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SOCIAL POLICIES**

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THE SOFTNESS OF WORKFARE POLICIES IN PORTUGAL**

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## **FROM PASSIVE TO ACTIVE SOCIAL POLICIES**

The softness of workfare policies in Portugal

### **1. Unemployment, compensatory policies, and activation**

The social policies of the most developed countries have been trying for decades to prevent situations of need due to unemployment through the granting of sums of money to compensate for lost income during the period necessary for a new job to be found.

Because they coincided with a time of economic ease, those policies generally tended to work, namely also due to the fact that unemployment rates were low and job supply was strong. However, in the last fifteen years, the picture changed radically and, with high levels of unemployment and a very limited supply, those policies were no longer able to work adequately. On the one hand, the duration of unemployment benefits became insufficient to cover the time necessary for a new job to be found; that is, the right to the benefit is lost before the unemployed person finds a job. On the other hand, public expenditure regarding unemployment benefits rises to unplanned levels given the high numbers of unemployed workers, even when the State is not the sole supporter of its costs.

The problem becomes particularly serious not only because the demand for competitiveness for companies is incompatible with the increased tax load, and indeed demands the reduction of taxes, but also because unemployment became a structural phenomenon, therefore resistant to traditional political therapies. And last, the lack of job expectations seems to de-motivate the unemployed, who do not feel encouraged to look for jobs or accept a precarious or a poorly paid job while the benefit lasts. The Welfare State's compensatory policies for the unemployed fail to integrate them both in the labour market and in society in general.

Being highly criticised on diverse grounds and for different reasons, passive employment policies seem to be rapidly losing the success and the prestige they once used to enjoy. Even trade union organisations find it difficult to contain the animosity which emerged against unemployment subsidisation policies, and, as a reflex of it, against subsidised workers themselves.

It was mainly due to the above mentioned financial constraints that the Welfare State started to collapse, being confronted with the need to substitute a proactive attitude of (re)integration of the unemployed in the labour market for its passive attitude of compensation. This new approach to social rights, namely the recognition of a right to insertion, has allowed welfare states to implement a new political culture based on more personalised measures to solve the specific situation of exclusion of each individual, freeing them from the social and moral crisis in which they were immersed (Rosanvallon, 1995: 170).

Indeed, proposals increasingly suggest that new policies oriented towards keeping workers active should substitute for the old policies oriented towards the avoidance of their economic collapse – either by promoting the creation of new jobs, whatever their nature may be, or by increasing the employability of the unemployed, or even by providing them with a useful occupation.

Those are the so-called active employment policies, the emergence and dissemination of which has been rapidly extending to all industrialised countries.

In the European context, the importance given to the passage from passive to active employment policies has been recognised in different documents, legal devices and summits, and inspires the employment policy models developed by the Community's institutions. In 1993, the 'White Book on Growth, Competitiveness and Employment' took the first step towards recommending the adoption of active policies included in the first European strategy for employment (Bosco et Chassard, 1999: 43). However, it was through the strategy adopted in the Employment Summit on Employment which took place in November 1997, in Luxembourg, that each Member State undertook to

promote activation measures which would involve at least 20% of the total number of unemployed workers, through national action plans<sup>1</sup>.

The adoption of active employment policies in order to favour the re-integration of the unemployed in the labour market cannot be dissociated from the fight against social exclusion, one of the phenomena which has accompanied the growth of unemployment and the precarisation of paid salaried work, feeding on both. It can be said that, in general, activation policies find their justification both in their capacity for inclusion in the labour market and in their capacity for inclusion in the social tissue, through activities recognised as socially useful and therefore capable of eradicating, or at least preventing, new situations of exclusion<sup>2</sup>.

In the absence of a common strategy to combat unemployment, active Welfare States (to use Rosanvallon's terminology) have consolidated the objective of insertion through work by increasingly implementing active employment policies, exactly because these are based upon the presupposition that, in modern society, participation in the labour market is inseparable from the process of social insertion (Lind, 1995: 184).

Given the novelty of the measures and the diversity of objectives, no consensus has yet been reached as to what should constitute the core of the concept of activation, or activation policies.

