Decentralization and the Extreme Right: Implications for Social Policy in Central Europe

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By
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Introduction

During the past two decades many have observed the increasing popularity of what Hans-Georg Betz calls "radical right-wing populist" political parties (Betz, 1994). Much has been written to explain the popularity of these political parties and how their presence in the political realm may have changed the political discourse of mainstream political parties (John Frears, 1991). With the presence of these parties in government it is now possible to evaluate what impact these parties may or may not have in government. Frank Castles (1982) concludes that policy outcomes are more decisively influence by parties of the right. Castles asserts that politics matters in the sense that "party political structures institutionalize class and interest cleavages and make them continually policy-relevant." If parties of the right are more likely to influence change in government policies than liberal or social political parties, is it also the case that radical right-wing parties are also able to influence changes in government policy? The government structure, where policy is made, how institutions are structured will determine the extent to which extreme-right parties change policy. The degree to which federal governments grant autonomy to state and local government to administer welfare benefits may also play an important role in the degree to which extreme-right political parties influence policy making. For example, in Germany, governmental structures grant the responsibility for the allocation of welfare funds to state governments that then contract private organizations to administer social assistance. In Austria, social assistance is administered through the Austrian states within a general federal framework by regional and municipal authorities. It is hypothesized that the decentralization of welfare benefits results in the uneven distribution of resources to the disadvantage of minority populations and allows access points which make extreme right political parties better able to manipulate social welfare policy. Betz writes that radical right-wing parties have been shrewd in their exploitation of a growing hostility toward immigrants and refugees. "On the most mundane level the radical populist Right has promoted what

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Scandinavian observers have aptly called a form of 'welfare state chauvinism' - the notion that welfare services should be restricted to the native population (Andersen and Bjørklund, 1990).

One purpose of this paper is to examine the ways in which the federal governments of Germany and Austria administer welfare benefits in order to evaluate how state autonomy in making social policy may affect the distribution of resources. With the increasing support for and popularity of extreme right political parties and their resulting increased electoral success and participation in state legislatures and governments, state autonomy may permit the manipulation of social benefits by regional authorities influenced by right-wing parties. This may specifically be the case in regions where extreme right parties have been able to participate in government either as a coalition partner or as a party holding enough seats in the regional legislatures to effectively influence law making. This disadvantage may lead not only to economic exclusion but to social exclusion as well. It should be emphasized here that possible negative results of decentralization in the form of an uneven distribution of resources and in exclusionary practices are sometimes unintentional on the part of national governments. The constitutional structures of both Germany and Austria play an important role in the autonomy of policy making and the resulting distribution of resources. According to governmental structures of Germany, though local government bears much of the cost of welfare policies, the benefit they provide is largely determined at the Federal level. In Austria, state and local government have more autonomy over policy making, controlling policies not explicitly granted to the Federal government.

To determine the extent to which extreme right political parties have been able to influence policy making, four regional governments in two different countries have been chosen as comparative case studies. Two of these regional governments have been chosen on the basis of the make-up of their legislative bodies, because an extreme right political party retains seats in the legislature. Two comparative regional governments were then chosen as control cases because of the absence of or the relatively few seats held by extreme right parties in their legislatures.

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The second objective of this paper is to establish the extent to which social welfare policy may be exclusionary in nature. The social welfare programs that have been chosen for analysis are the Sozialhilfe programs of Germany and Austria. These programs are the minimum social benefits that are administered. In Germany and Austria these benefits primarily target individuals that do not qualify for the unemployment insurance or other social welfare programs. Individuals may be disqualified from unemployment benefits because of the length of time the individual has been unemployed, because the individual has never been employed or because of citizenship status. There emerges then a segment of the population that requires some social assistance. The Sozialhilfe benefits fulfill that requirement. These programs are less social insurance; they are what Arnold Heidenheimer et. al. call public assistance, and as we will see most clearly in the case of Austria, these programs "characteristically rely on some form of income discretion in dealing with individual clients."\(^5\) These programs are also administered at local levels through communities.

