were sanctioned as their block grant could be reduced up to 5 percent. All in all, the aforementioned reforms, have been linked to a race to the bottom and the dismantlement of the US welfare system. For instance, between 1994 and 2001, there was a 56% decline in recipients of TANF; nowadays, less than one million adults receive TANF benefits (Daguerre 2017).

Under the Obama administration (2009-2017), there was a small shift in the retrenchment discourse as the President was committed to tackling issues of poverty and exclusion, in part given the crisis of the late 2000s. For instance, the 2009 TANF Emergency Fund (authorized under the American Recovery and Reinvestment Act) subsidized job creation programs, and supported basic assistance and short-term benefits. Based on the Center on Budget and Policy Priorities (Pavetti 2011), "Thirty-nine states and the District of Columbia used $1.3 billion from the fund to place more than 260,000 low-income unemployed adults and youth in temporary jobs in the private and public sectors." For this reason, some have argued that Obama administration emphasized the social investment dimension of US "workfare" policies (see Daguerre 2017), in part because education and training to enhance competitiveness were policy priorities.

Across the Atlantic, Reagan's Conservative peer, Prime Minister Margaret Thatcher (1979-1990), introduced activation measures in the 1980s through the creation of the Youth Training Scheme (1983). In addition, 'Restart' interviews (1986) established that to remain eligible, unemployment recipients had to complete interviews after six months of unemployment. Following these trends, since the early 1990s under the both Conservative and Labour governments, active job seeking increasingly became a condition for unemployment benefit receipt as eligibility criteria were tightened up across the UK. For instance, John Major's Conservative government (1990-1997) introduced a stricter system, better known as Jobseeker's Allowance, which included a Jobseeker's Agreement that recipients needed to sign in order to receive benefits from the state. Noteworthy initiatives under the New Labour government (1997-2010) were the New Deal programmes which made participation in training and work opportunities a condition for benefit receipt after specified periods of time[7]. These re-

family not receiving federally funded child care must participate for 35 hours a week; a family receiving federally funded child care must participate for 55 hours a week."

7) For an account of activation in the U.K., see Clasen (2005, 2011), and Clasen and Clegg

forms expanded the pool of people affected by means-testing and conditionality, "some with multiple health and other problems" (Fuertes and McQuaid 2016). All in all, this period is characterized by creeping conditionality "whereby welfare reforms reduced the extent and the level of entitlements and increased the use of conditional entitlements across a range of policy domains" (Edminston 2017: 262).

The 2012 Welfare Reform Act launched by the Conservative-Liberal Democrat Coalition in the context of austerity introduced the Universal Credit Program in the UK. This scheme amplified the "workfare" route as the number of work conditions and sanctions were expanded (Dwyer and Wright 2014). For instance, Edminston (2017: 263) notes,

> benefit sanctions and financial penalties now have an increasingly prevalent role with these being used much more widely and frequently than ever before in social security, but also other welfare domains. This has led to the suspension and withdrawal of public social assistance for a substantial number of low-income individuals and vulnerable groups. For example, the number of JSA [Job Seeker Agreement, author's clarification] sanctions grew by 69 per cent from 351,440 to 594,865 per annum between 2008 and 2014.

Activation was also prioritized in Germany in the 1990s, particularly under the Social Democratic/Green government (1998-2005). In the context of high levels of unemployment and ineffective job-placement services, these reforms tightened benefit conditionality, expanded sanctions, and emphasized personal responsibility, and job-seeking efforts (Clasen 2005; Burkhardt et al. 2011). This policy agenda was expanded in the 2000s with the so-called Agenda 2010. In 2001, the Job-AQTIV Act (A = activation; Q = qualifications; T = training; I = [self-]initiative; and V=placement) was launched to modernize and activate the German welfare state.

The aforementioned initiatives were further reinforced by the launch of the Hartz reforms in the mid-2000s by Chancellor Schröder (1998-2005), which were subsequently implemented by Chancellor Merkel's governments (2005-currently). More specifically, the Hartz IV reform of 2005 replaced the existing system for social assistance recipients with a separate flat-rate Minimum Income Scheme (MIS)[8] for those who did not have access to unemployment insurance. In addition, the reforms sought to "bring the long-term unemployed into work. To this end, strong benefit condition-

(2011).

