State of the Art
Conceptualising the Role of Deservingness in Migrants' Access to Social Services

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This 'state-of-the art' article on the role of deservingness in governing migrants' access to social services situates our themed section's contribution to the literature at the intersection between the study of street-level bureaucracy and practices of internal bordering through social policy. Considering the increasing relevance of migration control post-entry, we review the considerations that guide the local delivery of social services. Among others, moral ideas about a claimant's worthiness to receive social benefits and services guide policy implementation. But while ideas of deservingness help to understand how perceptions of migrants' claiming play out in practice, we observe limited use of the concept in street-level bureaucracy research. Drawing on theorisations from welfare attitudinal research, we demonstrate the salience of deservingness attitudes in understanding the dynamics of local social service delivery to migrant clients.

Keywords: Deservingness, street-level bureaucracy, internal bordering, social service delivery.

Introduction

Social policy has increasingly become a tool for governing migration internally, beyond state borders (Ataç and Rosenberger, 2018). This state-of-the-art article situates the distinct contribution of our themed section to the study of migrants' access to key services such as healthcare, housing and labour market integration (see Introduction) at the intersection of welfare policy implementation and internal bordering. We review both strands of literature, as they form the scholarly background to understanding migrants' street-level access to essential social services against the background of a multiplication of internal migration control strategies.

Within this themed section, we use the term 'migrant' to designate foreign nationals residing outside of their home country, who we see as a distinct social group in service provision. This umbrella term encompasses different policy categories and legal statuses (e.g. asylum seekers, refugees, specific national groups etc.). We include the experiences of both third-country nationals and mobile intra-EU migrant citizens who live in a member state other than their own. As *de jure* eligibility does not necessarily map onto *de facto* access to social services, the themed section examines migrants' lived experiences of

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claiming and accessing such services in practice, rather than on the policies and legal entitlements themselves.

Considering our interest in social provision as a site of internal bordering, we define internal bordering as processes that restrict migrants' ability to satisfy their basic needs through limited access to essential social services. The concept of internal bordering generally captures the many ways in which migrants' meaningful participation in society is enabled or hampered by the combined effects of measures that control migration post-entry. The empirical evidence put forward by Yuval-Davis and colleagues (2019) on the growing prevalence of everyday bordering calls for further examination of service provider-migrant relations, as regards both their moral underpinnings and their social implications. At the same time, recent welfare scholarship around deservingness indicates a need to explore this notion qualitatively (Laenen and van Oorschot, 2019). Seeking to contribute to both these perspectives, we contend that the criteria that determine access to key social services reveal what values and norms underpin not only who is deemed deserving of welfare support but also who is believed to belong. Thus, the aim of this themed section is to unearth findings into identity-based deservingness perceptions when it comes to social service delivery to non-citizens, which has remained a neglected aspect in most street-level studies on social policy.

Focussing on the policy practice, we also contribute to debates on the local welfare state and the subsidiarisation of social policies, taking account of the multiplication of actors involved in designing, managing and implementing such policies (Kazepov, 2008). The street-level bureaucracy literature, as summarised in its key tenets in this article, provides the conceptual backdrop for analysing the dynamics of local policy implementation. The articles of the themed section explore the determinants of migrants' access to social services in practice by devoting particular attention to the notion of deservingness, as moral judgements play an important role in street-level bureaucrats' use of discretion (see Introduction). Our approach taken in this collection of articles allows us to uncover how administrators in diverse social policy fields indirectly select and regulate who is (not) welcome to settle across different European countries, depending on whether those migrants are seen as 'deserving' to be 'here'. To that end, this state-of-the-art article first reviews the literature on internal bordering.

Bordering beyond borders: migration control through social policies

The process of 'bordering' beyond borders is relevant for understanding the many ways in which migrants are neither fully included in nor entirely excluded from social and civic participation in their host society. Migration scholars have recently put forward the idea that the more migration is surveilled and policed, the more borders penetrate the social fabric of societies, beyond actual border sites. De Genova observes that 'the entirety of the interior of the space of the state becomes a regulatory zone of immigration enforcement', which means that not only is the border everywhere but 'so also is the spectacle of its enforcement' (2013: 1183). It is no coincidence that major scholarly contributions on this theme were put forward by researchers in the UK, where since 2014 the Home Office has implemented an official 'hostile environment' policy. This policy aims at turning professionals and citizens into informal border guards, in order to make undocumented persons' lives as difficult as possible by impeding their efforts to find work, obtain accommodation or access healthcare (Yuval-Davis *et al.*, 2019). The notion of bordering thus captures the

processual dimension of borders, 'as something that reaches beyond borderlines and into everyday life' (Tervonen *et al.*, 2018: 139).