**Exclusion through social welfare policy**

It is important here to examine ways in which those living in poverty may be excluded from the mainstream of society. It is especially important to establish how polices may be or may become exclusionary, whether intentional or not, on the part of governments. If a policy allows for exclusion, extreme right political parties can exploit it to the disadvantage of immigrants. Exclusion is "a process in which members of a group restrict competition by limiting the social and economic opportunities of those who are 'different' in one or several respects, such as race, language, religion, local or social origin, and ethnicity."\(^6\) Presumably an immigrant, or any other member of society, would request and demonstrate the need for services and/or benefits. How these services and/or benefits are administered may alter the ability of the potential recipient to access the

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service or benefit. Thus, whether intentionally or not, the service or benefit may take on exclusionary aspects. Establishing exclusion through distribution of welfare benefits is important because it is just one way in which extreme right political parties seek to limit the integration of immigrants into society.

A. B. Atkinson (1998) has identified several ways in which social policy making may be exclusionary in practice. He begins by identifying exclusion from consumption where the prices and availability of products determine whether or not the poor are excluded from consumption.  

Atkinson also identifies people who may be time poor; meaning the head of household finds the process of claiming the benefit to be demanding in terms of having the time required to follow through with the application process or the process is stigmatizing. In this case, the process by which people are excluded is the operation of the welfare state itself.  

Stigmatization has been shown to be a very real problem for recipients. Studies of motives for not claiming reveal that it is also related to the stigma associated with receipt of assistance. Potential recipients may be deterred by the way in which the benefit is administered and the treatment they receive from officials. Thus the behavior of those administering the benefit and the role that they can play in facilitating or discouraging take-up becomes an important issue. It is also possible that exclusion from benefits occurs because of access. That is, recipients may find it difficult to fill out an application because of language barriers. Potential recipients may not be aware that they qualify for a social welfare benefit or if they currently receive a benefit and the office and administrators with whom they customarily interact may be moved geographically.

Another way governments may promote exclusionary policies is through the reduction of staffing and offices. If welfare offices are moved out of communities in which individuals reside recipients may choose not to continue dependence on the social welfare benefit. A final way that governments may alter welfare administration to the detriment of recipients is to require recipients to obtain the benefit through the welfare office personally or to require more frequent renewal of the benefit request. Other

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8 Ibid.
10 Ibid.
exclusionary practices may include the stipulation that people have to be long-term residents to qualify for a benefit, that there must be a period of residence prior to qualification, or that entitlement is conditional on proof of habitual residence. Exclusion based on social welfare is important because it ignores the importance of the need for social recognition: being recognized socially in terms of one's own specificity and capabilities which enable one to participate in the intricate process of social reciprocities. If social welfare policy is exclusionary in nature, the ability for recipients to define themselves either through participation in the labor market or according to their social status or ethnicity and to be recognized accordingly is reduced or removed. There are no social institutions that compensate for the loss of social recognition, self-esteem, and solidarity experienced in performing a job. However, most people long for recognition from those they respect and who are able to evaluate their contribution to social and economic life.

In practical terms social welfare exclusion may cast particular problems for immigrant communities. If there are no social institutions that compensate for the loss of social recognition, self-esteem and solidarity through job performance, immigrants searching for recognition and/or evaluation of their contribution to social and economic life develop a tendency to turn inward to their particular communities. The turn inward to their communities may reinforce the perception on the part of the dominant population that the immigrant community and its members are unwilling to integrate into mainstream society.

The creation of exclusionary policies in the social welfare sphere can also be viewed as a reduction of positive freedoms, or basic capabilities. Social exclusion here is defined as individuals who are "prevented from participation in the normal activities of

12 Ibid, p. 203.
14 Ibid.
15 Ibid, p. 17.
the society in which they live or being incapable of functioning.”\textsuperscript{16} A person’s “capability” refers to the “alternative combinations of functioning’s that are feasible for her to achieve.”\textsuperscript{17} For Amartya Sen these capabilities are a kind of freedom: “the substantive freedom to achieve alternative functioning combinations.”\textsuperscript{18} A policy that excludes individuals is by definition one that inhibits capabilities and undermines substantive, positive freedom. Sen asserts that the deprivation of freedoms emerges when individuals are "deprived of important freedoms in leading lives" and when they are "denied the opportunity to take part in crucial decisions regarding public affairs."\textsuperscript{19} Sen writes that these "deprivations restrict social and political lives, and must be seen as repressive even without their leading to other afflictions."\textsuperscript{20} When viewed in relationship to social policy, Sen's ideas concerning positive freedoms expose the problematic nature of a government in which extreme-right political parties seeking to exclude immigrants are able to influence policymaking. As policies become exclusionary, the basic positive freedoms of immigrants and minorities become restricted, these groups become deprived of their freedom. The positive freedoms, as Sen advocates them, are then violated. Sen calls these restrictions unfreedoms that can "arise either through inadequate processes or through inadequate opportunities that some people have for achieving what they minimally would like to achieve."\textsuperscript{21}