8) This scheme was also known as Basic Income Support for Job Seekers.

ality is complemented by a broad range of services to increase employability of beneficiaries" (Zimmermann and Rice 2016: 162).

Despite these changes, the reformed German system is more service based than its "workfare" counterparts, as Job Centers in this country provide both employment services (e.g., job counselling, placement, training) and social services (e.g., child care support, drug and debt counselling) to "enable" and "empower" the long-term unemployed and other excluded populations (note the terminology)[9]. For instance, in 2013, 90% of the beneficiaries of the MIS had access to ALMP measures (Zimmermann and Rice 2016: 166). Some scholars have noted that these labor market reforms might have had positive effects on Germany given that this country was not significantly affected by the crisis in the late 2000s. Still, the nature of the jobs created during that period fall within the atypical employment category (Blum and Kuhlman 2016)[10].

Compared to the three countries presented above, the Southern European welfare states of Italy and Spain (Ferrera 1996) have been slower in implementing the activation paradigm (see table 1). The inability to recalibrate the Italian welfare state is partly explained by its "transfer centered" and "fragmented" nature[11]. In addition, Italian welfare institutions (especially public employment services) have low levels of penetration and 60% of the total spending covers pension benefits (vs. 2.86% for unemployment benefits) (Agostini and Natali 2016: 396). In the case of Spain, the crisis and austerity measures of the late 2000s represent a significant stumbling block in its path towards welfare recalibration. Yet, as shown below, this does not mean that these countries have not attempted to implement the activation paradigm.

Partially pushed by European Union's developments (e.g., European Monetary Union membership, European Structural Funds, and the launch of the European Employment Strategy, and its successor the EU 2020 Strategy), the center-left government of Romano Prodi (1996-1998) put the activation of LMP and institutions at the

9) For instance, some have used the labels the "enabling welfare state" or "social investment state" to capture the nature of the German activation regime (Blum and Kuhlmann 2016).

10) This is not to say that the labor market reforms of the early 2000s were the decisive factors to explain the "German miracle," as the government, the industry, and labor unions worked together to launch a variety of policies (e.g., Keynesian approach, car scrappage scheme) to navigate the crisis (Blum and Kuhlman 2016).

11) For a discussion of the recalibration of the Spanish and Italian welfare states, see Pavolini et al. (2015).

Table 1. Spending on Labor Market Policies (2015, OECD data)

	Public Expenditure on LMP as a percentage of GDP	Spending on ALMPs as a percentage of GDP
Germany	1.51	0.63
Italy	1.80	0.51
Japan	0.32	0.14
Spain	2.52	0.60
United Kingdom	0.54*	0.23*
United States	0.28	0.10
OECD average	1.32	0.53

*latest data: 2011

center of the political debate in Italy[12]. The main goal of these reforms, which were inspired by the New Public Management school (Catalano, Graziano, and Bassoli 2016), was to reform and "activate" the Italian welfare state by converting outdated and bureaucratic public employment offices into multifunctional institutions capable of delivering activation measures. While some have argued that the discourse of conditionality and incentive reinforcement has gained ground in Italy (in part given EU pressures; see Sacchi 2015, and Bengtsson, de la Porte, and Jacobsson 2017), the development of active labor market programs has been an uphill battle. For instance, the 1998 Minimum Income Scheme (*Redditto Minimo di Inserimiento*) and the 2011 Social Card, which made cash benefits conditional upon participation in inclusion programs, did not to flourish. While the 1998 scheme ceased to exist in 2002, the latter is still experimental in nature (Agostini and Natali 2016)[13].

By contrast, Spain has been more successful in implementing the activation paradigm, in part because its welfare is more generous and comprehensive that its Italian counterpart (for spending levels, see table 1; see also Pavolini et al. 2015). In the early 1990s, after a period of welfare consolidation and democratization[14], Spanish

12) For more details about the European Employment Strategy, see López-Santana (2006, 2009).

13) This experiment lasted until 2002 in 306 municipalities and until 2000 in 39 municipalities.

