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**Government Performance in Micro-Networks:  
Towards a Theory of Functional Discretion**

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## **Government Performance in Micro-Networks Towards a Theory of Functional Discretion**

### **Abstract**

Since some time government performance has been a subject of theory and research in public management (cf. Heinrich and Lynn, eds, 2000; see also the special issue of J-PART, October 2005). At the same time in related parts of the social sciences government performance gets attention as well, though perhaps under different conceptual headings. This is the case, for instance, in the study of street-level bureaucracy (Lipsky 1980).

The focus in this paper is on the fact that street-level bureaucrats are working in 'micro-networks': sustained patterns of inter-individual relations (Hupe and Hill, 2006a). Central question is: Rules, discretion and networks being characteristics of the work circumstances of street-level bureaucrats, which insights can be drawn from the theoretical-empirical literature about these characteristics for grounding a causal theory about the relations between them, as factors influencing government performance at the street-level?

## 1. Introduction

A continuous organization with a specified function, or functions, its operation bound by rules. Continuity and consistency within the organization are ensured by the use of writing to record acts, decisions and rules. The organization of personnel is on the basis of hierarchy. The scope of authority within the hierarchy is clearly defined, and the rights and duties of the officials at each level are specified (Weber 1947: 329-41).

In modern democracy the idealtyp of bureaucracy as constructed by Max Weber still fulfils powerful functions. As a set of normative principles this conception of bureaucracy is a key element in the *Rechtsstaat* and democracy, while it has been embedded in their institutions. In views of political control the conception is expressed in the politics/administration dichotomy, a hierarchy in which the subordinate position of bureaucracy is essential (Frederickson and Smith 2003). At the same time – both as a cause and a consequence – the core of Weber’s construction remains a popular view about how public servants should behave. As such the view is not only prevalent in the public opinion, but seems to produce a normative bias for empirical research of the subject as well. It may even have contributed to a relatively late attention in the study of government for what ‘lower’ civil servants actually do.

Lipsky (1980) opened the black box of bureaucracies working at the basis of government. Rather than in the political-administrative centre he found that ‘public policy (..) in important ways (..) is actually made in the crowded offices and daily encounters of street-level workers’ (Lipsky 1980: xii). As one of the first describing what he observed at the ‘ground-level of governance’ (Considine and Lewis 1999) Lipsky and his collaborators Prottas (1978; 1979) and Weatherly (1980) with their observations did what can be called a social scientific discovery. Its theoretical and programmatic consequences for the study of government still are being dealt with. Investigating how management matters Riccucci (2005: 74), for instance, states that ‘(t)he one level of bureaucratic activity where management may have less an impact is at the street-level’. Besides, if implementation is a form of ‘policymaking by other means’ (Lineberry 1997: 71) and the policy process empirically represents a continuation of the political process, the normative consequences of Lipsky’s observations are substantial.

In a paper Lipsky (1989: 6) addresses these consequences: ‘The discovery that lower-level workers effectively make policy does not absolve the executive of responsibility for policy outcomes’. Important element is the presence of discretion Lipsky deems inherent to the work of street-level bureaucrats: ‘Policy makers and economists might wish it were otherwise, but it seems clear that in the implementation of social welfare programs there remains an irreducible extent to which worker discretion cannot be eradicated’ (1989: 28). This observation makes Lipsky speak of a critical dilemma in social policy administration: ‘(I)f there is an irreducibly discretionary element in the work of those who implement the program, then policy executives cannot hope fully to direct the program-related actions of their staffs, and thus have difficulties in holding their staffs accountable’ (1989: 2).

If 'full direction' is not possible, there may be alternative ways to hold public servants working at the basis of government accountable. The range of options varies from trying to reduce worker discretion entirely by tightening the control of their work, to promoting their professionalism and largely accepting the decisions they make. Lipsky seems to prefer a middle position when pleading, for example, for 'quality control' initiatives, while stressing that policy formers 'shape the context in which street-level bureaucrats exercise discretionary judgement' (1989: 7).

Lipsky's academic discovery converged with the political reflex generally accompanying 'crises' and 'policy fiascos': when something has gone wrong with a policy, it's the implementers who are to blame. Normatively therefore the problem raised here concerns accountability in the context of the rule of law and democracy. Empirically the question is still relevant what happens at the street-level with the good intentions laid down in legislation and policy statutes. Though since the publication of Lipsky's classic considerably knowledge has been gained, the answers to this question seldom have been aggregated and viewed from a synthesizing perspective. As Keiser and Soss (1998: 1152) observe: '(S)cholarship on social welfare policy continues to lack strong theories of local implementation. More attention should be given to identifying the factors that systematically influence the uses of bureaucratic discretion and to understanding why and how these factors transform policy outcomes'.

Contributing to the kind of knowledge mentioned here is the objective in this paper. Aiming at the formulation of a grounded and robust middle range theory a first outline of such a theory is given. With a 'micro-level focus' (Williams 2002) the object is what Redford (1969) calls 'micro-politics': the individualised distribution of rights and duties among individual citizens. More in particular the relation is theorised between three central concepts: rules (vertical dimension), networks (horizontal dimension) and discretion (linking the two dimensions). The general underlying assumption is that street-level bureaucrats, almost literally positioned between government (rules) and society (networks), fulfil a pivotal function and that the fulfilling of this function gets form in the way these public servants actually use the discretion available to them. As such, the theoretical identification of the relations between rules, discretion and networks as three central variables may contribute to explaining variation government performance in general.

The central question in this paper is: Rules, discretion and networks being characteristics of the work circumstances of street-level bureaucrats, which insights can be drawn from the theoretical-empirical literature about these characteristics, for, ultimately, grounding a theory about the relations between them as factors influencing government performance at the street-level? As far as the used methodology is concerned this paper is a theoretical one, though the articles reviewed in the third section largely have been drawn from a systematic scan of journals. This scan entailed 36 journals, from which 65 articles were selected as meeting the criteria of having a) a street-level bureaucracy related subject and having b) the research objective of causal explanation. The complete findings from that scan and an account of the methodology used can be found in Hupe (2006) and Hupe and Torenvlied (2006).

In the next section the central concepts are described: how have the phenomena at stake here been conceptualised so far. Next, insights from theoretical-empirical

research as reported about in the international literature are presented (third section). Then the contours of an empirical theory are drawn (section four). The paper ends with some conclusions (section five).

## 2. Central concepts

In this section successively the following central concepts will be introduced: street-level bureaucracy, rules, discretion, accountability, networks, collaboration and networking roles. This happens while using sources from various scholarly themes and disciplines, as to be found in the international literature.

### *Street-level bureaucracy*

Workers at the street-level are policy *makers* ‘in the sense that the aggregation of their separate discretionary and unsanctioned behaviors adds up to patterned agency behavior overall’ (Lipsky 1989: 3). Because the summary Lipsky (1989: 3-4) gives of his own central argument hardly can be improved it is presented here:

‘Social welfare workers, as well as teachers, police officers and other public employees who interact with citizens, behave in ways that are unsanctioned, sometimes even contradicting official policy, because the structure of their jobs makes it impossible fully to achieve the expectations of the work. Resources (primarily of time, money, human resources or skills) are inadequate to the tasks they are expected to perform. Goals and objectives may be conflicting or ambiguous. Job performance is extremely difficult to assess in the areas that matter most. Moreover, work with clients is often particularly stressful because of high volume and the complexity of the task, and the need to interact with a client population that can be highly reactive to the intervention. When confronted with these conditions workers will try to salvage their jobs by developing routines that promote fulfilment of at least a part of what is expected of them, as well as their own sense of well-being. They will try to perform in at least partially acceptable fashion, but will also deviate from official expectations in the process. These individual solutions to work pressures, I have argued, “add up” effectively to form public policy’.