Some authors underline the fact that the concept of activation is a vague concept, because it is used to refer both to the issues concerning employment and the labour market and to the issues concerning social insertion (Heikkilä, 1999: 8). When it is used in the context of employment, activation may convey an ever stricter sense of a positive, non-financial incentive or of an

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<sup>1</sup> 'Each Member state will seek to increase significantly the number of people benefiting from active measures capable of facilitating their professional re-integration. To increase the percentage of unemployed people who are offered some kind of training or a similar measure, a target will have to be set in order to progressively approximate the average of the three Member States with the best performances and which will depend on the original departure point and be of at least 20%' (Plano Nacional de Empleo [National Employment Plan]: 18).

<sup>2</sup> Maurice Roche (1992) emphasises the fact that activation implies participation in the regular employment/job market and, ultimately, also social participation, because access to citizenship can only be granted through full participation in the labour market, work being *the* privileged form of

opportunity offered to unemployed persons to participate in programs which supply some kind of training, employment services, or work. In the latter sense, the concept of activation is similar to that of active employment policy<sup>3</sup>.

In that stricter conceptualisation, some authors identify activation with those social policy initiatives aimed at encouraging participation in the labour market and stimulating employability (Hvinden, 1999: 28; Bosco and Chassard, 1999: 44). Those initiatives may also include professional counselling and orientation, professional training to improve qualifications, and participation in socially useful activities.

It is certain that activation may also include an emancipatory dimension in the sense that it promotes the social reinsertion of people who used to depend on unemployment benefits for a living through their participation in the labour market, thus allowing them to accede to full citizenship (Geldof, 1999: 13). Some authors therefore adopt a wider concept which comprehends the different dimensions included in political practices and sets a significant emphasis on the objectives of integration in other spheres of the social, not just the labour market. In this sense, we may especially refer the concept proposed by Maurice Roche, according to whom activation policies are essentially targeted at preventing situations of exclusion among unemployed workers, for example through the carrying out of socially useful tasks which ultimately promote social insertion, i.e., an 'active participation' (Roche, 1992).

Underlying the conceptual question there is an ethical problem involving the traditional forms of protecting the unemployed by means of unemployment benefits. As many authors point out, subsidised protection, while creating a basic 'security net' for the unemployed, may well be contributing to the dissemination of a culture of dependence regarding the support provided by the State.

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promoting citizenship, as well as fighting exclusion, poverty, and isolation. To the same effect, see Hespanha (1998:7).

<sup>3</sup> Other authors adopt more or less comprehensive concepts of activation. Geldof (1999: 13), for instance, include all types of initiatives aiming at social insertion in their sense of the concept, while Lind (1995: 186) links the concept rather with active employment policies, that is, all those policies which promote contact with the labour market, either through employment or through professional training.

Contrary to that view, we believe that activation policies stimulate workers' autonomy, acting as a springboard between the situations of exclusion and an effective social-professional insertion (Hansen and Hespanha, 1998: 7). Indeed, situations of exclusion can only be fought against through the effective participation of those people in social life and in the labour market, never through the mere obtainment of an income with nothing in exchange.

We must bear in mind that the change of political perspective under analysis, although partly based on the 'merit' of activation as an 'occupational therapy' against de-motivation and marginalisation (Hvinden, 1999: 27), or in terms of moral co-responsibility, is mostly due to the financial constraints imposed on the social welfare systems themselves, as was mentioned before. Governments have found in activation an invitation to lessen their expenditure as well as to decrease the level of dependence on the part of subsidised citizens, while participation in the labour market increases, even if it occurs in the ambit either of the third sector or of the social employment market.

However, the deepest implications of this new attitude occur at the level of the social contract, of the basic foundations of the relationship between the State and the citizens. Therefore, and according to the logic of activation, the right to be subsidised implies a corresponding duty of contribution through the performance of a socially useful activity; that is, the State should require something in exchange for its help.