Eric Fromm also advocates a positive freedom in which the criteria for determining freedom is not based on economic and political measures alone. Fromm identifies positive freedom as being “identical with the full realization of the individual’s potentialities, together with his ability to live and actively and spontaneously.”\textsuperscript{22} It is important, here to note that the spontaneity that Fromm is advocating that activity “of the self and implies, psychologically, what the Latin root of the word, sponte, means literally: of one’s free will.”\textsuperscript{23} Fromm’s ideas of potentialities and Sen’s definition of capabilities are closely related. Both require the individual’s active participation in making life

\textsuperscript{16} Atkinson, A. B. Poverty in Europe, p. 27.
\textsuperscript{17} Sen, Amartya Freedom as Development (New York: Random House, 1999 ), p. 75.
\textsuperscript{18} Ibid.
\textsuperscript{19} Ibid, p. 16.
\textsuperscript{20} Ibid.
\textsuperscript{21} Ibid, p. 17.
choices. Fromm advocates this freedom within democratic legal and governmental structures.

A tension exists between the idealism of positive freedom as advocated by Sen and Fromm and the reality of the practice of democratic government. The developed industrial societies of Western Europe maintain welfare systems that are essentially inclusive. What is problematic is the determination of who should be included and what criteria should be established for inclusion. One would not expect governments to extend a basic income support benefit to individuals that are not legal members of the society. However, the issue of who should be included becomes very difficult when the issue of immigrants is raised. Though these individuals may have legal immigrant status, if they are not legal citizens of the country in which they reside, the question involves much more than a simple determination of whether or not they should receive the benefit. If the benefit receipt is dependent on citizenship then the issue also involves policies concerning how one becomes a citizen of a nation. The ideal of the inclusive welfare state and the practical implementation of its policies are very complex, and in the face of rising resentment toward immigrants the issue becomes even more difficult. If the governments of West European welfare states do make the attempt to include all members of society, based on their legal residence in the country, extreme-right political parties have one more issue concerning immigrants to exploit. If governments do not respond in an inclusive manner, the liberal ideal of the welfare state is eroded.

Case Studies

In Germany, the Republikaner in the state of Baden-Württemberg and in Austria the Freedom Party (FPÖ) are identified as the extreme-right political parties. Hans-Georg Betz identifies these parties as right-wing for three reasons. First, because of their rejection of "individual and social equality and of political projects that seek to achieve it; second, in their opposition to the social integration of marginalized groups; and third, in their appeal to xenophobia, if not overt racism and anti-Semitism." Betz further defines these parties as populist "in their unscrupulous use and instrumentalization of diffuse

\[23\] Ibid.
\[24\] Betz, Hans-Georg Radical Right-wing Populism in Western Europe, p. 4.
public sentiments of anxiety and disenchantment and their appeal to the common man and his allegedly superior common sense."\textsuperscript{25} The Republikaner has been classified as "extreme right" by the Office for the Protection of the Constitution, the German domestic intelligence service and Mr. Schlierer, the parliamentary leader for the party in Baden-Württemberg, has been linked to Gerhard Frey, national chairman of the German People's Union.\textsuperscript{26} The FPÖ party platform denies the idea of multiculturalism and favors strict immigration laws. Jorg Haider has implied that foreign nationals are responsible for Austrian unemployment, housing shortages, high taxes, and crime rates.\textsuperscript{27} We will state for the purposes of this paper that these parties are extreme because of their stance on the issue of immigration, EU integration (specifically the common currency), and the nationalistic aspects of their party platforms.

