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**Selected Research  
Papers in Education,  
Labour Market and  
Criminology**

Volume I

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Johann Bacher ■ Jaroslaw Gorniak ■ Marian Niezgod  
(Eds.)

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## **Preface**

This volume summarizes the presentations of the Nuremberg-Krakow-Linz-Skopje-Research Seminar 2007. The research seminar took place at the JKU in Linz. It is based on a long cooperation between two of the editors. This cooperation goes back to the 1980's, when Poland was part of the Comecon. Now, three of the participating countries are part of the European Union and we hope that Macedonia will soon become a member.

The main aim of the research seminar was to bring together young scientists of different universities and to enable them to present their research results under the supervision of senior researchers and professors.

The papers cover different fields reflecting the main research areas of the participating institutions. They discuss central issues like education for a multicultural society and they report on concrete empirical research – based on surveys as well as on experiments. Finally, some papers discuss programmes and measures to handle social problems, like unemployment, university teaching or stalking. In short: the volume reflects the diversity of sociological and criminological research.

We wish to thank the authors for the contributions. We would like to acknowledge gratefully financial support from the Hochschulfonds der JKU, the Stadt Linz and the Land OÖ for supporting the seminar, and the Vice Rector Herbert Kalb for supporting the publication. Finally, thanks to colleagues for reviewing the papers, to Irma Gruber for proof reading and to Maria Hochmayr for the layout.

Linz and Cracow 2009

Johann Bacher  
Jaroslaw Gorniak  
Marian Niezgod



# **I. Research in Education**



**George Mladenovski**

## **Education for a Multicultural Society**

Most modern societies are multicultural societies. The term multicultural society in popular usage usually denotes a society – a state, a nation, a country in which several cultures exist. Before the rise of the word “multicultural” in social sciences other terms were used, such as for example plural societies, multi-ethnic societies or polyethnic societies, to describe societies consisting of groups which speak different languages, have separate religious beliefs and moral values and have each developed a separate sense of belonging to the group. In contemporary debate multicultural is the preferred word. Maybe it is due to an “amplification” of the interest in culture that is manifested in many intellectual fields, to the cultural turn in social sciences or to a new cultural consciousness. But it is also brought about by the changes taking place in the world in the last decades, particularly in the cultural sphere. In fact, the deepest generative context for the amplification of interest in culture is the social experience itself.

Although the existence of diverse groups and the complex nature of the relationships between different groups in such differentiated societies does not mean that there must be tension and conflict, nevertheless in specific social and historical contexts and as a result of various internal and external factors there is the possibility that they can lead to open conflict with extremely destructive effects for the whole organization and functioning of multicultural societies.

Finding ways to protect these societies from this danger of “Balkanization” presents one of the most urgent tasks for the world in the beginning 21st century. In this period, one of the most turbulent in human history, when the world is reconstructing itself in new and astonishing ways, education is becoming one of the most effective instruments for preventing and eventually eliminating conflicts, as well as for the reorganization and stabilization of multicultural societies. However, this powerful role cannot be played by any type of education but only by so called *social education*. Through this type of education students should gain knowledge of the reality of multicultural societies, more precisely, knowledge concerning the nature of inter-group relations and the dynamics of these relations. But they also have to internalize such values which can enable them to accept the members of other ethnic, racial, religious etc, groups, free from prejudices usually characteristic of previous ways of seeing and experiencing them. The basic goal of this kind of education is to create necessary conditions for the common life of individuals with different opinions and origins and to cultivate and encourage them in the development of their social community.

The conception of social education is inspired by the educational philosophy of John Dewey, put forward at the end of the 19th century. It was Dewey who pointed out that the primary goal of education is “to train children in cooperative and

mutually helpful living” and that such a process is the very essence of life, a process of “rich happy living”, not a “preparation for life” as it had usually been treated until then (Cited in Good and Teller, 1969: 512). Later elaboration of these ideas by William Kilckpatrick and others led to the movement for progressive education which is closely linked with the conception of social education (Kenig, 1957: 159). In sociological literature this conception of education has been most consistently advocated and further developed by the American sociologist Robert M. Maclver (Maclver, 1969). His ideas though more than sixty years old, still have significance. Taking into consideration the changed conditions of life in these kind of societies over the last 60 years, especially in the last decades of the 20th century (Maclver called them simply multi-group societies), as well as the specific nature of each particular society in which they are to be applied, no doubt they need some reformulation. In fact, the whole concept of this type of education is to be innovated, new forms and symbols of its expression are to be found and some of his methods are to be revised if they are to continue to be inspiration for all those who are involved in reorganization of multicultural societies, and all those who are devoted to the idea of social education as an essential ingredient of the socio-cultural life and to its further promotion and full realization.

R. M. Maclver’s fundamental premise that social education should be governed by the idea that what people in multicultural societies have in common is more fundamental than what they have separately, that what unites them is deeper, more profound, more important, more real, than what separates them and that the central task of education to spread that idea still has central importance today (Maclver, 1969: 197). Today, when there is unnatural obsession with differences, with what separates people, and a tendency to fetishize and essentialize these differences, which in extreme situations can have pathogenic effects, this idea may represent a fundamental premise of each individual and collective strategy for action and culture change in all contemporary multicultural societies, regardless of their national, ethnic, racial, linguistic or some other kind of idiosyncrasy. In anthropology this idea was expressed by Ashley Montagu who defines the central goal of education as the teaching of what is common to all people, or their basic similarities. A. Montagu correctly noted that brotherhood of humanity is not wishful thinking, it is actually necessary if we wish to preserve our unique differences and to encourage their further development. That is indispensable for a civilized development (Montagu, 1962: 30).

Social sciences and sciences of man have special importance for the revival and establishment of this idea which we can call the central principle or dogma of the educational process in multicultural societies. Sociological, and particularly, anthropological insights concerning the nature of man and paradoxes of his nature as well as nature and function of culture are of utmost importance for the formulation of the meaning and significance of education.

One of the most significant facts about man is that he is by nature an open, cosmopolitan and versatile being, but in order to realize only part of these potentialities and to achieve human status, he must live in a relatively closed culture. We, wrote C. Geertz, “all begin with the natural equipment to live a

thousand kinds of life but end in the end having lived only one" (Geertz, 1973: 45). The fact that man was born as an open being, that he has the potential to live many kinds of life and that he is able to free himself from restraints of a particular culture, has particular relevance when thinking about the educational goals of contemporary heterogeneous, ethnic, racial, religious or linguistic differentiated societies. It can contribute to the enrichment of man; acquainting him with the best in all man's products and practices. Contemporary societies have to re-affirm the significance of this potential and, through education, propagate it as an essential for their functioning and an essential for the future of man. In regard to this Margaret Mead pointed out that "instead of attempting to bind and limit the future and to compromise the inhabitants of the next century by a long process of indoctrination which will make them unable to follow any path but that which we have laid down" we should devise and practice a system of education which sets future free. She expressed belief in education as an instrument for the creation of new human values which shall exalt man above his present stature (Mead, 1973: 106-107).

But definitive establishment of this central dogma of educational process, will be in close connection with the capability and willingness of those who are going to carry out this new educational conception, that is the teachers, those who are to incorporate effectively in their programs the most relevant insights provided by the development of these sciences. Besides general knowledge concerning the nature of social reality and the nature of human nature and culture provided by, above all, sociology, anthropology and social psychology, of particular value for the project of social education is the knowledge of the multidimensionality of processes of social interaction, especially of the ethnic interaction and communication, of the sources and character of social and cultural variability, as well as of the nature and importance of prejudices for the prospects of multicultural societies.

Special depth and meaning to the concept of social education gives adequate awareness and understanding of the "other". We can agree with sociologist Mongardini that one of the elements of the crises in "modernity" is precisely the progressive superficialisation of the awareness of the "other" or its instrumentalization. Consequently, we can regard this as the main cause for the general weakening of social connections (Mongardini, 1994: 75). Namely, it is this awareness on which all emotions are based which constitute the fabric of social life and it is this personal socialization of the "other" expressed both in cooperative and conflictual forms which sparks off ideas that produce and preserve collective social life, transform reality and give meaning to the social action. Therefore, the consideration of "the other" and the dimensions we attribute to him in our everyday encounters is essential in understanding the relations of interaction, particularly those in which "the other" is a member of some other racial, ethnic or religious group. In this regard, recent orientation of sociological analysis toward the "other" and the tendency of the concept of the "other" to become the basic point of reference of sociological discourse, as well as the pronounced awareness of the constitutive meaning of the "other" for our own social existence and self-

understanding, will have crucial importance not only for the further development of social sciences but also to revolutionize the idea of social education.

One of the main causes for inadequate understanding of the “other” is the existence of “an avertive or hostile attitude toward an “other”, that is a “person who belongs to a group and therefore presumed to have the objectionable qualities ascribed to the group” (Allport, 1958: 7). We are talking here of prejudices, that is for a priori and unsubstantiated beliefs, feelings and attitudes toward members of other groups which make us unable to understand all the elements and dimensions of the complex figure of the “other”. The judgments of members of other ethnic, racial or religious groups are based on stereotypes, faulty and inflexible generalizations for a category or a group. Although it may appear that these judgments do not make sense, although they are not real and do not correspond to the situation, nevertheless they may have real consequences. Namely, they can intensify aversion or hostility, which is already present, in relationships between some groups in a society and to make that aversion regress into more primitive forms of aggression. And this is what usually happens in ethnic prejudices (Supek, 1973: 80).

Taking into consideration that the existence of prejudices presents some kind of generative context for conflicts, which can have destructive effects on the functional consistency of multicultural societies, one of the most important tasks of these societies is to fight them and promote a positive image for other groups. Social education is a most effective instrument for achieving this. In our attempts to eliminate prejudices, however, we should not rely only on institutionalized and standardized procedures of educational work with young generations, but it is also necessary to put to work all agencies of socialization, starting from the family. This activity has to be permanent and is not intended just to replace one set of attitudes with another, more true one. Here, we have to deal with a very complex process of building a characteristic affective personality structure which will serve as a basis for a new standard of behavior and which will also involve highly developed sensitivity for the intrinsic worth of “other” and a high degree of awareness for things that can be insulting for him and hence a need for greater self-restraint in relations with members of other culturally distinct groups. Bearing in mind this character of social education, we can speak of it not only as an instrument, but as a component of a complex process of overall transformation of the interpersonal and the inter-group relationships in contemporary societies.

However, this process is not going to eliminate the differences between groups. It is not the goal of the social education process, although the spread of panhuman, generic ideas has central importance. Preserving the rich and fruitful diversity of contemporary societies is also important and this gives specific weight to its meaning. But this diversity and its deep humanistic content can be preserved only if a constitutive part of this process of transformation is the spreading of the spirit of tolerance for differences.

Though tolerance has a very important place in contemporary discourse for society and culture and is increasingly becoming a fundamental cultural value of

contemporary societies, and is closely connected with the pluralization of the socio-cultural life and the need for effective organization of differences and alternative ways of life in these societies, we cannot say that tolerance, both as a general awareness of differences and as a guide for their respect and acceptance as something quite normal, has won enough space for its practical importance (Chaney, 1994: 135-36). And it is happening exactly in those societies in which tolerance must represent a kind of basic functional prerequisite for their existence, and where there is greatest, an almost urgent need for the spirit of tolerance to become a constitutive part of group consciousness. It is these societies which have the greatest need for social education as defined and through which the spirit of tolerance is to be spread. The intolerance in the relationship between groups, especially ethnic groups, endemic in these societies, which in the last decades, has gained dramatic proportions and together with the existent asymmetry of the groups in relation to the power, represent the main reasons for their instability. Therefore in the very near future the idea of social education must be promoted and widely accepted, if not there is a danger that hostility between groups will prevail.

Struggles between groups in our contemporary world has increased the importance of culture. In these struggles, culture becomes both a field of struggle and a means, an asset, in that struggle (Eller, 1997: 252). Aspirations of the groups and even their mutual antagonisms are formulated and rationalized in terms of culture. There is a belief that they are in essence cultural and that it is culture that will provide a means for the realization of these aspirations. This approach toward culture can be seen in the recent debate between multiculturalists and anti-multiculturalists who, regardless of their differences share the belief that for contemporary multicultural or culturally plural societies culture is source and solution to all problems (Goldberg, 1994). According to their opinion, culture is a means of preventing fragmentation of social entirety, but also a means to stimulate the self-respect of the members of different groups of society. This instrumental approach to culture logically flows from the romantic vision of culture that is becoming more and more pronounced in some variants of multiculturalism. In its extreme variant it leads to reification of culture and its turning into a group's seal of authenticity and its warranty of worth, serving as gloss, a badge and a weapon for a party in the war of identity politics. It becomes a fetish of a group - in - struggle (Eller, 1977: 252). As a result, culture is promoted to a powerful weapon of contemporary politics, because this kind of assertions which invoke culture is difficult to oppose (Ibid.: 252-53).

However, all this must not postpone the realization of one of the main tasks of social education, namely, spreading the idea of creative interaction of cultures of different groups as well as the idea of freeing ourselves of the "narcissism" of our own culture and to support and intensify building a new cultural complex that is congenial to the conditions of multicultural society and demands of an increasing globalizing and interdependent world. On the contrary, that task must have priority. Multicultural societies must give priority to building such an open cultural program and to building an inclusive identity for its members. Without that the constitutive

groups of multicultural societies will be constantly tempted to give priority to primordial sentiments and their members will look at the world from the narrow perspectives of their own culture and will tend to judge other cultures and societies by the norms and standards of their own.

Bikhu Parekh, one of the most prominent contemporary multicultural theorists calls the kind of education which sustains this narrow cultural program, monocultural education. He says that such a conception was the dominant opinion in the US and in some other countries before the beginning of the multicultural debate in the last decades of the 20th century. Dominant groups thought that the main task of education is to cultivate in pupils a strong sense of national identity and to socialize them in “national culture” and create a cohesive nation. However, some marginalized groups in US thought that such an education is to sustain pupils’ ethnic or cultural identity, cultivate a sense of pride in their history and help create cohesive ethnic communities (Parekh, 2000: 224-5).

He is critical of this kind of education because both groups “see education in political and instrumental terms and take homogeneous view of the relevant communities” Their task is to homogenize wider political community or narrow ethnic community, and try to present them “in a favorable light” (Ibid.: 225). In contrast to such an “misguided philosophy of education” Parekh promoted the conception of multicultural education. In some aspects it is reminiscent of the conception of social education of which we were talking about.

According to Parekh monoculturally oriented education has many limitations. First of all, such an education prevents the development and growth of a critical faculty and “tends to breed arrogance, insensitivity and racism” (Ibid.: 226). It can also hardly be expected that such an education will awaken pupils’ and students’ intellectual curiosity about other cultural practices and perspectives. For them it does not provide a means of seeing the world from a variety of cultural perspectives and does not help them to dispel with prejudices that groups hold towards one another.

Contrary to that the aim of multicultural education, according to Parekh, is to “develop such worthwhile human capacities as intellectual curiosity, self-criticism, the ability to weigh up argument and evidence and form an independent judgment, to cultivate such attitudes as intellectual and moral humility, respect for others and sensitivity to different ways of thought and life, and to open students’ mind to the great achievements of humankind” (Ibid.: 227). Multiculturally oriented education should be free of Eurocentrism as well as of other varieties of ethnocentrism as much as humanly possible. He goes on and says that “good education should expose pupils to different conceptions of good life, systems of belief and modes of conceptualizing familiar experiences, and get them to enter into the spirit of other cultures, see the world the way they do and appreciate their strengths and limitations”(Ibid.: 227). That will encourage their imagination and make them be aware of alternative modes of life as something natural. Good educational system should also help students understand their history, social structure, culture, language and other aspects of their cultural life and political communities. It will

increase their self-understanding and help them to adapt and orientate themselves better in these communities. However, according to Parekh, “to limit education to this is to take a highly impoverished and narrow view of it. Education is concerned with humanization not just with socialization.” Therefore it should help students become integrated human beings with a well developed intellectual, morals and other capabilities and sensibilities and be able to feel at home in the rich and diverse human world (Ibid.: 227). Multicultural education defined in this way de-ethnicizes cultures and makes them a shared human capital. It helps create a plural and richer common culture. It also encourages a dialogue between culture and equips students to converse in multiple cultural idioms. These ideas of Parekh concerning the nature and fundamental goals of multicultural education, his idea that multicultural education as a new type of education is an education in freedom, “both in the sense of freedom of ethnocentric prejudices and biases and freedom to explore and learn from other cultures”, as well his idea of a common culture that is pertinent for multiculturally constituted societies, will have profound consequences in the thinking of educational philosophy which is to sustain educational strategies and practices of contemporary societies (Parekh, 1999: 66-75; Parekh, 2000: 219-224, 230).

The university is to play a very important role in contemporary educational processes especially in building and cultivating an open cultural and multicultural program. Defined as an “open program” and as a place of “cerebral light” in a society, the university is to have a crucial role in attempting a comprehensive and deliberate reorganization of multicultural societies (Mladenovski, 2005: 217-225). However, it must assert itself as an active creator and formulator of the meaning and significance of the new code of life of multicultural societies, not just an effective catalyst of the process of social education. The university can greatly contribute to an understanding of man and his society. From a broader viewpoint this is a “prerequisite for the very survival of species”, and therefore a university can not be indifferent to this problem. On the contrary, an understanding of man should be a central goal of the university and the source of its relevance for society (Eisenberg, 1973: 53). In our opinion a university has another fundamental goal with regard to man. It has to work out an image of man, or an “idea of man”, which is worthy of his future and the future of the world and through its educational practices to cultivate and further develop this idea.

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## **School Participation in “Primary Schools” and “Secondary Education Stage I” in Germany - Positive Effects of Democratic Leadership on School Attachment and Externalising Problems?**

### **1. Introduction**

Nowadays, children receive higher levels of autonomy and more possibilities of participating in decision making processes. More and more areas of life are affected by this democratisation of child education. This becomes obvious in increased policy discourse as well as in a changed child-parent relationship. The Convention on the Rights of the Child reflects this process, too. The United Nations passed the convention in 1989. Article 12 (1) says: “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”.

In this context of democratisation our study investigates:

- (1) To what extent German children participate in school and to what extent are there structural and individual differences in the amount of participation?
- (2) To what extent can positive effects of participation and democratic leadership be observed? In particular the relationship of participation, externalising behavioural problems and the attachment to school is of interest.

### **2. Participation in German Primary Schools**

The legal framework regarding school participation is a matter for each German federal state. In most federal states, policy on formal aspects of participation, such as the election of class and school representatives are specified only for the Secondary Education Stage. Regarding Primary School, there are nearly no comparable legal principles.

For the last 10 to 15 years German Primary Schools have been concerned with the changing conceptions of childhood and have attempted to adopt education concepts in an adequate manner (Einsiedler 2003). Individualisation, more possibilities for autonomous learning and also for the learning of social skills have become central aspects of education in Primary Schools. Pedagogical and didactical approaches, such as individualised instruction or open education focus on more possibilities for children to participate in class and emphasise their

individualism. Therefore, we can expect democratic structures to occur frequently in Primary School even if they are not legally anchored.

### **3. Theoretical aspects of participation**

In the 1930s the results of a series of experimental studies concerning patterns of aggressive behaviour in different social climates by Kurt Lewin and his colleagues (Lewin, Lippitt and White 1939) showed that democratic leadership leads to less aggressive interaction in groups of children and fosters their performance. According to Lewin, democratic leadership is characterised by the involvement of children in decision making processes (Ibid.: 273). The acceptance of the group goals as well as the involvement in achieving them are of particular importance for democratic education.

The theory of age-graded informal social control (Sampson and Laub 1993/1997) can explain the effects of democratic structure in school.<sup>1</sup> The theory of age-graded informal social control assumes that the occurrence of aggression differs over the life span. An important bond, preventing individuals to deviate, is their attachment to conventional society. To be attached to conventional society can be understood as being aware of and being sensitive to the wishes and expectations of other people (Hirschi 1969: 18). A well documented result in aggression research is the predictive effect of low school attachment on later aggressive behaviour (see Harachi et al. 2006 for an actual example). This effect could be understood within the concept of cumulative disadvantage (Sampson and Laub 1997). In short: shown misbehaviour leads to a strained teacher-student relationship, which undermines the attachment of the child to school and in turn, the low attachment fosters further misbehaviour (Ibid.: 146-147). Congruent with the concept of cumulative disadvantage it can be suggested that behavioural problems affect future participation possibilities by selecting the child to less democratic social niches<sup>2</sup> (Snyder, Reid and Patterson 2003). Coming back to the result of Lewin and his colleagues, it can be suggested, that democratic leadership strengthens the involvement in decision making processes and shows children the wishes and expectations of the others. Further, participation leads to more

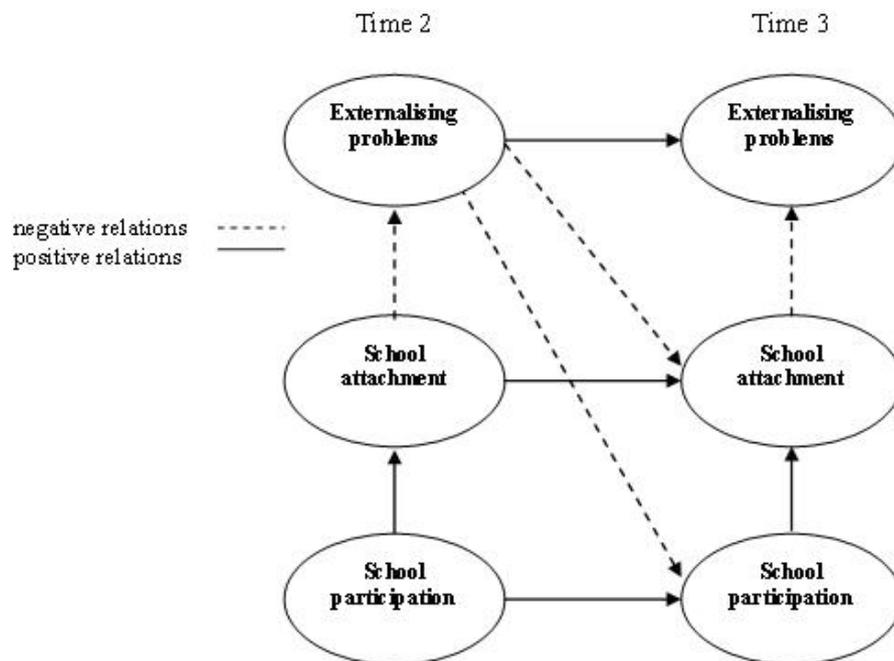
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<sup>1</sup> Lewin and his colleagues used a different explanation. They argued that a democratic climate leads to less aggression because it provides fewer sources of frustrations or tensions. Compared to an autocratic leadership, a democratic style offers children more possibilities for free movement whereas a narrower space of free movement, as in autocratic climates leads to higher tension and consequently to a higher level of aggressive behaviour. Further the rigidity of the structure shortens individual's possibilities to avoid a conflict and thus leads finally to aggression (Lewin et al. 1939: 292-295). All together, a democratic leadership leads to less aggressive behaviour, as it leads to less frustrations or tensions.

<sup>2</sup> Problem behaviour might affect school choice during the transition from Primary School to Secondary Education Stage.

emotional relationships<sup>3</sup>. This implies that children become more sensitive to these wishes and expectations. Thus, participation strengthens social bonds and lowers misbehaviour. In other words: the effect of participation on externalising behavioural problems is mediated by children's attachment to school. Figure 1 specifies the relations between misbehaviour, attachment and participation (for 2 times of measurement).

**Figure 1: Hypothetical model**



Externalising behavioural problems are used as an indicator of aggressive behaviour. The model assumes stability effects for attachment, externalising problems and school participation over time. Further cross sectional effects of school attachment on externalising problems and of participation on school attachment are suggested. Conforming to the cumulative disadvantage hypothesis cross-lagged effects of externalising problems on school attachment and on participation are assumed. To sum up, the hypothetical model subsumes to hypotheses: (1) The effect of school participation on externalising problems is mediated by school attachment. (2) Externalising problems attenuate future school attachment and future possibilities of participation.

<sup>3</sup> Lewin et al. found, that children in a democratic climate like their leader more. (Lewin et al 1939: 284)

## 4. Method

### 4.1. Sample

The used data is part of a longitudinal cohort study (“Kinderpanel des Deutschen Jugendinstituts”, Munich, Germany, Alt 2005a, 2005b, 2005c, 2007). Two national representative age cohorts were surveyed three times at intervals of one and a half years. The cohort of the younger was followed during their transition from preschool to Primary School (5-6 to 8-9 years). The cohort of the elder was observed during their transition from Primary School to Secondary Education Stage I (8-9 to 11-12 years). At each time and for both cohorts at least one of the parents had to complete the interview. Children were first surveyed at the age of 8 to 9 years. Consequently children of the older cohort were surveyed three times, whereas the younger children were interviewed personally only at wave 3. Items concerning participation were included in wave 2 and wave 3. The data of the younger cohort was used only for exploration. Due to results of explorative factor analyses, items were chosen to be included in the following confirmatory analyses. This paper will only report results regarding the older cohort (wave 2 and wave 3, child reports). Of a possible total of 1042 children, 595<sup>4</sup> (approx. 57%) participated in wave 2 and wave 3. The ratio of boys and girls is about 1 to 1.

### 4.2. Analytic strategies

Analyses were carried out using LISREL 8.80 (Jöreskog and Sörbom 2006). Because of non-normal distributions of most items the parameters of the models were estimated using robust maximum likelihood (ML) procedure. Robust ML estimators turn out to have relatively good statistical properties under non-normal conditions (Boomsma and Hoogland 2001). Evaluating how well fitted the structural equation models are, the following indices were used: (1) Chi<sup>2</sup> and df. Chi<sup>2</sup>/df < 2 indicates a good fit of the model, whereas due to robust ML estimation the Satorra-Bentler scaled Chi<sup>2</sup> was computed. Values between 2 and 3 indicate an acceptable fit (Schermelleh-Engel, Moosbrugger and Müller 2003) (2) Comparative fit index (CFI), values greater .97 indicate an adequate fit of the model to the data. (3) Root mean square error of approximation (RMSEA); values below .05 indicate a good fit (Schermelleh-Engel, Moosbrugger and Müller 2003). (4) Comparing the fit of different models the scaled difference Chi<sup>2</sup> test statistic was used (Satorra and Bentler 2001).

### 4.3. Measures

Correlations, means and standard deviations for the observed variables can be seen in the appendix. If necessary, items were recoded so that higher numerical values indicate a high level of the respective variable.

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<sup>4</sup> Missing values were imputed through the EM-Algorithm for cases with less than 1/3 missing values per latent dimension. Cases with more than 1/3 missing values were excluded.

### ***Externalising behavioural problems***

A total of seven items were originally formulated for measuring externalising behavioural problems. Due to exploration in the younger cohort the following items were chosen to be included in the SEM. "I often lose my temper" (ex1), "I often end up having trouble with other kids" (ex2) and "I get mad at other kids" (ex3). Participants were asked to choose one of the following possible responses: "not at all", "rather not right", "rather right" and "completely right". Cronbach's Alpha is .73 at wave 2 and .70 at wave 3.

**Table 1: Externalising problems by time of measurement (Rounded sum indices, n=584)**

<b>Externalising problems</b>	<b>Time 2</b>	<b>Time 3</b>
Low level	35.9%	34.5%
Rather low level	45.3%	51.5%
Rather high level	14.2%	12.1%
High level	4.5%	1.8%
Total	100.0%	100.0%
Mean	1.90	1.84
Standard Deviation	0.75	0.64

Table 1 shows the frequencies of externalising problems by time of measurement. It can be seen that about 20% of the respondents are characterised by a rather high or high level of externalising problems through their self reports at time 2. This rate is at time 3 about 14%. However there is no significant mean change ( $t=1.72$ ;  $p>0.05$ ).

### ***Attachment to school***

According to semantic content and factor loadings the following five items were chosen. "I like to be at school" (at1), "There are many things I don't like at school" (at2), "School means fun to me" (at3), "Our teachers are nice" (at4) and "Altogether, I like my school" (at5). As above, participants had to choose one of the following possible responses: "not at all", "rather not right", "rather right" and "completely right". The reliability of the scale (Cronbach's Alpha) is satisfying. At time 2 it is .77 and at time 3 it is .78.

**Table 2: Attachment to school by time of measurement (Rounded sum indices, n=583)**

<b>Attachment to School</b>	<b>Time 2</b>	<b>Time 3</b>
Low level	0.7%	0.5%
Rather low level	8.2%	7.8%
Rather high level	46.7%	52.9%
High level	44.4%	38.7%
Total	100.0%	100.0%
Mean	3.32	3.28
Standard Deviation	0.59	0.54

A high rate (approx. 90%) of children is highly or rather highly attached to school at each time of measurement, but the ratio of children reporting a high level of attachment decreases over time. At each time of measurement, there are about 10% characterising themselves as low or rather low attached. Table 2 shows that there is movement from high level to rather high level attachment over time. But again there is no significant mean change ( $t=1.71$ ;  $p>0.05$ ).

## 5. Results

### 5.1. School Participation

The following items were chosen to be included in further analyses: “How many times can you and your classmates talk about things in class, which are important for you?” (p1), “How many times can you and your classmates participate in decisions regarding the design of your classroom?” (p2), “Our class teacher is open for discussion” (p3) and “Our class teacher asks our opinion, when something is going to be decided or planned” (p4). Cronbach’s Alpha at time 2 is .65 and at time 3 it is .66.

Results concerning the single items measuring the extent of participation show (table 3): in Primary School (time 2) about two third of the respondents (63 %) can talk nearly at all times or often about things in class, which are important for them. Nearly as much (60 %) have the possibility of participating in arranging the classroom. 70 % report that their class teacher is open for discussion. About 71 % of the children report that their class teacher asks their opinion when something is going to be decided or planned. In Secondary Education Stage I children have more possibilities of participation. The possibilities of designing the classroom (73 %), the teacher’s interest in the opinion of the students (81%) and the teachers’ openness to discuss with the pupils are much more common in Secondary Education Stage I. For further analysis the single items were subsumed and a sum index was computed.

About 23% of the interviewed children perceive high possibilities of participating in class at time 2 (table 4). Approximately half of the respondents experience a rather high level of participation. In turn, about one fourth barely has possibilities of participating in school. Further, it is shown that participation at time 3 is higher. About 86% report a high or rather high level of participation. The increase in participation also becomes visible in a significant mean difference ( $t=6.14$ ;  $p>0.001$ ). Nonetheless it must be noted that about one fourth of children in Primary School and about a seventh of the children in Secondary Educations Stage I receive (rather) no possibilities of participating in school.