14) From 1936 until 1973, Spain was under the dictatorship of General Francisco Franco. The democratic Constitution was approved in 1978. This meant that the Spanish welfare state started to expand and consolidate in the 1980s. As Villota and Vázquez-Cupeiro (2016, 197) put it, "In the 1980s, while the crisis of the welfare state was arising internationally, in Spain the expansion began, leading the application of wide-ranging social reforms. In spite of its limitations in terms of scope and at benefit level, the welfare regime was consolidated and almost simultaneously initiated an ongoing process of reform and restructuration."

policy makers started to incorporate "activation" into their policy and institutional menus. These changes must be understood in the context of Europeanization as Spain joined the EU in 1986 and, subsequently, this country became the main beneficiary of the European Structural Fund – an EU institution that has actively backed up the implementation of activation across Member States (López-Santana 2009). As Rodríguez Cabrero (2011: 28) put it, in Spain,

> the overall historical trend has been one of combining social spending restraint for the unemployed – harsher eligibility requirements, reduction in duration and level of protection of contributory benefits, extension of assistance benefits to those who have exhausted their contributory benefits but have particular personal or family situations – with the progressive encouragement of activation.

This trend became more notable in the early 2000s with the launch of the European Employment Strategy by the EU (López-Santana 2006; 2007; Mailand 2009) and with the Conservative government of José María Aznar (1996-2004). For instance, law 45 of 2002 expanded the activation approach as it established tighter conditionality between the recipe of unemployment benefits and the provision of activation services (see, e. g., Del Pino and Ramos 2009).

Leaving behind an economic bubble, in the late 2000s Spain was hit hard by the crisis. For instance, in 2014, Spain's youth unemployment rate was 53.2%-- the highest in Europe (in comparison it was 22.2% in the EU-28, while in Japan it was 6.2%). Table 2 shows the unemployment rate in Spain from 2006 to 2016. As in the Italian case, Spain is "officially" committed to the expansion of activation and austerity measures through cost-containment[15]. For instance, Bengtsson, de la Porte, and Jacobsson (2017: 14) note that, in Spain and Italy "the reforms required in labour market policy-due to the pressure from the EU/IMF-consisted of increasing activation for benefit receipt, as well as cost containment in the unemployment benefit systems." However, in light of high levels of inactivity, unemployment assistance programs were also extended in Italy and Spain (see table 2 for the case of Spain)[16].

When it comes to the actual implementation of the aforementioned policies in

15) On the influence of the EU in the late 2000s, see Pavolini, et al. (2015).

16) Regarding the case of Italy, in 2012 under Prime Minister Monti, the ordinary unemployment insurance scheme was replaced with a new scheme known as Mini-ASPI. This scheme expanded the pool of people who could have access to unemployment benefits, including temporary agency workers. In 2014, this reform was extended by the Jobs Act (see, Picot and Tassinari 2017).

Table 2. Spain: Unemployment Rate and Spending on LMPs (as percentage of GDP)

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Unemployment Rate	8.5	8.2	11.3	17.9	19.9	21.4	24.8	26.1	24.5	22.1	19.6
Spending on passive labor market policies	1.41	1.42	1.84	2.91	3.05	2.82	3.04	2.89	2.45	1.92	n/a
Spending on ALMPs	.78	.77	.79	.84	.91	.87	.65	.51	.55	.60	n/a

*Unemployment rates, data from Eurostat
*Spending on Labor Market Programs, data from OECD

Spain, the picture is ambiguous. In line with previous developments, in February of 2011, the Spanish social partners and the government passed Royal Decree 3 which "stipulated the requirement for unemployment benefit claimants to sign a 'Personal Employment Agreement', committing them to follow a personal itinerary of job search, counselling and training developed by the public employment services" (Picot and Tassinari 2017: 470). This was later "replaced by a temporary active labour market programme of requalification for those unemployed who had exhausted entitlement to ordinary benefits. It focused on compulsory participation in job search counselling and training activities, complemented by an income transfer of e400 per month for a maximum duration of 6 months" (Picot and Tassinari 2017: 470). These reforms pointed at notion of conditionality, which is common across the five countries under consideration. Yet, given that the provision of insertion measures has been decentralized in Spain, it less clear whether the sub-national levels have implemented these reforms, especially in an era of austerity.