The ways in which different categories of migrants are simultaneously included and excluded, through both policies and street-level practices of implementation thereof, are key to capturing the extent of internal bordering. The concept of differential inclusion by Mezzadra and Neilson foregrounds 'how inclusion in a sphere or realm can be subject to varying degrees of subordination, rule, discrimination and segmentation' (Mezzadra and Neilson, 2012: 67). Their approach allows for capturing the intertwined phenomena of a proliferation and a heterogenisation of borders that take place through processes of filtering and selecting (Mezzadra and Neilson, 2013: 3), of both third-country nationals and mobile intra-EU migrant citizens (Lafleur and Mescoli, 2018).

Cassidy and colleagues further define bordering as 'practices that are situated and constituted in the specificity of political negotiations as well as the everyday life performance of them, being shifting and contested between individuals and groupings as well as in the constructions of individual subjectivities' (2018: 139). These authors adopt a situated and intersectional approach to bordering that emphasises the analytical relevance of the mutual constitution of different social divisions, which remain, however, ontologically 'irreducible to one another' (Yuval-Davis *et al.*, 2019: 26). Thus, not only class, gender and racialisation, but additional determinants of social positions such as nationality, migration status and age are key to grasping the articulation of many layers of crisscrossing bordering processes. Migrants are in this regard uniquely positioned to reveal deeply entrenched social divisions that cut across the social fabric of society.

Processes of internal bordering also constitute concrete practices of differentiation between 'us' and 'them' (Anderson, 2013). In their theorisation of everyday bordering, Yuval-Davis and colleagues insist that 'the increasing incorporation of technologies of everyday bordering into UK immigration legislation' has social and political implications 'not only for irregular migrants but for all UK citizens and residents' (2018: 229). Similarly, Anderson (2013) argued in her book *Us and Them* that the multiple internal borders, administrative and social, that migrants are confronted with, are by no means an experience reserved for non-citizens. Rather, differently positioned groups of migrants (skilled or 'unskilled' workers, asylum seekers, refugees, migrant spouses, etc.) access distinct sets of rights and varied degrees of social coverage, mirroring hierarchies of values attached to conditional social citizenship rights that also affect national citizens (Shutes, 2015). While migrants are particularly exposed to such restrictions, patterns of exclusion (or differential inclusion in Mezzadra and Neilson's terms) follow intersectional lines of division, including gender. Thus, unpacking perceptions of undeservingness, as forms of 'othering' and boundary-making (Lamont and Molnár, 2002; Lamont, 2014) offers insights into ideas about 'us', of what constitutes a valuable citizen (Shutes, 2016; Dean, 2018), and what sorts of values and norms underpin such understandings.

Considering our focus on administrative practices of inclusion and exclusion, the following section approaches the question of bordering through social provision by reviewing existing literature on policy implementation. Drawing on conceptual and empirical studies of street-level bureaucracy, we summarise the sorts of considerations which guide policy practice at the local level.

Understanding the street-level implementation of social and immigration policies

The street-level bureaucracy literature provides the conceptual backdrop for analysing the dynamics of local policy practice in social service delivery. Lipsky (1980) pioneered this ever-growing body of literature. Street-level organisations can be defined as 'those agencies and governmental departments that directly deliver policy to people', as representatives of the state (Brodkin, 2013: 18). Provision of social services constitutes a typical case of street-level work, whereby frontline bureaucrats supply claimants with often essential services which cannot be obtained elsewhere. Within this unequal power setting, street-level bureaucrats assign individual cases into broader 'categories of action'. Lipsky (1980) extensively analysed the simplifying routines used to deal with the pressure of policy implementation. These include people-processing techniques to manipulate caseloads, such as rationing and parking on waiting lists, rule adaptation, withholding of information, or creative rule interpretation for circumstances that had not been foreseen when devising the policy. However, such coping strategies to resist managerial pressure can bring about adverse effects, such as turning away claimants in need.