**Table 3: Items concerning participation in dependence of the time of measurement (n=585)**

Wave	Items concerning participation				
		nearly at all times	often	rarely	not at any time
T2	How many times can you and your classmates talk about things in class, which are important for you?	18.5%	44.3%	32.1%	5.1%
	How many times can you and your classmates participate in decisions regarding the design of your classroom?	24.7%	34.9%	26.7%	13.6%
		not at all	rather not right	rather right	completely right
	Our class teacher is open for discussion.	8.2%	21.5%	37.9%	32.5%
	Our class teacher asks our opinion, when something is going to be decided or planned.	7.4%	21.8%	42.8%	28.0%
		nearly at all times	often	rarely	not at any time
T3	How many times can you and your classmates talk about things in class, which are important for you?	17.8%	52.2%	26.6%	3.4%
	How many times can you and your classmates participate in decisions regarding the design of your classroom?	33.2%	39.7%	19.0%	8.2%
		not at all	rather not right	rather right	completely right
	Our class teacher is open for discussion.	3.6%	16.2%	42.3%	38.0%
	Our class teacher asks our opinion, when something is going to be decided or planned	2.9%	16.7%	45.9%	34.5%
		nearly at all times	often	rarely	not at any time

**Table 4: Participation (rounded sum index, n=585)**

Participation	Time 2	Time 3
Low level	2.1%	0.5%
Rather low level	20.6%	13.9%
Rather high level	54.6%	57.0%
High level	22.8%	28.6%
Total	100.0%	100.0%
Mean	2.83	3.02
Standard Deviation	0.63	0.58

Results regarding Primary School<sup>5</sup> (wave 2) show that class size has an effect on participation. Children receive fewer possibilities of participation in classes with more than 19 students<sup>6</sup>. In small classes it is much easier to realise participation. Analyses further indicate a moderate effect of the socioeconomic status<sup>7</sup> of the family on the school participation. “Lowest status” children perceive fewer possibilities of participation<sup>8</sup>.

Results regarding the Secondary Education Stage I (wave 3) show, similar to wave 2, a moderate effect of the socioeconomic status on participation<sup>9</sup>. The higher the status, the higher the participation. The influence of the class size is not supported. Due to the transition from Primary School to Secondary Education Stage I, an effect of the different types of schools evolves. Grammar Schools (Gymnasien) provide the highest levels of participation, followed by Intermediate Schools (Realschulen). Secondary Schools (Hauptschulen) provide the least possibilities for children to participate.<sup>10</sup>

Summarising the results reported above, it can be said: In Secondary Education Stage I, children receive more possibilities of participating in school. The older the children are the more responsibility is allocated to them. Even though the majority of the respondents report a wide range of participation in both education stages, there is about one fourth in Primary School and about 14% in Secondary Education Stage I perceiving no or only few possibilities of participation in school. In Primary School there is an association between participation and class size. In classes with less than 19 students, children receive more participation. For

<sup>5</sup> These results are described in detail by Bacher, Winklhofer and Teubner (2007).

<sup>6</sup> The mean difference in participation depending on the class size (smaller 19 vs. others) is statistically significant ( $t=3.17$ ;  $p<0.01$ ).

<sup>7</sup> The socioeconomic status is a construct relying on income, vocational qualification and the actual job of both parents. Based on this information a variable with 5 parameter values for each measurement wave was created (1=low status, 2=rather low status, 3=mean status, 4=rather high status, 5=status).

<sup>8</sup> The mean difference in participation depending on the socioeconomic status of the family (lowest status vs. others) is statistically significant ( $t=3.82$ ;  $p<0.001$ ).

<sup>9</sup>  $r=0.08$ ;  $p<0.05\%$ .

<sup>10</sup> For details see Weber, Winklhofer and Bacher (2008).

Secondary Education Stage I this result cannot be found. Results further indicate a relationship between the socioeconomic status of the families and participation. There are two possible explanations. First, parents are influencing participation in a direct way. "High status" parents are purposeful selecting those schools which offer their children most possibilities of participation, or "high status" parents are more involved in school activities and thus they implicitly demand more participation for their children. Second, parents influence participation in an indirect way due to previous education. "High status" children themselves demand participation.

## **5.2. The effects of school participation**

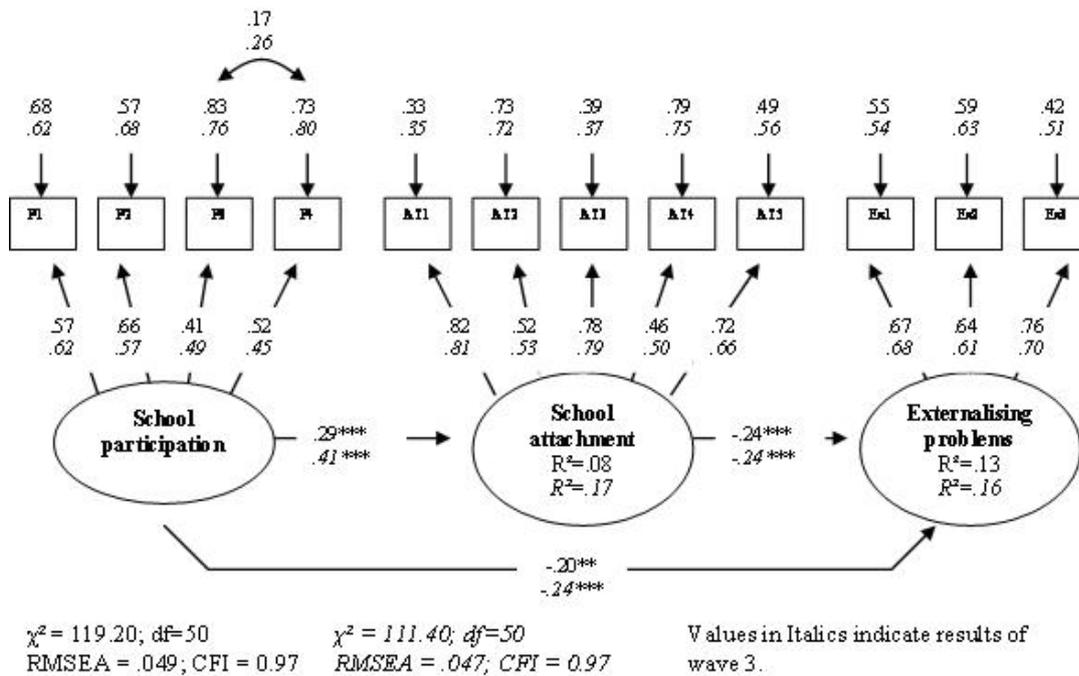
The second part of this study is concerned with the effects of participation on problem behaviour. Following the age-graded theory of informal social control (Sampson and Laub 1993/1997) it is assumed that children display more misbehaviour when their social ties (e.g. school attachment) to society are weak. Further, we assume that school participation increases school attachment. That is to say: The effect of school participation on externalising problems is mediated by school attachment.

To answer these questions a structural equation model was developed. For wave 2 and wave 3 separate analyses were carried out. Following Little et al (2007) a fully mediated relationship requires that there is a significant effect of participation on school attachment and a significant effect of school attachment on externalising problems. The direct path from participation on externalising problems should not be significant. As suggested by the modification index correlated errors for the items p3 and p4 were specified<sup>11</sup>. The final models fitted the data well (see figure 2): Chi<sup>2</sup> is 119.20 for wave 2 and 111.40 for wave 3 (df = 50). Both values point to an acceptable fit (Chi<sup>2</sup>/df > 2.00 but Chi<sup>2</sup>/df < 3.00). CFI (0.97 at wave 2 and wave 3) and RMSEA (0.049 at wave 2 and 0.047 at wave 3) indicate a good fit. The data supports (at time 2 and time 3) the suggested effect of school participation on school attachment. The more possibilities of participation in decision making processes children receive in the school context, the more they are attached to school. Results also indicate a significant effect of attachment on externalising problems. The higher the school attachment the less behavioural problems children display. But contrary to our suggestions there is also a significant direct path from school participation to externalising problems. Thus, there is a direct and an indirect effect of participation on externalising problems. The direct path could be the consequence of increased social skills. Participation fosters social competences (e.g. empathy...), which in turn attenuate problem behaviour.

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<sup>11</sup> Both items explicitly refer to the class teacher. Thus it is justified to set the error covariance free.

**Figure 2: Path model for externalizing problems, school attachment and school participation (n=576; wave 2 and wave 3; standardised solutions).**



Consistent with the concept of cumulative disadvantage (Sampson and Laub 1997) it is assumed that behavioural problems by and by attenuate school attachment by straining the child’s relationship to school (teachers and classmates). Additionally, it is suggested that externalising problems shorten future school participation. On the one hand this may be the consequence of the teacher’s reactions towards a problem child. Dealing with a problem child causes teachers to impair the possibilities of participation. On the other hand, it can be assumed that problem behaviour “selects” children to less democratic school types (e.g. Secondary General Schools)<sup>12</sup>.

To test these cross-lagged effects of externalising problems on school participation and on school attachment a two wave model was specified (see figure 1 and figure 3). Analogue to figure 2 cross-sectional paths from participation to school attachment and to externalising problems and from attachment to externalising problems were specified. Additionally, stability effects of participation, attachment and externalising problems from time 2 to time 3 were assumed.<sup>13</sup> Following Jöreskog (2005) auto-correlated measurement errors were specified to estimate the specific factor in each item. Factor loadings and intercept terms were

<sup>12</sup> Problem children more often change to a Secondary General School and Secondary General Schools provide less participation possibilities (Weber, Winklhofer and Bacher 2008).

<sup>13</sup> Stability effects may reflect a variety of latent background variables (e.g. children’s personality, social context, ...)

constrained to be equal over time. Finally, the model includes cross-lagged paths from externalising problems (time 2) to school attachment (time 3) and to school participation (time 3). Controlling for the socioeconomic status (SES) and the children's sex, a first analysis was conducted. The model yielded a  $\chi^2$  of 489.94 ( $df=289$ ). The results do not support the cross-lagged effect of externalising problems (time 2) to school attachment (time 3). After omitting this path and non-significant error covariance, the fit of the model was:  $\chi^2 = 491.05$  ( $df=294$ ); CFI=0.97; RMSEA=0.049.<sup>14</sup> All indices indicate that the model fits the data well. Figure 3 shows the results. For the purpose of clarity the measurement models are not presented. Results - similar to the cross-sectional model - point out that participation has both, a direct and an indirect effect on externalising problems. The indirect effect is mediated by school attachment. These effects are supported at time 2 as well as at time 3. Congruent with prior results there is an effect of SES on school participation. Further, it can be seen that girls report higher levels of school attachment.

Results show that externalising problems and school attachment are relatively stable from time 2 and time 3. This might be the consequence of common latent variables (e.g. children's personality). Participation is less stable. This result can be explained by the transition from Primary School to the Secondary Education Stage, and goes hand in hand with a school change. New teachers and new school characteristics determine participation at time 3. Against this background it is remarkable that school participation shows significant temporal stability. This result supports the hypotheses that some children (e.g. characterised by high levels of social skills) demand participation from their teachers or that teachers offer socially skilled pupils more possibilities of participating, respectively, or that some parents select strategically schools with higher participation at both levels (Primary School and Secondary School I).

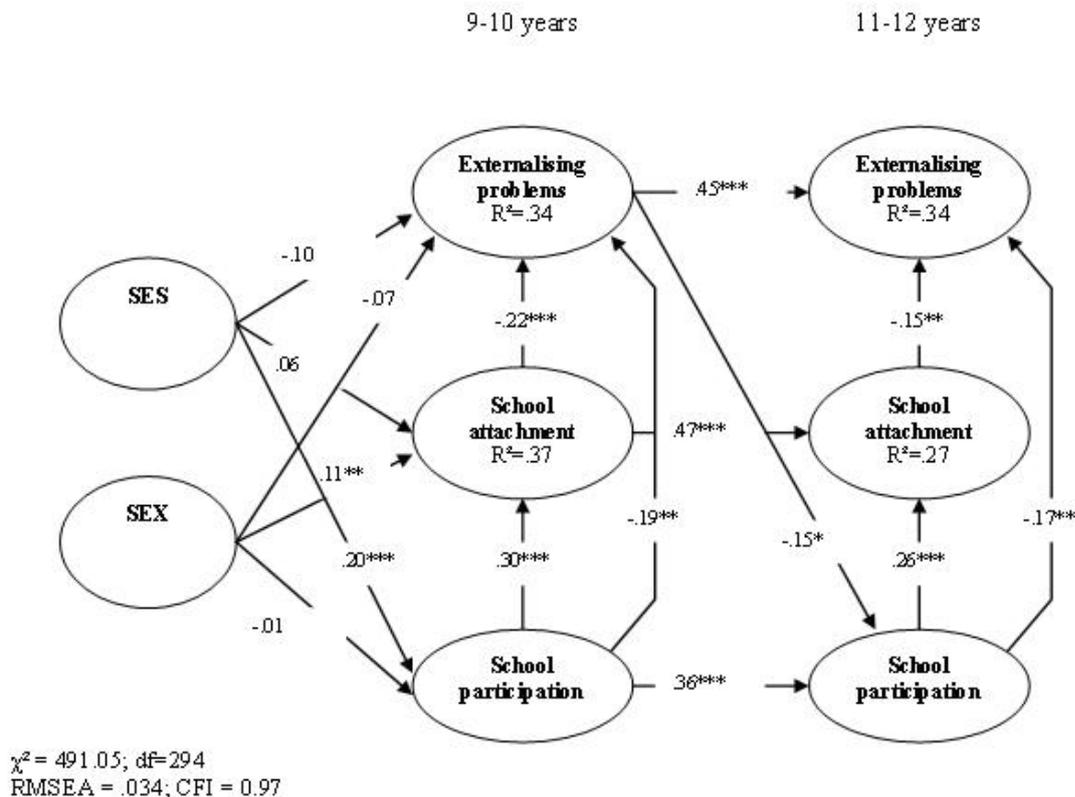
As already mentioned above the hypothesis that problem behaviour affects future school attachment is not supported by the data. But results display a significant effect of externalising problems (time 2) on school participation (time 3). That is to say that those children reporting high levels of externalising problems in Primary School experience less participation possibilities in Secondary Education Stage. This might be the consequence of teachers' reactions towards problem children. A second explanation is that children displaying high levels of misbehaviour are often characterised by a low school performance (Krohn and Thornberry 2003). These circumstances in turn affect school choice during the transition from Primary School to Secondary Education Stage. Problem children change more often to Secondary General Schools, which provide the least level of participation (see results above). To answer the question if the negative effect of externalising problems on participation is due to teachers' reactions or if it is a consequence of the different school types, an additional analysis was carried out. This time pupils

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<sup>14</sup> The scaled  $\chi^2$  difference test ( $\Delta\chi^2=2,38$ ;  $\Delta df=5$ ) indicates that omitting the path and the error covariances does not impair the model fit.

from Secondary General Schools were excluded.<sup>15</sup> The results do not support the cross-lagged effect from externalising problems (time 2) to participation (time 3), indicating that less participation possibilities of problem children in Secondary Education Stage is much more the consequence of the school type rather than the result of teacher's negative reactions.

**Figure 3: 2 wave path model - externalizing problem behaviours, school attachment and school participation (standardised solutions, n=576)**



## 6. Conclusion

Participation is usual for most respondents. But about one fourth in Primary School and about 14 % in Secondary Education Stage I receive no or rather no participation.

There are two ways participation attenuates externalising problems. Indirectly, participation strengthens school attachment which in turn leads to less externalising problems. “Directly”, participation may improve social skills (e.g. empathy ...). This improvement in social skills goes hand in hand with a decrease in externalising problems.

<sup>15</sup>  $\chi^2 = 445.87$ ;  $df = 294$ ;  $CFI = 0.97$ ;  $RMSEA = 0.034$ . Results are quite similar to the “overall model”. The only exception is that the cross-lagged effect of externalising problems (time 2) to participation (time 3) is not supported by the data.

These positive effects of participation are not used sufficiently. Results show that by and by children with a high level of externalising problems are restricted in their chances to participate. This becomes most obvious during the transition from Primary School to Secondary Education Stage when problem children change more often to “less democratic school types”<sup>16</sup>. To utilize the whole potential of school participation with respect to preventing antisocial behaviour, all children must have equal chances to participate and therefore participation in general must become a central concept in the education of children.

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<sup>16</sup> Certainly it may be possible that teachers in Secondary General Schools cut participation possibilities due to a cumulation of problem children. A less democratic educational style might be the attempt to control these children.

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## Appendix

**Table A: Correlation matrix, means (M) and standard deviations (SD) for observed Variables**

	1	2	3	4	5	6	7	8	9	10	11	12	13	
SES	1													1
SEX	-.017	1												2
at1(t2)	.070	.083	1											3
at2(t2)	.139	.095	.396	1										4
at3(t2)	.037	.074	.664	.372	1									5
at4(t2)	.119	.086	.342	.190	.357	1								6
at5(t2)	.087	.056	.583	.427	.534	.370	1							7
at1(t3)	.079	.037	.400	.218	.351	.208	.323	1						8
at2(t3)	.127	.131	.224	.236	.229	.164	.152	.377	1					9
at3(t3)	.073	.002	.350	.201	.350	.195	.268	.660	.461	1				10
at4(t3)	.106	.024	.204	.084	.162	.173	.140	.341	.324	.394	1			11
at5(t3)	.099	.018	.259	.161	.240	.144	.290	.551	.321	.480	.371	1		12
ex1(t2)	-.056	-.086	-.127	-.257	-.112	-.063	-.190	-.096	-.226	-.187	-.146	-.111	1	13
ex2(t2)	-.174	.002	-.110	-.212	-.159	-.177	-.155	-.090	-.185	-.124	-.144	-.132	.414	14
ex3(t2)	-.061	-.084	-.113	-.233	-.163	-.112	-.141	-.099	-.171	-.126	-.162	-.120	.526	15
ex1(t3)	-.095	-.054	-.104	-.181	-.100	-.092	-.116	-.162	-.212	-.174	-.143	-.120	.386	16
ex2(t3)	-.095	-.075	-.137	-.147	-.118	-.068	-.136	-.164	-.189	-.140	-.225	-.162	.258	17
ex3(t3)	-.026	-.044	-.138	-.151	-.120	-.091	-.116	-.149	-.137	-.132	-.166	-.129	.244	18
p1(t2)	.077	-.019	.091	.095	.096	.192	.136	.129	.090	.074	.012	.026	-.089	19
p2(t2)	.050	.006	.101	.133	.125	.096	.117	.058	.120	.027	-.027	-.026	-.135	20
p3(t2)	.154	-.035	.085	.046	.078	.183	.121	.058	.018	.014	-.061	.043	-.019	21
p4(t2)	.121	.006	.185	.094	.152	.173	.174	.164	.072	.084	.021	.069	-.090	22
p1(t3)	.015	-.004	.117	.040	.105	.105	.127	.284	.194	.173	.170	.240	-.041	23
p2(t3)	.143	-.003	.157	.068	.089	.179	.124	.142	.161	.056	.158	.111	-.023	24
p3(t3)	.088	.021	.160	.075	.144	.142	.146	.135	.186	.122	.232	.128	-.124	25
p4(t3)	.058	-.004	.107	.068	.080	.064	.154	.146	.063	.110	.161	.118	-.035	26
M	1.49	3.04	3.34	2.79	3.44	3.61	3.44	3.29	2.86	3.34	3.50	3.42	2.20	3.12
SD	0.50	1.10	0.85	1.04	0.77	0.69	0.68	0.78	0.87	0.73	0.62	0.65	0.99	0.79

	14	15	16	17	18	19	20	21	22	23	24	25
ex2(t2)	1											
ex3(t2)	.489	1										
ex1(t3)	.260	.252	1									
ex2(t3)	.344	.252	.407	1								
ex3(t3)	.262	.257	.463	.434	1							
p1(t2)	-.138	-.011	-.072	-.065	-.068	1						
p2(t2)	-.191	-.106	-.089	-.054	-.108	.386	1					
p3(t2)	-.124	-.089	-.021	-.035	-.037	.289	.232	1				
p4(t2)	-.117	-.072	-.084	-.061	-.084	.260	.348	.389	1			
p1(t3)	-.081	-.061	-.079	-.136	-.116	.212	.120	.118	.176	1		
p2(t3)	-.193	-.049	-.159	-.102	-.135	.056	.124	.065	.154	.334	1	
p3(t3)	-.138	-.157	-.131	-.167	-.068	.104	.053	.114	.110	.282	.301	1
p4(t3)	-.046	.014	-.084	-.071	-.077	.086	.093	.079	.191	.268	.279	.493
M	1.57	1.92	2.17	1.54	1.82	2.76	2.71	2.95	2.91	2.84	2.98	3.15
SD	0.80	0.98	0.88	0.69	0.83	0.81	0.99	0.93	0.88	0.75	0.92	0.82

All items are (re)coded that way, that high scores mean a high level of the latent dimension.

Numbers in parentheses indicate time of measurement

## **Educational Expenditures Patterns in the Context of Education Reform in Poland<sup>1</sup>**

Usually, education expenditures are presented from the perspective of the total expenditure of the government or a particular educational institution's vantage point. However, one can hardly find studies which present the educational expenditures of Polish households, not only in public education systems but also in different kinds of private education institutions. This has become much more significantly important since the introduction of education reform in 1999.

Thus, the main goal of this paper is to answer the following question: what kind of patterns can be observed in the educational expenditures of Polish households after introduction of the education reform. This implies certain detailed question, namely, (1) what kinds of households bear the analyzed costs, and (2) what kinds of expenses on education are the greatest.

The data collected by Central Statistical Office (Household Budget Surveys) in 1998 and 2003 were used to study this problem. This paper presents the results of the analysis of the different types of educational expenditures by various constellations of family types and numbers of students, pupils, and children in education age. These results should give an overview and answers to aforementioned questions, and, therefore, the identification of educational expenditures patterns among Polish households.

### **1. Introduction**

Generally, it is hard to find analysis devoted just to the education expenditures of Polish households, although there is some data on it. Spending on education is usually presented from the economic perspective of total expenditures (of public and by type of education: primary, secondary and tertiary)<sup>2</sup>. Moreover, although

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<sup>1</sup> The paper was originally prepared as working paper in the project carried out in the Institute of Sociology, Jagiellonian University, Co-ordinator: M. Niezgodna (in 2005-2009), about social effects of education reform and then presented and discussed during the Joint Scientific Seminar in Linz, Austria (April 2007).

<sup>2</sup> Total public expenditure on education as a percentage of Gross Domestic Product (GDP) is the current and capital expenditures on education by local, regional and national governments, including municipalities (household contributions are excluded), expressed as a percentage of the gross domestic product. (Data Source: UNESCO Institute for Statistics); for example in Poland in 1998 it was 4.99 and 5.62 in 2003. It does not mean that in last years there were not conducted interesting studies on this topic. See more: Bal-Domańska (2006), Piekut and Laskowski (2004), Jakubowski and Topińska (2007).

households in Poland do spend extra money on education, only aggregated data are presented. For example, the Central Statistical Office (GUS, the main governmental executive statistical institution in Poland) only publishes information about the aggregated level of public expenditure in statistical reports, and a bit more data – such as Poles opinions rather than facts about the evaluation of the education system in Poland – could be found in some surveys made at the beginning of the school year by public opinion agencies (CBOS, BS 170/2004). Consequently, there is no information on the education costs that households in Poland are bearing. What we need to know is the information about, for example: which households spent more, or less, before and after the educational reform in Poland. The last issue is of crucial importance from the sociological point of view. Thus, the main aim of this paper is to fill that gap; it provides detailed analysis on the educational expenditure patterns of Polish households. The lack of analysis seems not to be a result of the shortage of available data. On the contrary, there are some data which can help to give the answer to the main questions of this article. However, even if they are collected and presented by the Central Statistical Office annually (see, for example, Household Budget Surveys, 2002)<sup>3</sup>, it is a challenge to analyze and present more detailed results especially when wanting to compare the situation before and after the introduction of the reform. The challenge is the consequence of: (a) the complexity of information about the specific categories of expenditures on education which have been changed in the analyzed period, and (b) the different constellation of persons in households where a member attended a type of education institution, which are, in turn, also classified differently before and after reform.

Taking these problems into consideration, exploration of educational expenditure patterns in Polish households can be found in this paper. To explore these patterns answers to two specific questions are provided, namely:

- What kinds of households bear the analyzed costs?
- What kinds of expenses on education are the greatest?

To answer these questions, a the short overview of theoretical background of the subject is made. Subsequently, available secondary data sets are presented with some results which touch the issues of the educational expenditures of Polish households. Then, the main results of analysis of the Central Statistical Office's data are presented. This latter analysis should provide not only the answer to the topic questions of this paper, but also the additional results of the segmentation of households due to education patterns. At the end – besides summing up the main outcomes of analysis – a few recommendations that emerged from the conducted analysis are provided.

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<sup>3</sup> For example, in 2002, the average of education expenditure per person during one month in all households was about 10 PLN (2,5 EURO), while in single households it was about 4 PLN (1 EURO), in three persons households (about 15 PLN, 4 EURO) and in households with more than 6 persons it was about 5 PLN (a bit more than 1 EURO) (Household Budget Surveys, 2002, p.25-30).

## 2. A brief theoretical background

The economic transformation in Poland which began in 1989 allowed the introduction of the private sphere (on the primary, secondary and high level) in the education system. But not only such changes had an effect on the overall educational expenditure patterns among Polish households. The national reform of the education system itself, which took place in Poland in 1999, is additionally an important reason. Many scientists of different disciplines analyzed and discussed the education system and its consequences not only from the financial and social policy point of view (for example: Auleytner 1999), but also from sociological perspectives (Domański 2004, Niezgoda 1998, 1999, 2004 and Konarzewski 1998, 2001, 2004). And it seems that the main discussion concentrates on the question of whether education reform reduces inequalities among different groups. It is worth remembering that one of the main aims of the reform was: to establish such solutions which would give equal chances for all children and young adults to enter the education system on different levels. Unfortunately, due to the changes of the education system from 1999, a more economic approach is observed in which financial issues are the key factors for winning or losing in the system, and being successful on the labour market in future. So, in general, the main aim of the reform about equal chances for all could not be fully fulfilled.

At the beginning, some facts about the Polish education system need to be stated. Till 1999 compulsory education was limited to 8-year primary school, but since 1999 an additional level of education – gymnasium (middle school) – was introduced, and so compulsory education consists of 6 years of primary school, 3 years of gymnasium and the additional possibilities of completing upper secondary education (namely: post-lower secondary, non-upper secondary education, upper secondary education: general or vocational and technical, post-upper secondary non-tertiary education, higher education).

In this context, some stressed (i.e. Niezgoda 2004) that in the previous education system the selection process was observed on the level of accessing higher education. That is to say, children from the higher income families, who could incur additional extra expenses on education (private courses, lessons etc.) to help them prepare better for the entrance exams. Moreover, children from bigger cities had easier access to university. At present, these unequal options of accessing the second level of education can already be observed in the new system at compulsory level – between primary and gymnasium. All these facts can be seen as the result of two reasons: (a) functioning of public and private schools, (b) additional private paid lessons which in effect increase chances for passing the exams not only to university (like in the past), but also to better upper secondary education schools and to gymnasium schools for children from better-off families.

The interesting aspects of social effects with a reference to the financial issues of education policy was also presented by J. Auleytner (1999), however, this was just before the reform. The author discussed the issue of social policy focused on creating equal possibilities to enter the education system taking into account

different types of family<sup>4</sup>. Moreover, he claims that among many other educational barriers mentioned by him, a few are crucial: (a) place of living (urban-rural areas), (b) costs (especially the cost of higher education), (c) poverty of families which can not cover additional costs of education and (d) smaller chance to finance education expenditures for families with many children (more than 3).

In general, taking into account that in Polish literature it is hard to find any analysis of education expenditure patterns among Polish households' which compare 1998 (before reform) and after education reform, it is the task of this paper not just to show official statistics but to make in-depth analysis identifying losers and winners of the education system and therefore this reform in Poland.

### **3. Data about education expenditures of Polish households**

The Central Statistic Office is, actually, the only source in Poland that collect suitable data for the needs of the analysis, especially the data gathered during the Household Budget Survey (HBS) serves as a good basis of analysis. The other sources of data, like, for example, Polish General Social Survey (further: PGSS) from 1997 and 1999 or Social Diagnosis (further: SD) from 2000, 2003, 2005 and 2007 did not provide detailed data on the educational expenditures. However, they are presented here to bring to light some information that provides the broader context of the analyzed problem. At first, these results are briefly presented (from PGSS and SD)<sup>5</sup>, and after that the emphasis is put exclusively on HBS.

#### **3.1. Polish General Social Survey**

“The general goal of the PGSS is the systematic measurement of the trends and consequences of social change in Poland. The PGSS studies individual attitudes, values, orientations and social behaviour, as well as measurements of socio-demographic, occupational, educational and economic differentiation of representative groups and strata in Poland”<sup>6</sup>. Thus, as far as PGSS data are concerned, if the situation in 1997 and 1999 is compared, respectively: 14% (N=2380) and 18,5% (N=2253) of interviewed people experienced the lack of money for education, and 83% (N=1134, 7% abstained from the evaluation) and 78% (N=1207, 8%) said that the public expenditure on education is insufficient. These two appraisals are not correlated on an individual level, and it is hard to claim that there was real change in this time (in 2 years). These results show that most Poles are dissatisfied with the level of public expenses on the discussed

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<sup>4</sup> In further analysis presented in this paper, the emphasis is put on households but one of the used control variable is the family type of households, and their differences in education expenditures patterns.

<sup>5</sup> Certainly, more detailed analysis on this data should be conducted, but they are outside the scope of this article, but – on the other hand – proposed limited approach is sufficient for our goals.

<sup>6</sup> See: <http://pgss.iss.uw.edu.pl/index.php?v=E&show=wrowadzenieE/cele.html>.

subject, and there are some people that suffer from the lack of money needed for education. In this case rural-urban differentiation is an important factor. Inhabitants of bigger towns are more disappointed in the size of government subsidy for education from those from rural area. But, on the other hand, in 1997 and 1999 as well, people from rural areas more frequently declared that they did not have money for education (during the year of reference) than those from urban areas.

### 3.2. Social Diagnosis

The Social Diagnosis survey (a nationwide representative survey, over 3,000 households interviewed in 2005) is devoted to the study “Objective and Subjective Quality of Life in Poland”<sup>7</sup>. The importance of this source of information arises from the fact that this is a households’ panel survey (with cross-survey subsamples in 2000, 2003, 2005 and 2007) which gives options for the comparison of data also after education reform in Poland. Unfortunately, questions devoted explicitly to education issue were not asked in all four stages of the panel research. However, some results seem interesting.