Determining ‘the allocation of particular goods and services in the society’ (Lipsky 1980: 84) street-level bureaucrats function as actual co-makers of public policy. Therefore empirically they can be seen as political actors in their own right. Lipsky seems to look at street-level bureaucrats as relatively isolated in the organizations they work in, while coping with their ‘individual dilemmas’. Weatherly (1980) stresses that the work activities of teachers, doctors and others, are certainly responsive to public policy. ‘But their activities are also responsive to a number of other influences over which the (official – PH) policy maker and administrator may only have limited control. The pyramid-shaped organisation chart depicting at the bottom the front-line worker as passively receiving and carrying out policies and procedures dispensed from above is a gross oversimplification. A more realistic model would place the front-line worker in the center of an irregularly shaped sphere with vectors of differing size directed inward’ (Weatherly 1980: 9). Hupe and Hill (2006a) propose to

look at street-level bureaucrats explicitly as functioning in an inter-organizational context. Referring to Weatherly's 'irregularly shaped sphere' they speak of a 'web' or 'micro-network' of multiple, both vertical and horizontal, relations.

Central in this 'web' the street-level bureaucrat performs tasks located both at the end of the throughput-side of government as well as at what Hall (1974) calls 'the point of entry' to that government: shaping the reception of people seeking help, making judgements, rationing services. Hudson (1997) distinguishes three broad responses from the street-level bureaucrat to that location at the basis of government: a modification of client demand, a modification of job conception and a modification of client conception. It makes the author state: 'Street-level bureaucrats have enormous power' (Hudson 1997: 43).

At the same time they work in what Hargrove and Glidewell (1990) call 'impossible jobs'. The latter distinguish a number of dimensions of the difficulty of the tasks at hand. 'Jobs falling at the extreme end of several dimensions can legitimately be called "impossible"' (5). These circumstances make Hill (2005: 244) stress that the street-level bureaucrat uses his or her *freedom* to *make* policy largely to provide a more manageable task and environment. The extent to which the available discretion is used either for substantively dealing with official rules by way of practising policy 'co-formation', or rather for managing one's work circumstances, seems an empirical question here. It does appear, however, that discretion is encountered and used by street-level bureaucrats as a given, while both enabling professional behaviour and giving opportunity to practise 'strategies of survival' within the organization (Zimmerman 1971; Satyamurti 1981; Smith 1981). Lipsky (1980) speaks of 'defenses against discretion', referring to certain coping strategies. At the same time street-level bureaucrats seem to practise what can be called self-binding.

### *Rules*

For Max Weber there was only one way bureaucratic rules could be applied: *sine ira et studio*, equally handling equal cases. For him this was an empirical observation, in this sense that if a different way of rule application was observed, a different mode of exercising authority than the 'rational' one was at stake, i.e. traditional or charismatic authority. Looking from a sociology of law perspective Kagan (1978) distinguishes four modes of rule application: judicial mode and legalism, both with a high *rule* orientation, and unauthorized discretion and retreatism, both with a low rule orientation. In Kagan's typology the first two of each of the two pairs mentioned have a high *goal* orientation in common.

Red tape concerns a specific category of rules. Bozeman (2000: 82) designates with this label 'a rule that remains in force and entails a compliance burden for the organization but makes no contribution to achieving the rule's functional object'. One could ask here: Who is to decide? Kaufman (1977: 4) points at the possibility that '(O)ne person's "red tape" may be another's treasured procedural safeguard'. In a more neutral definition red tape can be seen as additional rules made by the organization involved in the implementation of laws or policies containing rules legitimately agreed upon. Then the empirical working of rules labelled as 'red tape' is open (see, for instance, Scott and Pandey 2000).

## *Discretion*

Rules and discretion are narrowly related – though empirically not in an immediate transparent way. In Bradshaw's (1981) view rather than a dichotomy there is a rules/discretion continuum. Hill (2005: 207) states: 'The study of discretion must involve (...) the study of rules, and may alternatively be defined as being concerned with the extent to which actions are determined by rules'. Hill (ibid.: 209) is pertinent about the nature of discretion: 'All work (...) essentially involves some degree of discretion'. The normative question then becoming one of the legitimacy of the adaptation involved, the empirical issue is to observe the way of adapting and its consequences.

In the literature the term sometimes gets a qualification specifying the scale on which the discretion involved is located. This is the case, for instance, in 'bureaucratic discretion' (Keiser and Soss 1998), 'agency discretion' (Spence 1999) and 'discretionary powers' (Walker and Niner 2005). Sometimes the discretion of the individual public functionary (manager or operator) explicitly is addressed (Kelly 1994). This happens by Lipsky (1980: 122) when he states: 'Even where well-established bureaucratic rules are developed and in operation, there is often much leeway in the application of rules'. Davis (1969: 4) gives the following definition: 'A public officer has discretion wherever the effective limits on his power leave him free to make a choice among possible courses of action and inaction'. Davis, too, recognizes that functional administrative discretion must be granted. That he deems only necessary, however, in an individualised attribution of rights. And also then Davis underlines the need for the limiting, structuring and controlling of discretion.

Scott (1997: 37) makes links between discretion on the scale of the organization and of the individual:

'From a micro perspective (e.g., street-level bureaucracy), bureaucratic discretion typically is viewed as a range of choice within a set of parameters that circumscribes the behavior of the individual service provider. These parameters can exist in the form of organizational rules, or they can be externally sourced, being grounded in laws or even norms or codes associated with professional practice. In some cases, these parameters even may work in opposite directions, so that the exercise of discretion becomes tantamount to reconciling competing demands. Whatever their basis and application, the purpose of these parameters is to place limits around what is considered acceptable or appropriate action'.

While the individual street-level bureaucrat is acting within such a set of parameters, there are various factors that influence how discretion actually is exercised. As such Scott mentions 'the task at hand, the decisional context, workload pressures, an organization's internal culture, rules and constraints, and an organization's external environment' (Scott 1997: 37).

Autonomy then can be defined as the freedom to make discretionary decisions (Batey and Lewis 1982; Ballou 1998). Of course there are different types of agencies, as well

as different types of street-level orientations toward bureaucracy (Wilson 1989; Gregory 1995; Considine and Lewis 1999). Nevertheless, on the basis of the insights presented here as a follow up of Lipsky's, the general assumption can be expressed that the more rules to be followed (cf. Scott's 'parameters'), the higher the chance that they conflict with each other. Thus the more discretion will be available to street-level bureaucrats and the greater will be the need for them to make decisions on alternative grounds and via ways other than the self-enforcement of 'the' official rules to be implemented.

