



An Ethnographer among Street-Level Bureaucrats and New Public Management

Jean-Marc Weller

► To cite this version:

Jean-Marc Weller. An Ethnographer among Street-Level Bureaucrats and New Public Management. Research Seminar in Applied Economics and Management, Nov 2012, Bruxelles, Belgium. hal-00837637

HAL Id: hal-00837637

<https://enpc.hal.science/hal-00837637>

Submitted on 23 Jun 2013

HAL is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.

An Ethnographer among Street-Level Bureaucrats and New Public Management

Jean-Marc Weller

CNRS, LATTIS, Université Paris Est

Among the many ways of studying public administration, one orientation among social research has been gradually established: observing bureaucrats at work. Such a perspective can be seen to have two aims: a better understanding of the crucial role front-line employees can play in the daily delivery of public goods, and an empirical mapping of the different public organizations experiencing new public management measures. With an ethnographic approach based on French Administration cases and inspired particularly by science and technology studies and workplace studies, this paper focuses on these different points.

JEL Classifications: D73, H11, H83

Keywords: Bureaucracy, civil service, public administration, new public management

CEB Working Paper N° 12/033
2012

An Ethnographer among Street-Level Bureaucrats and New Public Management

Jean-Marc Weller
CNRS, LATTIS, Université Paris Est¹

Among the many ways of studying public administration, one orientation among social research has been gradually established: observing bureaucrats at work. Such a perspective can be seen to have two aims: a better understanding of the crucial role front line employees can play in the daily delivery of public goods, and an empirical mapping of the different public organizations experiencing of new public management measures. With an ethnographic approach based on French Administrations cases and inspired particularly by science and technology studies and workplace studies, this paper focuses on these different points.

1. Introduction

1. Among the many ways of studying public administration, one orientation among French research has been gradually established: observing bureaucrats at work. The empirical contexts vary: social interactions on both sides of a counter, legal inspections of firms or in the residences of users, hearings in specialized committees, etc. The daily life of these professionals has become a real interest for a large number of researchers since Michael Lipsky identification of them as “street level bureaucrats”, that is to say: “teachers, police officers and other law enforcement personnel, social workers, judges, public lawyers and other court officers, health workers, and many other public employees who grant access to government programs and provide services within them” (Lipsky, 1980, p.3). Front-line

¹ I thank Laura Sayre (Listo, Agrosup Dijon-INRA) for her re-reading.

bureaucrats have become a real interest for a large number of researchers in sociology, but also in political sciences or management studies, inspiring what we could call an *ethnographic turn*².

2. My own work definitely belongs to this trend: the research programs I've been trying to develop are always empirical ones, exploring quite different public services, but always in an ethnographic way, proposing to follow bureaucrats in their space and time, during a period of generally several months based on *in situ* observation (box 1). This way of understanding public administration has two aims: a first one is to appreciate the crucial role street-level bureaucrats, whoever who they are, can play; a second one is to analyse the impact new public management can have on those working at this street-level, especially when frontline work has to deal with budget cuts and related austerity measures. This paper will successively develop these two points.

Box 1: Ethnographic data and French public administration cases

This paper is based on two different cases:

A first one is about the French small claims courts called "Justice de proximité" created in 2006³. The survey consisted in interviews of the judges and their collaborators (court clerks, juges d'instance, conciliateurs) (n=54) and a set of workplace observations so as to describe penal affairs from the beginning to the end of their treatments (n=212). The aim of such investigations was a better understanding of magistrates' ordinary practices (Weller, 2011).

A second one concerns rural inspections in French administration, based on research programs we have been coordinating since 2003⁴. Through a collection of control situations on farms (n=17), one of the goal of these different surveys was to describe the whole administrative decision-making process and the ordinary practices of bureaucrats (Joly and Weller, 2009).

² This is obviously a trend of French research in management and organizations studies, especially concerning public bureaucracies. For a current perspective on these researches, see Bouckaert and Eymeri-Duzans (2013).

³ With Pascal Ughetto (LATTS, UPEMLV), we coordinated an ethnographic study in different courts (cf. Weller, J-M., *Juges de proximité at work. A pragmatic and comparative approach*, research funded by Ministère de la Justice, 2006-2008. With Ughetto, P., Mathieu-Fritz, A. et May, N.).

⁴ *Administrative Work in the Services d'économie agricole and the CAP Subsidies*, Research funded by Ministère de la Recherche et Ministère de l'Agriculture, 2003-2005, with Jeantet, A. (Université Paris 3) ; *How do bureaucrats control livestock farmers?*, survey funded by INRA/CNRS, 2006, with Joly, N. (INRA, Agrosup Dijon) ; *Farmers facing traceability, Survey based on comparative analysis between Burgundy/Lancashire*, research funded by Conseil Régional de Bourgogne/ Lancaster University, 2009-2011, with Joly, N. et Sayre, L. (INRA, Agrosup Dijon).