Part of the street-level bureaucracy literature on social benefit and service provision focusses on the institutional and organisational constraints which shape local policy implementation. Authors have examined the challenges accompanying the economisation of social administrations when New Public Management principles were introduced into social security provision (Heidenreich and Rice, 2016). Such private sector-style management practices include explicit performance measurement standards, quantitative efficiency and output controls, organisational disaggregation and devolution, competitive tendering or contractualisation. For instance, Brodkin (2013) showed how marketisation practices tend to reduce discretionary powers and lead to displacement effects, as caseworkers focus their attention on what is measured and valued, such as placing recipients quickly in any kind of job, rather than responding to their clients' needs.

While a substantial number of the street-level studies have explored the administrative constraints of policy implementation, other accounts break with the paradigm of the quasi-mechanical encounter between an impersonal bureaucrat and the standardised claimant (Dubois, 2010). Scholars started conceptualising street-level exchanges as part of the broader political dynamics of status re-construction (Brodkin, 2015). This stream of research understands implementation work as a complex, multi-level negotiation process between two individuals with their own, unique backgrounds and experiences. Studies have analysed the role of professional identity in service delivery (Watkins-Hayes, 2009), including personal work ethics (Evans, 2014) or the impact of policy alienation (Tummers, 2012). Van der Leun (2003) demonstrated that the higher the level of professionalisation, the stronger the resistance of professional officers to restrictive policies. Others focussed on administrators' value judgements regarding claimants' circumstances. Maynard-Moody and Musheno (2003), in an in-depth study of US police, teaching and social administration, developed the so-called citizen-agent narrative. They contrast the latter with Lipsky's (1980) state-agent narrative. Instead of work pressure and routines shaping decisions, they argued that bureaucrats follow rules or bend them based on the claimants' apparent deservingness of state support, or lack thereof. This stream of literature highlights how local bureaucrats are far more than mere technocratic

implementers of law and policy. Administrators are conceptualised as co-producers of normative value systems regarding the legitimacy of a claim made.

Considering our focus on non-nationals, studies on immigration policy practice offer further insights into potential implementation dynamics. This body of literature similarly underscores the role of both structural demands of the institutional set-up, and personal value judgements shaping administrators' implementation behaviour. For instance, the contributions of Cyrus and Vogel (2003) and Eule (2014) on Germany, Miaz (2015) on Switzerland, Sales and Hek (2004) on the UK or Tuckett (2015) on Italy relate gatekeeping practices to the street-level pressures of scarce resources, high caseloads, insufficient training and the piecemeal nature of the law itself. In similar vein, the special issue by Borrelli and Andreetta (2019) examined the role of paperwork, foregrounding the ambiguous role of documents. The latter allegedly ensure accountability yet in practice facilitate the state's coercive practices of detention and deportation. Ellermann's (2015) and Gravelle *et al*.'s (2013) findings on German deportation policy problematised the tensions between national legislative mandates and local implementation pressure to explain the apparently arbitrary implementation processes. Infantino (2016) in the case of Belgium, and Dörrenbächer (2017) in the Netherlands, also considered the role of the European framework, which commonly serves as a decision-making guideline when national legislation remains ambiguous.

Other scholars focussed on administrators' identities, which intervene with the institutional pressure of policy implementation. Alpes and Spire (2014) in France and Triandafyllidou (2003) in Italy explained inconsistent decision-making, in the form of case prioritisation and discrimination, as stemming from the administrators' ambition to protect cultural homogeneity and socio-economic and political state interests. The authors showed how local administrators can be implicated in creating hidden borders to territorial access, based on whom they consider to belong. Similarly, Satzewich (2015), in his study of visa officers in Canada, demonstrated how they systematically disfavoured non-Western applicants. Those administrators often evaluated clients' moral worthiness based on their national origin and apparent social class.

Insights from immigration policy implementation research thus point us towards the role of ideas about identity and belonging when local bureaucrats deliver services to migrant clients. Bridging our interest in migrants as a distinct social group and in social provision as a site of internal bordering, the following part reviews the strand of literature that focusses on migrants' experiences of accessing social services, to reveal potential parallels to bordering practices relied on in immigration policy implementation.

Street-level bureaucrats' interactions with migrant claimants in welfare provision

Similar to Maynard-Moody and Musheno (2012), we believe that migration calls for investigation of how street-level bureaucrats treat non-citizens, especially in social service delivery beyond social benefit receipt. As summarised below, a range of factors influence street-level bureaucrats' behaviour towards non-national claimants, including claimants' legal residency status, caseworkers' demographic characteristics, institutional implementation constraints and individual ideas about belonging and migrant claimants' moral worthiness to obtain social benefits and services in their host country.