For example, in 2000, just after the education reform 44% of households (this is the opinion of the household’s representative) that consist of persons (at least one) that attend school, evaluate the new system as worse or much worse than the older one, while 40% have no opinion on this. Moreover, 80% of household’s representative said that expenditure on education will become higher, 77% said that reform is not well prepared, and about 60% considered that ‘we cannot experiment on children and that reform will not give children equal opportunity in regard to education’.

The comparison between 2000 and 2003 (both: the global distribution and outcomes at the individual level) shows that more households withdraw from private lessons for the child and limited or suspended payment of school charges because of financial reasons (see Table 1). However, the comparison between 2003 and 2007 brings a different result that – on the contrary – there is a change for the better. It could mean that the first few years after reform were harder (in financial matter) for households, but the situation has returned to the starting point during the last 7 years.

**Table 1: Percentage of households that withdrew from specific expenditure due to financial reasons**

<b>Due to financial reasons:</b>	<b>2000</b>	<b>2003</b>	<b>2007</b>
withdraw from extracurricular activities for the child	20	22	16
withdraw from private lessons for the child	17	23	16
limit or suspend payment of school charges	10	17	11
impose other limitations	11	13	8
withdraw from paying for lunch at school for the child	9	9	6

Source: Own analysis prepared by the authors (data: Social Diagnosis 2000 and 2003, 2007).

<sup>7</sup> It is the part of the title of the report, see: <http://www.diagnoza.com/index-en.html>.

Moreover, in 2003 financial problems as well as entering the labour market were two of the main reasons why children end education at the level of elementary or vocational school and even more (when percentages are compared) at the level of secondary school. Rather similar results were achieved in 2005, but at this stage there was no division into the levels of school and this question was asked only in general. Regrettably, these questions were not asked during the last survey (2007). Therefore having the aforementioned results on withdrawal from specific expenditure in mind, one cannot interpret results in terms of a trend.

As confirmation of the aforementioned thesis that at first there were changes for the worse and then for the better (between 2000 and 2007) one can acknowledge the fact that in all first three surveys (2000, 2003, 2005) the percentage of households that had some debt on education was equal 10%, but in 2007 it was just 7%. Obviously, two more years is needed to say if there was a real change for the better, but all mentioned results show that careful interpretation of changes after reform is recommended.

### **3.3. Household Budget Surveys**

Before the presentation of the main results of our analysis, there is also a need to introduce the methodology of the Household Budget Surveys (HBS), as this is the main and unique secondary source of data for the in-depth analysis presented in this paper. First of all, household budget surveys are based on the sampling method which allows for the generalization of the results for the whole population of households within a margin of a sample error. There is a monthly rotation of survey<sup>8</sup> applied as it means that every month of the year a different group of households (about 2,700 per month, in total more than 30,000 households per year) participates in the survey and keeps a special expenditure diary for a selected month.

In addition, this survey enables the collection of precise information about the specific and total amount of money which each household participating in this research has spent on education during the time of the survey (including some goods and services in a selected quarter). It is worth describing this specific information set in detail, since it is also the cause of some analytical problems. Amongst others there is one main expenditure category called „Education” and within it, four subcategories connected with the levels of education can be distinguished, including additional information about professional and other courses (for example foreign language courses). Further, under the specific subcategories there is an additional division into most specific categories (for example, private primary school and if it includes school fee or other expenditure). It is worth stressing in this context that some data on educational expenditures occur also within other main category, besides the “Education” category, specifically in “Recreation and Culture” (see table 2 for all categories of the

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<sup>8</sup> For more details about sampling selection method please refer to: Household budget surveys, a yearly publication of the Central Statistical Office (Kordos 2004) as well as papers in *Wiadomości Statystyczne* and *Statistics in Transition*.

expenditures on education and expenditures of recreation and culture which could be treated as educational expenditure as well <sup>9</sup>). There are four other categories of expenditures for educational purposes within the latter general category of expenditures, namely: books, newspapers and magazines, other papers and stationery (with the aim of learning). Unfortunately, there are no data about distribution to the levels of specific kinds of education within this category (“Recreation and Culture”). Besides “Education” and “Recreation and Culture” categories, some goods and services are hard to classify as educational expenditure. For example: ‘Transport’. There is only one main category: transport, without division into categories connected with reasons, for example transport to school, work and so on and so forth. Moreover, buying a computer cannot be easily perceived as educational expenditure since a PC is not always bought due to educational reasons. Hence, in spite of the variety of applied specific categories, some important information to estimate the total amount of money for education purpose is missing. Despite all this difficulties, HBS seems to be sufficient to some extent for the purposes of this paper.

**Table 2: Categories of expenditures on education in Household Budget Survey2003**

<b>EDUCATION</b>	
Primary education, incl. kindergartens	
Nurseries (kindergartens)	
Pre-school education and primary school	
Paid lessons	
Gymnasium, vocational, secondary and technical, upper secondary general	
Gymnasium	
Vocational, upper secondary general, and vocational/technical	
Paid lessons	
Post-upper secondary	
Post upper secondary general	
Paid lessons	
Higher education	
Higher education	
Paid lessons	
Other type of education	
Additional professional courses	
Other courses	
<b>RECREATION AND CULTURE</b>	
Books	Other papers
Newspapers and magazines	Stationery

Source: Prepared by the authors based on Household Budget Survey 2003.

Finally, as it was mentioned before, HSB allows the comparison of different points in time. Data from 1998 and 2002-2004 were used to obtain the outcome

<sup>9</sup> It is for HBS 2003. However, there were different categories in HBS 1998: Education services – primary education, Paid lessons – primary education, Education services – secondary education, Paid lessons – secondary education, Education services – higher education, Paid lessons – higher education, Courses.

presented here. Data from 2003 were treated as the starting point, although data from 2004 were available. The reason for that lies in the change in the variable data-set that limits possibilities for comparisons<sup>10</sup>. However, to be able to draw a comparison between situation before education reform and after it, data from 1998 and 2003 were selected to show changes in time.

## **4. Main results of Education Expenditure Patterns among Polish Households**

As a starting point the results of analysis in the distribution of expenditures in terms of the size of the cost are depicted. Then, the characteristics of households which spent money on education are presented. Next, the attempt to exclude the main factors of the occurrence of expenditures is rendered as well as the attempt to find out if it is possible to provide segmentation of households based on expenditure patterns. And lastly, on the basis of the prior exploratory research, further detailed analysis on inequalities is provided.

### **4.1. How much money households spend on education?**

First of all, it is worth underlining that in terms of size, the expenditures on education are relatively small. Taking into account 12 categories of households' expenditures<sup>11</sup>, category "Education" is definitely a minor one (see table 3): In 1998 only 1% of the total amount of money of household expenditure was spent on education and in 2003 – about 2%. This is due to the fact that a relatively small amount of households bear analyzed costs. However, since 1998 the percentage of households that have any expense of this kind has risen slightly – from 15% to 17%.

Moreover, the exploration of the profile of expenditure only among households that spend money on "Education" in 2003 shows that they spent about 8% of the total households' expenditure for this reason. Among this specific group of households less money is spent on food, non-alcoholic beverages, housing, water or health, and more on every other categories of expense<sup>12</sup> than comparison to all

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<sup>10</sup> When comparing data from 2002 with 2003 it occurs that the difference of the results often is less than 1%, highest difference is 2-3%. Possible explanation of this result is that the data from this source are comparable and reliable (not statistically significant differences between 2002, 2003 and 2004). Thus, it can be assumed that change between 2003 and 2004 is not significant either.

<sup>11</sup> Omitted categories are not strictly connected with "everyday life", they are: capital (non-cash), financial disbursements, disbursements of arable farms: current and investment, "other expenditures". Addition of these categories to analysis leads to analytical difficulties.

<sup>12</sup> Food and non-alcoholic beverages: 25%, Housing, water, electricity, gas and other fuels: 19%, Transport: 10%, Recreation and culture: 8%, Education: 8%, Clothing and footwear: 7%, Miscellaneous goods and services: 7%,

households. Even if this category is not very numerous, comparison between 1998 and 2003 shows significant changes in the distribution between subcategories of expenditures.

**Table 3: Percentage of money spend on specific expenditure category – 1998 and 2003**

Category of expenditure	% of specific category of expenditure in total expenditures (sum up to 100%)		% of households who had the specific category of expenditure	
	1998	2003	1998	2003
Food and non-alcoholic beverages	35,06	28,24	100	100
Housing, water, electricity, gas and other fuels	18,39	22,22	96	96
Transport	8,66	8,80	77	76
Recreation and culture	6,49	6,75	94	93
Miscellaneous goods and services	6,50	6,66	96	97
Clothing and footwear	7,00	5,63	78	72
Health	4,42	5,19	81	80
Communication	2,32	5,16	61	80
Furnishings, household equipment and routine maintenance of the house	5,55	5,11	96	96
Alcoholic beverages, Tobacco and Drugs	3,30	3,19	67	69
Education	1,06	1,79	15	17
Restaurants and Hotels	1,26	1,25	21	19

Source: Prepared by the authors (data: Household Budget Surveys 1998 and 2003)

Note: there are only 12 chosen categories in the tables, and only this kinds of expenditures was taken as total. There are other kinds of expenses that households have got.

These changes (between 1998 and 2003) in profiles of education expenditures occur especially when higher levels of education are compared; however a direct comparison is impossible due to changes in definitions of categories. In general, relatively more money is spent on higher education in 2003 (52%) than in 1998 (42%). Also more than 20% went on secondary education in 1998 and on primary education and kindergartens in 2003 (see table 4). The amount of money spent on post-upper secondary education is marginal (about 2% when 2003 is taken into account), thus, it is omitted in any further detailed analysis. Comparing 1998 and 2003, due to education reform in Poland, the measuring categories were changed. Thus, comparison cannot be done directly, because due to the taking of the kindergarten fee into account in 2003, the category primary education has shifted into second position even if gymnasiums<sup>13</sup> are now in the category of secondary

Communication: 5%, Furnishings, household equipment and routine maintenance of the house: 5%, Health: 4%, Alcoholic beverages, Tobacco and Drugs: 3%, Restaurants and Hotels: 1%

<sup>13</sup> Years spent in gymnasiums in 1998 and before was a last part of primary school, now it is separate level of education.

education. Thus comparisons have to be conducted with due caution (see tables 4 to 6 for the comparison).

**Table 4: Percentage of money spend on specific expenditure on education**

Type of expenditure (1998)	% Column		Type of expenditure (2003)
	1998	2003	
Higher education	42	52	Higher education
Secondary education	21	15	Gymnasium, vocational, sec. and technical, upper sec. general
Primary education	18	22	Primary education, incl. kindergartens
Courses	19	11	Other type of education (voc. courses)

Source: Prepared by the authors (data: Household Budget Surveys 1998 and 2003)

Note: Presented categories can be only roughly compared due to changes in the definitions of categories caused by the reform of the education system. However, similar categories are presented in one row, and all original labels are presented to show what is and what is not included in computation (for 1998 in the left column, and for 2003 – in the right). There are two significant differences: (a) in 1998 kindergartens were not included in the computations, and (b) in 2003 gymnasium was included to 'secondary education', despite the fact that previous 'primary' education (8 years) was divided into 'primary' (6 years) and 'gymnasium' (3 years). The category "post-upper secondary" is excluded from calculation to compare outcomes in 1998 and in 2003.

The picture of changes becomes more complex when subcategories from Recreation and Culture are added, yet, one can find some significant results (see table 5 and 6). Comparing the profile (% of Column) with and without these additional categories, it is easy to see, that in 1998, most expenditure was connected with additional expenses: books, stationery, magazines (all things bought for educational purposes); in 2003, in turn, there is an exchange on "top" and the most amount of money is spent on higher education (35% of total amount of expenditures on education).

Additionally, a closer look at the distribution of money among these subcategories brings interesting results concerning possible effects of the reform on the distribution of expenditure on education (see table 5 and 6). For example, in 2003 paid lessons are a minor category (% Row) in each subcategory of education expenditure except for "Gymnasium, vocational, technical, upper secondary general". In other words, important reason for spending money on education in Poland are, apart from tuition fees, paid lessons for children in the middle level of education. This could be connected with the fact, that there are two minor exams – after gymnasium and after secondary school, and there is competition in applying for the best high schools and universities. The comparison of these results to 1998 shows that there was a relative rise in expenses for all kinds of fees (on all educational levels). Households still spent money on paid lessons but the amount of money is not higher compared to 1998. Another interesting result is that in 2003 2/3 of money paid out on primary education and kindergartens was spend on kindergartens' fees, this result cannot be compared to 1998, but this outcome goes hand in hand with the previous conclusion, that the main difference between

1998 and 2003 education patterns lies in the relative share of money spend on school fees. However, a closer look at households, and not only the total size of expenditures, should supplement these outcomes.

**Table 5: The structure of Polish households' education expenditures in 1998**

Type of Expenditure					
% Column		% Row			
Higher education	25	Education services		Paid lessons	
		86		14	
Secondary education	12	Education services		Paid lessons	
		78		22	
Primary education	11	Education services		Paid lessons	
		98		2	
Courses	11	There are not any subcategories			
Other expenditures on education (within Recreation and Culture)*	41	Books	Stationary	Newspapers and magazines	
		61	35	3	

\*) Fourth subcategory of this category is not presented because is marginal.

Source: Prepared by the authors (data: Household Budget Surveys 1998)

Note: On the right-hand side, there are distributions among one of five categories that are presented in first column.

**Table 6: The structure of Polish households' education expenditures in 2003**

Type of Expenditure					
% Column		% Row			
Higher education	35	Higher education		Paid lessons	
		99		1	
Secondary education	10	Secondary (general)		Paid lessons	Gymnasiums
		51		27	22
Primary education, incl. kindergartens	15	Kindergartens		Pre-school and primary school	Paid lessons
		68		29	3
Coursed – education not defined by level of education	7,5	Other courses		Additional professional courses	
		85		15	
Other expenditures on education (Recreation and Culture)*	30,5	Books	Stationary	Newspapers and magazines	
		70	28	1,7	

\*) Fourth subcategory as well as post-upper level of this category is not presented because is marginal.

Source: Prepared by the authors (data: Household Budget Surveys 2003)

Note: On the right-hand side, there are distributions among one of six categories that are presented in the first column. Repeated label of category from the first column in subcategory means that money was spent on school fees.

**Table 7: How many Polish households spent anything on specific education purposes in 1998?**

% Total Number of Households					
Higher education	2	Education services		Paid lessons	
			1,9		0,1
Secondary education	4,9	Education services		Paid lessons	
			4,4		0,7
Primary education	8	Education services		Paid lessons	
			7,6		0,6
Courses	2,6	There are not any subcategories			
Other expenditures on education (Recreation and Culture)*	28	Stationary		Books	Newspapers and magazines
			22	11	0,3

\*) Fourth subcategory of this category is not presented because is marginal.

Source: Prepared by the authors (data: Household Budget Surveys 1998)

**Table 8: How many Polish households spent anything on specific education purposes in 2003?**

% Total Number of Households					
Higher education	2,9	Higher education		Paid lessons	
			2,9		0,1
Secondary education	5,8	Secondary (general)		Gymnasiums	Paid lessons
			2,9	2,5	1
Primary education, incl. kindergartens	7,7	Pre-school and primary school		Kindergartens	Paid lessons
			4,9	3	0,3
Courses	1,9	Other courses		Additional professional courses	
			1,6	0,3	
Other expenditures on education (Recreation and Culture)	26	Stationary	Books	Newspapers and magazines	Miscellaneous prints
			21,1	11,1	1,6

Source: Prepared by the authors (data: Household Budget Surveys 2003)

#### **4.2. Which households spent anything on education?**

Therefore, it is worth changing the vantage point. Focusing on the fact whether the households spend anything on education or not produces the proof that, even if some categories dominate as far as size of cost is concerned, it does not mean that most households bear this cost. Substantial results appear when comparing the distribution of expenditure among subcategories (presented in table 5 and 6) with the percentage of households which spend any money on specific purposes (see table 7 and 8).

These findings in table 7 and 8 look a bit different. As was presented before, most money for educational expenditure was spent on higher education (42% in 1998 and 52% in 2003), but it concerned only 2% in 1998 and 3% in 2003 of all households. As far as the most “popular” expenditure is concerned, both in 1998 and in 2003 about 8% of households spend some money on kindergartens or primary schools and gymnasiums. In addition, 28% of households in 1998 and 26% in 2003 bought some products under the category of “Stationary”. Incidentally, these additional subcategories from category “Recreation and Culture” are becoming predominate over the ones under the category of “Education”. Hence, and because of the fact that most households that had children at school age or that attended school had these kinds of expenses (on stationary), further analysed households are divided into two categories using information about whether they had any expenditure only in the “Education” category. And finally, another specific outcome of comparison of tables 5/6 and 7/8 is that subcategories “paid lessons” in each category became a more marginal expenditure in size, however the same ratio of the households (about 1.4% of them) still spend money on this.

#### **4.3. Socio-economic characteristic of households who have the expenditure costs**

There is a need to compare households that had some kind of expenditure with those which did not spend anything, among households that could have had a reason to spend money on it. It is reasonable because purely presented results from the exploratory phase of research are indeed not sufficient. In general, it is assumed here, that some households do not have any reason to spend money on education. For example, if there are no children of school age in the household there is no reason to spend money on paid lessons for pupils from gymnasium. Thus primarily, this control variable should be used: information about occurrence in household of person who have to go to school in accordance with the law or person actually involved in the education system<sup>14</sup>. Yet, some problems occur – while most variables among possible factors are measured at the household level, the crucial information about people being in education system is measured on the individual level. However, there is information available about the number of

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<sup>14</sup> It is assumed that, primarily, presence of person/s that is/are (or should be) in the system of education is the cause of household’s educational expenditures. Validity of this assumption was tested during further analysis.

people from household in the age 6-18 and about these members attendance in school. Nevertheless, data on expenditure concerns household, and they could differ when the constellation of persons is taken into account, for example, whether a person is of school-age (6-18) and if this person attends a school, dependant on the level and the type of school (public or private). Hence, the constructed control variable on the household level should give information about the constellation of interesting characteristics of persons. This is a challenge. Certainly, analysis on the individual level is theoretically possible, but it causes other difficulties. A multilevel analysis could be a better solution for this problem in the subsequent phases of the research in the future, but it goes beyond the scope of this paper. However, here, before elaborating on socio-economic factors of differences in education expenditure, some attempt to build this control variable are presented.

**Table 9: Households' expenditure on education depending on type of family**

% Column	Type of family (% Row)	Had expenditure?	
		NO	YES
18	Marriages without children	96	4
16	One-person households	96	4
19	Other households	67	33
13	Marriages with 1 child	53	47
0,3	Single fathers with children	49	51
0,6	Other persons with at least 1 child	48	52
9,4	Marriages with at least 1 child & person from outside the family	46	54
1,3	Mother or father with at least 1 child & person from outside the family	44	56
3	Single mothers with children	42	58
13	Marriages with 2 children	34	66
4	Marriages with 3 children	28	72
2	Marriages with 4+ children	28	72

Source: Prepared by the authors (data: Household Budget Surveys 2003)

It seems that the best approximation of controlling variable is “type of family”. This variable can be used as a substitute of the variable of constellation of the educational characteristic of the members of households. On the basis of original segmentation from the Household Budget Survey (see left column of table 9.), a new typology was made, because some of the categories are too small, while others are huge and heterogeneous. The relationship between this original variable and that of having expenditures on education is presented in table 9. It could be predicted that there are households that generally did not spend anything on educational purposes – “marriages without children” and “one-person households”. Moreover, it is not surprising that those households with more than 2 children (often at least one of these children is in school age) are more likely to spend anything on education.

**Table 10: Percentage of households that spent any money on education By type of family and type of positions of head<sup>15</sup> of the household**

type of household	Socio-economic group of employees	
	in manual labour positions	non-manual
Marriages with 1 child	22	35
Marriages with 2 children	29	44
Marriages with 3+ children	31	44
Single mothers with children	22	35
Marriages with at least 1 child & person from outside the family	24	38
Other households without young persons (<19)	11	19
One-person households	1	5
Marriages without children	2	7

Source: Prepared by the authors (data: Household Budget Survey 2003)

Note: The recoded variable "Type of family" was utilized. Labels of socio-economic group depend on the status of the head of given household.

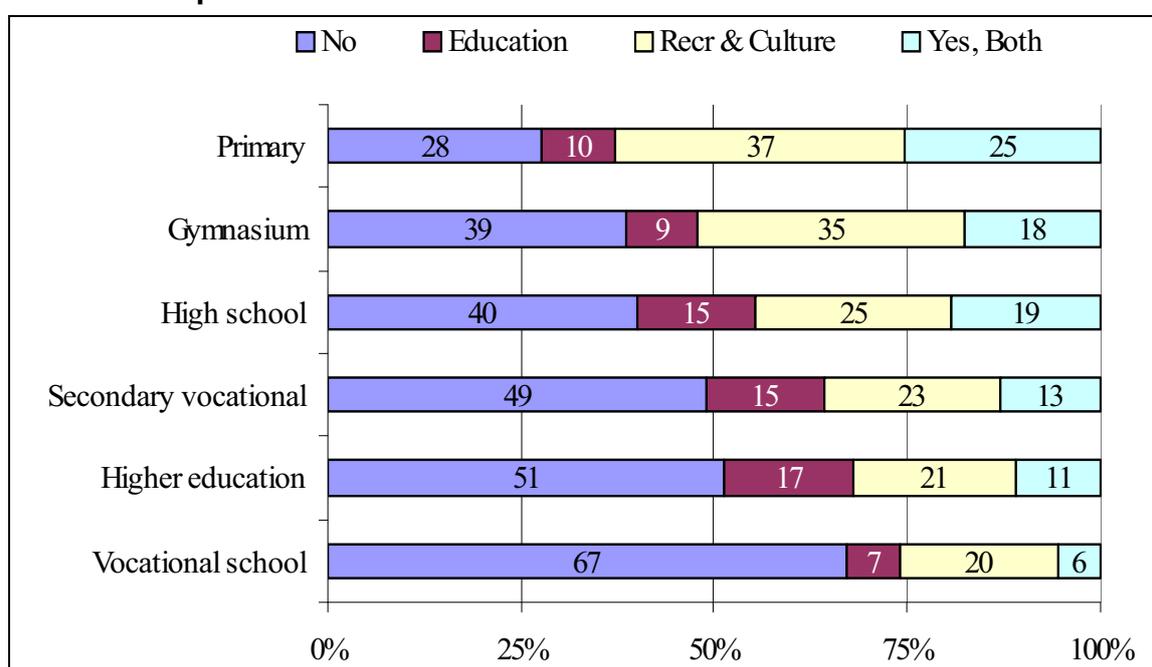
When this relationship is controlled using variables distinguishing if the household has at least one person 6-18 years old or 19-24 years old, the expected relationship becomes clearer. The problem that occurs is that after the division of the sample into 12 categories some of them have rather small numerical strength. In this case it is easy to combine categories, but as is further attempted to prove, the constellation of the members of households according to their connection to the educational system shows that behind this categorization lies a more complex picture that is not grasp by this typology. However, there is a need to compromise on something and division of these huge heterogeneous categories into few is somehow an easier task. For example, it is not hard to divide the „other" category (one of the biggest) into a few. These new, more adequate, categories of "types of family" are presented in table 10 (the analysis of these outcomes is presented further). It is now time to elaborate on why other control variables are not so well adjusted. It is worth doing since it brings some interesting information about the expenditure patterns of Polish households.

The second control information used in this analysis is – theoretically the most accurate – the level of education. Comparing households where there is at least one person who attends school it is easy to notice the hierarchy of factors related to the type of education in which this person already participates (see figure 1 and 2). Only the comparison of households with one (figure 1) and two (figure 2) persons in the education system is presented here due to the fact that the picture becomes complex when households with more than two such persons are compared. Generally, taking into account only these two figures, it can be said that

<sup>15</sup> The person who earned the maximum amount of income during the month of survey and so the position is identified based on their maximum amount of income from particular source of income

being in primary school forces the highest percentage of such households to spend money on education. Moreover, as far as households with two students are concerned, when one person is in primary and a second one is studying, the highest percentage of households bears some cost. As was mentioned, no further analysis of this kind is presented here because the number of actual combinations that occurs in sample is much too high. However, there is one important implication of this juxtaposition, and it is worth using the information about the combination of participants in different levels of education in analyzing education expenditures. It shows different dimensions to just analyzing type of family or number of members.

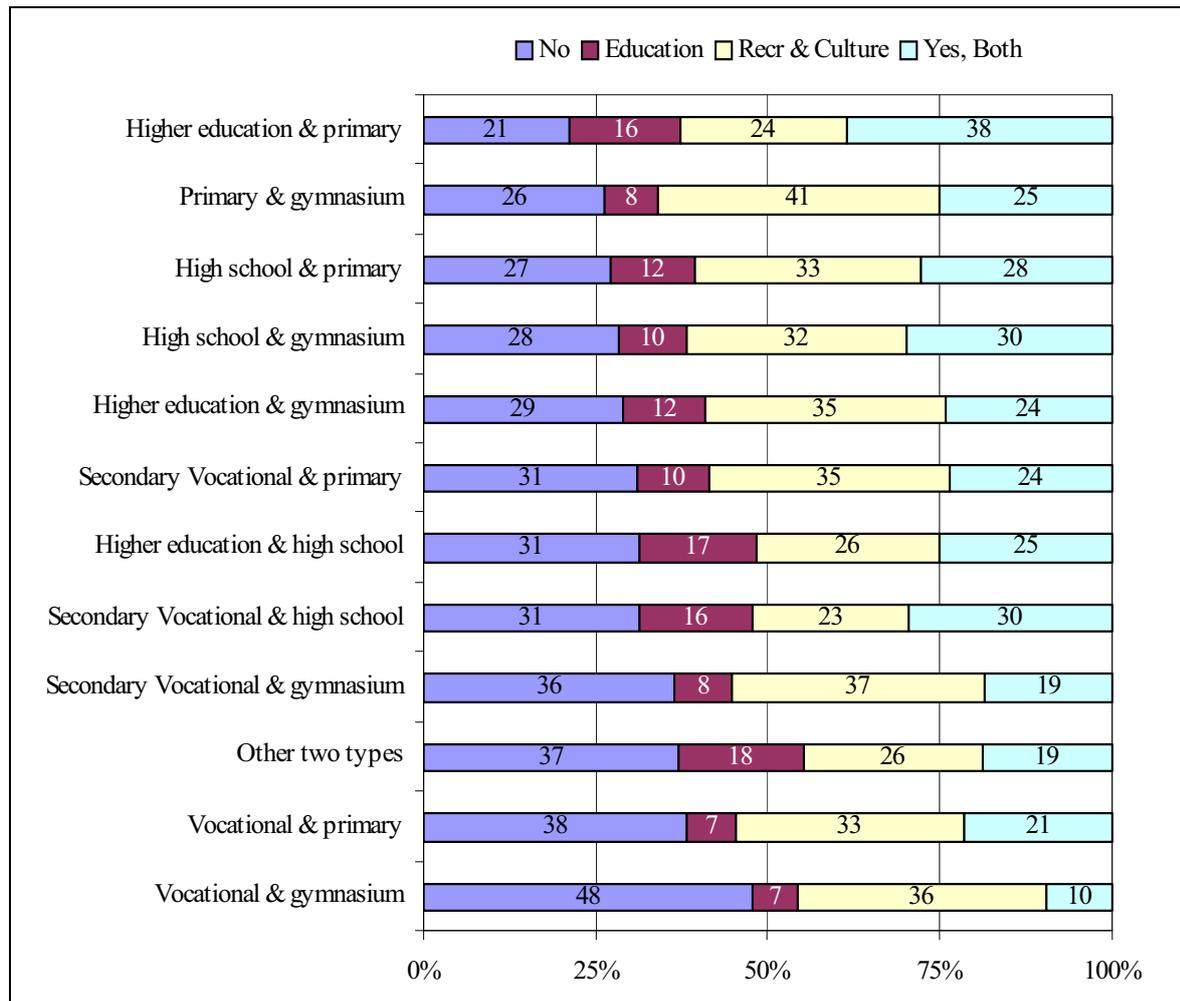
**Figure 1: Level of education (1 person in education) – education expenditures**



Source: Prepared by the authors (data: Household Budget Survey 2003)

To prove that this modified “type of family” is a good proxy of the constellation of persons in education dependent on the level of education, the most frequent categories of combination were used. Strictly speaking, the correlation between “Type of family” and “Constellation of persons in education (by level of education)” is rather high, because the proportion of the inertia “explained” by two first dimensions is 83,2% (U-shape figure in correspondence analysis), Cramer’s V = 0,287 and Contingency Coefficient = ,689. That is why, to simplify this analysis, “Type of family” is used as a proxy of constellation of persons in households and so this is recommended for such analysis in the future.

**Figure 2: Level of education (2 persons in education) – education expenditures**



Source Prepared by the authors (data: Household Budget Survey 2003)

Besides choosing the controlling variable, the decision on using (or not using) “Recreation and Culture” category should have been made. As it is presented in table 11, there are households that did not spend anything on education even if there is a person that is in the education system (the person is in school-age), but the majority of households does it. However, most expenses are connected with the additional categories from “Recreation and Culture”, which means that data on educational expenditures from two aforementioned main categories (“Education” and “Recreation and Culture”) should be analyzed separately. Just to summarize the results presented in this table, it can be said that only 11% of households which did not have any persons of age 6-18 years old had any education expenditure. However, in households with one such person already 63% spent something on education, but mostly on items from the broad category “Recreation and culture”. Similarly, such a pattern could be noticed for these households with two and more persons of age 6-18 years old but in general more had some educational expenditure in this period.

**Table 11: The percentage of spending money on educational expenditure by number of persons of age 6-18 years old**

Number of persons 6-18 years old	Did household spend some money on education? (100% by Row)			
	No	Yes		
		Only Education	Only Recreation & Culture	Both
0	89%	5%	4%	2%
1	37%	13%	30%	20%
2 or more	27%	9%	39%	25%

Source: Prepared by the authors (data: Household Budget Survey 2003)

Additionally, two anticipated factors enhance the probability of spending money on education, namely: place of living and socio-economic position of the household. Starting with the place of living and characteristics of the place in these terms, when comparing the percentage of households that did spend on education among towns it occurs that in the “bigger” (in terms of 6 classes of town: 500T+ > 200T-500T > 100T-200T > 20T-100T > -20T, and so that depends on number of thousands of inhabitants) town where household lives, the discussed probability is higher. Moreover, adding also information about the type of area (in terms of rural and urban) into the analysis, it occurs that almost in every category of the type of household, the percentage of households that spent something on education is less in rural areas than in similar household that live in towns. There are, however, few categories of households where this correlation is not so directional, but due to small subsamples either of these percentages can be burdened with the measurement error.