What happens is that activation policies do not have only this positive side of creating forms of social participation. They do have their negative side as well: that of compulsion to work only to justify the benefit you get. At present, the assessment done on those policies emphatically points out the principle of the carrot and the stick. The carrot is the forms of participation alluded to. The stick is the compulsion to work and the withdrawal of unemployment benefits from people who do not accept to participate in those forms. In that sense, the neo-liberal argument regarding lack of incentives for work, meaning the unemployment benefit system, seems to have won. Seen as too generous because they are in fact not much lower than salaries proper, benefits are

accused of acting as a disincentive for subsidised unemployed people who need to look for a job.

The workfare policy was developed particularly in the United Kingdom in a version containing only a bit of the carrot and a great deal of the stick, although the English *New Deal* has now diversified the forms of participation and somewhat managed to soften the situation. But also Holland and Denmark are increasingly using the same strategy of compulsion to work, namely for young people, as a form of tackling the problems of exclusion.

The debate on active market policies and participation has in many countries been centred on a question of rights and obligations. In that debate, the point of view of trade unions and socialist parties emphasises the right to employment and the social protection of the unemployed while the point of view of the employers and the liberals emphasises de-regulation and incentives to work. The latter specially point out a moral dimension of the problem: it is not admissible that someone receives help in exchange for nothing. Able people must contribute to the enrichment of society and for that they must participate in labour activities.

Although activation appears in political discourse, as well as in the scientific domain, as the cure for many of the evils in today's society, the truth is that this process has been the target of severe criticism. In a stricter sense, among the positive aspects recognised in this process, we may point out the fact that it improves qualifications and stimulates employability through participation in the labour market, which contributes to the increase of unemployed people's self-esteem and autonomy (Heikkilä, 1999; Hvinden, 1999; Bosco and Chassard, 1999; Geldof, 1999).

In a wider sense, we can recognise the fact that the activation process constitutes itself as a positive reaction to both the culture of dependence and the materialisation of basic social rights, namely the right to work (Geldof, 1999). Thus also the fact that this process allows accession to full citizenship, which raises the work ethic to the position of a central pillar of society



(Heikkilä, 1999; van Berkel *et al.*, 1999; Bosco and Chassard, 1999; Hvinden, 1999).

In spite of both the fact that there is no consensus about the definition of activation and its relatively recent character, there seem to be emerging more and more negative considerations regarding its application. Indeed, many are the voices raised to criticise its punitive character (Heikkilä, 1999), attributing to active measures the responsibility for conditioning the access to social benefits, as well as to the freedom and autonomy of the workers themselves (Hvinden, 1999; Geldorf, 1999). On the other hand, activation is further held responsible for creating a new mass of excluded arising from the decrease of the level of well-being (Heikkilä, 1999).

Furthermore, according to some authors, because they are accompanied by high obligations, active policies lead to the blaming of the victims themselves, that is, the unemployed – not the employers – are blamed for their own situation of exclusion (Geldorf, 1999; van Berkel *et al.*, 1999) besides which they become a unilateral process generating a secondary labour market of temporary occupations instead of adequate jobs for an effective professional insertion (Hvinden, 1999).

Agreement with active employment measures seems now to be gathering a higher level of consensus, both for reasons which have to do with the relative success of certain labour insertion measures and due to the recognition of the fact that subsidised unemployed workers will hardly be able to solve their problems with the labour market by themselves. However, the question of the degree of compulsion of those same policies and of their punitive character remains suspended, because, besides the recognition of the right to be able to look freely for an adequate job, personal motivation for work is still considered the best measure to increase employment.

And it is certainly important to point out the fact that serious problems regarding labour rights are almost always associated to activation measures. The reason is that, not infrequently, those who participate in activation processes do not enjoy the same rights as other workers with regular

contracts do, notably the right to negotiate their salary, work times and conditions.

Even if there is no reliable assessment of the policies for active promotion of employment as yet, the truth is that at the level of the European Union they do have the highest of priorities and it is to be expected that this tendency be even stronger in the future, especially in view of the fact that the new Treaty of Amsterdam grants them a special emphasis<sup>4</sup>.