The welfare state literature has examined the specific location of immigrants within welfare state provision, foregrounding the conditionality of social entitlements upon employment and legal status (Sainsbury, 2012; Corrigan, 2014). Hierarchies of migrants' administrative statuses matter as they not only determine migrants' legal entitlement but produce differentiated access to the welfare system for different categories of migrants in practice (Shutes, 2016; Könönen, 2018). It appears that restricting migrants' social rights has become an instrument of migration management *per se* whereby increasing conditionality is meant to deter migration (Bommes and Geddes, 2000; Ataç and Rosenberger, 2018).

While most scholarship on the impact of migrant status on social entitlements has examined the stratification in access through the legislative framework, less attention has been paid to the gap between legally granted rights and actual benefit and service receipt for migrant claimants. Though some insights can be drawn from the representative bureaucracy literature. The latter offers an account of how similarities or differences in age, gender, ethnicity or class play out in the evaluation of claims in practice. Such quantitative studies on the impact of administrators' own demographics in discretionary decisions on social benefit receipt argue that shared characteristics serve as cognitive frames during claims processing (see Fording *et al.*, 2007; Monnat, 2010; Soss *et al.*, 2011). Watkins-Hayes (2009) thus concludes that the display of a common background can be enacted purposefully in claims-processing to enable or block benefit access in practice.

Other studies on the impact of migrant status, ethnicity and race on policy implementation devote themselves to disentangling the complexity of migrant disadvantage when claiming social benefits in practice. For example, Hemker and Rink's (2017) experimental vignette study of bureaucratically embedded discrimination in German welfare offices finds substantive disadvantage experienced by non-German claimants regarding the quality of services they receive. Seeking explanations, authors either champion institutional variables or delve into the role of moral judgements. For instance, de Wilde (2017) illustrated via a factorial survey analysis that immigrants are not per se more discriminated against than native claimants in Belgium, concluding that ideas about identity did not prove to be significant. Eliassi's (2014) qualitative interview study in Sweden, on the other hand, pointed to structural inequalities experienced by Muslim claimants, whom street-level bureaucrats portrayed as judged to be illegitimate receivers of welfare benefits based on their perceptions of behavioural non-compliance. Similarly focussing on structural disadvantage, Holzinger (2019) analysed practices of language-based discrimination, showing how Hungarian claimants with limited knowledge of the German language came to be barred from access to Austrian social security benefits and associated labour market integration services.

Dwyer *et al.*'s (2019) work on welfare conditionality in the UK spotlighted institutional explanations, demonstrating how differential rules determining eligibility, language difficulties, and migrants' understandings of their entitlements can play into discriminatory practices in the case of EU migrant claimants. Price and Spencer's (2014) study of the conditional minimum income schemes in Berlin and Madrid equally highlighted the role of organisational constraints, such as limited budgets, the complexity of laws and policy frameworks, and the lack of inter-cultural awareness among administrators, which led to excessive gatekeeping of social assistance benefits for mobile EU citizens and asylum-seekers of several African nationalities.

While said studies highlight the role of institutional frameworks and identity in street-level implementation work, the role of administrators' moral perceptions on extending welfare services to non-nationals have remained understudied. Research mostly engaged with the broad notion of deservingness, not distinguishing between claimant groups of varying origin. However, as Kootstra (2016) pointed out in a vignette experiment studying public deservingness attitudes towards the unemployed in the Netherlands and the UK more broadly, majority population respondents distinguished between migrant and non-migrant claimants. Respondents tended to apply a double standard to welfare claimants from an ethnic minority background, punishing them more severely for 'unfavourable' behaviour (e.g. a short work history) than native-born claimants.

Thus far, only very few studies disentangle the different inputs which impact street-level bureaucrats' ideas about migrants' worthiness to receive social benefits and services more systematically. Along with the contributions in this themed section, Carmel and Sojka's (2020) work on the role of deservingness and belonging in impacting access to social provision is uniquely positioned in this regard. The authors' findings on deservingness in relation to migrants highlight the complex, overlapping and competing rationales the different policy levels mobilise to justify practices of inclusion and exclusion into benefit receipt of intra-EU migrants residing in a member state other than their own. Carmel and Sojka show how ideas about a claimant's worthiness become based upon several criteria, including need, membership and identity, control over one's socio-economic situation or reciprocity. As a final piece of the puzzle to help in understanding migrants' social service access in practice, the following section therefore examines how the complex notion of deservingness has been theorised in welfare state and healthcare research.