The second group of factors, namely socio-economic situation of the households, also brings a few new results. It is a consequence of the fact that there are few indicators of this situation that were measured during HBS: level of education of head of family, subjective opinion about household’s material situation (if household makes ends meet, and subjective opinion about material situation on 5-point Likert scale), objective characteristics of households’ place of living and the distinguished two main socio-economic group (working non-manual positions and manual labour positions, as presented in table 10). These ‘subjective’ factors are most important, and, moreover, they are correlated with the objective situation of households (in terms of income, household equipment etc.). However, taking into account these factors – as well as a place of living as control variable – the picture becomes blurred due to interconnection of factors.

In the end, it is worth stressing that there are two possible interpretations of the presented outcomes – in terms of the differences that occur due to rational reasons or as the effects of underlying factors which can be interpreted in terms of inequalities. To find out, which one is proper, there is a need to limit detailed analysis into separate categories of households defined by attendance of specific kinds of people in examined households. There is a need to conduct further analysis on this issue, but it extends the capacity of this paper.

## 5. Conclusions

As was mentioned at the beginning, there were significant changes between 1998 and 2003 in the relative share of higher education expenditures and paid lessons in total expenditures on education. Even if the percentage of households that had specific expenditure did not actually change, there is a shift in the amount of money spent on higher education, moreover, even if paid lessons became relatively marginal categories among category “gymnasium and secondary education”, they became higher. The conclusion of these outcomes is that specific thresholds in education – secondary/higher education – cause a need to “invest” money. On the one hand, it means that there is a need of paid lessons to enhance the chances of passing the exams to reach higher education, and on the other hand – some people have to pay fees after secondary education if they want to attend university or some another school on an academic level. This change implies the question of whether there are any inequalities that occur after the education reform on this specific threshold.

This change is the result of different educational expenditure patterns among Polish households, especially among households having more than 1 or 2 children and as well living in urban/rural area. These outcomes support the conclusions of Auleytner (1999) mentioned at the beginning. Moreover despite the fact that a more complex methodological approach to the data is needed, some outcomes of the preliminary analysis presented in the paper are worth underlining. There are more factors that have to be taken into account, namely, a level of education of the head of a family, a subjective opinion about a household’s material situation and others. All these factors correlate with educational expenditure. Thus, when discussing the main idea of education reform, that is, equalizing chances for all people to enter the education system, it seems not to be true to say that reform managed to fulfil this ambitious aim in Poland.

Focusing explicitly on the questions posed at the beginning, namely: what kinds of households bear the analyzed costs, and what kinds of expenses on educations are the greatest, few results are worth being stressed. Having a person in lower levels of education implies that it is most likely that a given household spends something on education. Moreover they spend the money mostly on stationeries. However, nominally, the highest cost is spending on higher education purposes, and after the reform this kind of expenditure became predominate upon the others.

Lastly, it is worth elaborating on some recommendations. There is a need to monitor changes of educational expenditure patterns of Polish households on an ongoing basis. Ad hoc analysis is not enough; it could only be the good starting point. Yet, it shows what has been changed from the year before the education reform to four years later. The presented results are not sufficient and the source and sets of data are problematic, however this is only one such source of data in Poland, which can provide some more detailed answers on this topic, even if these results are sometimes intriguing. Consequently, the policy makers in the Ministry of Education, and educational institutions at regional and at local level, should create system of information which also show the educational expenditure patterns

of Polish households, not only about the spending of local governments or exams results in particular schools. It therefore can give an answer whether Poland is advancing in the direction that households have to – at present and in the future – bear more educational expenditures by themselves than before education reform. A system which allows the monitoring of how these expenditures are changing, and when, and for which households they could give an answer, which of them maybe need additional financial support to minimize the inequalities in accessing a different level of education system.

It is obvious that this paper showed that a lot of different analysis could be produced with not only the different education categories but also with different categories of independent variables. Taking this into account in such complex analysis, these results should prevent an easy interpretation of the results of the analysis and apparently, there is a need to include interactions in more complex hierarchical models.

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## **From Passiveness to Personal Growth - Implications of the Bologna Process on University Teaching**

### **1. Bologna and Europe**

In 1999, the Ministers of several European countries met at a conference on higher education in Europe. As a result, they signed an agreement, the Bologna Declaration. The goal of this declaration was to create a stronger system in the higher education area in Europe by 2010. Initially, ministers from 29 countries signed the document which should mark “a turning point in the development of European higher education” (Confederation of EU Rectors’ Conferences & Association of European Universities 2000: 3).

Up to now, 46 European countries have participated in the Bologna Process. After Bologna, conferences in Prague (in 2001), Berlin (in 2003), Bergen (in 2005), and London (in 2007) served to measure progress and set action priorities. The Bologna Process “put in motion a series of reforms needed to make European higher education more compatible and comparable, more competitive and more attractive for their citizens and for citizens and scholars from other continents” (European Commission 2007: 3).

Within the Bologna Declaration, the ministers recognized that European citizens need a “Europe of Knowledge” that provides them with “the necessary competences to face the challenges of the new millennium, together with an awareness of shared values and belonging to a common social and cultural space” (European Ministers of Education 1999: 1). In this way, it is a “common European answer to common European problems” (Confederation of EU Rectors’ Conferences & Association of European Universities 2000: 3).

The Bologna document does not say it in verbatim, but in a following explanatory document the university rectors clearly state that the Bologna process should strengthen the “European institutions to compete more resolutely than in the past for students, influence, prestige and money in the worldwide competition of universities” (Confederation of EU Rectors’ Conferences & Association of European Universities 2000: 4). The declaration saw primary relevance in promoting the following topics (European Ministers of Education 1999: 3 f.):

- A system of comparable university degrees.
- Studies based on two main cycles, undergraduate and – the follow up - graduate.
- A system of comparable credits.
- The promotion of mobility of students and university staff by overcoming national obstacles.
- A Europe wide cooperation in quality assurances with comparable methods and criteria.

Although it is stated that the Bologna Process is a “freely taken” commitment without any pressure and “is not a path towards the ‘standardisation’ or ‘uniformisation’” (Confederation of EU Rectors’ Conferences & Association of European Universities 2000: 3) it meets with criticism. Sceptical authors doubt that legal, academic, and administrative barriers will actually disappear; or, they view Bologna as the result of a neo liberal policy and perspective that endangers democratic control and the specific characteristics of education (e.g. Lorenz 2006, Schimank 2005, Demmelhuber 2003).

Within our paper, we will take the Bologna Process as given. We will not focus on the compatibility aspects of Bologna that strive for comparable university degrees like BA and MA or comparable ECTS credits. We also do not want to discuss the implications and problems of the mobility aspects. Instead, we want to deal with the implications of the quality assurance aspects which should improve university teaching and learning.

## **2. Bologna and Germany**

The Bologna commitments affect the national education policies in European countries. In 2005, the German university presidents met at a conference in Berlin (HRK 2005, see also German Rectors’ Conference 2008). The topic of this conference was: “Recommendations for quality of university studies and teaching.” Due to this focus, the meeting was a direct reaction to Bologna. The university presidents not only agreed on a list of recommendations but also on the necessity of a quick implementation in Germany.

Many of the agreed recommendations implied changes within the process of teaching and learning, e.g.:

- More integration of students into the teaching process: In this respect, learning is not seen as a way of passively absorbing information. Rather, students should get the opportunity of active development – e.g. by project- or team-learning.
- More self-learning: Connected with the aspect above, self-learning should be enhanced. Students will get the opportunity to learn in a self-directed way including an individualized search for interesting topics or information. In this respect, the teacher does not serve as an instructor but as a facilitator.
- More self-responsibility: Again, connected with the foregoing aspect, the university presidents also stressed that students are themselves responsible for what and how they learn. Therefore, the university courses should offer more possibilities for aspects like co-teaching: Teachers and students intermittently take a role where they explain and teach.
- More reference to vocational fields: It is not only the university presidents that believe that university teaching often happens too far away from vocational fields. Therefore, topics should be oriented towards the knowledge students need for their future occupations.

- More interdisciplinarity: This statement repeats a well-known aspect within the discussion about modern pedagogy: For a broader understanding of the world it is necessary for the disciplines to be better connected with each other in the teaching process.

- More social competence modules: For a modern university, it is not enough to teach knowledge. Instead, students should have the opportunity of enhancing their social skills through practical training courses.

If the universities implement all of these euphonious recommendations, Germany will attain a reformation within the education system which could possibly be revolutionary. Undoubtedly, such a reformation will be necessary when facing the fact that German society and the economy need highly-skilled citizens and workers. The recommendations of the university presidents would especially influence university teaching in two respects: Refreshing the variety of university courses and refreshing the relationship between teacher and student. Here, the question arises as to what kind of pedagogy is necessary for these challenges. We think that we do not need a new one as it already exists. But a novel form is now urgently necessary at universities.

### **3. Teaching in the humanistic tradition**

Following the Humanistic Tradition a human being is regarded as valuable, dignified and competent in terms of its ability in organismic self-regulation (Combs 1978). Humans naturally gear towards growth and integration hence they desire to learn. For mans' development only a suitable learning environment to enable advancement is needed, here stimulance is provided allowing individualism and self-reliance. With this, man begins to trust in himself and his competencies unfold (cp. Rogers 1969).

In contrast the Behavioristic stimulus response psychology looks at and treats the learner as a passive object that can be moulded through a specific stimulus (Combs 1972). Here human beings are denied their ability to learn and decide self-responsibly. This also concerns the teacher's role. The teacher is obligated to know the correct input which would lead to a calculated outcome by the learner.

Traditional approaches of university teachings follow – consciously or unconsciously – the latter approach. Universities tend to have structurally oriented ways of teaching to ensure that every student has, as equally as possible, an amount of knowledge at the end of the learning process. On the one hand, this makes it possible to address the knowledge gained so that can be reiterated, as identically as possible, within the learning objective. This process enhances the ability of judging the students' performance. On the other hand however, this system is completely insufficient in the way it teaches the students because it doesn't correspond to the way the human brain functions (see Vygotsky 1978, Wertsch 1985, Spitzer 2008, Hüther 2006).

The knowledge transfer of this traditional structurally oriented approach must be critically reflected on because the human brain is a data generator and not a data accumulator. The popular metaphor of the brain as a computer is not only a misunderstanding but utterly wrong (Maturana & Varela 1992). As learning is treated as absorption and reproduction of factual knowledge, which preferably should be identically reproduced in learning objectives, one of our most fascinating abilities is taken ad absurdum and shows extensive defects (see Hattie et al 1997). In universities, imparted knowledge can be thoroughly recalled in constructed examinations with no real application. This is what Whitehead describes as “inert ideas” (Whitehead 1967: 1) or “inert knowledge” (Ibid.: 32).

Relating to students’ self-development the structurally oriented approach offers marginal potential. When students are placed in the passive role of consumers they have scant creative space where they can exchange and realize goals, methods, individual imaginations etc. However, this is exactly what provides individual learning and growth. Experiencing their own ability to create and move in interaction with others, not just executing predetermined goals, is what strengthens humans’ self-confidence, enlarges their wealth of experience and unfolds their potential for action.

Bringing these insights together poses the general question of how to design meaningful university teaching to achieve these demands and to prepare students for individual or corporative success (OECD 2005: 6). Approaches of self-directed learning and didactics of enabling offer far more productive and enduring alternatives for both transfer of expertise and the students’ self-development (Deci & Ryan 1985).

Systemic and constructive regarded learning is understood as an individual and situation guided human process where lecturers cannot directly intervene as they are not part of the system “individual student”. Although the system “human being” is coupled with the outside world it is not determined by it. Therefore, the lecturer can merely give impulses or offers, for example, in terms of learning space. Students though, predominantly decide subconsciously, self-directed and dependent upon their experience which of those offers and impulses they currently want to absorb and integrate into their individual systems. The more open the proposals are, the more possibilities they offer for the students to act and create and thus to learn from the experience. Thus, the teacher does not act as an instructor but as a facilitator (Brownstein 2001, Rhodes & Bellamy 1999). Personally relevant learning is accompanied by the horizons of sense and understanding that are obtained in teach-learn items. These items can be subdivided into three levels. The level of attitudes and approaches, the level of cognitive situational structuring, and the level of situational formation (Christian & Prosch 2006: 40ff.).

#### **4. The level of attitudes and approaches**

The awareness that students are given responsibility for their own learning offers some changes to the lecturer. By turning towards self-directed learning, respectively, the didactics of enabling it are spoken about in a paradigm shift. Here, learning matter is no longer the center but the learner, individually, now acquires competencies, knowledge and attitudes within their own learning strategy in view of their interests and personal possibilities.

Lecturers are challenged, by this paradigm shift, to provide adequate conditions for the learning process. In doing so, not only the questions of methods and didactics need to be clarified, but also the lecturers' self-conception and role perception must be surveyed. It is namely the shaping of the relationship between teacher and learner along with autonomous self-monitoring that are to be brought equally to the forefront. As a learning process involves the whole person, learning support therefore means building and advancing a relationship that supports this person.

Due to the fact that workflow and dynamics cannot be planned, didactics of enabling are often closely connected with uncertainty. There are almost no experiences that can be reverted and the development and progress the course will have is unsure. The grade of control, through the lecturer, is much lower than in structurally oriented approaches. The individual role also contributes to uncertainty as the roles of the enabler and attendant in university teaching context, are neither defined nor established.

For the students these changes toward self-directed learning are also connected with uncertainty. On the one hand, they do not know how they are expected to behave, what is right and what is wrong. On the other hand, they don't know how they are going to be judged and graded. On top of that, they are also challenged to endure the paradigm shift through the area of conflict between established university teaching and the new and upcoming ways of teaching. The current teacher-centered approaches are not only well-established but also comfortable. By interactive forms of self-directed learning students are challenged to abandon their passive role of consumers and to experience their new identity through dealing with themselves, others and the subject (cp. Cohn 1975) that comes along with active participation in the course. As the advancement of identity is activated by the differentiation and abandonment of expanded interpretative models the previous self-image is altered in what can be interpreted as an extensive threat and this can elicit anxiety (cp. Rogers 1969).

In this uncertain situation a professional lecturer is required to deal capably with the participants and to give them the emotional safety to handle this fear of change (Kunze 2003: 59). Furthermore, the lecturer must implement the essential norms as well as the esprit of a good working atmosphere through their personal behavior. In contrast to the structurally oriented approach, where the lecturer does not have the same extent of importance in the didactical approach which enables the lecturers' behavior, their approach and attitude is the crucial factor for the

success of the course. If they achieve and implement a more trusting learning environment oriented on resources, the learners will more easily be able to turn towards self-responsible and self-directed learning and the learner will be able to move more freely in this emancipatory process of experience and growth.

To deal with the uncertainty within these changes the lecturer needs courage, foresight, and faith. Courage to bear up to change against resistance and criticism, foresight with regard to the development path and the lasting purpose of this change of direction, and faith in one's competencies, one's worth, but also faith in ones' patience and power. When you realize that growth and learning is always connected with uncertainty it is exactly here that you take power from. Where your own limits begin is where your own incremental field begins.

The willingness to learn and to get involved as a person helps to facilitate the students in building confidence, to unclench and become active. This is also a beneficial attitude for self-development, which is at it's best a lifelong process. This willingness is reflected in the quality of:

- presence
- attention
- authenticity of individual openness and closeness
- mental affection
- inner experience
- humility in work
- appreciation

Contact that is enabled within this attitude generates a bond, an interpersonal relationship, on a mental level that brings forward reciprocal personal relevant learning and growth.

## **5. The level of cognitive situational structuring**

Teaching with a humanistic background is also concerned with how teachers and students organize the teaching situation cognitively. On the level of cognitive situational structuring it harkens back to the awareness that perception is very selective and habitats are constructed and determined by grown interpretative models. By directing the students' attention to particular topics and offering interpretations that are in agreement with the students' own ones, the lecturer can accompany them within the learning process and support their development.

An important example for that is teaching with a Gestalt background, based on the ideas of writers like Perls, Goodmann, and Petzold (Perls et al 1951, Goodman 1994, Petzold & Brown 1977, Petzold 2001). In classes oriented on the Gestalt approach the lecturers' perception is geared towards the process of Gestalt-forming and towards the process of contact (Christian & Prosch 2006: 41).

When perception is cognitively structured in such a Gestalt way lecturers can act therewith in a promotive way and set impulses which coherently support the

process. At the same time, processes of contact closely relate to processes of Gestalt-forming. Through this contact dialogues and dynamics are generated, that significantly influence the situation and affect the integration and the growth of the human being. Processes of contact are essential because they contain the persons' process of contacts with himself, among the others in the study group, with the lecturer, and with the subject.

## **6. The level of situational forming**

A connection of the first two levels, that of attitudes along with that of cognitive situational structuring, leads to the third level - the forming of the learning environment and its respective situation. Classes that are oriented on ideas like the Gestalt-approach are capable of opening mental spaces, language dialogues and realms of experience. In doing so, both the students' different willingness of absorption and their unequal strategies of handling are incorporated.

By arranging learning spaces that consider both cognitive and affective dimensions, as it is known in "confluent education" (Petzold & Brown 1977), learners can be disposed to, as many as possible, varying degrees of freedom. A tutorial oriented on the Gestalt-approach is, amongst others, characterized by giving the students decision-making autonomy of learning. Moreover, their inner images (cp. Hüther 2006) are activated through input that addresses their creativity and gratification of figuration.

During the communicative follow-up about shared experiences, a dialogue of alternative ideas can, and should, be implemented amongst the students. With this not only introspection and empathy are advanced but there may also arise a cautious appraisalment whether the aspired opening of mental spaces, language dialogues and realms of experience was successful.

## **7. An example: Acting sociology**

To sum up, education and teaching in a humanistic tradition can offer ways to meet the challenges of the Bologna process. In the following section we want to show an example outlining the shape in which the classes oriented on the Gestalt-approach can proceed. On the basis of a session of an introductory first year course in sociology it is shown which dynamics and creativeness can be delivered when students are allowed to have the greatest possible degree of freedom through activating impulses. Within the designing of this class it was doubtlessly helpful that the subject matter was ranged over sociological topics, as it was shown that it is very appropriate for education oriented on the Gestalt-approach.

Within a tutorial, sociological fundamental terms like norms, values, roles, socialization, organization, bureaucracy, group, and some others were worked through. The collegiate preparation team (CPT) comprised 11 volunteers, out of a

total group size of approximately 45, including the two lecturers making it a CPT of 13 persons. This size allowed considerable freedom of design as well as many additional resources and competencies. During the unscheduled preparation meetings the idea to present the sociological fundamental terms in different action scenarios was quickly decided upon. The procedure was as follows.

The participants of the CPT mostly paired-up and chose three to four terms from the list so allowing single terms to be worked on several times, but always in different formations. Themes that were not chosen were worked on by the lecturers. In small groups the teams integrated their terms into action scenarios and prepared some role scenes. In the process, the lecturers' experiences of theatre pedagogy were crucial for the students to unfold their creativity more easily through different impulses. Several simple stage props were used as well as the method of forum theater (Boal 2002), different status, room statutes, entry and exit processes, and the process of eagerness to mention just a few of the dynamic aspects which were integrated into the preparation. That way, some screen-play arose which the "directors" of the CPT later filled with actors and life during the tutorial. The goal was to integrate every student into any one scene, to over work it and to preform it to the others in the plenum.

The sociological terms were integrated into context and processed through several channels so that greater cross linking could take place. Furthermore, students could gain experience concerning social psychology dimensions: they playfully dealt with presentations skills, group dynamics, staging and roles. It is also remarkable that the students were not prepared for acting. Spontaneously during a block period they comprehended the topic's logic and presented it all dressed-up in front of an audience. In doing so, they obviously also had fun, were relaxed and in good spirits as they coped with their first acting experiences.

In the process many creative ideas arose in "open spaces" where the students had the possibility of bringing in their constructive power. These courses are an expression of dedication and willingness to learn as are possible in classes oriented on the Gestalt-approach, in spite of, or due to, their complexity.

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## **II. Research in Labour Market**



## **The Influence of Individual, Organizational and Structural Factors on Downward Career Mobility in Germany**

### **1. Introduction**

The past few decades have witnessed the steady expansion of research on occupational mobility. This research has been guided by two major lines of thought. The first and, until recently, dominant approach deals with intergenerational mobility, that is the mobility between two generations. The second approach considers mobility as an intragenerational process. This paper will deal with the latter i.e. intragenerational, alternatively known as career mobility, with a particular focus on downward mobility. Relatively little attention has so far been paid to this field of research in comparison to upward mobility; the investigation of downward mobility has mostly been regarded as a by-product of research on upward career mobility. One possible explanation for this could be that, in the past decades, upward mobility presumably occurred far more often than downward mobility (Rosenfeld, 1992). There are, however, several reasons why this process is nowadays more interesting to investigate.

First, different kinds of negative consequences for individuals are associated with downward mobility. A downward move is held partly responsible for material and psychological distress; a number of problems like divorce, violence, and depression are linked to downward mobility (Smith, 1994). Second, downward mobility seems to have increased in recent years, or this is at least what various media like newspapers, journals and television suggest to their audiences. This impression is most likely created and reinforced by society itself: large-scale economic changes in previous decades promoted unemployment (Statistisches Bundesamt [StaBu], 2005) and rates of poverty (Bundesministerium für Gesundheit und Soziale Sicherung [BMGS], 2005). Third, working careers have become less predictable than in the past, e.g. temporary contracts are not unusual anymore. This has resulted in a steady increase in job shifts over the past few decades (Hinz, 1997).

Traditionally, two types of sources of mobility are distinguished: sources at the macro and at the micro level. The rationale that macro and micro level are interrelated is at the very core of sociological thinking in line with the ideas of Coleman (1990). At various times, a meso level has been introduced as well (Carroll & Mayer, 1986). However, research has mostly focused on either the micro, meso, or macro level perspective to search for possible causes of mobility.

Previous research on the micro level showed that characteristics of individuals, like time in the labor force, changed overall rates of mobility (Sicherman, 1990). An increase in time spent in the labor market decreased the likelihood of experiencing

a downward move in terms of class shift (Carroll & Mayer, 1986). DiPrete and Nonnemakers (1997) stated that high levels of tertiary education (e.g. college graduation) were connected with relatively low mobility in terms of income, but only for males. Blossfeld (1986) reported a negative effect of education on downward moves in terms of occupational prestige. Based on data from the German Life History Study (GLHS), Buchholz and Grunow (2006) showed that the likelihood of being downwardly mobile increased for younger birth cohorts. Surprisingly, a longer interruption decreased the likelihood of being downwardly mobile. However, the level of qualification only had a minor impact on downward mobility, whereas previous labor force experience had a more severe influence.

Previous research on causes on the meso level relied on internal labor market theory. Results showed that being employed in a larger organization slowed down all job shifts (Carroll & Mayer, 1986). DiPrete and Nonnemakers (1997) found low rates of mobility for employees in the service class and high rates of mobility for non-manual, semi-skilled, and unskilled manual workers. Mobility increased in so-called contracting industries, i.e. industries that shrink due to structural changes because of increasing levels of modernization or altering business cycles. Being employed in the public sector decreased the likelihood of downward mobility (Buchholz & Grunow, 2006).

Previous research on the causes of mobility on the macro level distinguished the macro level of a single country from macro level research that takes more than one country into consideration. However, research including macro characteristics within one country is scarce: Blossfeld (1987a) found that constricted labor market conditions at the point of mobility in Germany decreased downward mobility. Mobility has been found to be highest in countries with a non-standardized and non-stratified educational system, for example within the U.S. (Allmendinger 1989b).

In this paper, two main research questions are addressed: first, we explore whether downward mobility within an occupational career in Germany is a rare or a common phenomenon and whether the likelihood of a downward shift has changed over time. Second, we assess explanations for the different likelihoods of individuals experiencing downward career mobility.

From a methodological perspective, we will follow previous research and use an occupational prestige measure, Wegener's Magnitude Prestige scale, to assess downward mobility (Wegener, 1988; 1992). This prestige measure has the advantage of reflecting a subjective, non-monetary, and societal dimension of mobility. The German Socio-Economic Panel Study (GSOEP) is used for our analyses; this large-scale panel dataset contains detailed data concerning the lives of more than 20,000 respondents in Germany over the past two decades.

Over the course of the paper, we first develop a theoretical framework and derive hypotheses from a micro, meso, and macro level perspective on downward mobility. In the subsequent section, we describe the data used in our analyses and the underlying variable construction. In the results section, we present descriptive

outcomes and outcomes of discrete event history analyses. The paper ends with a discussion of the results and some concluding remarks.

## **2. Theory and Hypotheses**

The question as to why some people are more likely than others to experience a downward move in their career has not been discussed very frequently in mobility research. However, research in the past few decades has given rise to a number of micro, meso, and macro level conditions that are believed to have an impact on general mobility patterns. It is important to note that all three levels are interrelated (Drobnic & Blossfeld, 2004). Hypotheses are stated to influence downward mobility in general, which in our case means the likelihood as to whether a downward move occurs or not.

### **2.1. Micro level: Human Capital Theory, and the Economic Theory of the Family**

Human capital theory as a micro level approach assumes that the productivity of individuals depends on the level of education and the extent of training they have had. Individuals invest in their own human capital according to direct costs, opportunity costs and expected returns (Hinz, 1997), and, naturally, their different talents. These investments continue as long as the expected rewards are higher than the costs. Past research distinguishes between general and specific human capital (Becker, 1975; 1981). Specific human capital is useful only to the institution or organization providing it, while general human capital is also useful to other institutions and organizations (Becker, 1993). Thus, general human capital is easier to transfer over institutions and over longer periods. It can be assumed that individuals invest differently in those kinds of human capital (Mincer & Ofek, 1982). On account of this, human capital theory allows hypotheses on the effects of education, age, labor force experience, and gender on downward career mobility to be derived.

Human capital theory assumes that everybody is matched to a job that is suited to his or her abilities. Thus, all individuals should ideally hold a job for which they have the sufficient human capital. Educational attainment in the form of certificates and degrees serves as an indicator to employers of human capital in order to match people to a job that suits their skills. However, because the labor market, like most other markets, is not perfectly competitive and information is incomplete for employers, job mismatches occur and job shifts become necessary to resolve those mismatches (Tuma, 1985; Blossfeld, 1986). In cases where employees are initially over-rewarded (i.e. they hold a job where they do not fulfill the necessary criteria), downward shifts become more likely. And the “likelihood of being over-rewarded increases with increasing job rewards and decreasing personal resources” (Blossfeld, 1986, p. 210), personal resources being regarded as human capital primarily accumulated in the process of education.

***Hypothesis 1a: The higher the level of education, the less downwardly mobile individuals will be.***

After having finished institutionalized education in Germany, those who do not attain the highest school credentials (Abitur) or do not want to continue with university training are placed into a standardized vocational training system. Their job specific training is held within a company, but also at vocational schools, which makes the attained certificates and degrees transferable over companies. Because vocational training can be considered a personal resource, it can be expected that persons with vocational training are less likely to be over-rewarded (in the sense that they hold too “good” a job) than people with no official certificate regarding their job-specific education.

***Hypothesis 1b: The higher the level of vocational training, the less downwardly mobile individuals will be.***

Human capital investments also differ greatly for people of different age and labor force experience. One could assume that the older individuals become and the longer they are in the labor force, the more human capital they will have accumulated. Thus, age and time spent in the labor force can be seen as indicators of the extent individuals socialized and familiarized themselves with the rules of the labor market and thus accumulated job-specific human capital (Allmendinger, 1989a). More experience therefore leads to more job-specific human capital. Vacancy competition theory (Sørensen, 1975; 1977) leads to a similar prediction: an increasing time in the labor force diminishes the number of job shifts and the discrepancies between current and potential positions (Rosenfeld, 1992).

***Hypothesis 2: The more labor force experience individuals have and the older they are, the less downwardly mobile they will be.***

The economic theory of the family (Becker, 1981) provides an explanation for the division of labor within a family. This division stems from different investments of partners in human capital. The one who is most productive will invest in the labor market and, thus, in job-specific human capital; the other invests in the family and, thus, in general human capital. In anticipation of gender-specific roles, the one who invests in the labor market and therefore obtains job-specific human capital is usually the man, while the woman tends to invest more in general human capital. This can be attributed to the expectation that women will have interruptions in their careers, for example, when they give birth to children and, thus, women make the rational decision not to accumulate a large stock of job-specific human capital (Blossfeld, 1987b), but to invest more in general human capital in order to raise their children later.

***Hypothesis 3: Women invest less in job-specific human capital and are, therefore, more downwardly mobile compared to men.***

Another effect concerns human capital depreciation (Mincer & Ofek, 1982). It can be assumed that people who are out of the labor force will lose part of their specific human capital because acquired knowledge is not completely transferable

over time. Thus, women on maternity leave will be disadvantaged after returning to the work force because their human capital, or how it is regarded in society, will have declined. Also, unemployed persons who return to the labor force will be disadvantaged. In addition, the length of the period out of the labor force will be important because it can be assumed that longer breaks detach individuals more from the work force than shorter breaks.

***Hypothesis 4a: Individuals who have experienced an interruption period will be more downwardly mobile when returning to the labor market compared to individuals who were not out of the labor market.***

***Hypothesis 4b: The longer the duration of the interruption period, the more downwardly mobile individuals will be when returning to the labor market.***

## **2.2. Meso Level: Internal Labor Market Theory**

Internal labor market theory takes the meso level into consideration. According to this theory, it matters where and under what circumstances an individual is employed. Internal labor market theory proposes that, after entering an internal labor market, different career possibilities arise there. An internal labor market is characterized by a specific entry point which allows employees to develop their careers in this organizational space (Rosenfeld, 1992); one example of such a space is a company. A number of articles (Carroll & Mayer, 1986; Haller, König, Krause, & Kurz, 1985; Kurz & Müller, 1987; Mayer, Diwald, & Solga, 1999; Rosenfeld, 1992) have dealt with the relevance of these structural constraints on the meso level for career mobility.

A crucial company-specific characteristic is company size (Carroll & Mayer, 1986), which has also been shown to be the most direct influence of the organization on mobility (Baron & Bielby, 1980; 1984). Internal labor market theory proposes that smaller companies create fewer opportunities for upward job movement through the absence of an internal labor market and career ladders. A career ladder can be described as a more or less foreshadowed path for an employee through different positions within a company. At the same time, career ladders protect employees from demotions, unless they disqualify themselves through personal failure. Furthermore, larger companies are more likely to develop internal labor markets that are characterized by career ladders, promotion opportunities and incentives, and thus their employees are protected from a downward move. Also, an internal labor market protects workers from external influences to some extent, e.g. competition from outside the company (Rosenfeld, 1992).