## **2. Activation policies in Portugal**

After a short description of the context in which the activation discourse is generally enunciated in Europe, we shall now proceed to an analysis of the penetration of that same discourse in Portugal and specially of the policies that sought to materialise it.

In general, from among the set of measures available in Portugal, some can be included in the concepts described earlier, namely those measures which require that unemployed workers be ready to accept work in exchange for a benefit, as well as those which link the fight against poverty and social exclusion to participation in the labour market or the performance of certain tasks of a social character.

There is certainly no doubt that the measure which started to implement this new philosophy of support to the unemployed was that of Occupational Programmes for Unemployed People (POCs). It was established in 1985 and was designed to 'ensure that unemployed workers have the possibility of temporary occupation in socially useful activities so as to keep in contact with other workers and other activities while new job alternatives or professional

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<sup>4</sup> A study of those policies in 14 European countries covering the period between 1990-1996 concludes that there is an immense variation regarding the tendency of public expenditure with both active and passive employment policies and also that only in three of those countries (Denmark, Ireland, and Norway) did active policies reveal a clearly expansionist tendency (Hvinden, 1998). This leads the author to the conclusion that the rhetoric of activation is more powerful than its materialisation.

training activities do not present themselves, thereby avoiding the tendency to de-motivation and marginalisation<sup>5</sup>.

Initially, the measure aimed at providing an occupation for seasonal workers in times of work scarcity, as well as workers receiving unemployment benefits. After 1995, the occupational programmes underwent a reformulation and redefined their main beneficiaries as unemployed workers in a confirmed situation of economic need and also subsidised unemployed workers engaged in occupations promoted by either public or private non-profit entities.

Although the annual numbers of beneficiaries are very irregular (ranging from 7,500 to 43,000), this measure has had a growing and important impact on the management of the unemployed population's time and benefits.

However, other measures are being implemented which can be included in the logic of activation. The most recent of those concerns insertion enterprises ("empresas de inserção"), the regulation of which was passed in 1998<sup>6</sup>.

The priority of those insertion enterprises is 'to combat poverty and social exclusion through the creation of new opportunities for the professional insertion or reinsertion of long term unemployed workers, as well as unemployed people in a disadvantageous situation vis-à-vis the labour market, through the acquisition and the development of personal, social and professional competences adequate for the exercise of a professional activity, so as to favour their insertion in active life'. The measure further seeks to stimulate local development through the creation of jobs within economic activities targeted at meeting social needs.

Although they were only very recently created, the number of insertion companies has now reached a reasonable level, a fact which shows that

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<sup>5</sup> Through their participation in this type of arrangements unemployed workers in a confirmed situation of economic need can receive an occupational subsidy equivalent to the national minimum wage. Subsidised unemployed workers are granted the unemployment benefit plus an extra benefit corresponding to 20% of it.

Legal framework: Acts of Parliament: Dec. Lei n. 79-A/89, 13/3; Dec. Lei n. 418/93, 24/12; Regulations: Portaria n. 192/96, 30/5; Portaria n. 413/94, 27/6.

collective ways of solving the problems of unemployment can certainly be feasible.

The third example of activation measures in Portugal includes insertion programmes within the framework of the Guaranteed Minimum Income (GMI)<sup>7</sup>. In general terms, these take the form of a set of 'actions directed at the beneficiaries of the Minimum Income and members of their households with the aim of, in a way adjusted to each particular situation, creating conditions to facilitate their access to social and economic autonomy.'

Data concerning the execution of the measure reveal that, in 1998, about 3.5% of the Portuguese population was benefiting from it and that the insertion plans covered different domains of the social reproduction: social welfare (31.7%), education (21.4%), health (19.7%), employment (12%), housing (10.9%) and professional training (4.2%).

Finally, the practice of activation is also associated with the professional training sector (Measure 2 of the INTEGRAR Sub-Programme) and aims at the social-professional insertion of certain categories of people in a less favoured situation vis-à-vis the labour market (people with low levels of education and qualifications, recipients of the guaranteed minimum income, etc.). As a rule, this training includes a period of classroom training with the objective of acquiring knowledge useful for the practice of a profession, followed by a period of training within a company so as to provide contact with the reality of work.