2. Observing street level bureaucrats at work

3. What is understood by ethnographic methods? It's quite a delicate question, since the term 'ethnography' has widely variant meanings across the disciplines. And so, it should not be surprising that within an interdisciplinary field such as public policies studies or organization studies, the practices of fieldwork and the conventions of ethnographic writing also vary dramatically. This paper suggests there are two ways of answering these questions.

4. A first one focuses on "street level bureaucrats". A long and deep tradition shares this point of view, in France with Michel Crozier's works (1964), and more recently with Michael Lipsky's theory (1980). Specifically, Lipsky argues that street-level bureaucrats, as front-line workers in service delivery, can be considered as public policymakers. According to this point of view, civil servants' discretionary capacity and interpretative ability gives them a good deal of power, enabling them to make ad hoc decisions and in so doing to influence the entire policymaking process. With this objective in mind, French political scientists and sociologists have been describing what state employees do, especially when they engage directly with the public. Broadly speaking, they argue that frontline employees are continually required to make their own judgements with regard to managing workloads, resolving regulatory ambiguities and forming interpretations about the needs of clients. Certain situations are too complicated to permit a strict adherence to the rules and thus cannot be reduced to a programmatic implementation. Other situations require compassion and flexibility. By highlighting such variations in practices and judgements, these investigations underline how public service workers represent a real albeit small-scale level of policymaking.

5. An example of such an enquiry could be given through one of the cases introduced by this paper : it concerns public servants engaged in the administration and regulation of farm subsidies made available under the Common Agricultural Policy (CAP). Employed by French rural payment agencies, these workers have to visit farms in person, inspecting livestock, fields and administrative papers in order to

check the legality and veracity of what farmers have declared. Ethnography here consists in following bureaucrats in action (photo 1). Of course, these observations in situ are possible because a confidence climate is shared between researchers and insiders. But, above all, it's crucial to know what to observe very carefully, because it's impossible to be interested by everything. In that case, describing the problems these actors are facing during their visits can be a way to understand what they really do: managing practically uneasy relationships with farmers, dealing with discrepancies between legal standards and observable reality, and even coping with moral dilemmas resulting from disjuncture between the rules these *contrôleurs* are asked to enforce and the convictions they hold about those rules. These convictions frequently relate to their personal and social connections to the rural milieu. The ambiguity of their position with respect to the populations they have to control is strongly evident. But what can we conclude regarding their role in the public policymaking process? Is it correct to draw from the tensions these *contrôleurs* experience, and the strategies they deploy to adjust specific situations, a deep and strong discretionary capacity? Yes, if one follows Lipsky, considering with him that they act as “professionals”. Yes, if one estimates that they intervene as an autonomous and coherent group. Yes, if one focuses on “the actor”, defining the totality through which work, representations and experiments are reported. But there is a problem here! The public controllers we followed during their visits to farms do not generally have the independence authentic professionals have. They are typically not official civil servants, but rather merely temporary employees engaged for few months. The reports they have to complete during their visits to farms will be manipulated, treated, and reconsidered by others. In fact, nobody can say for certain what the outcome will be. The rural controllers we followed do not carry out the entire administrative process. Such a situation, moreover, is far from rare. Is it not in fact the case that many public employees lack the necessary autonomy to control the full decision-making process? In other words, to what extent can the professional prism suggested by Lipsky's analysis—which considers that street-level bureaucrats have tremendous discretion and ability to make their own decisions—be empirically supported? Is it relevant to describe public service workers in this fashion when they are no longer professionals?



Photo 1 : A rural inspector (on the left) followed by a sociologist (on the right). (Lancashire, UK, 2010)

6. A second way of understanding the authority and influence implementors in fact have in the policymaking process is possible. It consists in describing the work that has to be done with regard to each case. Ethno-methodology (Garfinkel, 1967; Banakar and Travers, 2002), workplace studies (Heath and Luff, 2000) or science studies — I think for instance about Bruno Latour's works that maybe well-known (Latour, 1999) — are useful references here. It is no longer « the actor » on which the attention of the sociologist is focused, but the process itself, from the initial application to the ultimate decision. Counting, classifying, entering data, keeping records, and storing files constitute a long and formidable chain of paperwork the investigator has to follow. Step by step, the sociologist's challenge lies in trying to understand how each affair is treated, calculated, computerized, and interpreted via a variety of tools and organizing principles. To put it differently, it is no longer a matter of studying *street level bureaucrats*, but rather *street level bureaucracy*. This attention to papers, files and similar management instruments can be useful in apprehending the discretionary capacity of public agents dedicated to lawful control.