***Hypothesis 5: The larger the company individuals work in, the less downwardly mobile they will be.***

In close connection to internal labor market theory, another meso level characteristic is assumed to have an influence on downward mobility: whether someone is self-employed or not. This is, evidently, somewhat connected with organizational size, but not completely correlated or collinear. Neither an internal labor market nor a career ladder exists for most of those who are self-employed,

and self-employed individuals will also have fewer resources to cope with financial hardship. It will also be more difficult for them to survive constricted market conditions compared to people working in a company where they still receive a fixed salary.

***Hypothesis 6: The self-employed will be more downwardly mobile compared to individuals who are not self-employed.***

Another important characteristic that can be assumed to have an influence on mobility processes is the sector of the economy in which an individual is employed. DiPrete and Nonnemakers (1997) assume that intragenerational mobility, and thus also downward mobility, serves as a mechanism to react to structural changes within a society. According to Sørensen (1983), persons leaving for a higher position initiate a chain of vacancies. First, new employees from lower positions are promoted to the vacant positions. Second, and in turn, these positions have to be filled with employees from lower positions. If, however, certain economies shrink due to structural changes or economic hardship, fewer vacancies open up there or cannot be filled by employees any more.

***Hypothesis 7: Individuals who are employed in shrinking economic sectors will be more downwardly mobile than individuals who are employed in stable or prospering sectors.***

### **2.3. Macro Level: External Labor Market Theory and Vacancy Competition Theory**

Labor market structures that are located outside a company will be called external labor market, in contrast to internal labor markets inside a company or organization discussed in the previous section. DiPrete and Nonnemakers (1997) propose that intragenerational mobility, thus also downward mobility, serves as a mechanism to react to structural changes in a society.

On the one hand, it can be expected that labor market conditions are closely tied with patterns of mobility. And we argue that different macro conditions can promote or hinder people's career moves at a given point in time. Intuitively, a better business cycle leads to less downward mobility, but also creates more opportunities to experience job changes (Blossfeld, 1986). Hence, in "good times" i.e. times of economic growth, low unemployment rates, and high productivity, a general expectation is that employees will be less likely to accept or move into a "lower" job than in times of economic hardship.

On the other hand, vacancy competition theory (Sørensen, 1975; 1977) provides a different picture. According to this theory, not all jobs are freely available to all employees at any given time because employees themselves decide when and under what circumstances they will leave their jobs. Since they are unlikely to change jobs voluntarily, they will only quit if the new job involves significant improvements. However, the decision to leave a job, naturally, depends on a number of factors. When employees expect to get a job easily and on—preferably—a higher level of income and prestige, they are more likely to give up

their current job before starting to search for better positions. This willingness to search will, obviously, depend on the economic situation of a country. Thus, in times of economic hardship, employees will stick to their positions for as long as possible, even if they are not satisfied with them and would prefer another job. Both of our argumentations can apply, which leads to following hypothesis.

***Hypothesis 8: The current unemployment rate will have an influence on downward mobility.***

One of the mechanisms that creates regularities in one's life course is the affiliation to a birth or labor market entry cohort (Mayer, 2004). Blossfeld (1986) delineates that people start their working career in different structural contexts, like different rates of unemployment, and that labor market structures change over time and, thus, affect career possibilities. It can be assumed that, on the basis of human capital theory, unexpected rewards in the form of downward moves are less likely the better the initial labor market conditions are because new workers in the labor force will usually pick occupations that are regarded as "modern" and, thus, give job security (Blossfeld, 1986). Therefore, when good economic conditions prevail, labor market entrants will mainly work in what are said to be modern occupations, which then protects employees from dismissal or a downward move later on (Blossfeld, 1986).

In contrast, one could also consider that the kind of occupation someone picks when he or she enters the labor market depends on the availability of jobs, which is in line with the argumentation put forward by vacancy competition theory (Sørensen, 1975; 1977). In times of economic hardship and high unemployment rates at the point of an individual's entry into the labor market, there are fewer vacancies that can be filled by the 'right' employees. Thus, on the one hand, employers will pick their new employees more selectively and set their standards high because there is more supply for work than demand. On the other hand, employees are more likely to accept any job because of the very limited number of vacancies. In sum, fewer mismatches will occur in times of economic hardship and, over time, less upward and downward job shifts become necessary to resolve those mismatches. Both of our argumentations seem reasonable, which leads to following hypothesis.

***Hypothesis 9: The unemployment rate at the point of an individual's entry into the labor market will have an influence on downward mobility later on in the career of that individual.***

In the case of Germany, an exogenous factor has to be taken into consideration: the German reunification in 1990 with its immense changes in the labor market, particularly in the former GDR (Drobnic & Blossfeld, 2004). The German reunification meant the adjustment from a 'communist' labor market to a 'capitalistic' labor market in only a short period of time. A number of industries in the former GDR collapsed and some occupations became completely redundant, which forced many employees to change their occupations (Mayer et al., 1999). In addition, similar to the transformation process from family-businesses to large companies in the FRG which took place in the decades before the German

reunification (Carroll & Mayer, 1986), the former GDR collectives had to undergo a rapid change in a short period after the wall came down. The first years after the reunification were probably the most difficult time for the common labor market. We therefore expect higher rates of downward mobility for the East German population and for the post-reunification years.

***Hypothesis 10a: Location in the East in 1989 will have a positive influence on downward mobility.***

***Hypothesis 10b: The German reunification period will have a positive influence on downward mobility, especially for people from the East in the first years after the German reunification.***

### 3. Data and Measurement

#### 3.1. Data

The hypotheses set out in the preceding section will be tested using data from the German Socio-Economic Panel Study (GSOEP), a representative longitudinal study about Germany and its citizens. The panel started in 1984, and approximately 20,000 persons in 12,000 households have been interviewed on a yearly basis. Starting in 1990, respondents from the former GDR were included.<sup>1</sup>

The person-period file used for our analyses comprises 64,540 observations, which includes German men and women observed between 1984 and 2005 in the age range of 25 to 60 years.<sup>2</sup> In total, the dataset includes 21,188 German men and women from 9,521 households. The dataset is limited to German citizens (samples A and C). Foreigners and immigrants are excluded from the dataset because it can be assumed that different mechanisms for generating mobility are at work here. For them, language proficiency can be regarded as more important as a general measure of human capital. The GSOEP data are supplemented with data from the German Federal Statistical Office. One major advantage of the GSOEP is that mobility was not assessed retrospectively, which makes memory errors less likely (Blossfeld, 1986).

However, one problem with longitudinal data is panel attrition. From more than 5,000 persons interviewed in the first wave in 1984, around only 30 per cent (about 1,700) were still in the study in 2004. Therefore, we use cross sectional weights (inverse staying probabilities) available from the German Institute for Economic Research (DIW), which give access to the GSOEP, to arrive at unbiased point estimators, e.g. means. For the event history analyses, longitudinal weights are used as probability weights to test the hypotheses correctly (cf. Kohler & Kreuter, 2006).

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<sup>1</sup> For further information see <http://www.diw.de/english/soep/26636.html>

<sup>2</sup> The lower boundary was chosen to account for the fact that many individuals are still in education or vocational education in their early 20ties and only enter the labor force at around the age of 25. The upper boundary was chosen because it can be assumed that many people at the age of 60 have left the labor force because of (early) retirement.

### 3.2. Measurement

Time-varying micro level characteristics are general education, vocational education, labor force experience, interruption of employment, and duration of the interruption period. In addition, gender as a time-constant variable is included in the analysis. Controls are marital status, the magnitude prestige score of the present or last job, and a variable indicating time.

General education as proxy for general human capital, and vocational education as representing both general and job-specific human capital, are measured by the highest completed educational level and represent the common separation of the German school system (for a detailed description of the German educational system we refer to Allmendinger 1989b; Hinz 1997; Blossfeld 1987b).

Labor force experience in years as proxy for job-specific human capital is assessed through looking at retrospective data on job biographies available since a respondent's age of 15, in order to obtain information about the years of labor force experience respondents had when they entered the panel. In addition, it is assumed that job-specific human capital can decline, e.g. when an individual is out of the labor force because of unemployment, maternity leave, or other reasons. This is in line with the argument of human capital depreciation (Mincer & Ofek, 1982).<sup>3</sup> Each year out of the labor force equals a loss of 5 per cent of the accumulated labor force experience so far.<sup>4</sup> Due to collinearity with labor force experience, we included age as a categorical variable, with 51 to 60 year-old individuals as a reference category.

The variable interruption denotes whether someone is out of the labor force due to unemployment, maternity leave, or other reasons, but enters the labor market in the following year. The variable duration gives information as to how long this interruption period has been in years. This information is also included as squared value.

Control variables are being married and the magnitude prestige score of the present or last job. The magnitude prestige score of the present or last job is included as a control because it correlates with some of the other independent variables, e.g. education. The variable denoting time, the duration of the panel—starting with the value 1 in 1985—is introduced to assess whether there is a general time effect of modernization.

Time-varying meso level characteristics that are included in the analysis are a dummy variable denoting self-employment status, and a variable indicating the

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<sup>3</sup> Since wave 22 a generated instrument measuring full- and part-time labor forces experience and cumulated unemployment experience is available in the GSOEP. However, these instruments do not include human capital depreciation. Nevertheless, the correlation between the self generated instrument and the provided instrument equals to 0.97.

<sup>4</sup> We admit that the loss of 5 per cent of labor force experience is chosen rather arbitrary but it is a rather low value. However, it is in our view a starting point to include human capital depreciation in our statistical analysis.

size of the company an individual works in. Self-employment status is created from information concerning the occupational position of an individual, whether someone has employees or not, and out of the variable indicating company size. On the basis of information classification of the branch of industry NACE (Nomenclature of Economic Activities)<sup>5</sup>, a categorical variable is generated which describes the economic sector an individual is employed in. Macro level characteristics included in the dataset contain time-series data from the Federal Statistical Office Germany (Statistisches Bundesamt Deutschland), which give access to labor market data since 1950.<sup>6</sup> Therefore, different macro level characteristics representing the economic situation are taken into consideration for our analysis: one as a time-constant variable reflecting the labor market conditions when an individual entered the labor market, and one as a time-varying variable reflecting the labor market conditions an individual is currently facing.

To assess current labor market conditions, the yearly local unemployment rate, based on whether someone resides in one of the old or one of the new federal states, is included in the analysis. To compute labor market conditions at the time of an individual's entry into the labor force, the same concept is used. For employees who entered the labor market in the former GDR, a problem occurs because no unemployment rates from the GDR are available. Thus, for respondents to the GSOEP who entered the labor force in the GDR between 1963—when the separation of the GDR and FRG was completed—and 1989, when the wall came down, no information is available. Therefore, the unemployment rate for this period is set to 0.1 to account for this phenomenon.

Location in 1989 as a time-constant variable denotes whether someone had been living in the former GDR in 1989. This variable can be seen as an indicator of whether an individual meets the requirements of a modern, capitalistic labor market as can be found in the FRG. Another time-varying dummy variable representing the first five years after the German reunification (1990-1995) is included. Descriptive measures of the independent variables can be found in Table A1 in the appendix.

The dependent variable is based on the Magnitude Prestige Score (MPS) as described by Wegener (1988; 1992). This prestige score reflects the social reputation of a person similar to Treiman's Standard International Occupational Prestige (Ganzeboom & Treiman, 1996), but was developed especially for the case of Germany. To arrive at the Magnitude Prestige scale empirically, selected occupations had to be judged by respondents according to prestige, by magnitudinal and categorical scaling procedures. MPS ranges from 30 points for family workers to 216 points for dentists.<sup>7</sup>

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<sup>5</sup> <http://www.fifoost.org/database/nace/index.php>, retrieved November 20, 2007

<sup>6</sup> <http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Content/Statistiken/Zeitreihen/LangeReihen/Arbeitsmarkt/Content100/lrarb01ga,templateId=renderPrint.psml>, retrieved November 20, 2007

<sup>7</sup> This limited set of rated occupations was then generalized for all ISCO (International Standard Classification of Occupations) occupations using a non-linear prediction equation. Because in Germany along with the ISCO another classification scheme is

The dependent variable indicating downward mobility is computed resembling previous research (Blossfeld, 1986). More detailed Magnitude Prestige Scores for one year are compared with the last available MPS. For non-working people this is the last score before the interruption period. The dependent variable is a dummy variable indicating any prestige decrease as a downward move.<sup>8</sup> The question regarding the occupation of an individual from which the prestige score was derived was not asked yearly of all respondents, but from 1985 to 1988, 1990 (West), 1994, 1996, 1999, 2001, 2003 and 2005 only of people in the work force who had changed their occupation. Therefore, the prestige scores had to be smoothed out. This resulted in the following procedure: If no occupational change took place, the MPS is equated with the MPS of the previous year. The filter question is a variable indicating a job change since the beginning of last year.<sup>9</sup>

## 4. Results

### 4.1. Downward Mobility in Germany Described

Two major issues are important when looking at downward career mobility. First, how did this phenomenon change over time (period effect), and how does downward mobility change over the life-course of an individual (life-course effect). In addition, interesting issues to be assessed are whether there are gender differences and differences between East and West Germany. The rate of downward mobility resembles mobility compared to lateral and upward mobility.

As can be seen from Figure 1, the rate of downward mobility has remained fairly stable over the past two decades, however, marginally increasing. Little support for Blossfeld's idea (1986) that there is a general tendency of increasing rates of mobility with increasing levels of modernization can be found. What is striking, though, is that the rate of downward mobility in the East rapidly increased after the German reunification and only recovered from 1995 onwards. The West German population does not exhibit higher rates of downward mobility in the years after the German reunification, but remains on a low level. The effect on people who lived in the East in 1989 continues to be larger than the rate in the West until 1996. After this point in time no clear East-West pattern can be detected anymore.<sup>10</sup>

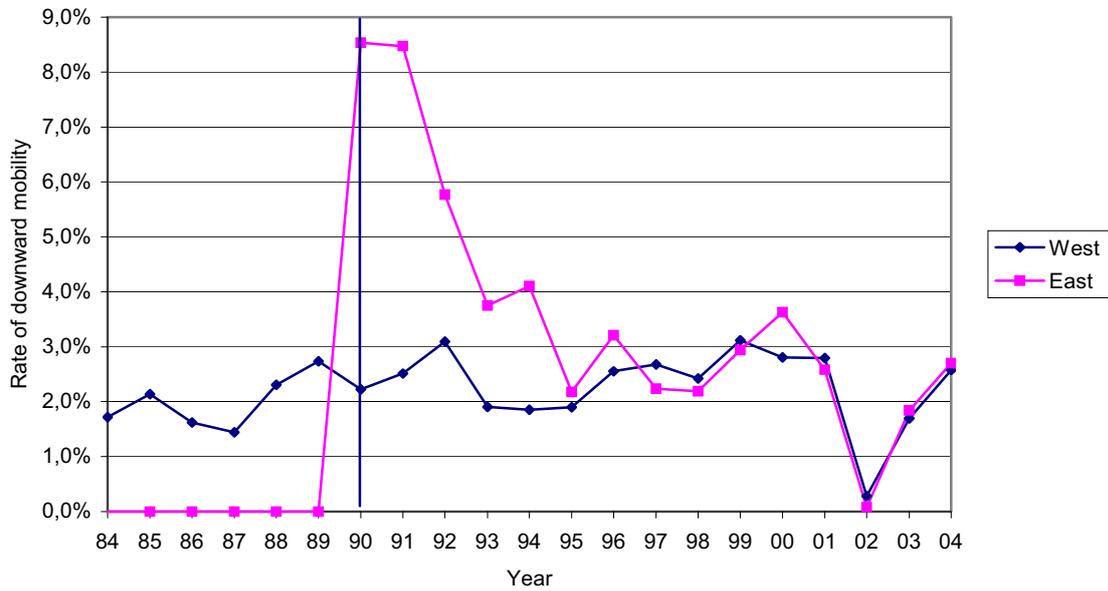
widely used ('Klassifizierung der Berufe', KIdB) the MPS scale had to be transferred to the KIdB scale in order to be included in the GSOEP. This procedure is described by Frietsch and Wirth (2001).

<sup>8</sup> Our cutoff point is of course rather arbitrary. However, it corresponds with previous measures as used by Blossfeld (1986) with prestige as dependent variable and Carroll and Mayer (1986) with income as dependent variable. We also experimented with more restrictive measures of downward mobility and obtained similar results.

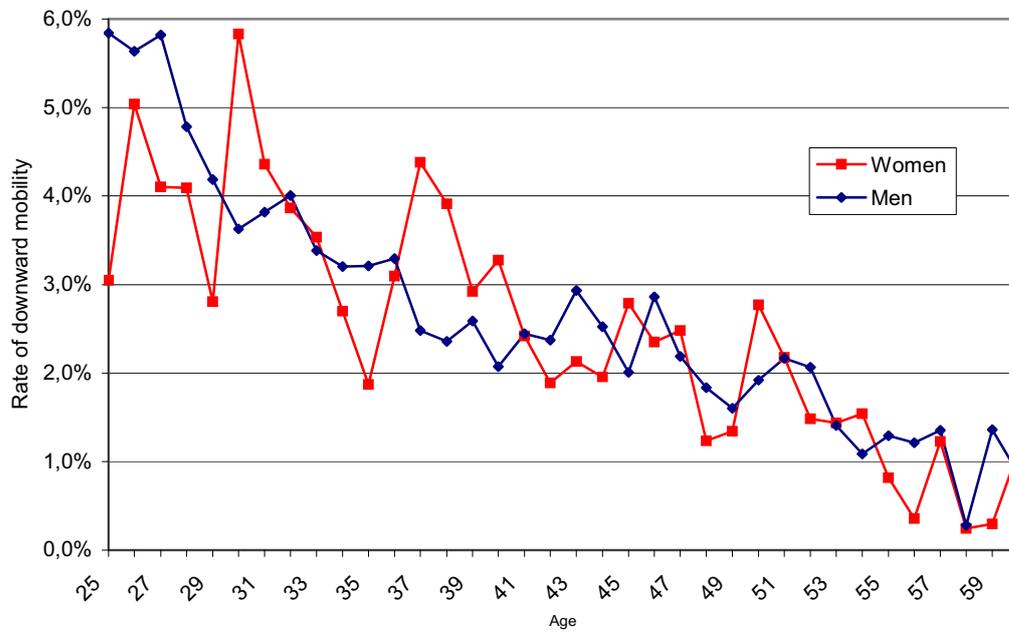
<sup>9</sup> This already gives an impression of the problems associated with assessing occupations in social surveys.

<sup>10</sup> We refrain from interpreting the low rate of downward mobility in the year 2002. Also the rate of upward mobility in this year is rather low (not displayed here), so we think that this is a data problem.

**Figure 1: Development of Downward Moves over Time (1984-2004), East and West separate, German Socio Economic Panel**



**Figure 2: Development of Downward Moves over the Life-Course (Age 25-59), Men and Women separate, German Socio Economic Panel**



As can be seen from Figure 1, the rate of downward mobility has remained fairly stable over the past two decades, however, marginally increasing. Little support for Blossfeld's idea (1986) that there is a general tendency of increasing rates of mobility with increasing levels of modernization can be found. What is striking, though, is that the rate of downward mobility in the East rapidly increased after the German reunification and only recovered from 1995 onwards. The West German population does not exhibit higher rates of downward mobility in the years after the German reunification, but remains on a low level. The effect on people who lived in the East in 1989 continues to be larger than the rate in the West until 1996. After this point in time no clear East-West pattern can be detected anymore.<sup>11</sup>

Figure 2 plots the development of downward mobility over the life-course of men and women between the ages of 25 and 60. This rate equals more than 3.5 per cent for men and women below the age of 30, and for individuals of both sexes over 50 years this rate is even smaller than 2.5 per cent. For individuals between 40 and 49 the rate levels out at around 2.5 per cent. The figure clearly indicates a steady decline in the rate of downward mobility over the life-course of an individual. This is already an indicator that our hypothesis that older people are less likely to be downwardly mobile can eventually be confirmed. Another finding is, however, that women are not more downwardly mobile than men, with the exception of the years before retirement beginning at the age of around 55. This may challenge our gender hypothesis.

In sum, only 0.17 downward moves occur per person within the years of observation. Almost 90 per cent of the respondents never experience a downward move between 1984 and 2004, 8.8 per cent experience one downward move and only 1.2 per cent two or more downward moves. The magnitude of the downward move is equal to 18.3 prestige points on average. Drastic cases of downward mobility are not experienced very often; downward mobility is mostly observed between 10.1 and 50 prestige points. For example, a move from qualified office employee (MPS 60.4) to office helper (MPS 42.9) falls in this category.

#### **4.2. Analytical Strategy for the Multivariate Analyses**

The method chosen for the analysis of downward mobility is event history analysis. A 'discrete time' event history analysis was conducted to examine whether a downward move occurred in one year. This method, in contrast to other event history models, assumes constant time units of equal length until an event occurs. The dependent variable measures if an event occurred during a certain interval. It is possible to include time-varying covariates (for a further description see Allison, 1995). Ordinal variables can be included as a set of dummy variables leaving out a reference category (Kohler & Kreuter, 2006).

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<sup>11</sup> We refrain from interpreting the low rate of downward mobility in the year 2002. Also the rate of upward mobility in this year is rather low (not displayed here), so we think that this is a data problem.

In the analyses carried out it is assessed with the waiting time of one year whether downward mobility occurred. There is no differentiation between competing risks, such as entry into unemployment or upward mobility, as the focus of this paper lies exclusively with downward mobility. The results are presented in odds ratios where a score of one denotes equality, less than one denotes a negative relationship, and more than one represents a positive relationship of the predictor with downward mobility (Kohler & Kreuter, 2006).

We experimented with a nested series of models including variables on different levels at the same time, but the coefficients did not change severely over different models. Therefore, only the final models for men and women separately are included in our paper. In order to assess the reliability of the binary variable 'downward mobility,' we also examined two more restrictive measures that assume that a downward move took place if the prestige decrease was at least 5 points or at least 10 points. We rarely find substantive differences between these three models.<sup>12</sup>

What has to be taken into consideration is the nature of the observations; these are not independent because individuals are nested in households and are observed at subsequent points in time. Thus, one of the main assumptions of logistic regression is violated: the errors are correlated with each other because of multiple observations coming from the same respondent or household. To account for this, it was clustered by a household identifier to obtain robust standard errors for the estimates (for a further description see Huber, 1967).

### **4.3. Downward Mobility in Germany Explained**

In the two final models, we test the effects of micro, meso, and macro level characteristics on downward mobility for men and women separately, with downward mobility as a binary variable that indicates whether a downward move occurred in one year or not. Altogether, 29,921 observations for women and 38,247 for men are included in this model. People with gaps, i.e. people who did not take part in one survey year but re-entered in the subsequent year, are excluded from the analyses. Model 1 in table 1 shows the results of this 'discrete time' event history analysis for women, model 2 shows the results for men.

First, the effect of micro level characteristics will be discussed. Our hypothesis that more highly educated people are less likely to be downwardly mobile is, however, supported by small differences for men and women. Concerning general education, men and women holding an intermediate or technical degree (Realschule) are less likely to move down than persons holding a lower secondary degree (reference category). The same is true for men and women holding an upper secondary school degree (Fachabitur/Abitur) compared to people holding a lower secondary degree. The results are in line with our expectations put forward in hypothesis 1a.

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<sup>12</sup> Results can be provide upon request.

It was expected that the education argument also holds for vocational education. We have to conclude that vocational education only partly matters in the expected direction; there is weak evidence that women holding a university degree, or who have similar credentials (Fachhochschule/ Hochschule), are indeed less likely to move downwards compared to people who hold a vocational degree or apprenticeship (reference category). For men, no effect of vocational education on downward mobility can be found. Contrary to our expectations though, only women without an apprenticeship are more likely to move down. In sum, we can partly confirm hypothesis 1b i.e. for women only.

Women in younger age categories are more likely to move down compared to men between 51 and 50, the results are highly significant. For men, however, no age effect can be found. In respect of the influence of labor force experience, we can confirm our hypothesis for men only. In line with our expectations, increasing labor force experience of men decreases the likelihood of experiencing a downward move. Every year in the labor force decreases the odds of going down by around 2.6 per cent, hence after 20 years of labor force experience men have 41 per cent lower odds ( $1-(0.974^{20})$ ) of moving down. Thus, we can confirm hypothesis 2 that increasing labor force experience and increasing age decreases the likelihood of downward mobility. Our hypothesis that women invest less in specific human capital and are therefore more likely to move down cannot be confirmed.<sup>13</sup> We found the opposite: women are, in contrast to what we had expected, less likely to move down. Leaving out the influence of education, the odds do change very slightly.

We hypothesized that interruption periods and their duration play a crucial role in increasing the likelihood of downward mobility. Indeed, whether someone entered the labor market after an interruption period, like unemployment or maternity leave, has a high impact on downward mobility. What matters additionally is the duration of this interruption period, but only for women. For women, an increasing duration of the interruption period increases the odds of being downwardly mobile, whereas this is not the case for men. The linear effect of duration reveals that each year out of the labor force increases the odds of moving down by 19 per cent. The quadratic effect of duration is smaller than one, indicating that this effect is inversely u-shaped and decreases over the duration of the interruption period, which is a rather unexpected finding. Thus, the longer women stay out of the labor force, the less important the duration of this interruption becomes. Taken together, hypothesis 4a and 4b can be confirmed for women, while hypothesis 4a can be confirmed for men only. In sum, micro level characteristics play a crucial role in influencing the likelihood of downward mobility.

Turning to the influence of meso level characteristics, we expected a positive influence of self-employment and a negative effect of company size on downward mobility. These hypotheses can only partially be confirmed. We can conclude that being employed in a company with up to 19 employees increases the likelihood of

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<sup>13</sup> This was tested in a model including men and women, results can be provided upon request.

downward mobility for women. However, whether someone is self-employed or not does not influence downward mobility. Summarizing, hypothesis 5 can be partly confirmed, while hypothesis 6 has to be rejected.

Another meso level characteristic that was assumed to have an influence on downward mobility is the economic sector in which an individual is employed. For male employees in the primary and secondary sector higher odds of being downwardly mobile occur compared to employees in the tertiary sector, which was also expected. For women this effect can only be found for employees in the secondary sector and on a lower level of significance. Thus, hypothesis 7 can be confirmed to a lesser extent for women than for men. Meso level characteristics assessed in this paper are less important for downward mobility than micro level characteristics.

Addressing the influence of macro level characteristics, we expected that current labor market conditions and labor market conditions at the time of an individual's entry into the labor market influence downward mobility. However, compared to men, only the model for women shows a significant effect of the unemployment rate at labor market entry. We can support this expectation based on the current unemployment rate: increasing current rates of unemployment decrease the odds of downward mobility significantly. Every 1 per cent increase in the unemployment rate decreases the odds of downward mobility by around 7 per cent for men and women. Therefore, hypothesis 8 can be confirmed, whereas evidence for hypothesis 9 is rather weak. It was assumed that other macro level characteristics are also relevant for downward mobility in Germany. Individuals coming from the East of Germany are more downwardly mobile than people from the West, excluding the reunification period. The odds of both men and women living in the East in 1989 are higher than for people living in the West in 1989. In turn, people from the West have lower odds of experiencing a downward move during the first years after the reunification; however this effect is significant only on a lower level. Almost no gender differences can be found here. Recapitulating, hypotheses 10a and 10b can be confirmed.

Turning to the control variables, we have to conclude that they are partly related to downward mobility: married people are less likely to be downwardly mobile than non-married people. Wegener's prestige score, MPS, is also significantly related to downward mobility: people with a higher score are more likely to be downwardly mobile. This finding is rather intuitive: people who are further up can also drop more easily. A linear time effect indicating modernization is significant on a lower level for men only.

**Table 1: Event History Analysis of whether a Downward Move occurred (1= yes, 0= no), German Socio Economic Panel, 1984-2004**

	Influence factor	Hyp	Model 1 women (n=26.293)		Model 2 men (n=38.247)	
			Odds ratio	Robust SE	Odds ratio	Robust SE
<b>Micro- Level</b>	<b>General Education</b>					
	Lower Secondary School Degree		Ref.		Ref.	
	Intermediate School Degree	-	0.727**	(0.087)	0.805*	(0.081)
	Upper Secondary School Degree	-	0.527***	(0.095)	0.528***	(0.077)
	Other		0.758	(0.250)	1.400	(0.360)
	<b>Vocational Education</b>					
	No Degree	+	1.349*	(0.189)	0.972	(0.147)
	Apprenticeship		Ref.		Ref.	
	University	-	0.701*	(0.110)	0.972	(0.129)
	Labor Force Experience	-	0.999	(0.009)	0.974**	(0.008)
	<b>Age</b>					
	Age 25-30		3.431***	(1.035)	1.392	(0.340)
	Age 31-40		2.994***	(0.703)	1.155	(0.219)
	Age 41-50		2.047***	(0.405)	1.152	(0.160)
	Age 51-60	-	Ref.		Ref.	
	Interruption Period	+	1.762***	(0.256)	1.710**	(0.292)
	Duration of Interruption Period	+	1.190**	(0.071)	1.096	(0.078)
Duration Squared	?	0.988 <sup>#</sup>	(0.006)	0.997	(0.010)	
<b>Meso- Level</b>	<b>Size of the Company</b>					
	Self-employment	+	1.079	(0.287)	1.111	(0.231)
	Up to 19 Employees	+	1.331*	(0.179)	1.168	(0.122)
	Between 20 and 199 Employees	+	1.190	(0.157)	1.087	(0.105)
	Between 200 and 1999 Employees	+	1.062	(0.149)	0.965	(0.105)
	At least 2000 Employees		Ref.			
	<b>Economic Sector</b>					
	Primary Sector	+	1.204	(0.384)	1.478*	(0.293)
	Secondary Sector	+	1.257*	(0.131)	1.223**	(0.094)
Tertiary Sector		Ref.		Ref.		
<b>Macro- Level</b>	Current Unemployment rate	?	0.925 <sup>##</sup>	(0.024)	0.936**	(0.021)
	Unemployment Rate at Entry	?	1.037 <sup>#</sup>	(0.017)	1.025	(0.014)
	Living in the GDR in 1989	+	2.350***	(0.520)	2.852***	(0.573)
	Reunification Period	+	0.887	(0.107)	0.867	(0.083)
	Reunification x Living in the GDR in 1989	+	1.779**	(0.332)	1.881***	(0.299)
<b>Control Variables</b>	Married	?	0.793 <sup>#</sup>	(0.078)	0.773 <sup>#</sup>	(0.070)
	Magnitude Prestige Score	?	1.017 <sup>###</sup>	(0.002)	1.015 <sup>###</sup>	(0.001)
	Time	?	0.991	(0.010)	0.981 <sup>#</sup>	(0.009)
	Wald Chi <sup>2</sup>		290.86 (26 df)		596.97 (26 df)	
	McFaddens-Pseudo-R <sup>2</sup>		0.0530		0.0598	

\* p<.05 one-sided ; \*\*p<.01 one-sided ; \*\*\*p<.001 one-sided  
# p<.05 two-sided ; ##p<.01 two-sided ; ###p<.001 two-sided

## 5. Discussion and Conclusion

The aim of this study was to shed light on the phenomenon of downward career mobility. Despite the fact that Germany faced much turbulence around 1989, the rate of downward mobility has remained at a low level over the past two decades, with its peak for people from the former GDR during the years after the German reunification. Thus, the German reunification in 1990 can indeed be seen as an example of an exogenous event that has had a huge impact on mobility rates, which supports general ideas of the importance of such events (Mayer et al., 1999). The de-standardization and differentiation (Mayer, 2004), which would have led to increasing rates of downward mobility obviously did not take place. Overall, there seems to be more continuity than change in the process of downward career mobility. Thus, it seems that only the societal relevance increased and not the actual rate of downward mobility. One reason for this might be that the general mood of the German population in the West as well as in the East was rather negative after the German reunification.