The inventory of the above-mentioned measures allows us to conclude that the practice of activation, although more recent in Portugal than in other European Union countries, is not insignificant at all, and figures show that the Portuguese State is following the same orientation of its European partners, in the sense that it clearly privileges active measures to combat unemployment and 'as a stimulus' to employability.

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<sup>6</sup> Legal framework: Council of Ministers' Resolution n. 104/96, 9/7; Regulations: Portaria n. 348-A/98, 18/6.

<sup>7</sup> Legal framework: Acts of Parliament: Lei 19-A/96 and Dec. Lei n. 196/97, 31/7.

It is worth to point out, however, that in the Portuguese case, and differently from the other European partners, the benefit amounts are very low, which explains the fact that trade unions have been highly critical of possible changes of orientation which might eventually reduce the still existing and 'indispensable' passive employment policies.

### **3. Some reflections based on the experience of participants**

The integration capacity of activation policies must be assessed not only through official reports and execution indicators, but also in the light of the experience of unemployed workers who have participated in them. On the basis of a recent study which had the objective of evaluating some of those experiences in Portugal, we shall now try to reflect upon the different issues raised in the analysis of the execution of those policies<sup>8</sup>.

The first issue concerns the capacity of those policies to eventually provide access to jobs. In countries where these policies have known a stronger development or were implemented earlier, the question of access to jobs has been raised, namely regarding programmes which aim at increasing employability through professional training. In general, it is believed that policies which mobilise people to participate in the labour market cannot but consider their future job expectations, because without those expectations participation will then be considered as a mere obligation and not as a real opportunity (Lind, 1995: 192).

In that domain, the Portuguese experience reveals some specific characteristics that are not only due to the fact that the positive aspects of

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<sup>8</sup> We are referring to the INPART – Inclusion Through Participation – study, a Community project within the ambit of the TSER Programme, which involves 6 countries (Holland, The United Kingdom, Belgium, Denmark, Spain, and Portugal) and which seeks to analyse the type of policies which are being executed in those countries, especially those envisaging the insertion of unemployed people.

In the Portuguese case, we opted for analysing the experiences of unemployed people who were participating in special training courses in the ambit of the INTEGRAR sub-programme and in POC (Occupational Programmes for Unemployed People). It is therefore based on the experiences of 20 people who had participated or were still at the time participating in Occupational Programmes that we present some considerations which we think may be important for the context of activation.

were too strongly emphasised when the measures were disseminated, but also due to the fact that the measure was abused by its promoters. In the case of special training courses for unemployed people with low schooling levels and low qualifications, the mere fact that they were participating in this type of programme generated an attitude of strong expectation regarding their future integration in the labour market. However, the aim of the programme was merely to provide a very elementary level of training so as to facilitate the adaptation of this category of unemployed people to work, as well as develop a minimum threshold of capabilities in order for them to gain access to more qualifying levels of training.

In the case of the occupational programmes for unemployed people, the promoting entities themselves see their programmes under a very particular perspective, namely as a possibility for recruiting workers at a subsidised cost who would then be able to solve occasional labour demands. The consequence of that is that these activated workers are not recognised as having the same rights as other regular employees, notably as concerns their wages, work times and general work conditions. This situation is the outcome of a very tortuous and limited access to social rights that are granted to the majority of the 'other' workers (Hansen et Hespanha, 1998: 8).

Also, similarly to what one may conclude regarding this type of experiences all over Europe, in Portugal these processes do not in fact prevent the level of unemployment from remaining the same, although there is demand for work in unexplored sectors like the third sector, where real job opportunities could emerge instead of just artificial jobs (Lind, 1995: 200).

The second question has to do with the selectivity of activation programmes. Since participation in activation programmes in general implies very strict selection criteria which often create a space for the practice of arbitrary favouritism, an important part of the target population of those programmes ends up by being doubly marginalised, not only in terms of the regular sphere of the labour market, but also as regards the selection process itself.