7. An example of such an enquiry could be given through the case already commented of rural inspectors in action. The challenge is here to describe the whole process of the control decision: the visit on the farm has to be observed, but indeed the way the data are constructed and interpreted, how the inspector succeeds in

identifying facts, determining their relevance, estimating the degree of seriousness of their possible non-accordance with legal instructions, how he writes the assessment report, how this report will be read and treated by other bureaucrats and computers, allowing finally the administration to conclude : “this farmer has legal conformity” or “here there are severe points of non compliance” (Box 2).

Box 2: A rural inspector in action
(Burgundy, FR, 2011)



Photo 2a: Building data

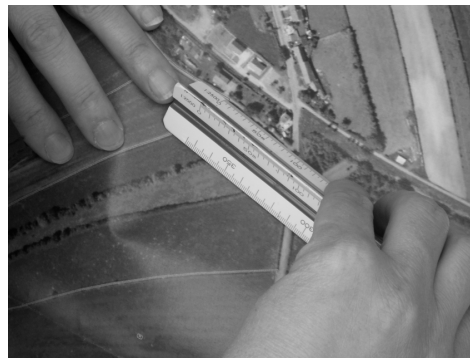


Photo 2b: Measuring fields



Photo 2c: Calculating and checking



Photo 2d: Editing report

8. This attention to paperwork is still unusual in most sociological research, in spite of the fact that it can usefully complete our understanding of what bureaucrats do. Science and technology studies, and more specifically Actor Network Theory (Callon, 1987; Law and Hassard, 1999), but also new literacy studies (Barton, Hamilton and Ivanic, 2000) or infrastructure studies (Bowker et al., 2010) suggest a focus on material tools and writing technologies to explore forms of action at a distance. The study of scientific practice has been profoundly revitalized by such a use of the ethnographic approach. As far as other fieldwork is concerned, like market exchange and economic quality (Callon, Meadel and Rabeharisoa, 2002), or the making of law in the high court (Latour, 2009), similar renewals could be observed: in addition to the

attention to calculating agencies and paperwork, the thick description brought by ethnographic methods enable one to question the way reality is ultimately formalised and abstracted. This is all the more true about the decision-making processes in bureaucracies we are trying to understand.

9. A good example could be given through the already exposed case of rural inspectors at work. As illustrated in the next photo, inspectors have to track and identify each animal by means of its ear tags (photo 3a). Because they often get subsidies from Brussels through the common agriculture policy, and because of sanitary measures, breeders have to declare to the administration all the cows they have, when they get new ones, sell others, when they have calves or dead beasts. In order to be able to identify his animals, the farmer has the legal obligation to tag them. Now, you easily understand what the *contrôleur* is doing (photo 3b): scrutinizing the ears of each cow in the herd to confirm their existence from the file extract she carefully holds in her hands. But sometimes, a difficult situation can appear: a cow you don't expect is facing you. I mean: there is a cow, in flesh and bone, with its big black eyes, its wet muzzle and its two horns, and our bureaucrat is wondering this deep and metaphysical question whether it exists or not. You can't understand the tragic situation if you don't consider that, what is real for the public servant here, is her database. And you have to take very seriously such a problem, because if our inspector can't explain why a cow is standing in the grassy meadow but not on her paper extract, the administration will be bound to order a "material destruction" of the animal. And the farmer will face a very serious sanction.

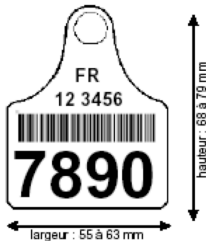
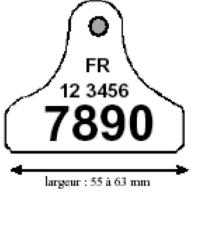
	partie femelle	partie mâle
dessin de la boucle N98		
1 ^{re} ligne	code pays d'origine en 2 lettres	code pays d'origine en 2 lettres
2 ^e ligne	6 premiers chiffres du numéro national d'identification du bovin	6 premiers chiffres du numéro national d'identification du bovin
3 ^e ligne	code - barres	
4 ^e ligne	4 derniers chiffres du numéro national d'identification du bovin	4 derniers chiffres du numéro national d'identification du bovin

Photo 3a : The Standard Ear Tag (model N98) in France



Photo 3b. A rural inspector controlling traceability and identification of the cattle (Burgundy, FR, 2006)