### *Accountability*

Looking at street-level bureaucrats Hudson (1997: 48) distinguishes different types of accountability they are supposed to show: to the organization; to consumers; to the law and to professional norms. Meijer and Bovens (2005: 7) observe 'various institutional practices for account giving'. Thus defining public accountability they distinguish organizational, professional, political, legal and administrative accountability as different types. Extending the two-fold distinction between an accountant and an accountee Behn (2001, chapter 11) speaks of a '360-degree accountability for performance'. Making a typology of forums of public accountability Hupe and Hill (2006a) stress that the 'To whom?' and the 'What?' question concern different dimensions. These authors distinguish three specific forms of accountability, practised by actors on the action scales of, respectively, the system, the organization and the individual. a) Political, legal and 'New Public Managerial' accountability share a vertical orientation. While their common basis is an authoritative and legitimate jurisdiction, they can be jointly addressed as public-administrative accountability. Basis for b) professional accountability is the expertise to a certain vocation, practiced in horizontal relations within (intra-) and between (inter-) professions. As a third source for accountability Hupe and Hill distinguish participatory citizenship: citizens in the role of client and other roles holding street-level bureaucrats accountable. This type they call c) participatory accountability.

Reflecting on empirical reality Hill (1982) presumes the possibility of a 'degree of sanctioned unaccountability'. 'Delegation may owe more to a desire to obscure political responsibility, than to an acceptance of the need to come to terms with street-level bureaucracy'.

### *Networks*

'Policy networks are (more or less) stable patterns of social relations between independent actors, which take shape around policy problems and/or policy programmes'. This is the definition Kickert et al. (1997: 6) give of a concept that would become an integral element of the empirical study of contemporary government. In many publications stemming from what Painter (1998) calls the 'Erasmus school' of Public Administration the concept of networks has been elaborated and applied (for instance Klijn et al. 1995; Klijn and Koppenjan 2005). Referring to Alexander (1993) and De Bruijn and Ten Heuvelhof (1995) Peters (1998) distinguishes pluriformity, interdependence, formality and instruments as dimensions of variation in networks. Though much research has been done already while 'treating

networks seriously' (O'Toole 1997; see also the work of Mandell, a.o. 1999a and 1999b), most of that concerns what Scharpf (1978) calls interdependency analysis, stressing the horizontal dimension of organizational action in the public domain.

An exception are Hjern and Porter (1981) who explicitly look at networks as the unit of public service delivery. With their concept of 'implementation structure' they refer to 'a cluster of parts of public and private organizations (in which) subsets of parts of members within organizations (...) view a program as their primary, or an instrumentally important, interest' (Hjern and Porter 1981: 216). An additional specification is made by Provan and Milward (1991) observing that organizations may only be partially involved in networks. These authors look at networks as service-specific links; in fact, below the action scale of organizations as a whole. 'Separate linkage networks will often be established and maintained for each broad type of service an agency provides' (Provan and Milward 1991: 395).

### *Collaboration*

Benson (1983: 6) distinguishes three levels in the structure of policy sectors: the administrative structure, that is the surface level of linkages and networks between agencies held together by resource dependencies; the interest structure, that is the set of groups whose interests are built into the sector, and 'the rules of structure formation'. Collaboration defines Benson as 'resource dependency'. He distinguishes a number of operational decision criteria guiding inter-agency relations. 'Interactions at the level of service delivery are ultimately dependent upon resource acquisition' (Benson 1975: 231). Collaboration will take place when, inter alia, it is seen as in the self-interest of the respective organizations and their members to do so.

Provan and Milward (2001) ask the question if the network is effective while, also, specifying three levels of analysis: the community, the network and the participating organizations. Huxham (2000: 239) elaborates on the term collaboration while distinguishing six inter-related dimensions of structural complexity: working relationships, organizational membership, governance and task structures, pluralism, ambiguity and dynamics. As dimensions of diversity he identifies resources and aims, language and culture, and power.

Hudson et al. (1999: 236) observe that inter-agency collaboration in the UK since a few years has been labelled 'partnership' ('as the Government prefers to describe it'). The stake is jointly bringing about outputs and or outcomes. Hudson stresses that from the point of view of individual organizations, collaboration may pose a threat. He identifies two main difficulties (1993: 341). Each individual agency loses some of its freedom to act independently, when it would prefer to maintain control over its own affairs. And each must invest scarce resources in developing relationships with other organizations when the potential return on the investment is often unclear and intangible. 'Hence it could be posited that an agency prefers *not* to become involved in inter-organizational relationships unless it is compelled to do so, and that simple appeals to client well-being may constitute an insufficient motivation' (Hudson et al. 341). From the literature Hudson (1993) identifies a range of comparative property prerequisites for the creation of collaborative activity. He mentions inter-organizational homogeneity, domain consensus, organizational exchange and

alternative resource sources. For examining linkage mechanisms Hudson distinguishes between degree of formalisation, degree of intensity, degree of reciprocity and degree of standardisation. Concluding with the question how collaboration can be promoted Hudson refers to three sources of pressure as identified by Benson (1975). The latter specifies co-operative strategies, incentives strategies and authoritative strategies. Objective in Hudson's article was presenting 'the state of the art in assessing the feasibility of successful collaboration' (351).

Apart from the various dimensions mentioned above it is obvious that there are varying sorts of collaboration. Nocon (1994), for instance, speaks of a continuum of collaboration while distinguishing networks, coalitional or federative networking and the unitary model or merger. Perri 6 (2004: 108) provides a taxonomy of types of relationship going from taking into account, dialogue and joint planning as forms of coordination; via joint working, joint venture and satellite as forms of integration; to strategic alliance, union and merger as forms of 'increasing closeness and mutual involvement'.

May and Winter (2006: 3) remark: 'Collaborative arrangements assume multi-organizational delivery of services that is aptly described as a network of organizations'. They state that specific exchanges depend on the type of service provision and refer, for example, to the study Agranoff and McGuire (2003) made of collaboration activities of American cities. The latter (2003: 68-85) catalog interactions as including information seeking, adjustments to rules or policies, policymaking assistance, resource exchange, and project-specifications. In studying delivery of mental health services. Agranoff and McGuire (2003: 4) suggest collaboration should not be confused with cooperation in that partners are not necessarily helpful to each other. Like any partnership, the relationship can be conflict ridden, competitive, cooperative or neutral. Cooperation is not a natural imperative of organizations; instead, autonomy is.

While Stoker (1991) speaks of multi-layered governance regimes Exworthy et al. (2002) show how policy processes get substance in a configuration of multi-dimensional linkages. These linkages concern horizontal ones between government departments, vertical linkages between those departments and local agencies, and horizontal linkages on the local scale. On the latter Ebers (1997) identifies three types of micro-level ties: resource flow and activity links; information flows; and mutual expectations between actors, particularly trust.

### *Networking roles*

Focusing on managing networks Kickert and Koppenjan (1997: 44) describe this kind of activities as: 'promoting the mutual adjustment of the behaviour of actors with diverse objectives and ambitions with regard to tackling problems within a given framework of inter-organizational relationships'. O'Toole et al. (1997) look more specifically at the tasks to be performed in the implementation of public policies. The latter will involve a number of functional specified networks. The authors state: 'And although there may be an officially mandated, or self-selected "overall manager" of these implementation activities, the management of implementation involves the sharing and coordination of "management" between multiple parties, often located at

different levels of government' (O'Toole et al. 1997: 138). Implementation comprises:

'managing across and through different functional subnetworks. Such structural differentiation compounds the complexity of the context within which the implementation manager must operate. They will often need to juggle different groups of actors, depending on the functional activity in progress, and will also need to address questions of coordination between these sets of network participants. At the same time, making these functional distinctions provides a way of linking decision processes within these inter-organizational networks back to the organizations with which individual networks are affiliated' (ibid.: 141).