In Germany the \textit{Länder} Baden-Württemberg and Hessen were chosen. In Baden-Württemberg, the Republikaner party has held seats in the state legislature since 1992. The party currently holds fourteen seats (of 155) in the \textit{Landtag} and won 9.1% of the vote in the 1996 elections.\textsuperscript{28} The Christian Democratic Union (CDU) governs in coalition with the Free Democratic Party (FDP) and they control 69 and 14 seats, respectively. Hessen provides the comparative case for Germany; here neither extreme right political party, Republikaner nor Deustch Volksunion (DVU) holds seats in state government. The CDU governs in a coalition with the FDP. Hessen held its most recent election in February 1999 in which the CDU won 50 seats or 43.4% of the vote and the FDP won 6 seats or 5.1% of the vote.\textsuperscript{29} In Austria the \textit{Länder} chosen were Kärnten (Carinthia) and Tirol. As with Germany, the \textit{Länder} were chosen for the make-up of their legislatures. In Kärnten the \textit{Landtag} consists of 36 seats. The Freedom Party (FPÖ) holds 16 seats and governs in coalition with the Social Democratic Party (SPÖ).\textsuperscript{30} The comparative \textit{Land} chosen in Austria is Tirol. The \textit{Landtag} of Tirol is governed through a coalition

\textsuperscript{25} Ibid.
\textsuperscript{27} Hockenos, Paul \textit{Jorg Haider: Austria's far right wunderkind} (in \textit{World Policy Journal} v. 12 (Fall ’95), p. 75 - 80.
\textsuperscript{28} State Election Results (\url{http://www.germany-infor.org}).
\textsuperscript{29} Ibid.
\textsuperscript{30} \url{Die Landesregierung (http://www.kaernten.gv.at)}}, p. 3.
government between then People's Party (VP) and the SP, holding 18 and 8 seats respectively. It is not only important that the Republikaner and the FP hold seats in state parliament, the relative strength of the party is important as well. While the Republikaner only hold 14 seats in state parliament, the FPÖ govern in coalition and control the office of governor.

**Germany**

The Federal Republic of Germany consists of sixteen Länder with an administrative apparatus at three levels: federal, state, and local. German government operates according to a subsidiary principle in which the central state is the agency of last resort for most welfare functions. It is the municipalities that are responsible for social services. They provide financial allowances (paid out by local authorities but financed by the federal government) and material services such as the provision of day-care centers, publicly funded housing and counseling for underprivileged persons. Social assistance (Sozialhilfe) is financed by both local and federal funds. The "social rates" for assistance are drawn up by the German Association for Public and Private Relief, an association of religious and voluntary bodies, whose rate proposals are not, however binding on the states. Under this structure, though the federal government may provide funding and general guidelines for services, it is the state and municipalities that carry out the actual administration of Sozialhilfe.

The administration process is further decentralized as private organizations service various sectors of the population. According to Frank-Olaf Radtke (1997), in an effort to be efficient the German government split the clientele groups according to language and religion. The Catholic CARITAS services the (mainly Catholic) migrants.

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32 Managing Across Levels of Government: Germany, p. 213.
34 Managing Across Levels of Government: Germany, p. 218.
from Italy, Spain, Portugal and Croatia, the Protestant DIAKONIE got the non-Catholic but Christian migrants from Greece and the ARBEITERWOHLFAHRT a non-denominational organization close to the trade unions, got the non-Christian immigrants from Turkey and the Maghreb. Radtke argues that this division, though a professional one, has also deepened the cleavages between the dominant German society and immigrant populations. Though the intention was not to exacerbate tensions between immigrant populations and the dominant German population, this was the result of a decision concerning the administration of social support benefits.

In Baden-Württemberg it may be argued that the Republikaner party has had little impact on social welfare policy making. The Republikaner reject ideas of a "multicultural" society, complain that there are too many foreigners in Germany, and oppose European Union enlargement to the east and the common currency. Because the party's share of seats in the state legislature is small, only 14, their ability to pass legislation reflecting their party preferences is limited. However, the party does have the ability to propose legislation. In the past proposals were submitted by the Republikaner have been modified and voted into law through the support of the CDU that would cut spending through Sozialhilfe reform.

An examination of proposed legislation by Republikaner party members shows that the majority of it concerns what American politicians would consider welfare reform. Many of the proposals speak of Sozialhilfe misuse and the need to integrate those able to work into the labor force. In a proposal submitted to the Baden-Württemberg Landtag in September 1999 the Republikaner stated that as of December 1998 there were 243,812 people currently receiving living assistance, 63,334 of those recipients were non-German. Of the 63,334 non-German recipients 11,507 were citizens of European Union (EU) members, 13,594 were asylum seekers and 38,233 were other foreigners. The proposal charges that 9.29\% of these non-German recipients were between 18-25 years old. The

proposal claims that the *Sozialhilfe* programs, as well as programs designed to train young people to be integrated into the labor market, are being misused by recipients capable of work.\textsuperscript{40} Furthermore, the proposal calls for the adjustment of Baden-Württemberg’s foreigner policy to restrict the broad movement of foreigners between the EU members and the European economic regions. Finally, the *Republikaner* request in this proposal that the recruitment of workers from outside Germany and exceptions for them should be stopped.\textsuperscript{41}