10. So, when you enter into the bureaucratic reasoning, you realize that the real world definition begins with papers. To say it differently, bureaucrats produce files supposed to be a good representation of a situation. If this point has already been underlined by sociologists, it has to be well understood: the dossier is a key concept (Cambrosio et al., 1990) organizations have to manage and to stock very carefully (Weller, 2012). I have always been surprised by the rich vocabulary bureaucrats use to describe all the conditions a dossier or a file can have: you can “open” a file, “pass” a folder, “put together” a dossier, “knock over” a folder, “awaken” or “kill” a file. With dossiers and files, bureaucrats seem to be like the Peuls with their cattle or the Inuits with the snow: they use plenty of words to describe all the figures and forms of their dearest and most precious object. Broadly speaking, following bureaucrats at work encourages the ethnographer to describe the paperwork and its different troubles they are likely to deal with.

3. The stages of a bureaucratic decision making process

11. I recently studied an innovation in the French justice administration: *les juges de proximité*. There are plenty of questions you could ask to such a creation: who are

these judges, who are supposed to be ordinary citizens, volunteers but with a juridical experience, in retirement or on a part-time job? How are they recruited and trained? How do the professional magistrates accept them? What is the policy making process that has led to institute these new courts? But the survey I conducted was much more about their daily work: what are they doing? What kind of difficulties do they cope with? What type of resources can they mobilize in order to solve their problems?

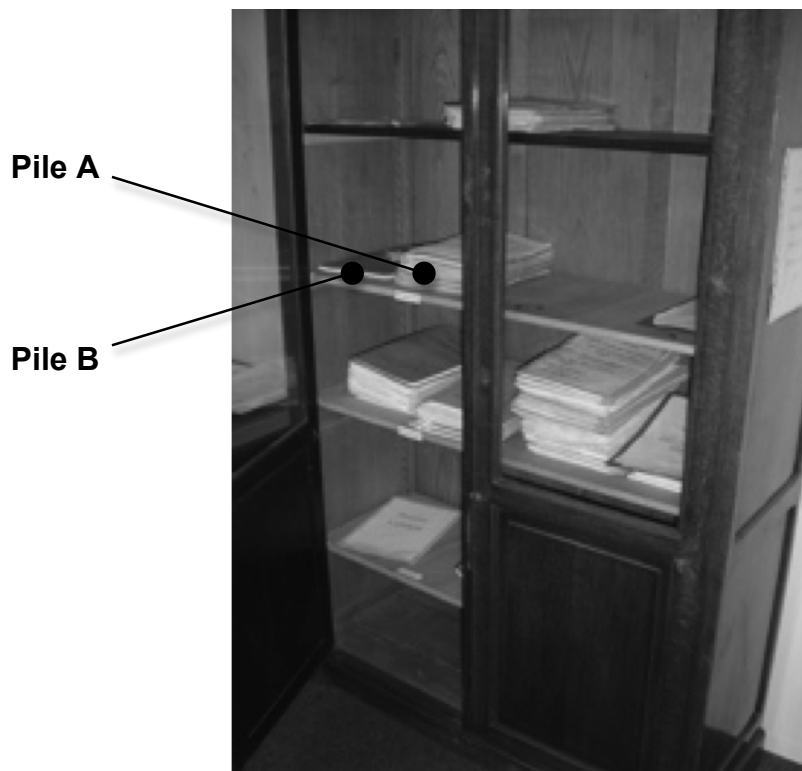


Photo 4. *Juges de Proximités*' Cupboard, Court Clerks Room
(Tribunal de Police, Paris, 2007)

12. I would like to say it differently. The photo above shows a glass-fronted cupboard (photo 4). We are in one of the court clerks room — *le secretariat du greffe* — and what you see are the affairs dedicated to all the judges of proximity of the court. In fact, on each shelf, you will notice two piles of folders attributed to every magistrate: a first one, which is the highest, the thickest, contains the new affairs planned for an upcoming hearing; a second one, which is the lightest, the thinnest, includes the decisions about the cases already judged in audience but needing a final verification by reading and signing. Through the first one, the definition of what is real, what is “society” or “public order” is provisionally suspended; through the second one, all is

about to be restored: the passage of law has been made. This is the enigma to solve here for the ethnographer: how does the judge accomplish such transformation, passing from the A pile to the B pile? How can we reconstruct in details the weaving of legal reasoning providing our lawyer to transfer A to B? What does this accomplishment say about the questions of penal law, public order, or public interest that are interrogated and need to be repaired? I would like to underline three major arguments.