The functioning of agencies depends on their internal capacities, but the influences from both the political and task environments they see themselves confronted with, are substantial. Working on and across the boundaries of the organization Thompson (1967) calls 'boundary spanning'. 'To the extent that boundary-spanning jobs occur at points where the task environment is heterogeneous and shifting (..) such jobs require the exercise of discretion to meet contingencies. Jobs at contingent boundaries enable individuals to reduce uncertainties for the organization. To the extent that he can contain contingencies, and to the extent that the contingencies are important to the organization, the individual is powerful' (Thompson 1967: 111).

Apart from Thompson's 'boundary spanner' various labels can be observed for people who manage across the boundaries of their organization, like networker, broker, collaborator and 'reticulist'. With the latter term Friend et al. (1974) refer to an individual facilitating co-operation and fostering cross-boundary relationships. Degeling (1995) sees reticulists as 'entrepreneurs of power'. Seeking key success factors in the collaborative process Williams (2002) observes that these involve the use of particular skills, abilities, experience and personal characteristics. He identifies the following range of activities. a) Building sustainable relationships entails communicating and listening; understanding, empathizing and resolving conflict; personality and trust. b) Managing through influencing and negotiation comprises networking. c) Managing complexity and interdependencies. d) Managing roles, accountabilities and motivations. All these concern 'competency-based variables and factors' (Williams 2002: 121; see also Bardach 1999).

Boundary spanning 'has primarily been conceived of as an activity relating an organizations to its environment, including other organizations with which it cooperates and competes' (Balogun et al. 2005: 261). These authors introduce the notion of 'boundary shakers'. This specification refers to 'individuals who are tasked with implementing change across existing internal organizational boundaries, in ways that simultaneously alter those boundaries' (Balogun et al. 2005: 262). Steadman (1992) argues that boundary-spanners are not necessarily managers, 'but professional individuals who possess functional autonomy to work across boundaries as this is necessary to achieve coordination amongst different agencies with overlapping jurisdictions'. In fact, boundary spanning can be practised on any layer of the organisation. Baker (2006) distinguishes between senior manager, middle managers, boundary role agents. The latter are 'the individuals for whom boundary-spanning is necessary to accomplish their job' (3).

In the configuration of internal and external forces in and around an agency street-level bureaucrats function at a pivotal spot. Because street-level bureaucrats must deal with citizens prior to transforming them into clients, Thompson (1967: 111) calls their role intrinsically 'boundary spanning'. Prottas (1978: 307) states that the boundary role of the street-level bureaucrat 'inherently provides a tool for the defense of his/her independence' Hill (2005: 237) stresses the particular position of street-level bureaucrats as being 'not just located *in* organisations but (...) essentially located *at their boundaries*'.

Reviewing the literature on the concept Baker (2006; see also Hudson et al. 1999) calls boundary spanning an 'extremely imprecise' term, around a singular feature, that is working across organizational boundary lines. The perspective being a prescriptive one, indeed it can be observed that in much of the literature on networking roles the focus is on skills and competences (cf. Williams, 2002: 'The competent boundary spanner'; Hudson et al. 1999 aim at a 'toolkit'). The prescriptive perspective is paired with a focus on conceptualisation and making taxonomies. Relatively much attention is given to the time dimension and the stages, cycles and steps to be distinguished. This, too, seems to be implied by the prescriptive perspective: 'It generally takes a long time – at least two years in many cases – and many cycles of direction setting, action and trust building for a collaborative relationship to settle in' (Huxham 2000: 352).

As Grubbs (2000: 276) observes: '(P)ublic administration theory has failed adequately to inform practice on important concepts such as coordinating systems of governance, sharing resources and accountability, and integrating organizational cultures'. This may be true, but it is a fact that there is ample literature about individuals fulfilling roles in network contexts, but that most of it addresses these roles as optional. The latter are considered to be enhanced by certain sets of personal characteristics, rather than to be implied by the tasks fulfilled. 'Yet, many people are involved in working across inter-organizational boundaries in their day-to-day work. Some manage across departmental and geographic boundaries as part of their line management responsibilities' (Balogun et al. 2005: 262). It is the gathering of knowledge about these functional intra-professional and inter-professional contacts street-level bureaucrats daily have, that this paper is aiming at.

At the same time in the literature presented above little attention seems to be given to relationships between factors, particularly between outputs and outcomes as dependent variables and modes of network behaviour and the actual use of discretion as independent ones. Ultimately, however, the link with government performance as dependent variable is to be made: Does it all make any difference? Williams' (2002: 121) observation can be supported here: 'There needs to be more specific evidence to link the use of a particular set of competences or collaborative behaviour to outcomes. The inter-organizational literature is particularly poor in this area. (...) Methodologies that link competency to impact, performance and effectiveness need to be explored and developed (...)'. What is known from theoretically induced empirical research so far?

### **3. Insights from the theoretical-empirical literature**

Following the structure of the previous section, in the following one findings from theoretical-empirical research are presented. Elsewhere (Hupe 2006; Hupe and Torenvlied 2006) a full account of the systematic scan of articles from a range of international journals mentioned above was given. Therefore the presentation of those findings here happens in function of theory formation; led by reasoned judgement and practising a certain degree of selectivity rather than aiming at giving a comprehensive overview. Key words in the search were: street-level bureaucracy; front-line workers; professionals in the public sector; performance, particularly at the local level; New Public Management. In particular, connections between these key terms got attention. Because accountability and networking roles were not among these key terms, no findings of explicit empirical research aiming at causal explanation on these subjects could be included. Therefore the focus in this section is on such research respectively on rules, discretion, networks and collaboration.

### *Rules*

The clarity of goals matters (for instance Chun and Rainey 2005). Reviewing the literature Meyers et al. (2001) observe: 'Empirical studies suggest that goal clarity increases motivation by linking staff efforts to mission-related tasks, by insulating staff from organizational politics, and by encouraging innovation and risk taking with organizations'. At the same time Meyers et al. remark that achieving goal clarity is difficult, among other reasons because goals serve multiple purposes within complex organizations. As collective goals official (policy) goals 'are frequently a target of competition, conflict, and compromise', the authors state (168). As goals of a meta-policy, then goals of institutional or policy reforms are 'piled up' on top of the goals of the regular policies of the domain involved. It is therefore that Meyers et al. (2001: 193) conclude the report of their research observing that 'goal congruence appears to be more problematic either when policy goals are complex or when organizational systems are complex; when both are complex, substantial uncoupling of formal and operational goals is observed'.

Policy and other official goals also often are a *result* of negotiation and compromise, could be added. That is why the ambiguity of such goals is intrinsic. Policy goals, for instance, are products of policy formation (sub)processes that are fundamentally 'political'. And once decided upon they are further used in the public domain politically as well, in processes of political claiming and counter-claiming (Edelman, 1977; Stone, 2002). Actors at the street-level have to deal with ranges of official goals and rules, stemming from various legitimate backgrounds and making 'the goal to be implemented' often neither a singular, unitary nor a unified one.

Looking at need assessment in care Jorg et al. (2005) observe that needs assessors are both gatekeepers and clients' advocates. As such, they are expected to follow the organizational rules and instructions and to take the client's uniqueness into consideration.