To sum up, this section has shown that the five countries under consideration have been much affected by the activation turn. While all of them have implemented conditionality, it is less clear whether social investment is a strong component of their activation measures, especially in light of fiscal constraints and austerity measures. For instance, in the US, conditionality and sanctions are certainly the dominant components of the "workfare" paradigm. In the case of the UK, conditionality has been gaining ground since the 1980s, but the social investment dimension is stronger than in the US (see, e.g., Fuertes and McQuaid 2016). From the five cases under Consideration, Germany seems to have integrated both components of the activation paradigm as monetary benefits are attached to a variety of comprehensive social investment measures and programs. In other cases, the weakness of the social investment dimension is often linked to the nature of the state (e.g., Italy) (see, e.g., Catalano, Graziano, and Bassoli 2016), as well the pressure of austerity politics (e. g., Spain).

The implementation of activation under both Liberal and Conservative governments did not only include changes in the nature of LMPs, as they were also matched by reconfigurations in the territorial organization and governance of welfare states. Why do changes in the nature of LMPs have been marched by territorial and governance changes? The following section briefly outlines relevant arguments on territorial and governance reconfigurations of ALMPs. Then, the second part of the next section outline these changes. Given space limitations, I only focus on the US, the UK, and Germany (for an account of the Italian and Spanish cases, see López-Santana and Moyer 2012, and López-Santana 2015).

3. Reforming the Architecture of Welfare States in the Activation Era

Benefits and Drawbacks

Scholars and practioners have increasingly acknowledged that contemporary social policy reforms and organizational change are usually closely related (e. g., McEwen and Moreno 2005). More specifically, the literature on the governance of activation, which tends to be Euro-centric in nature, has paid much attention to how changes in the nature of LMPs have been accompanied by upward and downward transfers of powers. Decentralization and centralization have been matched by a variety of governance reforms, including modernization of public employment services, marketization, and new public management changes (Sol and Westerveld 2005; van Berkel and van der Aa 2005; Karagiannaki 2007; Finn 2009; Weishaupt 2010, 2014; Heidenrich and Rice 2016; Vampa 2016). In light of these territorial and governance transformations, discussions regarding appropriate state configurations and instruments to enhance flexibility in the provision of social policy and services, while also supporting equity and cohesive LMP approaches, have been common across OECD countries.

But how are these changes justified? Some have noted that decentralization allows for more effective integration of inactive people into the local labor market as it increases the flexibility that is required to generate a local repertoire of training and work opportunities (OECD 2003; Borghi and van Berkel 2007). Another widely used rationalization for decentralization and delegation to non-governmental actors is that activation policies need to be flexible because they provide services to transform individuals' attitudes, aspirations, and routines (e. g., Lindsay and McQuaid, 2009). Similarly, the literature on public management point out that decentralization can provide more choices to consumers, generate a more efficient handling of resources, and provide better results through flexibility and variations (e. g., Trigilia 1991; Peters 2003).

Authors concerned with this debate have also highlighted the risks of decentralizing social policy. For instance, scholars have noted that decentralization might blur actors' responsibilities (Kazepov 2010: 67), and could lead to principal-agent problems (Giguère 2003), and salient organizational and policy divergences. These issues are relevant as they may result in an unequal provision of services, as well as variable labor market outcomes across the territory (Kazepov 2010: 66). This level of variability, in turn, has the potential to undermine the principles of equal social rights and social citizenship, as well as the solidarity goals of the welfare state (van Berkel and Borghi 2008: 396). As Gallego and Subirats (2011: 99) put it, "If decentralization has tended to be interpreted as process that can help improve the quality and responsiveness of welfare policies, for some it can also endanger equity because of the dynamics of differentiation and the generation of inequalities that this entails."

While these are significant issues in any social policy area, the aforementioned risks are especially salient when activation is thrown into the mix as social protection rights (i. e., unemployment benefits and social assistance) are accompanied by conditions, obligations, and sanctions. Under a decentralized model of activation, location could determine recipients' rights and burdens; thus exposing recipients across the territory to different duties and conditions to access welfare benefits. Consequently, to avoid moral hazards, national levels of government might have to limit within some band of acceptance the policies adopted by subnational governments.