Admittedly this proposal has not been voted into law and it does not appear to target specifically immigrant, migrant and asylum seeking communities. However, by making the point that a specific number of young, non-German, citizens of non-EU member states are recipients of *Sozialhilfe* and emphasizing the misuse of the existing programs to integrate this segment of the population into the labor force may have wider consequences in practice. If the *Republikaner* party can convince other political parties, or if it (as a party) can garner enough public support, it is possible that further restrictions will be placed on who qualifies for *Sozialhilfe*. The proposal also would limit the number of work permits distributed to non-Germans. As Roberts and Bolderson point out, this type of policy creates a "barrier to benefits". Some migrants' status hinges on their holding and retaining a work permit which may lapse, immediately, or within a given period, should they become unemployed, even when this is involuntary.\textsuperscript{42} Not only does this mean that these individuals are not eligible for unemployment or social assistance, but also that their status within the country is in jeopardy. If the migrant comes to a country to work and becomes unemployed, the individual may become subject to deportation once the work permit expires.

As stated above, though the party has apparently not been able to actually change legislation, it has forced the Social Ministry of Baden-Württemberg to defend its social welfare policies. The Social Ministry, along with the Interior and Science Ministries, issued a position paper in response questions posed by the *Republikaner* party. In the document the Interior Ministry refuted the claim by the *Republikaner* that state grant

\begin{itemize}
  \item \textsuperscript{40} Ibid.
  \item \textsuperscript{41} Ibid, p. 9.
  \item \textsuperscript{42} Roberts, Simon and Helen Bolderson *Inside Out: Migrants' Disentitlements to Social Security Benefits in the EU*, p. 203.
\end{itemize}
benefits are claimed by a proportionally higher number of non-Germans than Germans in Baden-Württemberg.\textsuperscript{43} The Social Ministry found that 243,812 people or 2.3 percent of the population received Sozialhilfe.\textsuperscript{44} Of the 1,304,000 non-Germans living in Baden-Württemberg in 1998, 4.9 percent received Sozialhilfe.\textsuperscript{45} The Social Ministry concluded that the total percentage of foreigners receiving Sozialhilfe in Baden-Württemberg in 1998 was under the Federal average.\textsuperscript{46} In a report issued January 4, 2001 Erwin Teufel, Minister President of Baden-Württemberg, stated that since 1998 the number of Sozialhilfe recipients in Baden-Württemberg are now 2.3 percent below the federal level.\textsuperscript{47}

In the case of Hessen it is expected that, because there is no extreme-right political party in state government, attempts to reform Sozialhilfe in ways that specifically target immigrants for exclusion from receipt of benefit will be absent. There was no specific reference to foreigners or eligibility requirements found in Hessen's Sozialhilfe legislation. Concerning legislation passed as recently as 1997, reforms in the legislation did not establish policies of an exclusionary nature, either for immigrants or any other population.

Statistics from the Hessen Central Registry for Foreigners shows that the total number of foreigners in Hessen has risen almost 4 percent since 1990, from 10.7 percent to 14 percent.\textsuperscript{48} The Hessen Statistical Office reported that in 1999 the number of recipients of "classic" Sozialhilfe benefits fell 4 percent from 1998 levels.\textsuperscript{49} The Statistical Office also reported that the difference between the number of non-Germans and German citizens increased. The Statistical Office found that 1 in 10 non-Germans (76,200 foreigners) received Sozialhilfe, while only 1 in 33 German citizens received the

\begin{footnotes}
\footnotetext{44}{Ibid. p. 4.}
\footnotetext{45}{Ibid.}
\footnotetext{46}{Ibid.}
\footnotetext{47}{Weniger Personen auf Sozialhilfe angewiesen (Land Baden-Württemberg Meldung vom 04.01.2001, http://www.baden-wuerttemberg.de/sixcms..p?id=9416&template-bwd_det1_zum_drucken).}
\footnotetext{48}{Ausländische Bevölkerung in Hessen (Hessisches Statistisches Landesamt http://www.hsl.de/Abt-3/bevölkerung/aulae01.htm).}
\end{footnotes}
same benefits.\textsuperscript{50} This drop in the total number of \textit{Sozialhilfe} recipients also contributed to decreased spending by the state government. The Hessen statistical office reported that 1999 spending was almost two percent less than that costs of \textit{Sozialhilfe} in 1998.\textsuperscript{51}