'If assessing needs and allocating resources would be a matter of following regulations, computers could do this work. Need assessors have to find a balance between official criteria and the client's best

interest. While some needs assessors coped by closely following the regulations, most needs assessors committed themselves to put their clients' interests first. They experienced a rather large sense of autonomy, which enabled them to create their own policy by concealing or emphasizing certain information. In their discretionary decision-making, it was determined whether or not a client receives, and thus "deserves" an electric scooter. In our study, all needs assessors were well experienced. Less experienced assessors might feel less comfortable in deviating from the rules and follow regulations more closely' (Jorg et al. 2005: 838). '(A)lthough the protocol maps out the client's needs, it does not make a translation from needs to recommended service. (..) (D)uring that transition there is plenty of discretionary room for the needs assessors to introduce their own ideas' (839).

### *Discretion*

Workers have an idea of what constitutes 'normal' supervision. They will resist attempts to tighten that supervision (Gouldner 1964: 154-62). 'The greater efforts made to control subordinated officials, the greater the efforts by those subordinates to evade or counteract such control'. This is a 'law' of organizational behaviour as stated by Downs (1966). Prottas (1979: 298) seems to stress the other side when stating: 'A general rule in the analysis of power is that an actor with low "compliance observability" is relatively autonomous. If it is difficult or costly to determine how an actor behaves and the actor knows this, then he is under less compulsion to comply'. Considine and Lewis conclude (1999: 476) that there must be 'greater attention to the variables that shape relationships at the frontline level. Rules and goals are less critical in this regard than are the type of supervision, the identification of priority clients, norms governing cooperation with other agencies, the role of trust, and the use of informal methods of setting priorities and keeping records'.

'Bureaucratic agencies' perform better on the dimension of situation-bound rule application than 'discretionary agencies', that is the conclusion of Fleurke and De Vries (1998: 297; see also Torenvlied 2000). In so called discretionary agencies special circumstances of clients are less incorporated. Discretion is used for other purposes than intended. Two factors are working here. First, a decision not to come into action is less subject to control than one to do so. Second, non-use of discretionary room demands less effort and entails less chance for trouble.

'The realisation of situation bound ("tailor made"- PH) rule application is, when an active input of a stakeholder is lacking, *entirely* dependent on the competence and efforts of the public servant processing the case' (311). 'The absence of countervailing power is not a cause of incorrect decisions under the discretionary model. Other mechanisms are responsible for that. It is important, however, that where opposition, objection and appeal of the client have an correcting impact on the decision makers in discretionary agencies, these are absent with the granting of special assistance. The trio "confining, structuring and checking" Davis (1969: 15) identifies as limiting the undesired

and unintended consequences of discretion, is reduced by the absence of opposition' (311).

The authors conclude that the discretionary model is not robust enough 'to public servants having lost their "inner sense of duty" (..)'. 'The longer these public servants work in a social services department, the risk of non-legitimate or random use of discretion is enhanced, or public servants fall back to a ritual or legalistic implementation of (a part of) the rules (313). (..) 'We have observed in this research that rules do not only have a limiting, but also a supporting function, that is to the extent that rules document knowledge and experience, direct the investigation of individual cases and identify relevant circumstances to be accounted for in decision situations' (315). (..) 'As far as discretion remains, seeking functional equivalents to rule sets is important: provisions that similarly structure the work of public servants, correct their mistakes and enhance substantively an individualised rule application or even enforce such' (319).

Kelly (1994) compared schoolteachers and employees of the California Employment Development Department (EDD), being interested if 'an organization's culture of discretion either enhances or inhibits the ability of street-level bureaucrats to orchestrate outcomes that are compatible with their visions of justice (..)' (119). Central claim is that 'individual's justice beliefs affect policy implementation at the street-level but the influence of beliefs on implementation depends in part on organizational norms regarding the use of discretionary authority' (121). 'Where street-level bureaucracies have a significant degree of discretion, where their work is less rule centered, and where they have more control, their individual theories of justice have an important effect on the final implementation of public policies. Where street-level bureaucrats are, above all else, constrained by rules, and where they operate within the confines of a traditional bureaucracy, individual theories of justice have much less impact on the final delivery of goods and services' (138). 'The administrative culture of schools accepts and promotes the exercise of individual discretion. The administrative culture of the EDD is just the opposite. These employees do have discretion; they apply the rules and have authority over specific situations. However, because such discretion is considered an unavoidable evil in this traditional bureaucracy it is discouraged through an acculturation process that emphasizes adherence to rules. In such an organizational culture, individual visions of justice become inconsequential' (138/9).

Scott (1997) reports on a laboratory experiment. He distinguishes three clusters of variables: individual decision maker characteristics; organizational characteristics and client attributes. As measures c.q. central variables Scott uses altruism, orientation toward bureaucratic norms, locus of control, and professionalism; organizational control and (evoked) compassion. The findings from this study show that 'service providers are quite permeable to the influence of organizational control. Mechanisms, even those as simple as documentation requirements, can influence how service providers make decisions. Interestingly, higher levels of organizational control did not lead to greater consistency in the decisions made between the high-compassion and low-compassion clients' (52). (..) 'Besides underscoring the multidimensional nature of organizational control, the results suggest that accountability requirements, when perceived as red tape, can unintentionally provide a positive organizational benefit by promoting the conservation of organizational resources'. Scott sees his findings in

support of Guy's (1985) assertion that 'factors such as the immediacy of the task at hand are more influential determinants of bureaucratic behavior than is professional socialization' (53).

Maynard-Moody and Musheno (2000) construct 'the state-agent narrative' versus 'the citizen agent narrative'. Tenet of the former is that discretion is inevitable because of the nature of the work. Much street-level work is routine and is being approached accordingly: in a routinized way. 'Nonetheless, the possibility of street-level discretion is constant, pervasive, and to a large extent outside the control of elected officials and government agencies. The issue is not the prevalence of discretionary judgments but the ever present possibility of discretion' (338).

'(S)treet-level workers do not describe their decisions and actions as based on their views of the correctness of the rules, wisdom of the policy, or accountability to any hierarchical authority or democratic principle. They base their decisions on their judgment of the worth of the individual citizen client' (329). Street-level workers 'describe themselves as decision makers, but they base their decision makers on normative choices, not in response to rules, procedures, or policies. These normative choices are defined in terms of relationships to citizens, clients, co-workers and the system' (329/30).

In some research reports explicit attention is given to measures aimed at limiting discretion of individual public servants. Ringeling (1978: 212 ), for instance, mentions a) improvement of the infrastructure of legislatures; b) substantively, by giving more attention to legislation as policy instrument, and c) by applying other means than legislation. In the latter category Ringeling positions organizational measures aimed at structuring policy discretion. He distinguishes changes in the structure of parts of public administration and changes in the relations between those parts. Ringeling pleads for experimentation. In the meantime a number of measures aiming at control of the actions of public servants could be considered, like changing the scope of ministerial responsibility; hearings of public servants by parliament; judicial protection of citizens; introducing an administrative obligation to inform and be accounted for; documenting experiences of clients. Two normative dimensions are at stake here: avoiding misuse of power (*détournement de pouvoir*) and judicial inequality. An alternative view can be that in a welfare state an individualised decision must be possible, while discretion can be seen as functional to that.

Maupin (1993) observed street-level bureaucrats (parole officers) enabled to give inputs to the design of supervision systems. 'Parole officers continue to exercise considerable discretion in their provision of aftercare services as evidenced by their deviation from administrative expectations' (352). This has to do with the kind of input asked. 'In effect, parole officers were asked to participate in de-skilling their own work within an already highly centralized bureaucratic setting' (352). Maupin concludes: 'The degree and direction of street-level conformity will be affected by factors such as the extent to which the existing organizational structure is decentralized and the degree to which the street-level input is intended to increase or decrease discretion' (353). The authors refer to Mashaw (1983; 1988) suggesting that 'street-level nonconformity is a function of relatively stable norms of practice – just not the norms pursued by top administrators' (353).