In light of the tensions between national unity and subnational flexibility in the activation era, countries have adopted different types of intergovernmental and governance solutions where subnational and national levels of government, as well as private actors, are involved in different capacities in the policy-making and delivery processes. The following section provides an overview of the main developments in Germany, UK, and the US regarding the reconfiguration of LMPs.

The (De-)Centralization of LMPs in Germany, the UK, and the US

Since the launch of the 1935 Social Security Act, US states have enjoyed significant levels of autonomy over welfare programs. In light of the underdeveloped administrative capacity of the federal government (Weir 1988), this act gave states substantial leeway in the administration and implementation of welfare programs, including the definition of benefit levels, eligibility criteria, and obligations.

After more than two decades of state AFDC discretion and differentiation, in the late 1960s Welfare Right Organizations and poverty lawyers pursued a strategy of welfare federalization by strategically bringing in cases to the Supreme Court. This tactic sought to create a set of uniform (federal) standards on AFDC which would have exposed welfare clients to equivalent rights and obligations across the US territory. However, through a variety of cases, in the late 1960s, the US Supreme Court made clear that states had considerable latitude in allocating their AFDC resources. In ***King v. Smith*** (1968) the Court stated that, with the exception of rules to reduce immorality and illegitimacy (Melnick 1994), each state was free to set its own standard of need and to determine the level of benefits by the amount of funds it devotes to a program. Furthermore, in ***Dandridge v. William*** (1970) the federal court determined that the principle of the Fourteenth Amendment "gives the federal courts no power to impose upon State their views of what constitutes wise economic or social policy."

State discretion over welfare matters was consolidated in this decade when the Court established that the states had the power to implement their own eligibility standards and deny benefits to needy families, even if these recipients would qualify under the Federal Act (Armey 1973: 282) (see Jefferson v. Hackney 1972). These federal rulings formally legitimated that, for the most part, the application of the Equal Protection clause, which is part of the Fourteenth amendment of the Constitution, would not apply to welfare rights. Accordingly, the role of the federal level in AFDC matters remained very limited and welfare recipients were exposed to different rights and obligations across states.

These trends were first extended in the 1980s by Ronald Reagan's "waiver revolution" (Weaver 2000: 131) which gave states (on a case by case basis) greater control and flexibility in the use of AFDC grants-in-aid to experiment with their own versions of workfare. This concluded with the launch of TANF in 1996, as states' levels of autonomy were expanded. Unlike AFDC, TANF was not a scheme with a national design given that under Clinton's presidency the states gained additional administrative, political, and fiscal powers over welfare. More specifically, the reforms introduced by PRWORA were characterized by "double-devolution"– states, county agencies, and private actors gained significant levels of autonomy and discretion in this policy area, including welfare eligibility, sanctions, and length of benefits. For example, there are great variations in lifetime TANF limits across states; for instance, in Alabama is 60 months, in Arkansas is 24 months, while Vermont does not have a lifetime limit. Under this new architecture of welfare, the role of the US federal level was reduced to establishing general objectives and state targets, including the percentage of recipients who must participate in work-related activities and how states spend federal block grants (a fiscal instrument that is more flexible than the previous categorical grants).

Since then, state flexibility over welfare has deepened. For instance, Daguerre (2017: 9) argues that the devolution agenda continued under the Obama presidency "Several law opt-outs have developed in the forms of waivers, where states can bypass federal statues to design and run their own programs. This has resulted in variable-speed federalism, with a strong pattern of state diversity" (also see Conlan et al. 2014). This means that the US welfare state is very fragmented and there are wide variations regarding individuals' rights and obligations.

The UK has also reformed the governance of ALMPs; but in contrast to the US, it has become more centralized (despite broader devolution trends). Since the mid-1990 s, under both Conservative and Labor governments, this country increased flexibility in the provision of active policies by contracting out the delivery of activation measures to private and third sector organizations, and/or local partnerships (Department of Work and Pensions 2004, 2006, 2008; Freud 2007). For instance, New Deal programs started to work on a delegation model (Clasen 2011). As an interviewee put it, "The private and voluntary sector come in because they have that local knowledge and they do alr eady provide an awful lot of employment provision anyway on behalf of the Jobcentre Plus and Department of Welfare and Pensions. They are using their expertise and, you know, building programs that they can successful deliver and help more people into work" (Interview two, UK). This trend, as in the case of the US, highlight a general movement towards quasi-marketization, as powers are delegated to non-governmental actors[17].