Deservingness literature and local policy implementation dynamics

The concept of deservingness was academically popularised by survey-based research on general welfare attitudes, in an attempt to explicate the conditions under which and the people with whom citizens are prepared to share access to public welfare resources (Van Oorschot, 2000; Mewes and Mau, 2012; Svallfors *et al.*, 2012; Reeskens and van der Meer, 2015; Kootstra, 2016). While this theoretical approach, developed from a public opinion survey, applies to public welfare attitudes more generally, we consider it a useful tool for understanding street-level bureaucrats' moral considerations when deciding on access to benefits and services for migrant clients. However, we noted the limited use of the concept within studies of social policy implementation, particularly regarding non-national, migrant recipients.

In more detail, the CARIN framework (Control, Attitude, Reciprocity, Identity and Need) by Van Oorschot and colleagues (Van Oorschot, 2008; Van Oorschot *et al.*, 2017) was the first to systematically theorise, on the basis of quantitative research, common criteria upon which the social legitimacy of access to social benefits is evaluated. Van Oorschot deduced the following five central criteria that the general public use to assess an individual's or a group's deservingness of accessing welfare benefits:

1. *control:* the less control, the more deserving;
2. *need:* the greater the level of need, the more deserving;
3. *identity:* the closer to 'us', the more deserving;

4. *attitude*: the more compliant, the more deserving;
5. *reciprocity*: the more reciprocation, the more deserving (2000: 36).

About two decades after first sketching this framework, Van Oorschot and colleagues emphasised the need for a qualitative research approach into the formation of deservingness judgements, in order to go beyond deductive frames of analysis, stating: 'We cannot, on the basis of earlier work on welfare deservingness, say with any certainty that ordinary people actually apply the five – and only those five – deservingness criteria identified in the CARIN-model' (Laenen and van Oorschot, 2019: 10). Although the CARIN criteria attracted some attention by scholars using qualitative methods, existing qualitative studies into how deservingness plays out in service delivery mostly engage with policy-makers' perceptions of deservingness (Chauvin and Garcés-Mascareñas, 2014; Spencer, 2016; Ataç, 2019; Spencer and Delvino, 2019). For instance, Spencer (2016) foregrounds that negative judgements attached to irregularity are countered by a recognition of undocumented children's lack of control over their situation, leading to more favourable views in terms of children's deservingness. Ataç (2019) emphasises, in parallel to the CARIN criteria, the specific relevance of vulnerability and performance within deservingness judgements on rejected asylum seekers' access to state-provided accommodation. The study of dominant framings for policy implementation from the perspective of deservingness uncovers the contradictions that institutional settings produce. Chauvin and Garcés-Mascareñas (2014: 427–428), for instance, identified a tension, or in their terms, a 'frame discrepancy', between vulnerability and performance-based frames, that suppose simultaneously the victim's passivity and the citizen's agency, for undocumented migrants seeking regularisation.

Another stream of research that is particularly helpful in thinking about what ideas about deservingness may entail emerged around the notion of health-related deservingness as applied to migrant patients. This qualitative approach helps in conceptualising the notion of deservingness by pointing to additional elements, specific to migrants' deservingness, that are not foregrounded by the CARIN-frame. An important contribution of this approach to deservingness is its emphasis on relationality and contingency, which is certainly owed to its theorisation being rooted in ethnographic research (Willen, 2012). As Willen and Cook insist: 'deservingness' is 'reckoned in ways that are relational, conditional, context-dependent, syncretic, affect-laden, and mutable' (2016: 113–14; see also Malakasis and Sahraoui, 2020 for a gendered analysis).

Considering street-level staff's complicit or subversive political role in policy-making (Brodkin, 2013), there is a need to carefully study their use of discretion when it comes to granting access to social services to non-national claimants. We can conclude from our review that the study of street-level interactions with migrant recipients in welfare provision represents a growing field of enquiry. However, except for health, the connection between perceived deservingness and ascribed membership of a pre-defined community of recipients has remained underexplored in qualitative social policy implementation research.

As a contribution to the aforementioned debate, this themed section thus connects the analysis of non-conventional bordering practices at the front-line (Eule, 2014) to a critical examination of the figure of the undeserving migrant (Anderson, 2013; Bonjour and Duyvendak, 2017). We outlined in our Introduction how this themed section advances our understanding of internal bordering practices based on ideas of deservingness when it

comes to migrant recipients. The following case studies explore how such understandings of deservingness impact the rationing of public services to migrant clients in the particular country case and area of social service delivery chosen by our contributors.

Acknowledgements

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