## *Networks*

Meier and O'Toole (2001) link managerial actions in networks explicitly with assessments of actual programme performance. They formulate and test the hypotheses: 1. 'School system output is higher if superintendents exert management effort in the networks surrounding them' (279). 2. 'Network managers deal with environmental shocks in different ways than do those public managers who do not manage in the network'. 3. Network managers tapping resources in their networked environments enhance program performance.

To measure network management the authors look at the time school superintendents interact with several sets of significant actors in the environment. Network management appears to be related to overall organizational performance, while management appears to interact with other organizational resources in a non-linear way. 'Performance improves in districts where superintendents engaged in more network interactions, even if one controls for a variety of factors that affect this performance and even in an autoregressive model. Further, the interactive nature of management is apparent, both in relatively simple assessments of management and in relatively complex autoregressive assessments. Network management appears to allow superintendents to translate resources into outputs at a more efficient rate' (291). Conclusion is that network management itself can be important for performance.

In another article Meier and O'Toole (2003) measure a network management style by selecting five sets of actors from the organization's environment. In case of the Texas school districts these were school board members, local business leader, other school superintendents, state legislators, and the Texas Education Agency. The authors asked them how often they interacted with each actor, on a six-point scale ranging from daily to never. It proved that, on the whole, network management improves environmental support (from school boards, the community and parents), leading to better performance as expressed in the percentage of students passing the yearly tests. Networkers in the sample spent less time running internal operations than did others, 'but the trade-off paid in results' (697). '(M)anagers operating in their networked environment create room for manoeuvring. More networking in more directions means less limited, incremental changes in performance from one time period to the next' (697).

McGuire (2002), as well, focuses on the network manager as charged with completing the task of delivering public goods and services 'with and through networked settings. (...) '(A)ny government manager charged with achieving a goal through network settings understands the most critical activities involve operations – identifying and working with the proper players and resources, keeping the players committed, defining the roles of the players, and facilitating effective interaction among the players' (600). Referring to Provan and Milward (1991), Agranoff and McGuire (1998); and Meier and O'Toole (2001) McGuire deems the counting of contacts and interactions important. At the same time he pleads for watching what managers actually do to operate in a network. The author distinguishes a number of activities: 'mobilizing forces within and outside the community to build support; acquiring the necessary financing, expertise, and other resources while setting a course of action;

learning about the external government opportunities and constraints; reading the ever-changing signals of program managers and funding agents; and successfully operating and cooperating within the system'. Interested in the multiplicity of operational behaviours undertaken by the network manager McGuire identifies activation, framing, mobilizing and synthesizing behaviour. While practising a specific 'strategic network management style' (Mandell) the network manager contingently addresses the peculiarities of the environment he is active in. As key variables for matching environment and behaviour McGuire mentions goal consensus, resource distribution, support, relationships, policy orientation, and strategic orientation. Observation of managerial behaviour McGuire sees as a relevant way to document accurately how managers match behaviour with environmental constraints.

As an exception Provan and Milward (1991) do not look at networking managers, but a layer below. They consider a service-implementation network as 'a highly integrated network of services provided by multiple organizations' (394). Professional norms are constitutive in such networks: '(N)etworks of professionals can be the infrastructure upon which a common institutional mindset is constructed' (393/4). 'Particularly in the not-for-profit and public sectors, professional norms are important in providing guidelines for acceptable methods of service delivery' (394).

### *Collaboration*

A part of the empirical literature focuses on the mechanisms inducing voluntary collaboration to help achieve a problem-solving programme. Agranoff (a.o.1986), for instance, investigated cases of integrated service delivery at the local scale. Mandell (a.o. 1999a; 1999b) has focused on the 'program rationale' observed in numerous cases of local projects of collaboration. Baker (2006) looks at the role of 'boundary spanning individuals' in the development of inter-organizational relationships. He develops a six-stage model of these relationships. His conclusion is that '(..) boundary-spanners are mostly engaged in informational activities and/or are involved in the exchange of resources between organizations' (18).

Less voluntary seems the collaboration Provan and Milward (1991) focus on. They make an in-depth study of collaboration while looking at services for seriously mentally ill adults as provided by a range of related street-level organizations. The authors treat network involvement as the dependent variable. They use three measures: service links, organizational links and multiplexity, computed by dividing organizational links into service links. Provan and Milward call this a measure of the average strength of an organization's ties to its linkage partners. They find that those agencies heavily committed to serving the needs of their clients 'are most likely to be aware of and responsive to institutional-level norms that focus on the (..) client group. They thus recognize the importance of establishing strong service links to other agencies providing (these) services as a way of responding to the multiple needs of their clients' (411). Their conclusion is that involvement in a service-implementation network can be reasonably well explained by 'those key aspects of the service orientation of organizations that reflect their likely commitment to and acceptance of institutional-level professional norms' (412/3). The kind of service orientation of organizational units is an indicator of the extent to which institutional-level norms might be accepted and implemented. Implementation networks are multiple: they are

organized around specific service components, instead of organizations as whole units.

May and Winter (2006) studied five types of collaboration between municipalities: information sharing, client referrals, receive clients, joint programmes and sharing of personnel (16). As measures for the degree of hierarchy of a municipal employment agency the authors look if its culture is 'rule bound' or 'not rule bound' and if the organization is 'structured' or 'unstructured'. May and Winter did not find support for the hypothesis that, given the need to preserve autonomy and control, organizations that are more rule bound would be less likely to collaborate. In this respect the authors point at a lack of statistical significance for the hierarchy coefficient in their model. In general, 'collaboration should not be thought of as a generic activity with other organizations, as the nature of the partners and their prospective roles needs to be considered' (30).

The overview of the theoretical-empirical literature presented here, as well as the presentation of the concepts preceding it, do not claim comprehensiveness. However, some observations can be made. First, since Davis (1969) and Lipsky (1980) empirical knowledge has been gained about what is happening in and at the boundaries of the black box of street-level bureaucracy. Second, this knowledge has been produced in separate parts of the social sciences between which the exchange of insights so far has been limited. Third, in network research seldom is specified who is the networking actor; the subject of networking remains undetermined ('inter-organizational'). And if otherwise, it often is the executive agency manager rather than the street-level bureaucrat. Fourth, the literature in which the individual worker as networking actor indeed is taken seriously, mainly has a prescriptive orientation – as appeared in section two.

#### **4. Towards a causal theory**

On the basis of the insights presented above, in this section an outline for a causal theory on discretion will be formulated. First, the dimensions of the key variables will be defined further. Next, the general contours of a theory will be sketched; both in a narrative and in a more systematic way. Going step by step in a process of grounding and founding also implies that the specified identification and precise formulation of measures can only be given in the context of concrete research projects.