17) In the last chapter of my book (López-Santana 2015: 136), I argue "there is much variation (even within countries) on the types of non-governmental actors involved in these tasks, as well as their roles and relationships with PESs and other governmental agencies (e. g., for-profit vs. not-for-profit providers; partners of PESs vs. competitors; PES as buyers of services vs. recipients as buyers). [⋯] While delegation is not a new trend in most advanced democracies, recent changes are characterized by an increase in the discretion of non-governmental actors in the de-

Until very recently, the process of devolution to Scotland and Wales did not affect these two countries as welfare competencies remained matters reserved to Westminster. In 2016, in light of the secession referendum and Brexit, Scotland acquired new fiscal powers which were matched by some welfare competencies, including disability, industrial injuries, carer's benefits, and winter fuel payments (see the Scotland Act of 2016). Under an arrangement known as "split competences," these changes are gradual in nature as the transition could take until 2020 to take place. Despite these changes, the activation regime attached to the working population (including Universal Credit) is still under controlled by the central level, and only close to one sixth of total expenditure will be transferred to Scotland (Bell, 2016). For instance, Bell (2016) notes that less than 15% of the recipients of devolved policies in Scotland will be economically active (or to put it differently, the majority of the devolved welfare policies in Scotland will target the retired population).

In the case of Northern Ireland, its Assembly can legislate on employment matters; yet, the "parity principle" dominates--[18] an individual in Northern Ireland ought to have the same benefits, conditions, and rights as any resident of Great Britain (Mitchell 2007; Birrell 2009; Fitzpatrick and Burrows 2012). In light of this principle, Northern Ireland replicates Great Britain's LMP settings. For instance, it is very common for employment legislation in NI to mirror Great Britain's[19].

This means that despite these flexibility trends and an overall process of devolution, the Jobcentre Plus has become more, rather than less, centralized. Prior to the creation of this national agency (2002), which is responsible for administrating unem-

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livery of activation measures, placement measures, or both. For instance, in the UK, the delegation of service delivery from local public agencies to private and third-sector organizations (both for-profit and not-for-profit) is the primary manner by which LMP flexibility has increased in this country (not through intergovernmental transfers, as was the case in the other countries under consideration). In Germany, quasi-market mechanisms were introduced by the Hartz reforms (van Berkel 2010, 21). In the US, the process of "double-devolution" provided more leeway to non-governmental actors in the provision of workfare measures and related services."

18) Devolution of social security competencies was first considered in Northern Ireland in the 1920s. Simpson (2015: PN) notes that "The experience of the 1920s demonstrates that a small, economically weak region cannot hope to offer public services, particularly such a costly service, at the same level as other regions on the strength of its own resources alone."

19) This also applies to private pensions and child support. See, Northern Ireland Assembly (unknown).

ployment benefits and implementing a variety of activation services in Great Britain, the former Employment Service had more autonomy in how to run their local offices. Given these centralizing trends, local employment offices and providers must operate within the boundaries established by various national mechanisms. These new instruments fit the new public management philosophy and include national objectives, procedures, performance targets, annual reports, audits, and inspections (Jobcentre Plus 2007: 18; van Berkel 2010; Weishaupt 2010: 468). For instance, Fuertes and McQuaid (2016: 99) note that "Job Centre Plus Employment Services are processes are prescribed centrally with very local discretion on provision and with business-type manageriakl models." This upward trend also applies to the choices regarding private providers; for instance, Weishaupt (2010: 471) notes that "the government preferred to contract private providers, thus being able to retain great influence over program design, rather than opting for full privatization through outsourcing" (also see Fuertes and McQuaid 2016). However, recent research has noted that there are quasi-market variations (Wiggan 2015).

While many would argue that centralization in Great Britain and decentralization in the US are explained by their corresponding unitary and federal status, the German case shows that this statement is not necessarily accurate. As shown below, after decades of active municipal involvement, this country experienced upward trends in the 2000s when the federal level claimed LMP competencies for social assistance recipients.