13. My first one is about the documents contained by the folders. These items are naturally different : if you open one of our judges' folders, you will always find a police report, a prosecution conclusion, and sometimes pleadings, letters of witnesses, medical certificates, maps and photos, etc (Photo 5). What our magistrate has to do is to stabilize a definition of reality from all these documents. Maybe he will not take them all seriously, since he has to certificate or authenticate them, and has to decide on their admissibility. But he can't ignore them, because they are material documents pretending something about what is real, and several of them are very official, meaning that they already define what happened in accordance to the law you can't easily disregard. So, when you enter in the bureaucratic way of reasoning, you realize that real world definition always begins with papers.

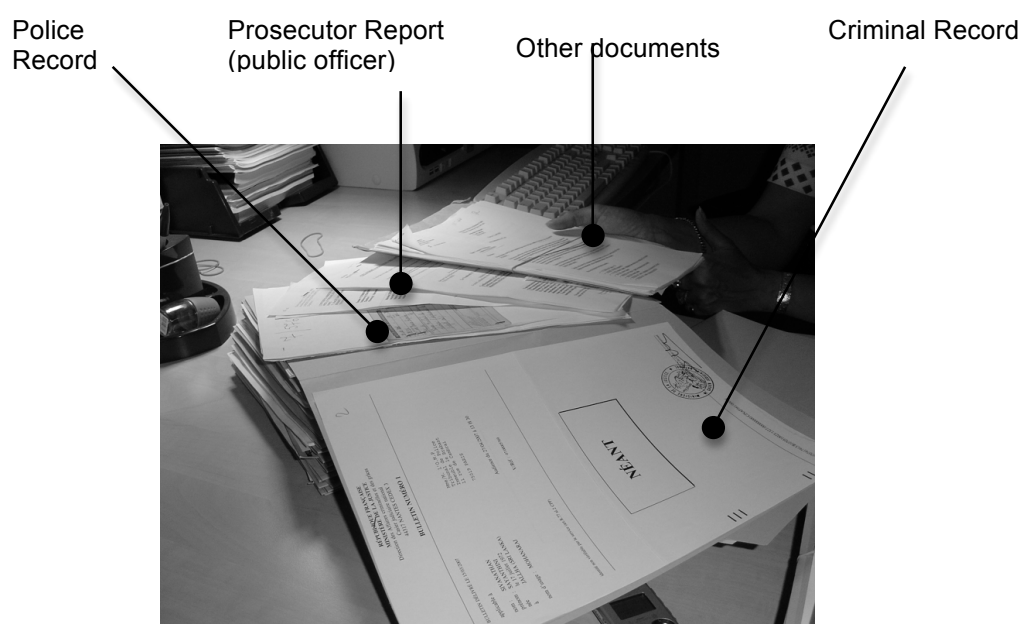


Photo 5. A penal affair and its documents (Tribunal de Police, Paris, 2007)

14. Of course, there is quite often a gap between what bureaucrats can read on these different documents serving as testimony or proof of evidence or database extracts, and what really happened. But this is my second point: they know that very well. In fact, they deal with such discordances each time a problem appears. Sometimes, the hiatus is due to the fact that these different items are disjoined: they don't make sense all together. For instance, a judge may have to pass a sentence about a defendant having parked his car in a forbidden place. In his folder, he easily finds the police report, driving licence photocopy, all the papers required. The affair seems to be a simple one... Except the fact that, at the same time, he's got a letter from the defendant himself, explaining that he hasn't got an car: someone — it's what he pretends — has stolen his papers and usurps his identity! Sometimes, the contradiction between what you could conclude from the material documents of an affair and what really happened appears to be problematic because of the legal qualification made by the police, which seems to be wrong, creating confusion about an insult, an injury, or a disturbance, etc. Therefore, it becomes difficult to make your decision about what sanction to decide, for these offences are not ruled by the same legal norms. Anyway. When bureaucrats, inspectors or judges open an affair, read their documents, try to understand something from its folder, they have to deal with contradictions, nonsense, mistakes, problems of qualification, problems of certification. Of course, it's not always the case. But it's quite common. And, by definition, it's always the case with justice penal affairs, opposing a defendant and a public prosecutor, and even sometimes a victim, pretending to potentially several versions of what happened and what is real, through the different documents that represent their claims in the folder. But it's the same thing with our rural inspector on my photo above (photo 3b): she is holding in her hands a representative of the very official database telling something about the cattle of the farmer, and there is the inventory she is making in the fields, bringing up a new definition since it contains a cow not supposed to exist.