In contrast to both \textit{Republikaner} proposals to Baden-Württemberg’s state government and the following case of Kärnten's social welfare legislation, language concerning qualification for benefits was not found in Hessen \textit{Sozialhilfe} legislation. According to legislation dated 10 July 1997, fixed amounts are issued according to the number of household members and their age, however asylum seekers and foreigners are not specifically mentioned, and therefore are not targeted for exclusion.\textsuperscript{52}

\textbf{Austria}

Austria is a Federal Republic consisting of nine states. Laws concerning important matters such as citizenship, agricultural interests and traffic policing are made at the federal level, but the \textit{Land} administrators are entrusted with their execution.\textsuperscript{53} \textit{Länder} administrations are divided into districts, and some municipalities that do not have a charter fall under the administration of a district. If special \textit{Land} authorities do not exist, the \textit{Land} government devolves most of its administrative tasks to the districts.\textsuperscript{54} In Austria the \textit{Länder} Governors are relatively powerful, on the one hand s/he is the chairperson of \textit{Land} government and politically responsible to the \textit{Land} parliament. On the other hand s/he is the top representative of the federal government in the \textit{Land}.\textsuperscript{55} For all matters to be executed by the district authorities, the district commissioner is responsible to the \textit{Land} Governor. Appeals against the district authorities are also dealt with at the \textit{Land} level.\textsuperscript{56} Under the Austrian governmental structure, it is the \textit{Länder} parliaments that are responsible for areas not mentioned directly in the federal

\textsuperscript{50} Ibid.


\textsuperscript{54} Managing Across Levels of Government: Austria, p. 93.

\textsuperscript{55} Muller, Wolfgang C. \textit{Political Institutions}, p. 48.

\textsuperscript{56} Managing Across Levels of Government: Austria, p. 94.
constitution. Thus the Landes parliaments exercise their power of legislation in areas such as social welfare, nature conservation, building regulations and regional planning. Under these circumstances it becomes apparent that an extreme right political might have the ability to manipulate social policy making. It is possible not only for the Land government to manipulate social policy making to the disadvantage of immigrants and asylum seekers, but also to control the appeals process. If a recipient lodges a complaint with the local municipal administrator the governor decides the appeal. If the governor and his party coalition have been the authors of the policy, influenced by the anti-immigrant stance of the FP, the opportunity to have an appeal heard or ruled in favor of the individual filing the appeal may be limited. However, should the issue of constitutionality be raised it may be possible that the Constitutional Court would become involved. It is more likely that these types of appeals would be made to the Administrative High Court or the Independent Administrative Boards established in each Land to deal with administrative criminal matters, petitions against acts of immediate command and compulsion, and some civil law cases.

In the Land Kärnten the FP holds a simple majority of seats in the Landtag and is in a governing coalition with the SP. The governor is Jörg Haider, former president of the FP. In Kärnten the laws concerning eligibility for Sozialhilfe are much more explicit and potentially restrictive when compared to those in Baden-Württemberg and Hessen in Germany.

In Kärnten one applies for Sozialhilfe at the administrative offices. The determination of benefits may depend on the extent of the need demonstrated, any special features of the case as well as the circumstance of the applicant's family. These features might in practice be restrictive for some. If one must submit an application at an office, one must be able to access the office either through public transport or in some other way. If the applicant has children or lives where public transport is less accessible, reaching the office may be an impediment. More importantly, the possibility that need be

57 Ibid, p. 95.
58 Ibid, p. 94.
60 Ibid.
demonstrated allows space for some discrimination on the part of administrators of programs, or the process of demonstrating the need may be one that some applicants feel is demeaning. The district and/or municipal administrators of programs may also seek to discourage applicants through the closing of offices whose work it is to distribute benefits or accept and process applications. If one is required to travel further to do business with the welfare office that may not be done through another means, the recipient may choose to drop out of the program.