Prior to the introduction of the Hartz IV reform, the German activation system was very fragmented given that federal and local schemes were running in parallel. This, in part, followed the principle of subsidiarity which has been a marker of the German welfare state, especially for social assistance programs. Given that municipalities had the power to define and implement the links between activation and social assistance, there were substantial variations in local activation measures across the German territory. With the implementation of the activation approach, the issues of variances and duplications (Hassel and Schiller 2010), and their resulting "inefficiencies" (Deutscher Bundestag 2003: 41) became even more noteworthy.

The 2005 Hartz IV reform changed the architecture of the German welfare state when the federal level took over program-design, administrative, and funding responsibilities for activating people in the new scheme explained in section two. Based on the draft law, the Federal Employment Agency (FEA) was best placed to provide labour market integration measures with national coverage. Under this system, welfare recipients across the territory would have to operate under the conditions of the federally legislated catalogue of ALMP measures, which are in turn implemented by local FEA branches; thus, reducing the fragmentation of German LMP and institutions. As an interviewee explained, "The municipalities had a lot of discretion [in relation to the Help towards Work scheme]. From this perspective, the new uniform and much more regulating version of [the new Hartz IV law], can indeed be seen as centralization" (Interview, Germany)[20].

However, these upward trends are not unidirectional as they were matched by new forms of subnational flexibility. Following the long-standing logic of subsidiarity, centralized standardization for the long-term unemployed in Germany was been matched with new forms of subnational discretion for social assistance recipients through the introduction of federal-local consortia in close to eight percent of all territorial units. These consortia were created to guarantee a smooth functioning of the new activation system and to ensure a single point of access (Deutscher Bundestag 2010: 15). Under this new architecture of ALMP governance, the federal level leads these new arrangements, while local actors were given flexibility in managing and providing activation measures because this would allow them to "try alternative ways of [labour market] integration and thus to widen the spectrum of integration opportunities for the unemployed" (Deutscher Bundestag 2004: 10).

The consortia, nonetheless, were challenged in 2007 by the Federal Constitutional Court given that they violated the principle of municipal self-administration, which is engrained in the German constitution (Bundesverfassungsgericht 2007) – i. e., federal institutions are not normally allowed to directly interfere with municipal administrations. This controversy concluded in a revision of the ***Grundgesetz*** (Constitution) which now allows for direct collaboration between federal and local institutions in LMP, while the general principle of municipal self-administration remains in place for all other policy areas.

In addition, 69 municipalities (in 2013 there were around 11, 200 municipalities in

20) To better understand these trends, it is important to clarify that in 1961 a federal social assistance law gave the responsibility for financing social assistance and for activating social assistance recipients to the German local authorities, while the federal level defined general rules.

Germany) are allowed to administer the new system without FEA intervention. This arrangement was made permanent and extended to 110 municipalities in 2010 (Deutscher Bundestag 2010b). These two new types of intergovernmental arrangements, which introduced new types of subnational flexibility to the area of activation, has resulted in federalization as the formal administration and financing of activation of previous social assistance recipients shifted from the municipalities to the federal level. As in the cases of the UK and the US, Germany has also delegated powers to non-governmental actors as the market for private for-profit employment agencies was also legally opened up in 1994 (Konle-Seidle 2005; also see Weishauot 2014). In sum, the modernization of the German welfare state was matched by a modernization of federalism in that the new organization of LMPs combines federalization with innovative flexibility (local) elements (see Weishaupt 2014).

In my work, I show that the arguments presented in this section also apply to the Italian and Spanish cases. More specifically, Spain has transferred administrative powers over ALMPs to its regions, while the central level still legislates and controls the purse in this policy area. As in the case of the US, the Italian state has experienced extensive transfers of ALMP powers to the regions, which has been linked to welfare state fragmentation and regional gaps (López-Santana and Moyer 2012; also see Catalano, Graziano, and Bassoli 2016).