15. That's why bureaucrats have to carry the affairs they manage one step further, beyond the gap between papers and situation. They have to achieve something. If you are following the *contrôleur* I've just mentioned, you may realize what she does (Photo 6) : coming back from the fields, she tries to understand what happened. To

do so, she's trying to solve an enigma: where is the 1081 cow? I mean: the animal is in the meadow, close to the farm. She knows that. But she has to find it in other documents — certificates, invoices, passports (because yes, cows have passports!) — so as to be able to build an interpretation. More exactly, she has to tell a story, a scenario about what happened, a story that has to pass through the different letters, official reports and documents appearing on the kitchen table. Through this enquiry, she will get the answer: this cow doesn't belong to the farmer but his son with whom he mixed a part of his livestock.



Photo 6. A rural inspector trying to solve an enigma about a vanishing cow (Burgundy, FR, 2006)

16. I won't go further about that case (Joly and Weller, 2009), but just dwell on this important part of what bureaucrats do: telling a story in a manner that legal texts and the documents containing in folders can fit together, so as it could not be possible to split them another span of time. To say it differently, bureaucrats are doing exactly the opposite job to that intended, not picking up facts as they were already there and concluding, but building a reality out of all these facts because there is no "reality"

preexisting, no situation except the one they try to construct step by step : what we call the real situation of the user, the client, the applicant or the defendant — whatever you call him — is a consequence, not a start of the process.

17. Finally, I would like to put a stress on a third thing. If the interpretative work a judge has to achieve consists in telling a story, but a story able to hold the all components of an affair, it cannot be an easy job. On the contrary, magistrates generally test several assumptions, since it's only at the end of this process, after the hearings, that the situation of our defendant becomes clear: the penal norms can be applied, a sentence can be pronounced. But, even at this step, it's not the end ! Judges have to do something else. They have to translate the affair in a judgment, that is to say a text setting the facts, mobilizing the legal rules and describing the final decision. I believe it is something important: this final text, which is a very official one, will be able to be stored and transported to other scenes, other arenas if necessary, as it were the whole defendant situation itself, translated in written lines on one or two sheets of paper. This document is nothing else but the B pile folders I mentioned before, when we discovered the judges' glass-fronted cupboard. And, of course, it's the same with other bureaucrats : control reports, notifications and so on. It's always a text, translating the situation in the terms of the law. The activity of signing is taken very seriously by the magistrates, because through their signature, it is truly a mysterious transformation you can observe, as though it were the State itself that was about to speak, with its irreversible effects.

18. So, if an ethnographer is following the whole decision making process in a bureaucracy, I would put forth the hypothesis he will find these three stages I've tried to describe: producing facts with papers, telling a story in accordance to them and in reference to legal norms so as to translate the situation in a case that fits, that makes sense for a legal qualification, and finally editing it in a special text. Why make such a description of the legal work street level bureaucrats do daily? It is, of course, just a suggestion, a modelling tool that can help us to understand the troubles magistrates have to cope with (Weller, 2011) and, more generally, the possible impacts of an organization.

4. Socio-technical troubles and organizational resources

19. A first point I would like to focus on is about troubles. I mean: bureaucrats are facing problems, and have to deal with them. It can be about a wrong date on a form, a missing document in a folder, or tragically a cow in a field that should not exist. For instance, if you were following the judges of proximity I've studied, totally devoted to their pile of files transformation activities, I would suggest you would find different types of troubles : the magistrate can be unable to refer the situation of the defendant to a specific penal norm — I mean : there is no doubt about what's happened, the facts are based on strong material evidence and they define an offence, but texts are unclear and need an interpretation —; or the magistrate can have no doubt about the facts and the texts to refer, but he can't easily tell a story about what's happened, a bit like our *contrôleur* facing the non existence of a cow; or the magistrate can be very confused by the proofs themselves, for they seem to be incoherent or not strong enough, in spite of the fact that he's quite sure about the offence and what sentence he should decide according to the legal texts. These different kind of troubles are typically what we could consider as “socio-technical problems”, to refer to Callon's work (2004), since they are mixing juridical interpretations, documents' legitimacy, misunderstandings, moral dilemmas, etc., leading to the impossibility for bureaucrats to build a case that fits (figure 1).

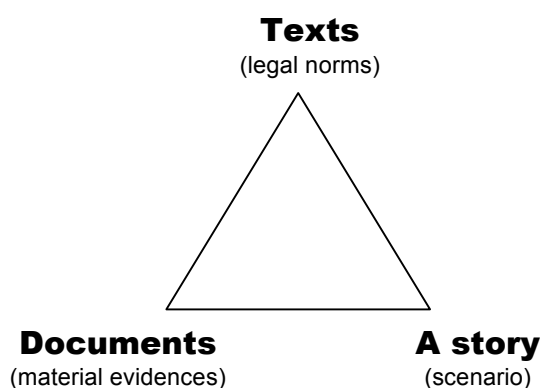


Fig 1. How to construct a case that fits?