#### **Defining key variables**

##### *Dimensions of rules*

When researching the way individual bureaucrats at the street-level deal with rules it seems relevant to specify the concept of 'rules', broad as it is, further. For these street-level bureaucrats there are all sorts of rules, stemming from varying sources but having in common that they all are norms meant to guide street-level behaviour. From the system-scale there are a) the official rules laid down in laws and forms of other legislation, as well as the policy goals and instruments documented in white papers

and related statutes agreed upon between the executive and legislative branches of government (for an elaboration of the concept of action scale see Hupe and Hill 2006b). Besides there are b) norms expressed in decisions of the judicial branch of government, constituting jurisprudence. c) Norms to be applied at the street-level can also be found in meta-policies aiming at reform of either the substance of sectoral policies (cf. 'from welfare to work') or reform of the institutional relations between political-societal (cf. privatisation) or between inter-governmental (cf. devolution) actors. Not always is communicated to the street-level bureaucrat if the goals of these reforms are meant to substitute the existing policy goals to be implemented. It may be that he or she perceives that the former goals come 'on top' of the latter, or that the public servant otherwise does not know how the goals of the reform and the existing policy involved are meant to relate to each other. d) Norms specific for a certain profession also in a substantial way will be formulated on the scale of a system as a whole. e) Additionally, from the system-scale norms may be made explicit concerning operating procedures.

On the scale of organizations the official rules and/or goals stemming from the system scale will be 'translated'. f) In the case this leads to additional rules, dependent on the judgement of the observer these may be called 'red tape'. g) While these 'rules' still have a link with the official ones, distinct from the latter there are h) organizational goals. They concern the functioning of the organization as such: budget, personnel, etcetera. It may be that about the official goals or about the organizational goals agreements are made with actors on the system scale. These 'targets', 'performance indicators', or how they may be called, at the street-level form i) an additional sort of 'rules' to be complied with. j) Within a certain branch 'local' professional guidelines may be formulated. Standard operating procedures (k) also often will be stemming from the organization-scale.

On the scale of the individual (l) public servants may have developed their own 'policy' in dealing with the official rules to be implemented. The nature of this 'policy' partly will be related with the kind of personal profile of the street-level bureaucrat involved. His or her world view and belief system may impose rules on his or her behaviour, for instance in the form of (m) 'do's' and 'don'ts'. Finally, street-level bureaucrats will deal with their workload in ways they individually deem acceptable, for example using informal ways of categorizing clients and rationing services to them. Because these behaviours will show a certain sustained pattern, *de facto* they function as (n) informal rules.

Above 14 categories of 'rules' have been identified, while maybe there are more. All of them function as norms for behaviour of street-level bureaucrats, while their working empirically can be observed. It goes without saying that what will be seen then is a multiple variation. Any of these rule sets, for instance, has a varying degree of self-enforcement. Of the same rule there are varying ways of application, and so on. And then we still leave the varying degree of legitimacy of each observed behaviour aside.

### *Dimensions of discretion*

The nature of the context of rule application varies as well. In research specifying these context variables is needed. There are different types of street-level organizations (cf. Wilson's typology of agencies); under the heading of street-level bureaucracy different types of vocations can be observed, with a varying degree of professionalism; there are different types of work (tasks); and there are differences in types of persons and their antecedents. Besides there is variety in policy domain, in numbers of administrative layers involved, in types of control, etcetera. Of all these dimensions influences can be expected on the way street-level bureaucrats daily use discretion.

Discretion, particularly the way it is actually dealt with at the street-level, can be seen as a key variable between the rules, in all their appearances, coming from 'the top' and networks as present and used 'at the bottom'. Taking this spatial metaphor a step further, in fact, means identifying influences on the actions of street-level bureaucrats as coming from above, from below, and sideways. From above the degree of formalisation and exercised control, for instance, will be important. From 'below' the characteristics of the client are relevant, as well as his or her approach of the street-level bureaucrat in case. In the middle then is the inter-personal interaction between the two. There factors may be expected to play a role like the antecedents of street-level workers (level of seniority, etc.) and their judgements of the client in case ('deservingness', etc.). There also the degree of self-perceived autonomy can be located, perhaps determining the frequency and nature of contacts of a street-level professional with colleagues and peers.

As indicated, from all these directions influences can be observed having an impact on that autonomy. Some of them are traditional, like the ones related with rules, for instance in the form of stricter guidelines as a standard reaction to a perceived implementation crisis. Other influences have new outlooks, like the efforts aimed at programmatic standardization via the introduction of advanced office technologies (see Bovens and Zouridis 2002). On the other side of the public encounter clients may have become more demanding. In between the street-level bureaucrat tries to maintain his or her autonomy, being helped by socialisation, professional training and, not in the least, contacts with peers (see also Kaufman 1960).

Theoretically important now is that the influences on the work of street-level bureaucrats, among other things, entail that these public servants are held accountable not only by 'the top', via rules and political and managerial control, but from multiple sides: also by their clients, and by their colleagues and peers. In this pivotal position the street-level bureaucrat normatively first and foremost has the duty to apply the rules laid down in a law or policy. Empirically facing a multiplicity of rules to comply with, however, within a given range he or she has options of choice. When faced with a handbook falling short, the street-level bureaucrat has modes of behaviour at his or her disposal that are functional equivalents to the guiding functions rules are supposed to fulfil exclusively. Other rules than the official ones, like rules of thumb, may fulfil such functions as well. Though statements about the relative weight of factors cannot be made yet, it may be assumed that contact with and consultation of colleagues and peers is one of the more important functional equivalents to 'clear rules' and 'unambiguous goals'. Prescriptively this would mean that next to 'changing the

bureaucratic climate' (Lipsky 1989) there are other alternatives to reducing discretion by tighter hierarchical control.

*Dimensions of networks*

In the literature on networks, collaboration and networking roles often the focus is on the executive manager, while engaging in a network seems optional. 'By getting involved in inter-agency cooperation, line managers may risk reducing their managerial autonomy because what is demanded of them from an interagency cooperative may undermine their ability to tend to their core mission' (Tang 2005: 378). However, motives for managers and workers towards collaboration may vary and certainly the degree of compellingness for collaboration. It may make a difference if a voluntary 'partnership' is involved, or that one's organization is part of an institutionalised 'implementation structure' or an imposed 'chain' of related implementing organizations.

As can be observed, being active in networks for street-level bureaucrats is a given. Partly this stems from the fact that the organization they are working in is embedded in a formal network of related organizations. Social services departments maintain functional relations with workforce agencies; school boards with social work organizations; police departments with tax offices, and so on. Additionally much street-level networking is task-bound rather than organization-bound. Case-bound contacts with colleagues and peers in the own and related organizations take place on a daily basis, both within and between the own profession.

**Table 1. Types of networking**

Character of network	Formal	Informal
Action scale		
Organization	As part of implementation infrastructure	Using relations for advancing organization-bound interests
Individual	Case-bound contacts	Subject-bound professional consultation

Besides, occasionally street-level bureaucrats will seek peer consultation about a specific issue, recurring from the treatment of many cases. Thus not only the dimension organization/individual is relevant, but the distinction formal/informal network, respectively taskbound/personal networking, as well. Overall, for street-level bureaucrats in daily practice the need for contacts with workers in organizations is point of departure.

**The story of Stella**

In the following paragraphs the preceding argument will be synthesized. In a fictitious narrative construction an outline is sketched of the causal relations to be assumed.

Operationalisation will be left for a next step towards empirical-comparative research, going beyond the scope of this paper.

The street-level bureaucrat, let us call her Stella, is working at a district office – there are four of them - of a municipal social services department in a city of around one million inhabitants. She is 36 and has a college background. This is her second job as a social worker in a department like this. Having a senior position now she leads a team of social workers deciding on granting assistance benefits to clients, recently added with the task to guide the latter actively to work. Though the department has a task in the implementation of a number of laws, this is the principal one. While Stella is a team leader, she still has a contingent of her ‘own’ clients.