Our results show that micro, meso, and macro level characteristics simultaneously influenced downward mobility. Major effects on the likelihood of downward mobility were found on all levels. However, the meso level was less relevant. The question posed earlier, 'Who are the winners and who are the losers of the transformation process?', cannot be answered unequivocally. There are many losers: lower educated individuals, people with little labor force experience, people returning from an interruption period and people who lived in the East in 1989.

The finding that more highly educated people are less downwardly mobile is in line with previous research results (Blossfeld, 1986; Carroll & Mayer, 1986) and theoretical notions from status attainment theory (Blau & Duncan, 1967), for instance. The unexpected finding that men holding no degree and men holding a vocational or university degree exhibited no differences in the likelihood of experiencing a downward move is hard to explain. Eventually, men holding no degree or a vocational degree will differ in that respect from men holding a university degree or certain other educational degrees, e.g. a teaching degree or a degree in law are often connected with certain careers within the public bureaucracy where downward mobility is unlikely to happen (Haller et al., 1985). In any case, investing in general education still seems a good way to avoid downward mobility.

Concerning the effect of labor force experience and age, the likelihood of downward mobility decreases during the course of one's occupational career. Apparently for men, it was indeed the case that time spent in the labor force can be seen as an indicator of the extent to which individuals socialize and familiarize themselves with rules in the labor market, and thus accumulate job-specific human capital. Modernization, evidently, did not change the German labor market so drastically that the effect of the socialization and familiarization processes with the labor market was cancelled out. If older people face difficulties in the labor market, they obviously do not experience a downward move, but probably drop out of the labor force completely. For women, however, age is far more important than labor

force experience. During the years in which family plays the most significant part for a woman, i.e. between the ages of 25 and 40, women are especially at risk of experiencing a downward move. In sum, the socialization effect for men captured through labor force experience is pronounced, while for women age, in our view, represents a time effect which in turn represents the years of intense concentration on the family.

Additional analyses showed that women have a lower likelihood of experiencing a downward move than men, which was contrary to our expectations. One reason was that their level of education does not differ largely from the level of education of men. Presumably, women with their typical role as second earner of the family will not accept any job but only one that meets their own requirements, if they have the possibility to do so. So, instead of taking a job with lower prestige, they might decide to stay out of the labor force completely. This supports the argument that leaving the labor force is a gender-specific mobility option for women but not for men (Koenig, 1990). Previous research (DiPrete & Nonnemaker, 1997) has already stated that more effort has to be made in understanding gender differences in mobility, and we can only confirm that notion.

Of major importance was whether someone experienced an interruption period, e.g. maternity leave or unemployment. However, it mattered only for women how long this period was. The result was that the quadratic effect of the duration of the interruption was negative for women, which was at first glance rather surprising. But, obviously, for a woman who has already left the labor force for a longer period of time, the duration of the interruption becomes less important. Further research concerning the influence of labor force interruptions on mobility patterns is needed. In sum, gender differences on the micro level are pronounced. Downward mobility of men and women is obviously driven by different influencing factors on the micro level.

Company characteristics are supposed to play a decisive role in shaping mobility patterns. Self-employed individuals were not, in contrast to our expectations, more likely to be downwardly mobile. In our case, the self-employed will probably not change their occupation, just their functioning, e.g. work more hours or get a second job, which has no effect on the prestige score. Also, the self-employed are expected to have a higher degree of control and more autonomy over their own jobs, which gives them flexibility and partial immunity (Solis & Billari, 2002) from economic hardship. Company size had only a minor impact on downward mobility. What was more important is the economic sector somebody was employed in. In line with our predictions, being employed in shrinking sectors such as the primary and secondary sectors increased the likelihood of downward mobility. Employees coming from these sectors had to reorientate themselves and, at least temporarily, accept a less prestigious job before they eventually recovered. There were only small differences between men and women on the meso level.

Our findings support the notion that good current labor market conditions increase the likelihood of downward mobility, which is in line with the ideas of vacancy competition theory. We also found a positive effect of labor market conditions at

the time of an individual's entry into the labor market. If and when an individual changes his or her occupation is thus also determined by the opportunities an economy offers. When individuals enter the labor market in times of high unemployment, they have a higher likelihood of experiencing a downward move at a later stage in their career, which again supports the Blossfeld's notion (1986) and serves as an argument against the hypothesis put forward from vacancy competition theory. Whether someone lived in the East in 1989 increased the likelihood of downward mobility. In the first years after the German reunification the risk of people from the West experiencing downward mobility was, contrary to expectations, lower than in the other time periods. This result can possibly be explained by the fact that a competing risk – becoming unemployed – was at work here. We barely find differences between men and women on the macro level.

An important contribution of this study has been to investigate downward mobility instead of focusing on mobility in general. Taking a closer look at this phenomenon turned out to be a worthwhile approach because downward mobility is probably not just the opposite of upward mobility and is driven by different mechanisms, as some quite unexpected findings, like the gender effect, showed. Thus, downward mobility and upward mobility are probably not just end points on the same scale. Another contribution of our study has been to examine an important historical time for Germany – the time before and after the German reunification. In contrast to previous research, we have also focused on interruption periods and the number of break years an individual has undergone and provided an interesting starting point for further research.

This paper is only a modest step towards explaining the phenomenon of downward mobility. Thus, research can be expanded in a number of directions. First, any specification would be desirable when examining the phenomenon of downward mobility, e.g. including social capital theory. A general expectation is that individuals who can be caught by the social network consisting of family, friends, and colleagues are less likely to be downwardly mobile. Second, an examination of the discrepancies between the likelihood and the extent of downward mobility and an examination of the unexpected finding that women are less likely to be downwardly mobile would be interesting. Third, further empirical work concerning downward mobility would benefit from a cross-country comparison as already achieved by previous research for mobility in general (DiPrete, De Graaf, Ruud, & Blossfeld 1997; DiPrete, 2002). It would certainly be interesting to assess whether the prediction of Esping-Andersen (1990; 1999) – that certain welfare systems exhibit similar patterns of occupational mobility – is also applicable to downward mobility. In sum, this paper is a start in exploring downward mobility, but there are still multiple studies needed that take the results of downward mobility into further consideration.

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**Table A1: Description of the Independent Variables (weighted)**

Variable name	Description	Descriptives
education	highest educational attainment	Time-varying:
lower secondary school degree	1 if yes; 0 otherwise.	40.18 per cent
intermediate or technical school degree	1 if yes; 0 otherwise.	35.11 per cent
upper secondary school degree	1 if yes; 0 otherwise.	21.80 per cent
other	1 if yes; 0 otherwise.	2.47 per cent
vocational education	highest attainment	Time-varying:
no degree	1 if yes; 0 otherwise.	12.38 per cent
apprenticeship	1 if yes; 0 otherwise.	66.89 per cent
university	1 if yes; 0 otherwise.	20.87 per cent
labour force experience with human capital depreciation	in years at interview.	Time-varying: mean 17.91 years; st.d. 11.55 years
gender (female)	1 if female; 0 otherwise.	Time-constant: 50.87 per cent women; 49.13 per cent men
age 25-30	1 if yes; 0 otherwise	16.13 per cent
age 31-40	1 if yes; 0 otherwise	31.35 per cent
age 41-50	1 if yes; 0 otherwise	28.70 per cent
age 51-60	1 if yes; 0 otherwise	23.82 per cent
interruption period in panel year	1 if yes; 0 otherwise	Time-varying: 4.67 per cent
duration of interruption period in the panel	in years at interview	Time varying: mean 1.50 years; st.d. 2.77 years
marital status	1 if yes; 0 otherwise.	Time-varying: 71.17 per cent married
magnitude prestige	magnitude prestige value	Time-varying: mean 60.64; st.d. 13.74

<b>Meso level characteristics</b>		
self-employment	1 if yes; 0 otherwise.	Time-varying: 3.51 per cent self-employed
Size of the company	size of company respondent works Up to 19 employees Between 20 and 199 employees Between 200 and 1999 employees At least 2000 employees	Time-varying 25.93 per cent 27.12 per cent 20.81 per cent 22.64 per cent
Economic Sector	Primary sector Secondary sector Tertiary sector	2.13 per cent 34.96 per cent 62.91 per cent

<b>Macro level characteristics</b>		
current unemployment rate	local unemployment rate in percent	Time-varying: 12.08 per cent; st.d. 3.65 per cent
unemployment rate at labor market entrance	local unemployment rate in percent	Time-constant: 4.99 per cent; st.d. 3.42 per cent
living in the GDR in 1989	1 if East Germany; 0 otherwise.	Time-constant: 28.48 per cent East; 71.52 per cent West
reunification	1 if years 1990 - 1995 otherwise.	Time-varying: 26.00 per cent in reunification years

## **The Danish Way of Flexicurity - A Chance for Older Workers on the German Labour Market?**

This essay deals with the question of whether the highly successful labour market policies in Denmark can be transferred to Germany. The basic idea of Danish employment strategies derives from a combination of flexibility and security. This approach has lately been discussed as “flexicurity”. Besides an elaboration of the theoretical approach of flexicurity, the article also entails a comparison of the labour market and social policies driven by both countries. The sociological framework is geared towards the structural-individualistic multi-level model. Special attention is given to older employees because the group of the 55-64 year old people is facing significant problems on the labour market.

An adoption of the Danish reform by German policy makers is difficult to undertake due to the differences between the countries concerning their legal, social, and economic framework. Nevertheless in the long-term perspective an adoption of single elements should be aimed at, for example a stronger emphasis on employment security instead of job security. Denmark can also be used as a model due to its consistent integration of other fields of politics such as family and education policies into its labour market policies.

### **1. Introduction**

Over the years numerous industrial nations have been facing high and constant unemployment rates. By contending the appropriate way of reducing unemployment it becomes clear that some states are performing better than others although the global economy entails the same by-products for any country. So successful states are often seen as models from which other countries might try to gain ideas. For instance Denmark impressively overcame a deep crisis of unemployment in the early 1990s by undertaking rigorous reforms in the field of employment policies. The basic idea of its politics can be seen in a labour market policy that combines flexibility and security. This concept sounds paradox at first, but it has lately appealed to both researchers and politicians and is currently being termed and discussed as “flexicurity”. The constantly high unemployment in Germany poses the question of whether the successful Danish concept is transferable. In this article special attention is paid to the group of elderly people<sup>1</sup>: Their employment rates are far below the general average in Germany as well as in Denmark, but the situation for older people on the Danish labour market

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<sup>1</sup> In this paper the group of elderly people entails persons from 55 to 64 years.

appears much better than it does in Germany. Before introducing the concept of “flexicurity” and discussing the question of whether this concept could work in Germany, the reasons for the low participation rates of the 54-65 year old people are analysed first.

## **2. The labour market situation for older people in Germany and Denmark**

With a general unemployment rate of 9.1% in 2005 Germany was well above the European average<sup>2</sup> of 7.6% (OECD, 2006a, p. 21). Stagnant high unemployment causes big problems. On the micro level an individual without a job experiences material and immaterial deficits. But the macro level is also affected: a high unemployment rate creates higher costs of social benefit transfers. Due to the German welfare system, based on contributions in Bismarckian tradition, public income generated by contributions of health insurance, pension scheme, unemployment insurance, and nursing care insurance depends heavily on the employment rates (Waltermann, 2004, p. 35). Looking at different groups on the labour market it becomes obvious that some of them are experiencing bigger disadvantages than others. The unemployment rates of young persons, immigrants, and low skilled people are significantly higher than the general rate. Also older people are exposed to unemployment in a drastic way, as the unemployment rate of this group is at 12.8% while that figure in Denmark was 5.2% (Eurostat, 2007). This is also above the general unemployment rate but not as drastic as in Germany.

### **2.1. Older people and the labour market**

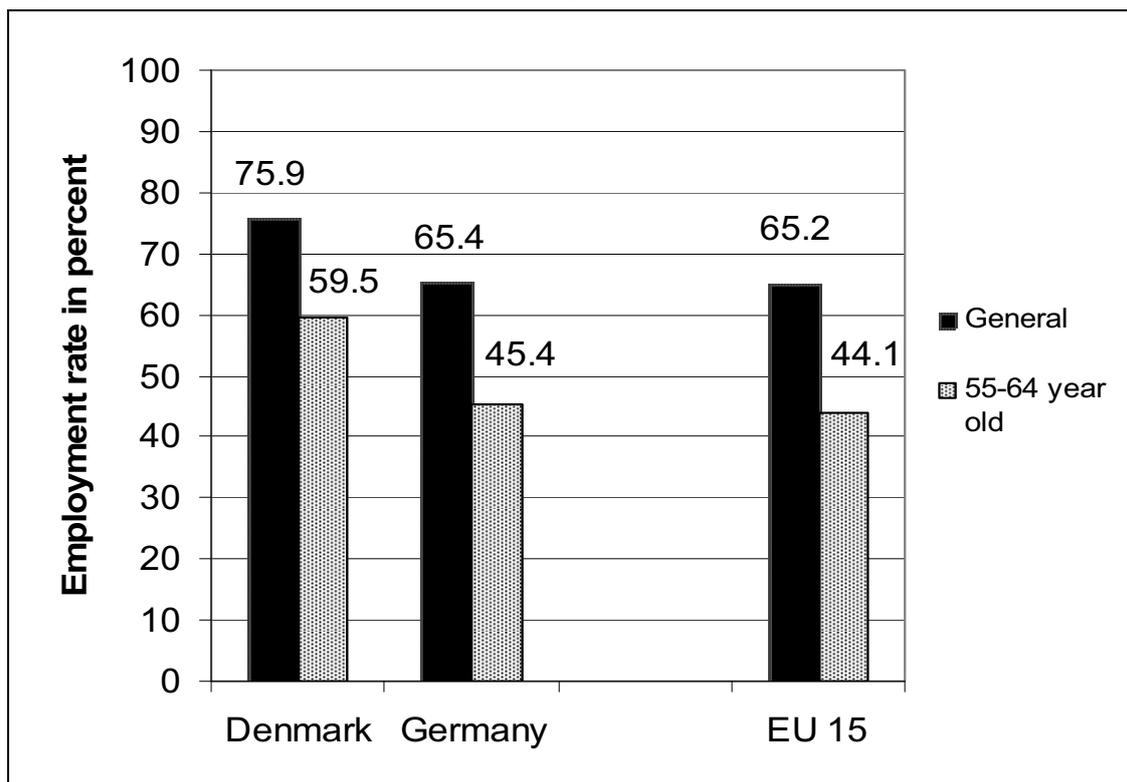
By discussing the situation of elderly people on the labour market it is useful to put the focus on the employment rate. As not every person is able and willing to work until the official age of retirement set by the legal framework, a look at employment rates seems more effective. The option of early retirement can also be forced if an older person is facing unemployment.

While the general employment rate in Germany was at 65.4% in 2005, the employment rate of the 55-64 year old people was at 45.5% (see figure 1). In Denmark the participation of the elderly is much higher: in 2005 59.5% of this group were in employment. Though the general employment rate in Denmark is higher than in Germany (75.9%) the gap is apparently not as wide. Furthermore Denmark had already passed the 50%-line in 1997. Highlighting this fact is of special interest as the European Union has announced its goal of getting more than 50% of the 55-64 year old people into employment by 2010 and almost all European countries are still far from that figure (Europäischer Rat, 2001).

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<sup>2</sup> EU-15.

**Figure 1: Employment rates 2005 in general and for the 55-64 year olds**



Figures from Eurostat (2007)

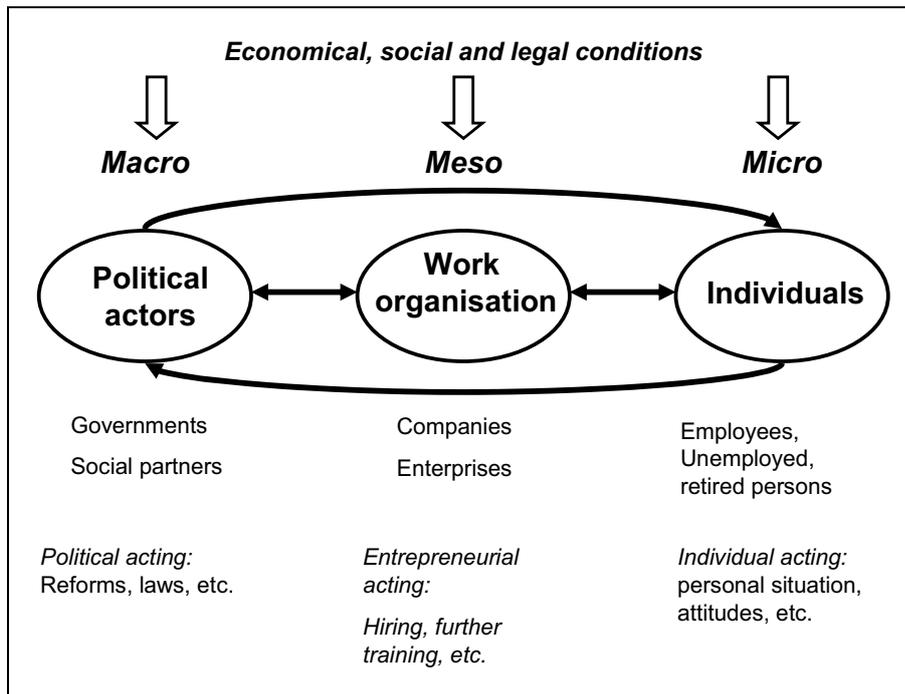
## **2.2. Impacts on retirement: pull, jump, and push**

Another indicator can be found in the actual age of retirement: Comparing the official and the effective age of retirement the gap between those two figures appears obvious: while the official age of retirement is still set at 65 years<sup>3</sup> in Germany, the average of the actual retirement age could be found to be 61.3 years in 2004 (Kraatz, Rhein, & Sproß, 2006, p.1). What are the reasons for that significant difference?

For an analysis of the influencing factors it is necessary to look at the situation in a multilevel context. An individual's behaviour on the micro level is influenced not only by their personal situation, but also by the behaviour and actions deriving from actors of the meso and macro level. Here decision takers in enterprises and companies are regarded to be the actors on the meso level, while politicians, but also representatives of the trade unions and employers associations, are to be seen as actors on the macro level. Conversely, the aggregation of actions done by individuals influence the actors' behaviour on the other two levels. Between all actors there is existing interdependence. Above all, micro, meso, and macro levels are embedded into an economic, social, and legal framework (Abraham & Büschges 2004, p. 80ff). As for the discussion of the tendency towards early retirement the multi level approach is depicted in the following model:

<sup>3</sup>The official age of retirement was raised to 67 by the decision of the German government in October 2006.

**Figure 2: Multi level model concerning the situation of elderly on the labour market**



### ***The macro level***

Decisions made by the political actors on the macro level influence individuals' behaviour. For instance, the official age of retirement is set by law. If a person decides to leave the labour market before the official age he or she has to accept a financial commission. So the government is able to affect people's decisions on staying or leaving the labour market by using financial incentives. These factors can be labelled as "pull" factors: depending on the situation of the labour market, older people can be pulled out of the labour market (Breedgaard & Larsen, 2005; Jepsen, 2002). Actors of the macro level have made use of this instrument in the past and not only in Germany. As the extensive economic crises in the 1970s caused mass unemployment for the first time the government established financial incentives for the elderly to make them leave the labour market earlier and abandon their jobs to younger people (Lafoucrière, 2002, p. 51). Not only the government, but also trade unions and employers' associations supported this (Naegele, 2002, p. 211). Facing the dimensions of the demographic change, the set of problems enforced by this political strategy driven for decades become obvious: While life expectancy rates rise and less children are born, an average retirement age of 61.3 years is bringing the financing of the pension schemes into big trouble.

### ***The micro level***

The financial incentives to stay in or to leave the labour market influence the individual's behaviour. Usually a person chooses the point in time for an exit from the labour market depending on her or his personal financial situation. The

dimension of private foresight plays an important role here. Furthermore the individual state of health forces some people to retire before the age of 65 years. This is especially the case for less qualified people whose participation in physically demanding jobs is typically higher than for highly qualified ones. Individual reasons such as the family situation for instance also influence the decision. Some elderly are well prepared when they quit their working life as they know how to fill their gained leisure time with their interests or new functions. According to Bredgaard and Larsen (2005, p. 317) the search for self-actualisation and active creativity after retiring can be subsumed as “jump”-factors which are a significant influence on the behaviour of retiring.

### ***The meso level***

On the meso level decision makers in firms and enterprises influence the labour participation rate of the 55-64 year olds. Here the attitudes towards older persons are crucial. They are often seen as less productive than younger ones. (Diez, Gartner, Koch, & Walwei, 2006, p. 2) The elderly seem to be less healthy and seem to take more sick days than younger employees do (Jepsen, 2002, p.38), they are also supposed to be less willing to learn and adopt new technologies (Petrenz, 1999, p.63ff). Furthermore, in Germany age-based positions seem to be very rare (Buck & Weidendörfer, 2006, p. 214). Another important reason for favouring younger employees instead of the elderly can be found in an average rise of salary by increasing age which is very common in Germany (Diez, 2006, p. 2). All these reasons influence the decision makers towards preferring younger employees in their enterprises. These so called “push”-factors (Bredgaard & Larsen, 2005, p. 317) push older employees out of the labour market.

Looking at the situation of older people on the labour market it becomes obvious that the interplay of all these factors contributes to the employment rate as a macro economic value. These factors also influence the labour market participation of the elderly in Denmark. But it is not only that the participation rate is significantly higher than in Germany; the gap between the employment rate in general and of the 55-64 year old is also smaller than in Germany. So it might be worth looking at the Danish system of labour market and social policies in order to gain ideas how to improve the situation in Germany.

As Denmark is often seen as an ideal model of “flexicurity”, a concept which combines flexibility and security on the labour market, it is important to turn to the theoretical approach of flexicurity first before discussing the implementation of the concept.

## **3. Flexicurity – Combining flexibility with security**

Although it seems to be a paradox in meaning at first, flexicurity has recently been discussed as a new option of labour market policies. A widely used definition is set

by Wilthagen and Rogowski (2002). According to them flexicurity can be seen as a “policy strategy that attempts, synchronically and in a coordinated way, to enhance the flexibility of labour markets, the work organization and labour relations on the one hand, and to enhance security – employment security and social security – notably for weak groups in and outside on the labour market on the other.” (Wilthagen & Rogowski, 2002, p. 250)

Flexibility and security are brought in line with each other on all three levels. The authors stress that this can only be fulfilled if special attention is given to coordination. The initial incentive should primarily derive from actors of the macro level like the government and the social partners (Ozaki, 1999, p. 47f). With such an impulse, the implementation on all levels shall be achieved. It is important to stress that none of the paradigm is allowed to gain more weight than the other. Equality has to be maintained so as to implement the real balance that arises with flexicurity in the end. This means that forms of flexibility have to be complemented with corresponding forms of security.

On the macro level flexibility is supposed to ensure flexible labour markets. The predominant indicator to measure the degree of flexibility in national labour markets can be seen in the job protection legislation. The degree of flexibility in work organisations and labour relations becomes apparent by the scope of possible reactions towards the current market situation, by reverting to external and internal staff and their appropriate employment. This also includes options of further education programmes and trainings (Klammer & Tillmann, 2001, p.6).

In return for the demands highly flexible labour markets and labour organisations make towards employees, a guaranty of security has to be given to the individuals. The emphasis has to be put on two kinds of security: employment security and social security. Especially from the German perspective where job protection legislation is tough and the Anglo-Saxon tradition of a “hire- and fire”- mentality is not known, the difference between job and employment security is important to stress: while a high job security comprises a strong guarantee to stay in the same job, employment security implies a structure of security that keeps individuals in employment. This can be achieved by staying in the same job, but not necessarily so. The big goal is to bring people back into employment quickly. The transitions between particular jobs are covered by a well appointed system of social security in terms of moderate financial support by the state in the case of unemployment.

As welfare systems are often described as a “social net” where people experience a gentle fall into a net of financial and social aid if they need help, the flexicurity approach can be compared to a trampoline. In the case of unemployment people fall softly, but they do not stay on the bottom.

The authors are aware of the fact that this definition is a theoretical approach so far whose sustainability is not yet proven as empirical research in that field is still in its beginning. Comparatively long term research has to be conducted in order to test the actual effect of this policy. The implicated “win-win”- effect is probably not that easy to realise. Wilthagen and Tros (2004, p.171) stress that their theoretical approach “should not convey that flexicurity strategies (...) have become, or

becoming, 'mainstream' labour market policies (...) and that their emergence is somehow self-evident".

## **4. National employment policies by comparison**

### **4.1. Germany**

Before turning to Denmark as an example of efficient flexicurity policies, a look at German policies and Germany's attitudes towards flexibility and security is carried out first.

#### ***Employment policies in general***

With respect to the flexicurity approach it is of special interest to examine the extent and implementation of flexibility and security in Germany. The traditionally "normal" employment contract entailing a "nine-to-five"-job seems to be declining while part time jobs and temporary employment are rising (Hoffmann & Walwei, 2000, p. 4; Klammer & Tillmann, 2001, p. 49). The number of terminated contracts has also increased. These facts might lead to the assumption that forms of atypical employment are rising. By looking at the absolute figures the admonished "erosion of normal work" is not as dramatic as often suggested. While 54.4 percent of the employable people were situated in so called "normal" employment contracts in 1985, this number decreased only marginally to 50 percent in 1999 (Schmid, 2002a, p. 178ff). Also flexibility on the macro level in terms of a liberalisation of the job protection legislation for instance cannot be noticed in Germany. Demands of flexibility towards individuals coming up from the meso level seem to arise however. A higher willingness of regional mobility is expected from individuals (Rabe, 2001, p. 387), but also flexibility inside companies is required as the huge number of accomplished overtime hours shows (Wilthagen, Tros, & van Lieshout, 2003, p. 14f).

New demands for flexibility have not generated new forms of security in Germany so far. A shift from job to employment security might be welcomed by actors of the macro and meso level, but the actual driven strategy still focuses on job security. The high level of German job protection legislation demonstrates that it is one of the strictest worldwide (Auer & Cazes, 2003, p. 12) An indicator for that issue can be seen in the average period an employee stays in the job which was 10.7 years in 2002 (Auer, Berg, & Coulibaly, 2004, p. 2).<sup>4</sup> Social security in terms of income security is given by the welfare state if a person is suffering from unemployment. These statutorily payment transfers are a typical characteristic of the conservative welfare scheme described by Esping-Andersen (1990) in his widely recognised "Three Worlds of Welfare Capitalism". Germany is ascribed to the conservative welfare scheme where the state is engaged in the social protection of its citizens.

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<sup>4</sup>During 1992 and 2002 the average tenure was 10.5 years in Europe. In Great Britain the average was lowest (8.1 years), while Greece had the highest average tenure (13.2 years).

A paternalistic attitude can be seen as a typical motive. Social assistance is given if needed, the amount of financial support is higher than in liberal oriented states such as the United States or the United Kingdom for instance. Subsidiarity is highly valued, furthermore a conservative traditional family model with a low labour market participation of women is typical. The structures of a conservative welfare scheme consolidate social classes, the mobility between particular classes is not high (Esping-Andersen, 1990, p. 27).

The principle of a caring state still exists although recent reforms in labour market and social policies have caused drastic incisions concerning the amount of payment transfers. After years of mass unemployment and exploding costs in other parts of the welfare system the government led by Gerhard Schröder<sup>5</sup> decided to carry out a new form of employment policy. The widely known “Hartz”-reforms – named after Peter Hartz, head of the commission which devised the reform – have led to significant changes in the system of social security. The pressure on unemployed people has increased. Receiving social and unemployment assistance is linked to sharper obligations than before. The duration of financial coverage related to the individuals' former income has been shortened. The amount of the subsequent social assistance has been reduced. The intention to get individuals back into employment quicker than before can be seen in these statutory changes (Waltermann, 2004, p. 188).

### ***Employment policies with regard to the elderly***

The political actors are aware of the demographic change which will cause high debits in the social system in the medium and long term perspective. Furthermore, also the lack of qualified employees has to be balanced (Engelhardt & Prskawet, 2005, p. 342). The former policy of early retirement has been changed into a strategy that wants to keep people in employment as long as possible. This can also be seen in the increase of the official retirement age from 65 to 67 years.

This can only be fulfilled by high employment rates up to a high age. Although actors of the macro level focus on that point, companies are still in favour of younger employees. The already mentioned prejudices made by many personal managers have not disappeared yet. This can also be seen in the fact that the employability of older people is not assisted as might be necessary. Figures of the participation in further education programmes show that training courses are rarely used by elderly employees. In 2002 only 6 percent of companies in the Old Laender resp. 7 percent in the New Laender employing older people made them take part in further education programmes. The participation in age-based trainings was only at 1 percent (Bellmann, Gewiese, & Leber, 2006, p. 430). However, due to high pressure and working conditions which show no kind of age-based job design, individuals do not want to stay longer in the labour market.

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<sup>5</sup>The coalition consisted of the Social Democratic and the Green Party run by chancellor Gerhard Schröder from 1998 to 2005.

A corporate change of attitudes towards elderly on the labour market at all levels is necessary. Through the “Initiative 50plus” campaign set up by the government in 2006, instruments are implemented which will support the employment of older people by accordant legislation. But a significant change cannot be observed so far (Bosch & Schief, 2005; Eichhorst & Sproß, 2005).

#### **4.2. Denmark**

While other countries such as the Netherlands and Austria implemented elements of flexicurity as well, Denmark is chosen here due to its high employment rates of older people which cannot be found in other “flexicurity”-countries to the same extent.<sup>6</sup> Furthermore Denmark is often seen as the ideal model of flexicurity which proves that a combination of the both paradigms is possible (Larsen, 2005, p. 5).