20. To have an understanding about the impact of the organization, it can be crucial to wonder whether the bureaucrat can cope by himself, alone, with his own conscientiousness or whether he can debate with colleagues, who may have already met similar cases and can give good advice, especially in reference to legal

precedents. Actually, two organizational resources seem to be strategic in local courts that I've studied: cooperating with the court clerk and debating through virtual a library and forum on the net. As a record keeper, the court clerk can be helpful to our judges about problems of admissibility when they are reading the different documents of an affair. He can provide a serious help to write the final judgements too, since the text our judges have to produce and sign depends on the quality of the notes he took during the hearings. Another source of mutual aid is the internet, since forum dedicated to the judges of proximity gives them an opportunity to debate in cases of doubt. So, we could say the more cooperative are their relations with others, the easier it seems to be for them to solve their problems. I would suggest this is typically a professional way of understanding what challenges an organization has to take up, through the equipment it provides to bureaucrats so to be able to refer to collective regulation since they have to make their own judgement with regard to legal ambiguities and forming interpretations about the cases. To some extent, you could argue with Michael Lipsky that judges, as street level bureaucrats, can be considered as public policymakers, because of their discretionary capacity and interpretative ability.

21. But, in the public services I have been studying, another way of understanding such an organizational challenge exists : it consists in preventing bureaucrats from interpreting too much and making their own decisions. Through dividing administrative work in several specialized and hermetic steps, through hierarchy and management control, through automation of a part of the decision making process, the organization gives an industrial answer to the problem. A good example could be given with these two counters, two offices of street level bureaucrats in relationship with farmers (photo 7a and 7b). They all belong to the same institution (*Ministère de l'Agriculture*), the same department (*service d'économie agricole*) but in different local places (one in the mountains, in the middle of France, one in the plains, far east from Paris). In the case on the left, the employee has a computer, is able to intervene in the client files, to put a diagnostic on applications, to give some advice. In the case on the right, there is nothing but a table with a few chairs and, maybe with some funny bureaucratic irony for a rural institution, plastic flowers! No computer, no folders you could consult. And, in spite of the fact they could appear as enigmatic, these differences have sense. Through the left case, the priority is given to a better

understanding of the situations of the farmers before they apply for subsidies. Through the right one, the aim is to repair complex affairs already treated, opposing farmers and clerks with managers. As you see, the way to introduce the voice of the public, and even here their bodies, into the organization is something delicate : where to put the frontier between back and front office? Before the formal application or after? Dedicated to general problems or complex affairs?



Photo 7a and 7b : two interfaces of a street level bureaucracy at different places

22. I believe these questions seem very prosaic. But this is the way an ethnographer focusing on bureaucratic practices, can try to understand managerial policies and the impact of the organization. As a socio-technical environment analyzed through the ongoing process of the files' treatment leading to the making of a decision, it is less a problem to specify the type of organization where street level employees do their job than a matter of understanding the organizing, as Weick and many others have shown (Weick, 2005; Latour, 2011). The questions can look quite simplistic : where to put telephones? How to equip counters and desks? How to define a procedure to treat delicate affairs? But answers are always complex. They presume to be relevant in regard to each of the different stages of the making decision process — building facts, telling a story, editing a final text. How to test relevance and legitimacy of the facts of a situation? How to appreciate and choose between the various versions that can be told ? How to translate it in the terms of the law and its consequences? Both cases I have mentioned here — justice and agriculture local administrations — are quite different from that point of view. The first one is a professional world, even if the magistrates I followed were volunteers : they are the only ones certificating the

material evidences of an affair, balancing the different versions of what happened, and making the ultimate decision. Norms and procedure are their expertise; hesitation is their duty. They are not only magistrates aligning papers in a specific manner, they share beliefs about what they have to do. Judges can be bound to work late in the night, they can feel unrecognized in their job, they can denounce a drastic lack of means in the organization. But they still have a control over what they do and why. It's less true as far as our inspectors are concerned : their job is much more compartmentalized, framed by industrial technologies that give them sometimes a feeling of powerlessness, of difficulties to take into consideration all the clues of a situation they perfectly understand, but unable to translate it in terms of the law. Of course, there are still files to manage, papers to check, data to capture. But you could not conclude these bureaucrats deploy a deep and strong discretionary capacity : they don't. They may mention on their final control report special facts that should be taken into consideration, but they don't make the final decision.