To sum up, this section shows that the implementation of activation in the three countries was matched by changes in the territorial and governance structures of their welfare states. While the US, the UK, and Germany introduced new forms of discretion, intergovernmental reconfigurations of active welfare states in the three countries combined decentralization and centralization differently. In contrast to federalization trends in Germany, the implementation of the US version of activation resulted in devolution. These divergent cross-national trends are noteworthy as prior to the implementation of activation subnational levels in both federations had significant levels of autonomy in this policy area. By contrast, in liberal UK, despite general devolution trends, the national level retained significant LMP powers in its hands.

4. Conclusions and Implications

This article explains how the nature and territorial organization of LMPs in Germany, Italy, Spain, the UK, and the US have changed since the late 1980s. The evidence presented show that the direction and nature of LMP adjustments in the activation era are not homogenous across countries－the US implemented extensive decentralization reforms; LMPs arrangements remained very centralized in the UK; and in Germany has modernized its federal structure by introducing re-centralization matched with local flexibility reforms. These findings are relevant for various reasons.

First, the case studies suggest that the direction and nature of reconfigurations trends is independent from state structures and partisanship. First, reconfiguration trajectories diverged in both federations even if their subnational levels had significant powers over LMPs prior to the implementation of activation. By contrast, unitary UK and federal Germany implemented centralized LMP approaches. Second, while not explored in detail in this article, partisanship does not seem relevant as both right and left governments supported the devolution of welfare competencies in the US, while that was the case for centralization in the UK. Finally, the findings also suggest that the type of "welfare regime" (Esping Andersen 1990) is not a relevant variable to understand trajectories of change as both countries with liberal regimes (i. e., the US and the UK) followed dissimilar reconfiguration trends. These differences are noteworthy as they point at how these two countries, which tend to be lumped under the liberal approach to welfare provision, have adopted divergent policies regarding the equivalency of LMP benefits across the territory－the US favors heterogeneity across the territory, while the UK favors parity of benefits and services.

The implications of studying the territorial dimension of welfare go beyond these findings; in fact, they represent a promising and exciting avenue of research. First, scholars working on cross-national similarities and differences in activation regimes should include the territorial dimension as typologies have mainly focused on criteria such as benefit levels and coverage, the degree of compulsion, the extent and quality of labor market integration support, and the ideological inclinations of these regimes (Barbier and Ludwig-Mayerhofer 2004; Dingeldey 2007). While the aforementioned dimensions are crucial for the categorization of activation regimes, these characteristics are also importantly affected by the extent to which benefit levels and conditionality rules apply to welfare recipients across jurisdictions, and the ways these rules are guaranteed and protected by the national level. In this way, future research should avoid "methodological nationalism."

Second, the evidence suggests that certain architectures of activation might be linked to overlooked phenomena. I argue that cross–national research on welfare states should include the territorial dimension as it opens the door to new and exciting types of observations. Broadly, higher levels of subnational discretion might be linked to salient inter–territorial inequalities regarding the diversity of welfare regimes, policy instruments, conditions, and sanctions across the territory. This, in turn, might be linked to different types of outcomes across the territory, including divergent individual and inter–regional rates of activation, and variances in labor market inclusion and participation; therefore, such level of discretion can provide different types of social rights to welfare recipients across territorial units.

Finally, and in line with the previous point, these findings are also relevant for the emerging comparative literature on the geography of inequality (Rodríguez–Pose and Ezcurra, 2010; Beramendi 2012; Tselios et al. 2012), which has tended to limit its attention to the links between fiscal decentralization and patterns of inequality. Moving beyond fiscal arrangements by focusing on the architecture of welfare states (i. e., the juxtaposition of administrative, political, and fiscal powers) would make important contributions to the aforementioned lines of work as we could better capture and understand the links among centralization, decentralization, and the degree of territorial inequality, disparities, and social justice.

Regarding policy debates, scholars and politicians across the world are searching for new models on how to provide for the people. A noteworthy development is the creation and implementation of Basic Income Programs. For instance, in the UK, there is a wider debate regarding the relationship among traditional benefits, activation, and basic income schemes. For now, a variety of localities (e. g., Utrecht in the Netherlands, Finland, Ontario in Canada) are experimenting with basic income schemes. Time will tell whether this is a viable option, and what will be the relationship between traditional and innovative forms of social protection.

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