##### ***The success of Danish employment policies: The Golden Triangle***

Like other industrial countries Denmark was suffering from a deep economic crisis in the 1990's. When the unemployment rate reached over 10 percent in 1993, the government determined an extensive reform package which can be seen as a “paradigm shift” (Braun, 2003, p. 96) in Danish labour market and social policies. Compared to the recent German reform it can be considered as much more consistent. The reform had a respectable impact on the labour market situation in Denmark, as unemployment decreased rapidly and the general economic situation improved significantly. The success is often quoted as the “Danish miracle”. (Madsen, 2005, p. 4)

According to Madsen (2005, p. 12) the Danish model “should be seen not as the result of a well-defined scheme, but as the outcome of a long historical development.” Actually, the Danish structures that influence labour market and social policies nowadays can be traced back to 1899 when the so-called “September Compromise” was signed after foregoing industrial conflicts between blue-collar-workers and factory owners. Both received debts and power equally. The agreement not only appeased both sides concerning this actual conflict, it also created basic structures of a political culture with a high willingness to compromise. The ability to cooperation and attain consensus can be found in the different parties in interest groups up to today (Bogedan, 2005, p. 9ff). The influence deriving from that event can also be seen in the function and the behaviour shown by actors of the macro level: the power of the labour market is segmented between the social partners and the government. The state shows more reluctant behaviour, however it is able to moderate between the two parties if necessary (Bredgaard & Larsen, 2005, p.324).

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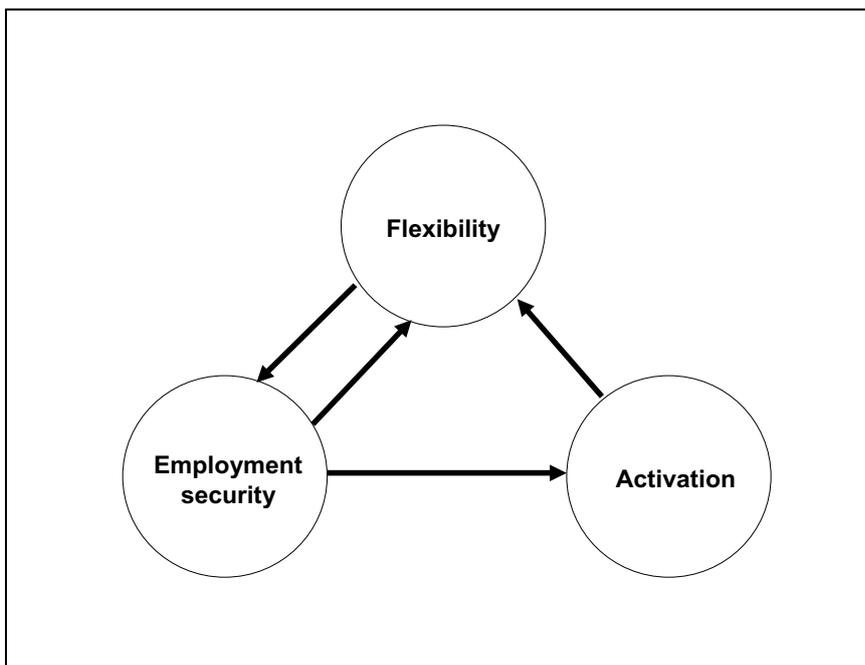
<sup>6</sup>In 2005 the Netherlands obtained an employment rate of 46.1 percent, Austria 31.8 percent of persons in the age of 55-64.

Structures and operation of the Danish welfare state also go back to that time. Denmark is often ascribed to the social democratic model<sup>7</sup> typically found in Scandinavian countries. Examining its structures it becomes obvious that it is no pure democratic welfare scheme, but also incorporates elements of a liberal welfare state. The case of unemployment shows this excellently: Until 1989 a Danish employee could be fired without any compensation paid by the employer. Due to the generous governmental unemployment insurance the unemployed person could handle short periods of unemployment.

So a combination of flexibility and se

curity had already existed before the 1990's. The government tied in with existing structures which were extended. The actual modernisation of the reform in 1993 is to be seen in the strong emphasis of active labour market polices. Activation, flexibility, and security are the essentials of Danish employment policies as practised since 1993 and which is considered as the "Golden Triangle". (see figure 3)

**Figure 3: The 'Golden Triangle' of Danish labour market policies**



According to Madsen (2002, p.101)

The degree of job protection legislation is still low. Only in the United States, the United Kingdom, Ireland and Canada are employees less protected against dismissals than in Denmark (Madsen, 2002, p. 72). According to Braun (2001, p. 659) the level of social security is still kept high in Denmark. Policy makers insisted

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<sup>7</sup>Besides a high level of social security in the social democratic welfare scheme universalism is an important goal in the means of an equal accession towards education, carriers, etc. Furthermore the degree of decommodification has to be kept as small as possible, so an individual should experience a large extent of independence from forces and risks that capitalistic markets entail (Schmid, 2002b, p. 83ff).

in keeping the comparatively high income level while neither social benefits nor the level of wage floors were to be reduced.<sup>8</sup>

The renewal can be found in the emphasis on activation. As financial transfers were tied with stronger obligations, a fair balance between demanding and encouraging unemployed people became the central paradigm of the reform (Bogedan, 2005, p. 18). While receiving benefits in the long term used to be possible, the duration of receiving benefits passively was reduced step by step. Since 1999 an unemployed person has to take part in training or job programmes at the latest after twelve months in order to retain the right to gain financial support from the state for up to three years (Braun, 2003, p. 97).

Compared to the Danish reform the latest changes in German employment policies are not as balanced. The average level of social assistance declined. As the state has increased the level of demands towards unemployed people, the composition of encouraging elements is still low. In Denmark the elaboration of an individual action plan – a kind of contract entered between the unemployed person and the local employment agency – tailored to the personal situation of the particular unemployed person enables a better promotion of the individuals (Bogedan, 2003, p. 97). Through these forms of active employment policies, people can be brought back into the labour market as fast as possible. The idea of lifelong learning is to keep and develop the employability of the labour supply. Combined with the low job protection legislation, the transitions between employment and unemployment are not as thorough as in Germany. The average tenure in one job is at 8.3 years (Auer et al., 2004, p. 2). So also the level of conflicts between insiders and outsiders on the labour market is not as high as in Germany (Braun, 2001, p. 639ff).

From that perspective the Danish model seems to be ideal. But there are also critics, of course. For example the model is blamed for locking unemployed people away, when they are forced to participate in obligatory training programmes which means that they do not count towards the official labour supply. Despite the statistical deformation, critics put the blame on a beating down of peoples' own initiative to find a way back into employment by themselves (Madsen, 2005, p. 19). Beyond this the real criterion of the functionality and sustainability will be seen, if the economic situation should worsen in Denmark. A real verification of this model can only be carried out, if this scheme is able to handle economic recessions in an adequate manner.

### ***The Golden Triangle and the Elderly***

Keeping the initial figures in mind, the employment rates of the 55-64 year olds were far above the European average. Does this group actually benefit from the Golden Triangle itself?

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<sup>8</sup>Before 1993 almost any member of the unemployment insurance scheme received 90 percent of the former individual income. The ceiling amount was 19.400 Euro (Madsen, 2006, p. 6).

Danish labour market policies followed early retirement policies as did other countries during the 1970's and the 1980's. Exit opportunities were established that enabled retirement at the age of 60 (Bogedan, 2005, p. 16). As a consequence of the multilevel model, these regulations, driven by the political actors, influenced the individuals' behaviour. People made use of these early retirement options, and so the average retirement age sunk significantly (Bredgaard & Larsen 2005, p. 320).

Looking at the Danish reform in 1993, with special respect to the elderly, it becomes obvious that this group was not included explicitly in the new policies at first. The primary goal was to reduce the labour supply, so the early retirement strategy was still being propelled forwards at a time when the political actors in Germany had already turned away from that policy (Henkes, 2006, p. 340). Only after the general situation had improved, were the elderly paid higher attention.

As there are no special regulations for older people concerning job protection legislation, the elderly are exposed to security, but also flexibility in the same way as younger employees. This fact is twofold: it means better chances for a return to the labour market on the one hand. From the OECD's (2005, p. 12) point of view this is an advantage compared to states with a strict job legislation protection. However, on the other hand this might be a disadvantage, as people from any age group compete. Denmark is not exempt from the prejudices of lower productivity of older people compared to younger ones. So the outcomes of the Golden Triangle can also mean a disadvantage for this group. Tros (2005, p. 301) even demands that "the Danish model is challenged to prevent that older workers will not be placed outside the Danish 'golden triangle of flexicurity'". Also Bredgaard and Larsen (2005, p. 238) stress that the Danish model can only fulfil its obligations towards older people if actors of the meso level comprehend the potential this group offers.

Although the reform in 1993 did not involve the elderly immediately, but step by step, its positive outcomes also affect their situation on the labour market. So at least an indirect effect on the situation of older people on the labour market by the Golden Triangle can be denoted. Furthermore other reasons for the higher employment rates of the 55-64 year old people in Denmark can be observed. There are also prejudices by Danish employers against the elderly concerning their productivity (Bredgaard & Larsen 2005, p. 315), but according to the OECD (2005, p. 12) age discrimination on the job is very low compared to other countries. Furthermore the extent of age-related earnings is smaller than in Germany.

In the long term perspective the implementation of activation should prove fruitful for the Danish (working) society as whole. The longer instruments such as further education courses and training programmes are part of the employment policies, the more people will take part and will benefit from the idea of life long learning. This enables a high standard of education which results in a more potent employability up to a high age.

## **5. Flexicurity as a concept for Germany?**

The foregoing illustration of the Danish concept shows that the idea of flexicurity derives from grown structures. According to the assumptions made by the multi level approach, actions undertaken inside a society are dependent on a framework consisting of structural conditions. Having a look at the national employment policies both countries run, it becomes obvious that the linkages to the particular structures in which these policies take place are essential. Labour markets are not to be seen as “normal” markets where supply and demand meet. They can be described rather as subsystems of a society where social, institutional, and cultural coherence exist. So the framework of social norms as well as legal and economic conditions are interrelated to actions on the labour market (Hinz & Abraham, 2005, p. 17). A transfer of Danish employment and social policies to Germany might be difficult, also due to the structural differences both countries are showing.

### **5.1. Structural Differences**

Economic structures differ as the service sector in Denmark is more extended than in Germany (Weidenfeld, 2004, p. 417). By adding a high number of new jobs in the public sector the Danish state also adopts the role of an employer in a more extensive way than the German state (Auer 2000, p. 14). A further difference can be seen in a higher homogeneity concerning economic regions which is not the case in Germany. A deep gap between Old and New Laender concerning the economic power has to be recorded (Europäische Kommission, 2006). This is definitively constricting high mobility on the labour market as demanded by the idea of flexicurity.

Concerning the social structure both countries are facing a demographic change though with slightly different consequences. The change in Denmark is taking place less dramatically than in Germany as the rate of fertility is at 1.7 children per women, while in Germany it is at 1.4. (OECD, 2005b, p. 36; OECD, 2005a, p. 27) As life expectancy is marginally lower in Denmark (Eurostat, 2007), the relation between young and old people in society is more balanced than in Germany (OECD, 2006b, p. 20). The German welfare system has already been under pressure for years due to its financing by contributions because this system is highly dependent on a inter-generation contract. This does not work if the balance between the generations is not guaranteed any more. Moreover the German Reunification also put pressure on the insurance system, especially concerning the pension insurance (Ritter, 2006, p. 253).

A significant difference in political terms can be seen in the attitudes and the behaviour of the political actors like government, trade unions, and employers' association. The Danish September Compromise created a political culture entailing a high ability of compromise and cooperation between the actors on the macro level which continues up to today. Without that attitude the Golden Triangle would not work (Madsen, 2005, p. 28). In Germany the state is acting much more regulatory than in Denmark (Auer, 2000, p.55). The willingness to reach

consensus is not as high as in Denmark. While in Danish politics a certain continuity concerning such a will to attain consensus can be found, the behaviour in Germany between the actors changes from time to time. There were periods of cooperation between trade unions and the government, but also industrial conflicts. This might explain the fact that the recent German reform was not implemented as consequently as in Denmark. While all actors on the macro level felt confident with the Danish reform in 1993, for example employees' representation in Germany disapproved of the "Hartz-reforms" (Engelen-Kefer, 2005).

## **5.2. Could it work in Germany?**

These obvious differences between Denmark and Germany do not enable a complete transfer. The influence of the framework consisting of economical, social, and legal conditions cannot be neglected. Nevertheless certain elements might contribute to German employment policies as well. Both reforms claim to "demand and encourage" unemployed people. As this slogan implies a real balance in Denmark, the German version has put the focus on the demanding factor so far. The assistance in terms of supporting people actively to get back into employment is not as developed in Germany as in Denmark. (Hans-Böckler-Stiftung, 2005). If both sides come to real balance by putting a stronger focus on active labour market policies, the German reform might find more recognition.

Denmark can be seen as a model concerning their high investment in education. The participation in further training courses is significantly higher than in Germany: in 2005 27.6 percent of the 25-64 year old people in Denmark took part in training programmes, in Germany the figure was at 8.2 percent. Also the elderly regularly take part in such courses. The gap between participation rates of older and younger employees is nowhere as narrow as in Denmark (Tros, 2004, p. 8). The idea of life-long learning has been implemented to a much higher degree in Danish society than is the case in Germany. Moreover, not only further education is highly valued, but also expenditures for education in general are much higher than in Germany (Eurostat, 2007). This might be a long term goal to be achieved as far as the financial situation of the state allows.

Besides, a stronger incorporation of policy fields such as family and education policies into labour market policies as in the case in Denmark might be aimed for (Bogedan, 2005, p.30). A coordination of these fields might enable a better implementation of flexibility and security. As the high employment rate in general, but also that of women in particular derives from a higher employment participation of women, a corresponding family policy would be able to get more women into employment. Especially concerning the demographic change this kind of a policy is necessary to cope with a decline in the labour supply.

In long term perspective a change from job security to employment security should be aimed for. As the labour markets are influenced by global markets, a higher level of flexibility is necessary to compete. By strengthening the level of employment security individuals would not be so completely exposed to market

risks. Due to the conservative structures Germany still has, such a change cannot happen at once. A sustainable implementation is only possible if the knowledge of its effectiveness is given at all three levels.

## **6. Conclusion**

Concerning the flexicurity approach it has to be proven that this method of labour market and social policies is a sustainable model to face the challenges the global economy of now and tomorrow. Further research and long term studies are necessary to analyse if this model is working even if the economic situation is not as healthy as in Denmark currently.

With respect to the situation of older people it is necessary to stress that the direct benefits older people in Denmark could gain from the 1993 reform are not as strong as probably expected. They rather benefit from its indirect consequences. The achievement of supporting older people to stay longer in the labour market followed step by step after the general situation had improved significantly in Denmark. Reasons for the high labour market participation of the elderly can be seen in structural conditions like the high level of labour market participation of women for instance. In Germany also a different behaviour of actors on the meso level can be observed: on the one hand age discrimination in Denmark is not as drastic as in Germany, on the other hand an average increase of income by age is not known to the extent in which it is also influencing personnel managers' decisions.

A complete transfer of good working policies to other societies is problematic as structures, organisations, and the behaviour of the particular actors are too different in each national state. As mentioned before it might be possible to put an emphasis on certain aspects and elements which are successful in Denmark. But this will only work if adequate instruments are included in general policies in a homogeneous way.

Developing and implementing a modern and consistent reform based on own, particular structures should be achieved by German policy makers. Seeking for solutions is supposed to happen with respect to all actors on every level. So, regarding this superior goal Denmark can be seen as a model as this country shows that is actually possible to find an individual way of successful employment policies.

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### **III. Research in Justice and Criminology**



## **Proportionality and Two Kinds of Fairness**

### **1. Creation of entitlements**

In experimental setting, the “deserts”, or “earnings” (as opposed to unearned endowments, randomly distributed among subjects) are typically created by means of a quiz, or a competition, with a higher income allotted to subjects who performed better. Such a criteria seems quite acceptable at its face value yet it has its own drawbacks. Suppose you administer a general knowledge test and then divide all subjects into two income groups on the basis of their test scores with the better performing half “earning” an income 50% higher than the other half. Now three problems arise. First, you will inevitably find people with very similar scores (around median) earning unequal incomes, as well as people with vastly different scores earning equal incomes, and this may undermine the perceived fairness of the allocation rule, even if it is accepted in general. Second, the payroll scheme must seem to a large degree arbitrary as there is no self-evident reason for making one group 50% better-off than the other, rather than merely 20%, or the whole 100%, or something else. Third, you run the risk that the initial income distribution would be correlated to the subjects’ intelligence thus making it hard to tell whether their subsequent choices are due to their income position, or their cleverness.

To avoid such ambiguities, in my pre-experimental earning session I took the more painstaking procedure of making subjects earn their money by quantifiable effort. The earning task consisted of decoding fixed-size fragments of the medieval *Chronicle of Poles* where particular characters had been replaced with special symbols like MS Word’s “wingding” symbols (e.g. A=☞, B=☛, C=☜, etc.). At the very beginning of a pre-experimental meeting, subjects were asked to choose one of three identically looking packets containing envelopes with pre-experimental materials. In this way, they were randomly divided into 3 groups to decode either one, two, or four such fragments<sup>1</sup>, and thereby gain entitlement to 15, 30, or 60 PLN, respectively (viz. 15 PLN per fragment<sup>2</sup>). Subjects were allowed to leave as soon as they completed their task and were instructed to come to a proper experimental session within next eight days. There are quite a few advantages of this scheme when our aim is to treat initial income as an independent variable in the experiment:

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<sup>1</sup> Each fragment was coded differently to avoid learning effect. Decoding one fragment took on average ca. 15 minutes. At this stage subjects were not yet informed about specifics of a separate experimental session, which basically consisted in 4 repetitions of a redistribution game, described in detail in Czarnik (2006).

<sup>2</sup> In May 2007, when the experiment was conducted, 15 PLN was equivalent to ca. \$4.50, or €3.60.

1. Income is perceived as earned thus creating a strong feeling of entitlement.
2. Assignment to income groups is random and no correlation with any income-relevant factor (e.g. IQ, general knowledge, diligence, etc.) should occur (such correlation would undermine the internal validity of the study, as the results could then be attributed not to differences in initial incomes but rather to differences in some income-relevant characteristics).
3. Making payoff proportional to subjects' output is a self-explanatory rule and leaves little room for complaints about arbitrariness of the payoff scheme employed by the experimenter.
4. It is easy to determine the minimum amount of money for which subjects would be willing to perform the earning task and thus by calculating the distance between each subject's initial payoff and his acceptable payoff level we may check whether the absolute payoffs were individually satisfactory (it makes little sense to ask subjects what is the monetary worth of, say, getting one's quiz-score above median).
5. Similarly, by asking subjects about their idea of how the total amount of money should be fairly distributed among subjects performing different amounts of work we may calculate subjects' satisfaction with their relative payoffs.

On the other hand, it must be noted that employing this endowment scheme calls for a substantial time span between earning session and the experiment proper so that subjects doing fewer tasks and therefore likely to complete them sooner do not get the (justified) feeling that they are compelled to waste their time waiting for continuation while others simultaneously take advantage of extra earning opportunity (this could very well prevent the intended creation of common knowledge that each subject had earned his input's worth).

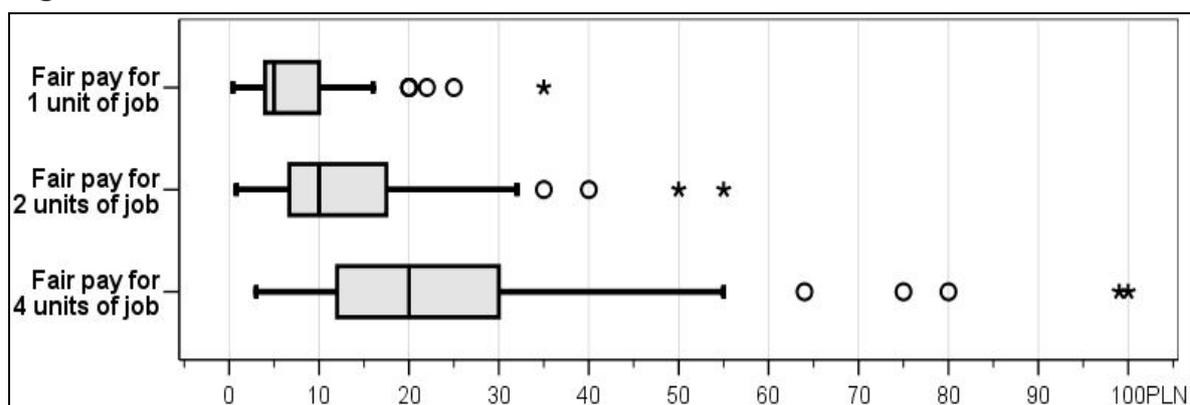
## **2. What is fair pay?**

After subjects got acquainted with the nature of the earning task, but before they actually learned how much work they would have to do, and how much money they would be paid, their judgment of fairness was elicited from them. It is important to stress here that all fairness judgments were made "behind the veil of ignorance", so a self-serving bias had no say in it.

Two notions of fairness are involved here, which I shall call "individual" and "social". The former refers to relation between the individual subject and the experimenter, while the latter refers to relations among earning subjects themselves. The individual fairness norm tells us what a subject believes he should earn for the different amounts of work done, while the social fairness norm tells us what he believes to be a fair income distribution of a fixed amount of money among subjects who performed different amounts of work.

To elicit individual fairness norms three auctions with sealed first-price reverse bids were organized, in which subjects were competing to get extra jobs of deciphering 1, 2, or 4 fragments of text. Winners (who offered to do the job for the lowest price) were later to decode a given amount of text for the price they had bid. Auction mechanism ensured that participants were interested in correctly stating their individual fairness norm—asking too low a price would put them at risk of having to actually do the underpaid job, while asking too high a price would deprive them of the opportunity to get reasonable pay for doing an extra job. Distribution of bids in each of the three auctions is presented in Fig. 1.

**Figure 1: Individual fairness norm**

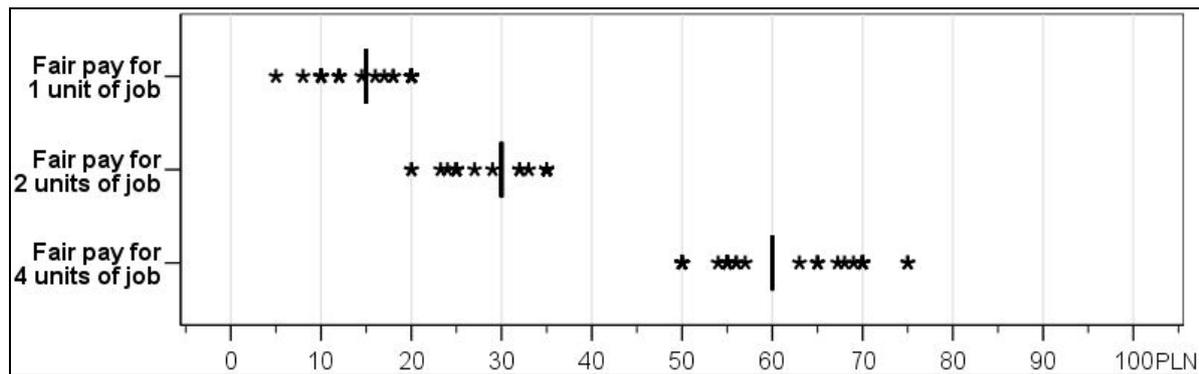


Length of grey rectangles corresponds to interquartile range (IQR), with vertical line within the box indicating the median. Left (right) whisker extends to the smallest (largest) value within 1.5 IQR below Q1 (over Q3). Circles represent points lying 1.5 to 3 IQR above Q3, and asterisks are points more than 3 IQR above Q3.

Median bids for decoding 1, 2, or 4 fragments of text were 5, 10, and 20 PLN, respectively, and they were three times smaller than actual pay. Distribution 5-10-20 PLN seems to imply fairness norm based on pay-to-effort proportionality, yet this is misleading as we shall soon see.

The subjects' notion of social fairness was examined by asking them to divide 105 PLN among three persons, A, B, and C, of whom A decoded 1 fragment of text, B decoded 2 fragments, and C decoded 4 fragments. Because one possible solution to the problem is proportional division 15-30-60 PLN, this procedure allowed us to compare subjects' fairness norms with payroll actually used in the experiment. Distribution of fair incomes under 105 PLN budget constrain is shown in Fig. 2.

**Figure 2: Social fairness norm**



With IQR=0, vertical line indicates the median while asterisks represent all other data points.

One difference to the previous figure immediately catches one’s eye—in each of the three cases, interquartile range is narrowed down to median. This means that subjects agree on a social fairness norm much more strongly than they do on an individual fairness norm (and this also remains true if we normalize subjects’ auction bids, e.g. by extrapolating each subjects’ three bids to make them add up to 105 PLN). The difference between two norms, however, runs much deeper.

### 3. Fairness and proportionality

As already noted, both types of fairness norms—at least as far as median fair payments for given amounts of work are concerned—tended to be based on simple pay-to-effort proportionality. Let us now examine this in more detail.

Suppose that for 1, 2, and 4 units of job, respectively, somebody’s individual fairness norm dictates pay structure 15-30-60 PLN. It is strictly proportional as it proposes payments in direct proportion to amounts of work done. Now deviations from proportionality may basically go in two opposite directions. They may tend either to overpay low effort, like in 20-30-55 PLN vector, or to overpay high effort, like in 10-25-70 PLN vector. To compare individual and social fairness judgments in this respect we need a measurement that would account for both strength and direction of possible fairness biases. One could construct it in a number of ways; the measurement that I propose is based on a physical concept of a second-class lever.

Let us represent effort scale as a weightless vertical arm, and the proposed fair payoffs for given amounts of effort as loads attached to that arm at appropriate distances from the fulcrum (scale’s zero point). We compute “fairness moment” analogously to physical moment of force around fulcrum:

$$F = e_1 \cdot f_1 + e_2 \cdot f_2 + \dots + e_n \cdot f_n,$$

where n is a number of different effort levels,  $e_i$  is i-th effort level, and  $f_i$  is a fair pay for that amount of effort. In our case, we have three effort levels:  $e_1=1$ ,  $e_2=2$ , and  $e_3=4$ . Thus if we have to divide fairly 105 PLN among three such persons, and we do it in a proportional way, fairness moment F would be equal to  $1 \cdot 15 + 2 \cdot 30 + 4 \cdot 60 = 315$ . Any monetary transfer from higher to lower effort levels will diminish

that quantity, and any transfers from lower to higher effort levels will increase it. Furthermore, the more money transferred, and the longer the distance it travels, the larger the change. Now we can define proportionality measure  $\pi$  of a given fair distribution as a ratio between the fairness moment produced by that distribution and the fairness moment produced by proportional distribution. To be sure, if fair distribution is proportional,  $\pi=1$ ; if fairness tends to overpay lower effort,  $\pi<1$ ; and if fairness tends to overpay higher effort,  $\pi>1$ . Table 1 compares individual and social fairness norms with respect to their proportionality—or disproportionality, for that matter.

**Table 1: Tendencies in individual and social fairness norms.**

Proportionality ...		Individual fairness		Social fairness	
		N	Percent	N	Percent
abandoned to overpay lower effort	$\pi<1$	56	66.7%	19	22.6%
maintained	$\pi=1$	17	20.2%	49	58.3%
abandoned to overpay higher effort	$\pi>1$	11	13.1%	16	19.0%
<b>Total</b>		<b>84</b>	<b>100.0%</b>	<b>84</b>	<b>100.0%</b>

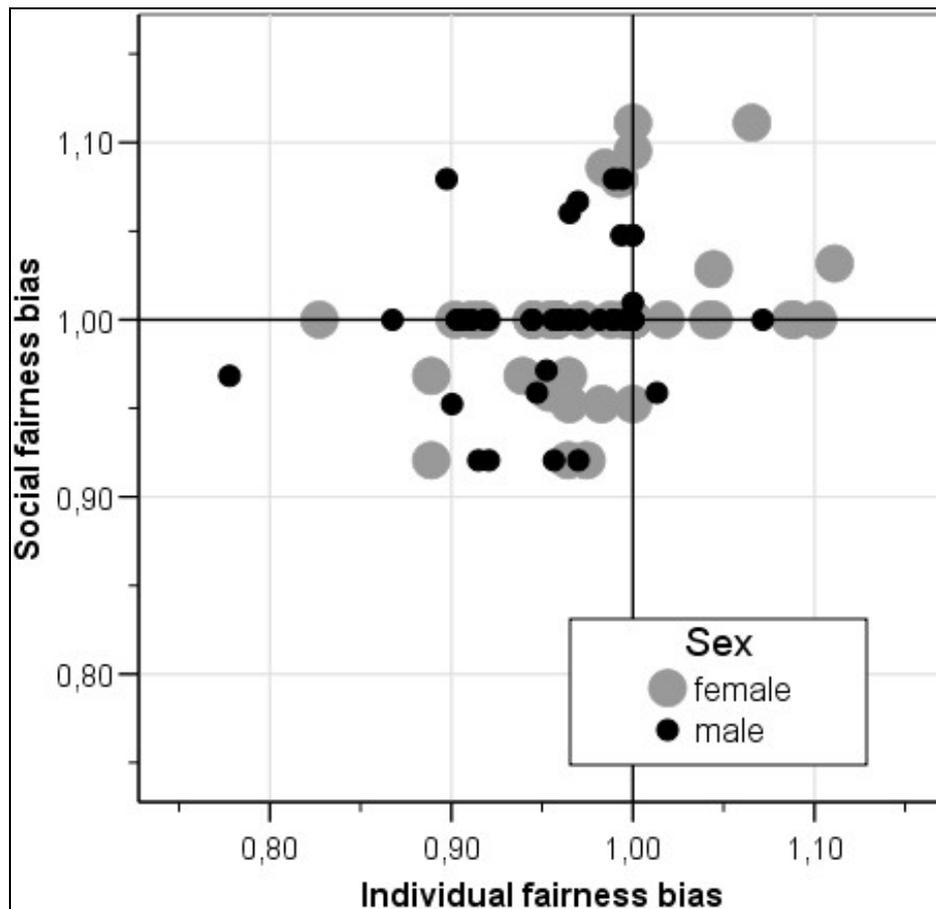
As we see in the two far right columns of Table 1, social fairness is largely proportional with the majority of subjects (58.3%) choosing a pay structure with a fixed price for each unit of work done, i.e. 15-30-60 PLN. It is also noteworthy that departures from strict proportionality go equally both ways.