*

23. I believe I've spoken too long, and it's time to draw a conclusion. My talk had a title : "An ethnographer among street level bureaucrats and new public management". Since almost thirty years, new public management has become the paradigm to think about the transformations of public policies and to reform bureaucracy through key principles such as proximity, quality control, efficiency or improvement of the relationship between the state and its citizens. We all know that very well. As an empirical sociologist making ethnographic enquiries, I would like to raise a question, so as to initiate a discussion. It is about a paradox. It's about the sense of the transformations public organizations have been developing. On one side, they seem to be more flexible, more accountable, closer to their clients. On another side, automation, calculation and centralization have dramatically grown at the same time. On one side, the state claims to be client focused; on the other, it can play like a robot or a speed trap : a simple box put on the road side which works automatically. You are exceeding the speed limit ; two hours later, a police report is freshly waiting for you in your letterbox. It was remarkable in the different cases I studied : the more organizations were involved in NPM, the more this paradox seemed to be obvious. Through critical studies, sociologists quite often denounce

such discrepancies. Because there is a plentiful and copious literature about State transformation, which has to be less vertical, less hierarchical, more contractual, more responsive, it could easily sound as a paradox. But is it really? I believe that focusing on bureaucratic practices, based on ethnographic observations, can help us to revisit such a paradox, and more generally, the different ways of rationalizing bureaucratic work.

References

- Banakar, R. et Travers, M., (eds), 2002. *An introduction to Law and Social Theory*, Oxford : Portland Oregon, Hart Publishing
- Barton, D., Hamilton, M. and Ivanic, R., 2000. *Situated Literacies: reading and writing in context*. Routledge: London.
- Bouckaert, G. and Eymeri-Douzans, J-M., eds., 2013. *La France et ses administrations. Un état des savoirs*, Bruxelles, Bruylant
- Bowker, G., Baker, K., Millerand, F. and Ribes, D., 2010. « Toward Information Infrastructure Studies: Ways of Knowing in a Networked Environment » in Hunsinger, J. et al. (eds.), *International Handbook of Internet Research*, Springer
- Callon, M., 1987. « Society in the Making : The Study of Technology as a Tool for Sociological Analysis », in Bijker, W. E., Hughes, T. P. and Pinch, T., (eds), *The Social Construction of Technical Systems : New Directions on the Sociology and History of Technology*, Cambridge (MA), MIT Press, 83 : 103
- Callon, M., 2004. « The role of hybrid communities and socio-technical arrangements in the participatory design », *Journal of the center for information studies*, (5)3, 3 :10.
- Callon, M., C. Meadel, and Rabeharisoa, V., 2002. « The Economy of Qualities », *Economy and Society*, 31(2), 194 : 217.
- Cambrosio, A., Limoges, C. and Pronovost, D., 1990. « Representing Biotechnology : An Ethnography of Quebec Science Policy », *Social Studies of Science*, 20, 195 : 227.
- Crozier, M., 1964. *The Bureaucratic Phenomenon*, Chicago : University of Chicago Press
- Garfinkel, H., 1967. *Studies in Ethnomethodology*, Prentice-Hall : Englewood Cliffs

(NJ)

- Heath, C. and Luff, P., 2000. *Technology in Action*, Cambridge (UK) : Cambridge University Press
- Joly, N. and Weller, J-M., 2009. « En chair et en chiffres. La vache, l'éleveur et le contrôleur », *Terrain*, 53, 140 : 153
- Latour, B., 1999. *Pandora's Hope. Essays on the Reality of Science Studies*, Cambridge (MA) : Harvard University Press
- Latour, B., 2009. *The Making of Law. An Ethnography of the Conseil d'Etat*, Cambridge : Polity Press
- Latour, B., 2011. « 'What's the story ?' Organizing as a mode of existence », in Passoth, J-H., Peuker, B. and Schillmeier, M., *Agency without Actors ? New Approaches to Collective Action*, London : Routledge
- Law, J. and Hassard, J., (eds), 1999. *Actor Network Theory and After*, Oxford and Keele : Blackwell and the Sociological Review.
- Lipsky, M., 1980. *Street Level Bureaucracy : dilemmas of the individual in public services*, New York, Russel Sage Foundation
- Weick, K. E., Sutcliffe, K.M. and Obstfeld, D., 2005. « Organizing and the process of sensemaking », *Organization Science*, 16, 409 : 421
- Weller, J-M., 2011. « Comment décrire ce qu'on ne voit pas ? Le devoir d'hésitation des juges de proximité au travail », *Sociologie du travail*, 53 (3), 349 : 368.
- Weller, J-M., 2012. "Comment ranger son bureau ? Le fonctionnaire, l'agriculteur, le droit et l'argent", *Réseaux*, 30, 171, 67:101