The legislation concerning Sozialhilfe in Kärnten also places potentially strict residence requirements on applicants and recipient. It is important to note that the following legislation dates from 1996, since Marce1992 Jorg Haider has served as governor of Kärnten; in the 1994 Landtag elections the FPÖ won the second largest percentage of votes and in 1999 won the largest percentage of votes cast. Sozialhilfe is only granted so long as the recipient "has in Kärnten their respectable residence." The type of assistance granted to the Sozialhilfe recipient is conditional on or may be changed according to whether the recipient is maintaining a "respectable residence" or has changed their permanent residence. How the determination of "respectable residence" is made is unclear. It should be noted that in § 2 section 7 provision is made for individuals, with an agreement made through proper authorities, to transfer services to a third party; i.e. another Land government.

The FPÖ is very clear regarding the place of immigrants in Austrian society. In chapter four of the party program it is clearly stated that Austria is not "a nation of immigration," because of "restricted resources, population density and restricted spatial limits." Section 2 of chapter 4 states that unrestricted immigration would place "excessive demands" on the existing population and would "endanger" the resident population's right to maintain and protect their homeland. Finally, section 2 states that the

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61 Landtag 1999 (http://www2.ktn.gv.at/akl/akl.nsf).
63 Ibid.
"multicultural experiment" would be rejected because it may incite societal conflict.\textsuperscript{66} While section 2 betrays the intolerance of the FP\_ for multiculturalism and immigration in general, section 4 states that Austria must offer asylum to those persecuted for racial, political, and religious reasons.\textsuperscript{67} What is interesting in section 4 is the provision stating that these asylum seekers, if granted asylum, should retain the right to return to their country of origin; i.e. should gain immigrant status.

The comparative Land chosen in Austria is Tirol. The Landtag of Tirol is governed through a coalition government made between then People's Party (\_VP) and the SP\_, holding 18 and 8 seats respectively.\textsuperscript{68} In Tirol applications for Sozialhilfe are made in much the same was as they are in K\_rnten. The Sozialhilfe benefit is granted through district administrative offices with an application by the "help seeker".\textsuperscript{69} The legislation of Tirol also states that Sozialhilfe interfere as little as possible in the lives of recipients. More than this however, the legislation also states that Sozialhilfe be issued in an effort to eliminate the "predicament" of the recipient.\textsuperscript{70} As in K\_rnten, third party transfers of benefits are allowed through written notification between the appropriate authorities.\textsuperscript{71} Tirol also has a residency requirement for benefit recipients, however it differs slightly from that of K\_rnten. The Tirol government requires that recipients have their primary residence in Tirol, once this residence is established, the local administrative advisory board is given jurisdiction over the recipient cases.\textsuperscript{72} The administrative advisory board also has the right to intervene if there is a delay in the granting of jurisdiction for cases.\textsuperscript{73} In addition, when third party transfers occur, the

\begin{itemize}
\item \textsuperscript{66} Ibid.
\item \textsuperscript{67} Ibid.
\item \textsuperscript{68} \textit{Die Mandatsverteilung seit 1945} (Amt der Tiroler Landesregierung, http://www.tirol.gv.at/landtag/content/wahlergebnisse.html), p. 2.
\item \textsuperscript{69} Tiroler Sozialhilfegesetz LGB1.Nr. 105/1973 § 2 Grundsätze für die Gewährung der Sozialhilfe Dokumentnummer 12001048 (http://www.ris.bka.gv.at/taweb-cgi/taweb), p. 3.
\item \textsuperscript{70} Ibid.
\item \textsuperscript{72} Tiroler Sozialhilfegesetz LGB1.Nr. 105/1973 § 15 Örtliche Zuständigkeit LTI12001061 (http://www.ris.bka.gv.at/taweb-cgi-taweb), p. 16.
\item \textsuperscript{73} Ibid.
\end{itemize}
recipients of benefits may request compensation of benefits for one month following the time during which jurisdiction over their case was being determined.\textsuperscript{74}

Conclusions

It has been established that the way in which social welfare is administered makes a difference in the distribution of benefits. How governments are structured determines in large part how administration is structured. The countries examined in this paper are federal democracies, but they differ in their degree of centralization and the degree of autonomy that state governments’ exercise in making social welfare policy. These levels of autonomy do affect outcomes.