The social security law involved has aspects (for instance regarding enforced child support by fathers who left their home) that raised substantial political controversy. The result was that even after the bill in the representative organs at the national layer had become a law, the public debate, particularly among professionals about how to interpret such aspects of the law, has been going on. For insiders it is clear that the text of the law and the accompanying white paper comprises several party-political, bureau-political and ideological compromises. A complicating circumstance is that the legislator not only wanted to deal with the substance of the law, but also has redesigned the institutional framework within which it has to be implemented. Municipalities now are granted a larger autonomy in implementing this law than was the case with its predecessor.

This has led to additional goals with which Stella and her colleagues have to reckon with. It is in that context that the director of the municipal social services department gave the assignment to a few lawyers in the department, assembling them in a project team, to formulate an ‘implementation policy’. In the weekly work meeting Stella regularly discusses specific difficult cases presented by the members of her team. Doing so she tries to establish a common way of dealing with what the Constitution calls ‘equal cases’; common, in any case for the members of the team in her district.

Stella promotes that her team members have regular contacts with each other, but not in the least also with functionaries of what used to be the Manpower Planning Agency – which recently got a different name. Though she knows older colleagues don’t like it, she advances contacts with the Tax Authorities as well, particular in a case of a seemingly uncooperative client. Stella is a member of the National Association of Social Workers and active in the working group ‘From Welfare to Work and its Consequences’. Once in a while she puts a specific issue discussed there on the agenda of one of her weekly team meetings. Two times she managed in giving a presentation in the executive board of the municipal social services department.

Since two years the number of incidents with aggressive clients has risen. Stella has raised the subject in her district management board and has also written a policy note to the director of the municipal department. From the latter she did not get a response, but the manager of her district seems to take her signal seriously. In the meantime Stella gives opportunity to the members of her team of social workers to relieve one’s feelings the somethingth time an incident has taken place.

## Theorising on discretion

When one tries to catch the narrative construction presented above in more theoretical terms the following statements can be made.

The higher the total number of goals and rules to be implemented, the greater the chance for inconsistencies will be, and the greater the room for rule application on alternative grounds than ‘the letter of the law’. The more composed the total range of rules is, the higher the room for street-level bureaucrat’s demographic antecedents and personal ‘style’ of rule application will be, and therefore the greater the variation in outputs (cf Scott and Pandey 2000). It be noted that this hypothesis goes counter the general idea that greater formalization leads to greater consistency and predictability of policy or organizational outputs.

The more autonomy-related factors have influence, the less predictable the policy outputs will be. This is the essence of what can be called *the paradox of increasing policy discretion*. If rules, and hierarchical control in particular, not entirely structure behaviour of street-level functionaries and do not give self-enforcing guidance, then functional equivalents may fulfil these functions instead. Next to rules and supervision, factors like professional training and experience, standards for professional behaviour and codes of conduct may be important here.

Table 2. contains, in a stylised form, a rough line of the theory presented here. A refers to axiomatic insight; H to hypothesis.

**Table 2. A Theory of Functional Discretion (first rough outline)**

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A 1.	The way legitimate policy decisions have been made is expressed in the degree of goal ambiguity.
A 2.	The nature of delegation decisions influences the degree of goal ambiguity.
A.3.	The higher the degree of goal ambiguity as perceived by agency managers, the more secondary rules (red tape) the latter will make.
A 4.	The number of rules influences the way they are applied.
H 1.	<i>The larger the degree of goal ambiguity of specific sets of rules, the higher the level of discretion actually available for individual street-level bureaucrats.</i>
H2.	<i>The larger the total range of multi-sourced 'rules', the higher the level of discretion actually available for individual street-level bureaucrats.</i>
A 5.	Street-level bureaucrats seek self-binding while practising multiple accountability.
A 6.	Functional equivalents for public-administrative accountability (hierarchical control) are forms of professional and participatory accountability .
A 7.	Micro-networking in networks of co-professionals is a functional equivalent for public-administrative accountability at the scale of the individual.
H 3.	<i>The higher the level of perceived discretion – and thus, the lower the level of perceived hierarchical control – the more the individual street-level bureaucrats will seek self-binding via functional equivalents.</i>
H 4.	<i>The higher the actual (available + perceived) level of street-level discretion, the more micro-networking will take place.</i>
A 8.	Multiple accountability enhances goal congruence.
H 5.	<i>The more micro-networking in a context of discretion is observed, the higher the degree of multiple accountability practised as functionally equivalent, the higher the level of congruent government performance will be.</i>

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The more socialised in the profession street-level bureaucrats are, the more 'normal' they will perceive having functional contacts with peers (peer review) . Only junior public servants will think that they have to deal with the formal rules only and entirely on their own.

Though making causal statements about the effects for government performance is the ultimate objective, it is clear that even theoretically this is not an easy task. Trying to avoid the obvious discrepancy between reality and a singular subjectively articulated norm, Meyers et al. (2001: 170) propose the notion of 'goal congruence'. With that term they refer to 'the extent of agreement between the official or formal policy goals of political officials and the operative goals of the organizations or networks charged with delivering that policy'. Accordingly, congruent government performance may be preliminary described as the extent of correspondence between specified results of aggregated behaviour of individual and organizational actors on the one hand, and the results of specified constitutive, directive and operational activities on the system scale, on the other (see Hupe and Hill 2006b). The subjective/objective dilemma remains a methodological problem. In any case, concrete measures are to be formulated.

## **5. Conclusions**

The empirical knowledge gained after the publication of Lipsky's classic certainly is considerable. At the same time Hudson's (1997: 53) observation seems to be still

valid: ‘Academically, the pressing need is to find out more about how street-level bureaucrats are actually behaving’. Empirically in particular there still is a need for the ‘plain’ observing of behaviour at the street-level and for mapping activities of individuals and documenting the results of those activities. Theoretically it seems important to make links: between academic discourses and insights from various scholarly themes, as well as between limited numbers of concepts, trying to formulate explicit and testable expectations about relations between them.

Making a step towards the latter was the objective in this paper. What can be concluded now regarding what we know about the relation between rules, discretion and networks? First, in contrast with the idealtype of bureaucracy Max Weber constructed, the rules to be implemented at the street-level are numerous, seldom self-executing, and multi-sourced. Not only needs any singular rule an interpretation, but because there is such a variety of norms as guidelines for behaviour, a weighing of and choice *between* rules is inescapable before application *hic et nunc* can take place. Second, discretion may be intendedly granted or not; for street-level bureaucrats to a greater or lesser extent it is always there, as is the necessity to use it. Like the presence of discretion neither is a priori ‘good’ nor ‘bad’, street-level bureaucrats also use it potentially in different directions. Partly they may use their relative autonomy trying to make their work circumstances more agreeable; partly they will seek substantive self-binding. When the rules of the law to be implemented are falling short and when they have a multiple character, street-level bureaucrats still want to know how to act adequately. Therefore the latter use functional equivalents, as allowed by their position of relative autonomy and discretion. Third, among these functional equivalents is maintaining contacts with colleagues and peers in case-bound micro-networks. Occasionally they will practise subject-bound consultation of other professionals on the system-scale; then acting in a multi-scale network.

The existence of networks being a fact, while rules being less unambiguous and more numerous than normatively implied, the way street-level bureaucrats use the discretion available to them is crucial. For it is this use by micro-networking that may compensate for shortcomings in hierarchical control. Therefore in a twofold way discretion at the street-level can be called functional.

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