It is important to recognise that the execution of activation measures may generate some strategies to bypass the very philosophy which underlies the programmes and completely distort their results. On the one hand, such strategies seem to reflect principally a certain anxiety regarding the question of adhesion to the programmes. It is common to find that those responsible for their implementation forced their utilisation even beyond their legal objectives or expectations in order to attain reasonable execution levels, bearing in mind the agreements made with the Community bodies that grant financial support for the implementation of those policies. On the other hand, the absence of an independent inspection to non-governmental promoters of such programmes creates an opportunity for the manipulation of the measures with a view to make them adequate or compelling for such realities and target populations as are not always those originally envisaged by the measure.

The scenario described clearly shows that employers, unemployed workers and measure 'managers' may use selectivity to attain different objectives (and not necessarily worse objectives) from those initially set or even to attain objectives which are negotiated among themselves (Baptista, 1996: 94), which immediately raises problems of equity regarding the target beneficiaries of those measures.

To the marginalisation aspects referred at the beginning of this point, we still have to add the extra element of marginalisation which being available to accept marginal work represents. If being unemployed signifies being available to participate in active employment measures, then participation in active employment policies also implies the recognition that participation is limited to an artificial labour market. That is why those are right who defend that the statute of unemployment is increasingly being connoted with situations of social marginalisation, even when one is a target of oriented policies (Lind, 1995: 201).

Another relevant question has to do with the devaluation of unpaid work as an activation field. In fact and up to the present, active policies have privileged only participation in the paid labour market, in consonance with the objectives of combating a culture of dependence, which were mentioned earlier.

The study shows that there exists a predisposition on the part of people to participate in socially useful activities, even if they are unpaid activities, as an alternative form to the labour market for those who are unable to find a job.

While agreeing that the promotion of those forms of participation should be carried out with the utmost care so as to guarantee that they do not become functional job substitutes although not in exchange for a just payment for work, we must emphasise their capacity to favour the social inclusion of those unemployed workers who, in spite of a certain discourse which tends to become dominant, do not wish to be inactive and certainly do not prefer leisure, but they would rather choose to have an occupation and perform socially recognised activities while they cannot find a job.

The priority given to work by social policies as a key element for social inclusion has been abundantly dealt with, certainly because of its central meaning as a contribution to the reproduction of society (Heikkilä, 1999: 87). It is also agreed that the necessity for activation stems from the need to combat certain problems arising from situations of unemployment. Thus, once again pointing out the fact that work is the most important source of social integration, the idea that work does not in itself necessarily mean employment opens up some perspectives for a non subsidised activation which can benefit from the advantage of non stigmatisation, contrary to what normally happens regarding the present model of active participation.

A fifth question concerns the role of the activation policies beneficiaries in the design and development of the programmes they are involved in.

When activation surpasses the limits of a simple participation in the labour market, it gains the merit of being able to offer the excluded population the possibility of negotiating the way in which they wish to be involved in a socially useful activity. An example of that is what is happening in the context of the Guaranteed Minimum Income insertion plans, which corresponded to a first step towards the institutionalisation of a type of personalised policy based on the consent of individuals regarding the way in which their insertion may be attained.



This innovation gave this measure an enormous capacity to adjust itself to the differences which exist in the group of unemployed people as well as to the unique profile of each situation and of each individual. The efficiency of active policies depends precisely on their ability to consider those differences and to respond adequately to each different case<sup>9</sup>.

One last question concerning the ability to implement activation programmes which respect the prerequisites discussed above:

The type of active measures practised in Portugal and which are targeted at the excluded and/or unemployed population is not very different from the type of policies being practised in other European Union countries. Besides a lack of coincidence between a more advanced activation discourse moulded in the image of the European Union guidelines and based upon social needs and a much more retracted practice with certain specificities, the Portuguese specificity lies principally in the obvious distance between what is instituted and its practical application, a similar situation to other realities, namely as far as passive policies are concerned (Baptista, 1996: 197).

The significant importance of social protection promoted by the Welfare State in conjunction with the new challenges for participation in the labour market which active measures presuppose are not, due to their own specificities, enough to solve the problems of the unemployed population who see themselves forced to resort to survival strategies, again the responsibility of an active Welfare Society capable of sustaining the lacks inherited from the typically southern European State welfare.