It may be difficult to determine the full affect of extreme right political parties on policy concerning minority populations. More in depth research is necessary to make such a definite conclusion. We may state at this juncture that at a minimum the language of Sozialhilfe policies, party platforms and government ministries is different when an extreme right party is present in government. This is illustrated best in the case of Germany where the Republikaner is present in government, but has little power relative to other political parties. In Austria where the FP\_ is relatively strong, both as a presence in regional government and because the governor of K\textsuperscript{r}nten is also a member of the FP\_, the situation is different. There the FP\_, as has been observed, has had greater influence over the policy making process, through its party platform as well as through legislative means. Issues concerning not only the rights of individuals seeking to immigrate or those seeking asylum become important, but issues of citizenship also become salient. What becomes apparent when one examines the issue is not only the concern on the part of politicians for claims of social benefits, but also concerns regarding the integration of immigrants and asylum seekers entering their states. As immigrants, migrants and refugees continue to enter the West European nation-states, the demographic shift will continue, states and countries will continue to become

"multicultural" and the problem of integration for immigrants and migrants into recipient countries becomes more acute.

Finally, exclusionary policies may also be viewed as a basic infringement on fundamental positive freedoms. The inability of individuals to assert their positive freedom in the face of exclusionary policies is contrary to human capabilities as articulated by Amartya Sen and human potentialities as articulated by Eric Fromm. These capabilities are not enough, however, because they depend on "the nature of social arrangements, which can be crucial for individual freedoms. And there the state and society cannot escape responsibility." The question then is not only one of whether or not extreme right political parties have influenced policymaking. "We know that poverty, intimidation, isolation, are directed against life; that everything that serves freedom and furthers the courage and strength to be oneself is for life. What is good or bad for man is not a metaphysical question, but an empirical one that can be answered on the basis of an analysis of man’s nature and the effect which certain conditions have on him." The way in which policies are altered is also salient and, relying on Eric Fromm, we can assess these changes concerning their essential value to society.

In Baden-Württemberg the targets of the Republikaner proposals were youth and specifically non-German and non-EU citizens. In Germany it is somewhat difficult to determine the effect of the Republikaner in government. First, the number of seats the party holds in the Baden-Württemberg Landtag is small; to pass their proposals into law requires the support of members of other parties. Unless the other parties as organizations will endorse Republikaner proposals it is unlikely that members of other political parties will break with party policy because of the strength of political parties in Germany. However, it should be noted that as long as Republikaner proposals do not blatantly contradict other party platforms, other members of the Landtag might be willing to lend support to Republikaner proposals. Second, members of the CDU may support proposals for Sozialhilfe reform because of the need to maintain voter loyalty during election campaigns. In many countries immigrants and migrants have been blamed for unemployment and it is claimed that they place added demands on the economies of

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76 Fromm, Eric Escape From Freedom, p. 265.
governments through their receipt of social benefits. To take an anti-immigrant or a hard-line stance concerning welfare reform is one way for mainstream parties to retain certain voters. However, in doing so parties such as the CDU co-opt the policies of parties such as the Republikaner. This type of action on the part of a political party can become politically costly. Throughout the autumn of 2000 immigration became a central issue to political parties in Germany. In October CDU/CSU parliamentary leader Friedrich Mertz announced that immigration was a topic "suitable for discussion in public." This statement by Mr. Mertz provoked criticism not only from members of other political parties but also from his own party chairwoman Angela Merkel. However, then CDU General Secretary Ruprecht Polenz and the CDU deputy parliamentary leader Wolfgang Bosbach stated that immigration should not become a taboo subject because "the issue would then be hijacked by . . . right-wing extremists." In Kärnten the impact of an extreme-right political party in government is most apparent. Unlike the Republikaner in Baden-Württemberg, the FPÖ has the ability to act on a party platform in a way that excludes immigrants. The FPÖ not only espouses a platform that is anti-immigrant, but has been able to alter social welfare policy through lawmaking. Again, unlike the Republikaner in Baden-Württemberg, the FPÖ not only controls the state parliament in Kärnten, but also the highest administrative post, the office of governor. This makes the FPÖ much more powerful than its counterpart in Germany. This relative power is directly related to the federal structure of Austrian government as determined by the Austrian constitution.

It can be concluded that the presence of extreme right political parties in government does alter the way in which social welfare is administered to immigrant communities, both in terms of economic distribution and social exclusion. This poses a particular problem for democratic government: how to remain democratic and limit the negative influence of political extremism.


Hockenos, Paul Jorg Haider: Austria's far right wunderkind in World Policy Journal v. 12 (Fall '95).


State Election Results http://www.germany-infor.org/newcontent/gp/gp_le.html