Individual fairness, on the contrary, is vastly biased in favor of lower effort levels (66.7%). The most plausible explanation of this finding is in terms of “economies of scale”. When taking part in an auction and assessing the value of their personal effort, subjects were ready to offer a discount in an attempt to get a bigger contract. Though they had been previously informed that each fragment of text to be decoded had different coding, and thus no learning effect could have been expected (deciphering fourth fragment should be about as burdensome as doing the first one), subjects might have included in their calculations the fixed cost of having arrived at the experimental meeting. Still, it is surprising that this effect vanishes altogether when subjects divide money in the interpersonal context.

Tendencies in both kinds of fairness judgments were significantly, though not too strongly, correlated to each other (Kendall’s tau-b equaled 0.26 with one-sided  $p=0.001$ ). No significant gender differences were observed in a social fairness bias, however, men had a significantly lower individual fairness bias (two-sided Mann-Whitney test yielded  $p=0.028$ ). The latter fact is tantamount to saying that men offered relatively high discounts on larger amounts of effort<sup>3</sup>.

<sup>3</sup> However, median prices demanded for doing 1, 2, and 4 units of job were practically the same for men and women.

**Figure 3: Correlation between individual and social fairness biases.**



Before fairness judgments were elicited from subjects, they had filled out a questionnaire including a set of questions on taxation, social policies, origins of wealth and poverty, role of the state in economy, etc. It is interesting to note that while the individual fairness bias was not significantly correlated to any of these questions, a bias in social fairness was correlated to the following three. Lower effort levels tended to be favored ( $\pi < 1$ ) by persons who were less satisfied with their own financial condition, who believed the rich had a moral duty to help the poor, and — somewhat surprisingly — who believed that wealth relatively rarely originated in good luck.

#### **4. Conclusions**

A difference between individual and social fairness of pay structure is a difference of perspective. In the case of individual fairness, the person who makes a judgment is simultaneously the one who does the job and gets paid for it. In the case of social fairness, an external observer is the judge distributing money among others who do the work. As some experiments show these two different perspectives may activate very different norms of fairness. Grzegorz Lissowski (1993) found that self-declared fairness norms concerning monetary distribution

were clearly more egalitarian for “insiders” than for “outsiders”. This, as well as the results obtained in my experiment, suggests that typical conflicts over pay between an employer and an employee may well be aggravated by different fairness definitions. Of course, in real-life situation human perceptions of what is fair and what is unfair are at least subconsciously distorted by self-interest—a phenomenon that has come to be known as a self-serving bias. Here, however, all fairness judgments have been made under the “veil of ignorance”, which allows us to say that such a conflict may have a deeper dimension—one that reaches beyond purely egoistic motives, whether conscious, or not.

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## **Aspects of "Stalking" in Austrian Criminal Law<sup>1</sup>**

### **1. Introduction**

"Stalking" is a phenomenon which has been publicly known for several years and which has repeatedly been the topic of (tabloid) newspaper articles and (non-legal) literature<sup>2</sup>. But it has also aroused the interest of legal scientists and legal policy, especially in the last few years. The term "stalking" is originally an English word, coming from the language of hunting and meaning "tracking down the game". Currently, the word is used in a different context, but the use of hunting language shows in a very illustrative way what the matter is all about: Stalkers focus all their interest on a specific person. They give all their attention to their victims, pursue them and, without the victims wanting them to, become a central figure in their lives. Experience shows that stalking usually goes on for at least several months, but in some exceptional cases, the period of time is a lot longer – Beclin (2006), for example, refers to a case in which an Austrian woman was stalked by her ex-husband for 27 years. Tjaden and Thoennes (1998) have indicated the average duration of a stalking process at 1.8 years.

### **2. Aspects of criminology**

#### **2.1. Different types of stalking**

Since most stalkers are intelligent and imaginative (Knecht 2003), it is impossible to classify the various forms and types of pursuit and harassment conclusively. Therefore, only some typical examples which keep occurring in practise can be given. Many stalking cases start inoffensively: Social rules are respected, and the person who is the target of the stalker's attention still responds in a positive way (Mitgutsch 2006b; with further references). In the course of events, however, the stalking becomes more and more persistent and intense – many stalkers hang around the victims' places for hours, they loiter in places they hope the victims will come to or they swamp them with presents. Others constantly trouble their targets at their working places: They repeatedly call them on the phone and send them masses of short messages and emails, which are often of disturbing or threatening

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<sup>1</sup> This article is based on a lecture which the author gave in April 2007 as part of a joint seminar of Johannes Kepler University Linz and Jagiellonian University Cracow. Accordingly, it contains references as per 1<sup>st</sup> April 2007.

<sup>2</sup> Velten (2003) refers to Agatha Christie's "Death on the Nile" in which the main character, a woman who has been dumped by her husband, tracks her ex-husband and his new wife down to Egypt, dogs their every footsteps and torments them with sarcastic remarks and embarrassing scenes.

content. Sometimes stalkers order loads of goods on behalf of the victims who then have the burden of returning them to the sender, of explaining the situation and – often enough – of paying for damages and cancellation. Some stalkers don't even hesitate placing newspaper and/or internet advertisements in the names of the victims, offering goods or – worse – sexual activities.

Many stalkers extend their activities onto their victims' relations. Families and friends are asked about the victims' whereabouts or are even threatened themselves. Aggressive stalkers often kill pets or damage the victims' property, in most cases their cars and/or their homes. Finally, the most severe forms of stalking which also emerge in judicial practise are physical force, violent sexual attacks and, sadly, killings (Goebel & Lapp 2003; Knecht 2003).

Having said that, the only classification of different forms of stalking which could be made is the one between minor or "mild" and severe or violent stalking. The first is characterized by constant attempts of communication against the victims' will, by sending them items, often of an unclear or obscene nature, and by using their name, e.g. to order or offer goods or services. Violent stalking, on the contrary, means that the perpetrators insult and abuse the victims, threaten them, damage their property or physically attack the victims and/or their families and friends (Löbmann 2002; Velten 2003).

## **2.2. Types of stalkers**

There are various classifications of stalkers, each according to different points of view: According to the relationship between perpetrator and victim, we can distinguish between stalkers who had an intimate relationship before the offence and such who had not. Those who had not, usually stalk victims whom they knew only casually or not at all, e.g. just by sight (Löbmann 2002).

Today, the main classification is a multi-dimensional one which considers the previous relationship between perpetrator and victim as well as the motivations and a possible psychotic condition of the stalker (Velten 2003). According to this scheme, five different types of stalkers can be distinguished (Mullen, Pathé, Purcell & Stuart 1999; Voß, Hoffmann & Wondrak 2006; Hoffmann 2006; Schwaighofer 2006; Smischek 2006; Velten 2003; see also Selting 2006):

- The rejected stalker has usually had an intimate relationship with the victim which is now broken. He pursues the victim in order to achieve reconciliation or to seek revenge. The latter sub-type is usually a man who already has a history or even a record of domestic violence.
- The intimacy seeking stalker admires the victim and wants to have an intimate relationship with him/her. In these cases, the victim is often enough a celebrity or a member of a certain professional group, e.g. a medical doctor or a judge.
- The so-called incompetent stalker often lives a very secluded and isolated life, does not socialise and is often enough of rather modest intelligence. In many cases, he acts as a cyber stalker who likes to use the internet for his actions because he can easily stay anonymous and, at the same time, has far-reaching

possibilities of conduct. E-mails, molestations in chat-rooms, advertisements in the name of the victims etc can be sent to and read by people around the world. In 2005, a spectacular case of cyber stalking happened in Germany: For months, a man had been quarrelling with a family he had formerly been friends with. Then one day, he opened an E-bay account under the name of the mother without her knowledge. Using it, he offered her four-month-old baby for sale in an internet auction.

- The predatory stalker plans and exerts violent attacks – observing and frightening the victim gives him a feeling of control and power.
- The resentful stalker reacts to a previous insult or hurt, and in this respect he is similar to the rejected stalker. The difference is that the purpose of his actions is not (only) revenge but also a sort of self-defence. Many resentful stalkers are self-righteous, full of self-pity and often suffer from paranoia.

### **2.3. Stalking prevalence**

In the United States, Tjaden and Thoennes (1998) conducted a telephone interrogation of 16.000 persons, 50 % of which were male and 50 % were female. In their survey which was published in 1998, they showed that 8.1 % of the women and 2.2 % of the men had at least once during their lives been a victim of stalking (lifetime prevalence). The 12-month-prevalence was 1.0 % in women and 0,4 % in men. The British Crime Survey of 1998 showed even higher rates (Budd & Mattinson 2000). In Germany, a working team at the Institute of Psychology at the Technical University of Darmstadt gathered information from 551 questionnaires which were filled in and sent back by stalking victims between July 2002 and May 2004 (Voß, Hoffmann & Wondrak 2006), and in the city of Bremen, a stalking survey which was conducted from January 2001 to October 2005 showed 1.009 cases of stalking which were registered during that period (Rusch, Stadler & Heubrock 2006)<sup>3</sup>. As far as gender is concerned, several studies have shown that most perpetrators – 87 % according to Tjaden and Thoennes (1998) – are male whereas the "typical" victim of stalking is female (Smischek 2006 with further references)<sup>4</sup>.

### **2.4. Consequences for the victims**

Being obsessively and permanently pursued by a stalker represents a deep cut into the everyday lives of the victims (Velten 2003). Firstly, they lose all their possibilities of rest and retreat. Secondly, they lose sleep – not least because the stalkers also exert "phone terrorism" during the night. They are desperate, suffer from repeated panic attacks and from tremors, they get depressed, are hypervigilant and often enough suicidal. Many of them also show post traumatic

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<sup>3</sup> Further German stalking surveys and projects are described by Hoffmann (2006) and Voß, Hoffmann and Wondrak (2006).

<sup>4</sup> Velten (2003), however – with reference to Purcell/Pathé/Mullen (2001) –, insists that stalking is a gender-neutral phenomenon.

stress disorder and physical problems, mostly with their stomachs and lungs, but also with their immune system (Löbmann 2002; Knecht 2003).

Most victims develop a conduct of complete denial: Since they feel that their personal safety is being reduced, they change their everyday lives and isolate themselves completely, trying to avoid the stalker at any cost. They no longer answer the phone, acquire unlisted telephone numbers which they do not give to anybody, and some of them refrain from having phone and/or internet installed to their homes. They no longer open the door, avoid streets and places where they think the stalker might turn up, they accept long detours, change their cars, their apartments and often enough their jobs. Many victims arm themselves or have video surveillance, alarm systems etc installed in their homes. Some even avoid their own homes, especially in cases where the perpetrator is a neighbour (Knecht 2003).

Other victims do not choose to change their lives but are forced to do so: They lose their jobs, either because their work performance has got worse as a consequence of their desperation or because the employer and/or the colleagues feel disturbed by the constant presence of the stalker. In many cases, victims who talk about their situation are not given credit and are often enough said to be under the delusion of persecution. Sometimes they are even deemed to be the actual perpetrators who slander the real stalkers who then appear to be the victims in the end (Velten 2003).

### **3. Legal classification of stalking – Aspects of criminal law**

#### **3.1. Severe (violent) stalking**

Classifying stalking in criminal law is not easy. Paradoxically, those cases which can be qualified as severe stalking are, at the same time, those which are easiest to handle by means of criminal law. The reason for this is that during a process of severe stalking, the perpetrator commits various acts which, for themselves, represent offences which have long been part of the penal code. For example, stalkers who break into the victims' flats, damage their property, physically attack, threaten or explicitly insult them may easily be punished according to the already existing offences under the penal code, such as trespassing according to § 109 penal code, damage of property according to § 125 f penal code, physical injury according to §§ 83 ff penal code, verbal injury according to § 115 penal code and dangerous threat according to § 107 penal code. For that reason, the aspect of severe stalking shall no longer be pursued in this context.

#### **3.2. "Mild" stalking**

##### ***Problems according to the legal classification***

As to mild stalking which represents the core of stalking actions, there had for a long time been a defect in the law. The reason for this was that many of the

stalking actions, considered separately and by themselves, are socially accepted and therefore not to be challenged. Only by repeating and combining them with each other, have they the threatening and demoralizing character which is so typical of a stalking process. Therefore, on the scientific scale, legal experts had tried to close this gap by interpreting the offences mentioned above<sup>5</sup> in a very extensive way, but it turned out that in practise, this solution could be only a temporary one. As a consequence, both legal practitioners and politicians have been postulating for a legal "anti-stalking-provision" which would penalize not only severe but also all kinds of moderate or so-called "mild" acts of stalking.

Interestingly, those demands were not made only in Austria but at the same time also in Germany and other European countries without there being an international obligation, such as an EU framework decision etc, to do so (as is the case with many provisions of criminal law nowadays). Therefore, not only the Austrian but also the German ministry of justice presented a draft bill of such a provision in the autumn of 2005. After intensive discussions, the new anti-stalking provisions finally entered into force on 1st July 2006 in Austria (BGBl I 2006/56) and on 31st March 2007 in Germany (dBGBl I 2007/354).

### ***Anti-stalking legislation in Austria***

#### § 107a penal code

##### **General issues**

The core of the new Austrian anti-stalking legislation is an offence which is included in the penal code: § 107a is part of the third section of the penal code which contains offences against personal freedom. One thing which might be of interest is the fact that the title of the new provision is not, as one might expect, "Stalking"<sup>6</sup> but "Perseverant Pursuit"<sup>7</sup>. One of the reasons for this is the fact that the Austrian ministry of justice deliberately wanted to ban anglicisms from the legal language. Another reason for this choice of title is based on the fact that the Austrian penal code already contains a provision in which the word "stalking" is used, and more than that, it is used in its specifically hunting-related context: Stalking game which belongs to a different person is penalized by § 137 penal code, and by not including the term "stalking" in § 107a penal code double meanings, insecurities and contradicting interpretations of this word can be avoided (349/ME BlgNR 22. GP 15).

##### **Elements of the offence**

- Stalking actions: According to the new provision (section 1), anybody who unlawfully and persistently pursues another person shall be punished. Section 2 of

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<sup>5</sup> See 3.1.

<sup>6</sup> Or "Nachstellen" which would be the direct translation into German.

<sup>7</sup> "Beharrliche Verfolgung" in German.

the provision states four examples for the persistent pursuit mentioned in section 1 which are at the same time those actions which are most frequently seen in practise: N. 1 penalizes seeking the close proximity of the victim which means wilfully (and not only coincidentally!) establishing close and direct contact with the victim, through waylaying, following or any other form of constant presence (OLG Innsbruck, 6 Bs 23/07v – LG Innsbruck, 39 Hv 145/06g). Mere watching, however, e.g. through binoculars or by secretly filming the victim, shall not be subsumed into the stalking paragraph (EBRV 1316 BlgNR 22. GP 5). The second form of persistent pursuit which is included in n. 2 shall be establishing not direct but indirect contact with the victim. This kind of contact can be established either by means of telecommunication, e.g. phone calls, e-mails, SMS or MMS messages (LG Innsbruck, 36 Hv 187/06m), by other means of communication, e.g. letters, parcels, messages which are left at the victim's front door, car etc or by using third persons. N. 3 and 4 penalize the misuse of the victim's personal data, either by ordering goods and/or services in the name of the victim (n. 3) or by bringing third persons to make contact with the victim (n. 4). The main example for n. 3 and 4 would be the placement of false advertisements (e.g. for sexual contact) within the print media or the internet.

It should be noted that the enumeration we have just mentioned is an exclusive one – legally, there are no other forms of persistent pursuit than those described in n.1 to 4, and contrary to the new German anti-stalking provision (§ 238 German penal code) there is no general clause which would include "other comparable actions". The reason for this is that the Austrian legislature has deliberately tried to keep the scope of the new provision narrow in order not to jeopardize legal certainty on the one hand and in order to meet the constitutional requirements which state that legal provisions have to be precise enough for the judiciary to execute them on the other hand (349/ME BlgNR 22. GP 15; EBRV 1316 BlgNR 22. GP 5).

- Long duration: All four forms of persistent pursuit mentioned before have to be continued over a longer period of time. It has not yet become entirely clear what this phrase means – legal scientists, however, agree that it must always be interpreted in connection with the deed in question and according to the circumstances of the case. The Austrian ministry of justice has proposed a flexible system according to which the period of time over which the stalking continues may be shorter when the acts in question and the influence on the victim are more severe. If, for example, a stalker lingers in front of the victim's house for eight hours a day he must do this for a much longer period of time in order to be punished than a perpetrator who repeatedly sends the victim lorries full of furniture he has bought on the victim's behalf. According to Schwaighofer (2006), a duration of one month shall be sufficient in severe situations of stalking whereas in minor cases the stalking has to be continued for at least several months in order to entail criminal liability under § 107a penal code.

- Likelihood to affect the victim's way of life in an intolerable manner: Another thing, which the four stalking actions we have described above have in common is that they have to be done in way which is likely to affect the victim's way of life in a

manner which is intolerable. In the first draft of the anti-stalking provision, this intolerable interference with the victim's life was seen as a result of the stalker's actions and would therefore have had to be proved in order to impose a punishment upon the perpetrator (349/ME BlgNR 22. GP 15). This element, however, was highly criticised because it had put too much emphasis on the role of the victim (e.g. LGSt Wien 27/SN-349/ME 22. GP 5; EBRV 1316 BlgNR 22. GP 4). The amended version of the text which now contains "only" the likeliness of such a negative influence, shifts the emphasis back to the perpetrator and his deeds, the reaction of the victim no longer being a factor. If, for example, a stalker phones his victim every 10 minutes at his/her workplace for weeks, he may be punished according to § 107a penal code regardless of whether the victim quits his/her job after one month because he/she cannot bear the disturbance any longer or if he/she does not let the calls interfere with his/her personal feelings and calmly continues working. It is only the likeliness of a negative affection of the victim which is part of the offence.

- Unlawfulness: The third factor which all four kinds of stalking actions have in common is their unlawfulness. According to the explanations included in the official anti-stalking-legislation bill, this element is necessary for two reasons (EBRV 1316 BlgNR 22. GP 4): Firstly, as we have already mentioned before, many of the stalking actions are per se socially accepted and only in combination turn into a criminally relevant phenomenon (Wolfrum & Dimmel 2006). Secondly, there are many cases in which the perpetrator has actually a defence for acting the way he does – investigating police officers, for example, have to get near the persons they observe and "pursue" them to a certain extent, and it would be highly disproportionate to punish them because of stalking (Mitgutsch 2006a and 2006b; Deixler-Hübner & Mitgutsch 2007). It has to be noted, however, that the unlawfulness of a stalking act does not mean that the deed in question has to infringe an explicit legal provision: What is more, the term "unlawfully" has to be interpreted in a rather substantive way which means that the stalker acts permanently and contrary to the victim's will. Following the victim in a distance of two metres for more than one month, for example, is not explicitly forbidden, but it is at the same time unlawful in the sense of § 107a penal code if the victim indicates that he/she disapproves of such conduct.

## **Criticism**

Criticism of the new provision has been voiced especially in connection with the question whether it is sufficiently precise. The topic has arisen with nearly every aspect of § 107a penal code (e.g. what does "a longer period of time" mean, when is the stalking likely to affect the victim's life, what exactly does "intolerably" mean etc) but it is especially the types of stalking actions which are considered too vague. Above all, direct contact with the victim by seeking his/her close proximity according to n. 1 and establishing indirect contact with the victim according to n. 2 and 4 are considered difficult: Neither the text of the provision nor the explanations which were attached to the ministerial bill can explain exactly how near the stalker

may come to his victim in order to avoid punishment (Wolfrum & Dimmel 2006; Mitgutsch 2006b). Also nowhere to be found is in which way the direct or indirect contact must be established. The most prominent example in this context is sending the victim flowers. If done regularly and against the victims will – can that be qualified as stalking, too?<sup>8</sup> Some Austrian legal experts even say that the provision infringes the ultima ratio principle and should not have been implemented at all (e.g. Generalprokuratur 6/SN-349/ME 22. GP 3).

Others, on the other hand, say that using vague terms cannot be avoided in the case of such a delicate issue. There is no doubt that the elements of the provision have to undergo intensive interpretation but this shift of responsibility onto the legal practitioners has to be accepted in order to be able to execute the provision properly (LGSt Graz 10/SN-349/ME 22. GP 10). A third group of legal scientists, on the contrary, say that the scope of the new law is still not wide enough. According to them, more forms of stalking should be penalized, and especially cyber stalking should be included in the provision as n. 5 of section 2 (LGSt Wien 27/SN-349/ME 22. GP 7; Bundessektion Richter und Staatsanwälte in der GÖD 34/SN-349/ME 22. GP 4). This, however, does not really seem necessary because cyber stalking can be already seen as an action according to § 107a penal code (advertisements can be placed in the internet, e-mails and even phone calls can be made online etc). The only thing which is difficult to include in the four alternatives which form the present version of § 107a penal code is libelling somebody in a chatroom etc but these actions are not typical stalking actions but rather cases of insulting or libelling a person according to the respective offences which are part of our penal code, e.g. § 111 (Mitgutsch 2006a). Other possibilities of widening the scope of § 107a penal code would be to include a general clause, following Germany's example, or an offence of negligent stalking – both ideas have been presented during the examining stage (Interventionsstellen Österreichs 31/SN-349/ME 22. GP 5; Bundesministerium für Wirtschaft und Arbeit 38/SN-349/ME 22. GP 3; Amt der Wiener Landesregierung 24/SN-349/ME 22. GP 8), but again, both these proposals have been criticised in connection with the sufficient precision of the provision.

From the author's point of view it is especially one aspect of the new provision which has to be criticised: As we have mentioned at the beginning, stalking nearly always entails severe consequences for the victims' health<sup>9</sup>. The problem with the new provision is that, legally speaking, these health defects cannot be seen as part or result of the stalking actions. The perpetrator has to be punished for them separately, i.e. according to § 107a penal code for the stalking as well as according to §§ 83 ff penal code (bodily harm) for the result his actions have had. In the author's opinion, it would be preferable to implement a new section in

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<sup>8</sup> According to Schwaighofer (2006) flowers cannot be seen as means of communication so that this type of action cannot be qualified as stalking under § 107a penal code. Beclin (2006), however, emphasizes that in exceptional circumstances, sending flowers can indeed be likely to affect the victim's way of life intolerably, so that those cases may therefore be qualified as stalking according to § 107a penal code.

<sup>9</sup> See 2.4.

§ 107a penal code which would provide for a higher penalty in aggravating circumstances, e.g. if the stalking actions resulted in serious bodily harm or in the victim's suicide. In that way, the "stalking-specific" context of the health defects (or of the suicide) could be maintained and would also be expressed sufficiently to the outside world (Mitgutsch 2006a; Deixler-Hübner & Mitgutsch 2007).

## **Penalty**

According to § 107a penal code, stalking is under threat of up to one year in prison (without the alternative of a fine). This amount had been chosen in order to harmonize the provision with other offences such as coercion according to § 105 penal code as well as dangerous threat according to § 107 penal code which are both under threat of up to one year in prison as well (EBRV 1316 BlgNR 22. GP 6). In principle, this idea is to be welcomed. In comparison to other offences which are part of our criminal code, however, doubts as to the appropriateness of the penalty arise: Many legal scientists have claimed that the penalty included in § 107a penal code is too low: Firstly, stalking is not a petty crime but a severe violation of the victim's personality and should therefore be punished accordingly. Secondly, and more importantly, a penalty of not more than one year in prison has consequences which can at least be doubted if not completely objected to: In Austria, mentally deranged perpetrators can only be sentenced to undergo therapy in an institution if the offence which they have committed is under threat of more than one year in prison (§ 21 penal code). This, however, is not the case with the present stalking paragraph so that stalkers who are mentally deranged can only be sentenced to go to prison (as long as they are still competent and therefore criminally responsible) but they cannot be sentenced to undergo mental treatment in hospital. Mentally incompetent stalkers who are not subject to criminal liability can therefore neither be sent to prison nor to a clinic (Mitgutsch 2006b).

This situation which is not really satisfying was, however, the specific idea of the Austrian ministry of justice. According to the ministry, most stalkers who are mentally incompetent commit severe forms of stalking which, as we showed before, are under threat of higher penalties anyway and are therefore open to a therapy sentence (EBRV 1316 BlgNR 22. GP 6; Wolfrum & Dimmel 2006). This opinion, of course, does not seem to be in accordance with the findings of practise (Löbmann 2002; Meyer 2003; Knecht 2003).

But there is yet another reason why the penalty seems too low. Offences which, like § 107a penal code, are under threat of up to one year in prison, in principle come under the jurisdiction of the district court which is not authorized to order pre-trial custody on the grounds of danger of recurrence. A "de-escalation custody" which, in many stalking cases, could proved to be useful, would therefore be impossible on grounds of § 107a penal code (Mitgutsch 2006b; Schwaighofer 2006). The Austrian ministry of justice has seen that problem as well and, despite the penalty of up to only one year, has submitted the offence under the jurisdiction of the single judge at the court of first instance who is authorized to order any form of pre-trial custody (§ 30 section 1 n. 3 in connection with § 31 section 4 n. 2

criminal procedure code). Increasing the maximum penalty to up to two years in prison, however, would have been of the same effect and would have helped avoid the problem of sentencing to undergo therapy at the same time.

### **Offence open to public prosecution**

One thing which has to be noted in connection with the new offence is the fact that it is open to public prosecution. While at first glance, this seems completely normal, there have also been critical opinions towards this fact. Especially representatives of the judiciary have stated that such an approach might be "contra-productive", i.e. not appropriate to what should be achieved – the restoration of the relationship between stalker and victim (StA Linz 4/SN-349/ME 22. GP 2; Generalprokuratur 6/SN-349/ME 22. GP 4 f; StA Wien 19/SN-349/ME 22. GP 10). Therefore, according to them, the offence should be open only to private prosecution. To the author's mind, however, this attitude has to be criticised: On the one hand, most stalking victims do not want to restore their relationships with the stalkers but only want to live in peace, without any further contact to the stalker, and to get on with their lives. Public prosecution would therefore not interfere with any of the aims of the new provision. On the other hand, the attempt of a restoration would not punish the stalker but, in many cases, reward him which cannot be in the interest of criminal law.

Administrative authorities and, above all, victims' organizations, on the contrary, have explicitly welcomed the fact that the offence shall be in the hands of the public prosecution: According to them, many victims are not completely free in their decisions but have some kind of social relationship to the stalkers which often enough scares them out of taking legal steps against the perpetrators. If the offence is open to public prosecution, this danger can be minimized to a certain extent (Bundesministerium für Gesundheit und Frauen 17/SN-349/ME 22. GP 2; Interventionsstellen Österreichs 31/SN-349/ME 22. GP 3).

### Supporting measures

#### **Interim orders**

According to general principles, a person who falls victim to stalking has the possibility of reporting the offence to the police or to the public prosecution. In most cases, however, this alone will not have the effect the victim wants to achieve, i.e. an immediate end of the harassment which is at the same time an infringement of the victim's privacy according to §§ 16 and 1328a civil code (Wolfrum & Dimmel 2006; Deixler-Hübner & Mitgutsch 2007). For that reason, under the new anti-stalking-legislation, victims will be given the chance to apply for a temporary/interim order which may be filed in addition to their report to the police. The application for an interim order has to be brought in at the civil court which would have jurisdiction over the victim's alleged violation of privacy according to § 387 executions code (Deixler-Hübner & Mitgutsch 2007). The interim order can take many different forms, but in most cases will contain various

restraints, e.g. of personal, written or telephone contact, of ordering goods etc on behalf of the victim or of taking residence in or just going near certain areas (§ 382g executions code). If the perpetrator does not obey these orders, this can be executed in a special procedure according to § 355 executions code, which will result in a fine or, in certain cases, even in an imprisonment of the stalker if the victim has applied for this execution at the court. Only if the perpetrator infringes a restraint of personal contact or of going near certain places, may the victim address the police directly and ask them to remove the perpetrator immediately by use of (physical) police force according to § 382g section 2 executions code.

In Austria, the standard procedure after being granted an interim order is for the victim to bring in a formal civil action (in the case of stalking usually a suit for discontinuance) within a certain period of time which is indicated in the order itself, according to § 391 section 2 executions code (Zechner 2000). This civil procedure, during which the interim order is still in force, will then result in a judgement which can be executed on application of the successful party. If the victim does not sue, then the interim order will lose its force *eo ipso*, i.e. automatically, after that period. With stalking cases, the situation is in so far different (and easier for the victims) as all interim orders are valid for one year without the victims having to take civil actions in order to keep and enforce them (§ 382g section 3 executions code)<sup>10</sup>.

Finally, another provision which may encourage victims of stalking to apply for interim orders is that, contrary to general principles, they are not dependent on any bail victims eventually have to pay and will get back only after the civil proceedings. For interim orders against stalking, such a condition is explicitly forbidden (§ 390 section 4 executions code).

### Victims' organisations

In cases of stalking, victims' organisations shall be addressed by the public safety authorities and shall be provided with all the information they need in order to be able to protect and to guide the victims through the proceedings (§ 56 Abs 1 Z 3 security police code). Until the anti-stalking legislation was brought forward, however, such a flow of information was highly difficult for legal reasons, e.g. data protection, but as it has proved necessary in practise over the last few years, it is, in general, not criticised any longer.

## **4. Summary and Conclusion**

Stalking, i.e. pursuing a person against his or her will, is a phenomenon which has become of central interest in legal science over the last few years. In principle, violent and "mild" stalking can be distinguished, and it had been the "mild" form of stalking which had been particularly difficult to punish according to the existing

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<sup>10</sup> The only exception of this principle is that in case of a restraint of going near certain places, which is of course a huge interference in a person's life, the order shall not be kept up for such a long time without any examination by a court.

provisions under criminal law. This defect in the law, however, was finally abolished in 2006 by enacting § 107a penal code, a new "anti-stalking-provision" which is now part of Austrian criminal law. This provision penalizes any act by which a person is pursued unlawfully, persistently and in a way which is likely to affect the victim's life in an intolerable manner. The law itself enumerates four exclusive examples of such acts, namely the establishment of close and direct personal contact with the victim, indirect contact by means of (tele-) communication or by using third persons, or the misuse of the victim's personal data, either by ordering goods and/or services in the victim's name or by bringing third persons to make contact with the victim.

On the whole, the new anti-stalking legislation is to be welcomed. On the one hand, it finally opens the way to see stalking for what it really is, i.e. a severe violation of privacy and not primarily coercion, threat or bodily injury (which can, of course be the result of the stalking actions and will then legally be treated accordingly). On the other hand, the new offence as well as its supporting measures give the authorities a chance to intervene at a much earlier stage at which the victim feels (or is) "only" threatened. Therefore the authorities are now able to prevent escalations instead of having to wait until the victim is ultimately harmed.

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