In Portugal, the 'urgent need' for unemployment benefits, the low subsidy levels and the workers' low income levels, the low subsidy-dependence and rather the high work ethic provide an occasion for activation in traditional areas where the welfare society seems to be failing.

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<sup>9</sup> It is of course common knowledge that personalised measures imply extra costs, a fact which may constitute an hindrance to their application.

#### **4. Some brief concluding notes**

In order to stimulate economic growth and increase the competitiveness of its products in the world markets, the European states have undertaken reforms in their policies, namely their employment policies, resulting in a reinforcement of flexibility, of multivalence, and of work re-qualification. In parallel, there is a re-orientation of employment policies, a change from a philosophy of compensation for the loss of a job to a philosophy of promotion of new opportunities for employment. However, as far as the traditional policies for the creation of new jobs are concerned, what seems to be novel is the focus on individuals instead of a focus on productive structures with multiple objectives which, among others, may include the reduction of the unemployed workers' dependence regarding benefits and the decrease of social security budget expenditure, and also the procurement of useful social occupations as an alternative for those who cannot find a job in the regular labour market.

To this multiplicity of objectives which runs through the founding discourse of activation policies there corresponds an enormous ambiguity in terms of the practical implementation of those policies. The discourse of activation is compelling and it contains very positive arguments for the materialisation of basic social rights or even of new social rights such as the right to work, to social security and to social insertion (Geldof: 1999). Its practice nonetheless raises serious problems given its permeability to ethical, financial and bureaucratic distortions which very often and insidiously overtake the noble motives of the discourse.

The close link between the activation programmes and the subsidisation/benefit policies for the unemployed seriously conditions the scope of those programmes, contaminates the design of individual activation plans with ethical judgements and lets its demands regarding the occupational involvement of the subsidised workers slip into the domain of a compulsion to work.

In Portugal, the legal obligation of unemployed workers to be available to accept an adequate job under an 'occupational programme' was established

in 1985. Nevertheless, a policy for the activation of subsidised unemployed workers took another four years to be clearly defined. According to that 1989 Law, which regulates the distribution of unemployment benefits, those workers are obliged to accept some sort of 'necessary work' or to attend some sort of professional training offered by their local Job Centre. Any refusal to comply with this imposition without a suitable justification implies the immediate withdrawal of the unemployment benefit. More recently, since 1996, the new Guaranteed Minimum Income (GMI) scheme, which aimed at securing the subsistence of extremely poor families, ended up by forcing its beneficiaries to engage in an insertion plan designed by the local authorities, possibly including some kind of work or some kind of training.

When we assess the way in which these policies are being implemented, what seems especially worthy of notice is their low level of implementation. In the case of the occupational programmes run by the Job Centres, the number of unemployed people involved is rather small due mostly to the attitude of those Centres, limited as they are to the passive role of mediating the demand for work coming from non-profit organisations. In the case of the insertion contracts under the GMI, their implementation suffers from the difficulty in finding an insertion programme suitable for the specific circumstances of each poor family. In those cases, low levels of education and skills are closely associated with poor housing conditions, illness and disability, and informal/illegal activities.

The oldest Portuguese experience in activation policies therefore shows that the risk of compulsion has been avoided and that there has been a reasonable margin for negotiation with the beneficiaries of those policies. It is still not possible to produce a final judgement concerning the motives for this blandness or even justify it with either the softness of our Welfare State or with any other of the reasons which identify our semi-peripheral or Southern-European specificities (Santos, 1993; Ferrera, 1996).

However, there are signs suggesting that things can change. Given both the increasing europeanisation of our policies and the growing pressure upon institutions for an efficient management of resources in an area where most of

those come exactly from European funds, it will not be surprising if the compulsory side of activation ends up by prevailing, thereby destroying the negotiating margin of its beneficiary citizens and making their resistance to the ready-to-wear character of policies be judged illegitimate, and therefore undeserving of protection.

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