

# Verify and punish

by *Nicolas Duvoux*

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**Increased eligibility checks by social welfare agencies have led to greater severity towards low-income, economically insecure populations, as the sociologist Vincent Dubois shows thanks to a unique synthesis of different critical traditions in the social sciences.**

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About: Vincent Dubois, *Contrôler les assistés. Genèse et usages d'un mot d'ordre*, Paris, Raisons d'agir, 2021. 447 pages, €27.

Known for his studies on cultural policy and for his fine-grained analyses of relations at the branch offices of the *Caisse Nationale des Allocations Familiales*, Vincent Dubois' *Contrôler les assistés* is the product of twenty years of research on the political, institutional and professional dynamics that have led to strengthened surveillance of welfare beneficiaries: notably, the recipients of the *Revenu de Solidarité Active* (RSA).

The volume achieves the tour de force of mobilising the analytical tools of political science to decipher the mechanisms by which “a spiral of stringency” with respect to the poorest of the poor developed: a spiral for which there is no equivalent in the monitoring of fraud “from above” such as tax evasion, where, on the contrary, a more negotiated relationship has become widespread<sup>1</sup>.

A few lines are not enough to describe the wealth of Vincent Dubois' analyses, both in detail and as a whole, all of them directed toward a thesis that he amply demonstrates: that the putting of the question of monitoring welfare beneficiaries on the political agenda and its administrative appropriation (starting from an in-depth

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<sup>1</sup> Alexis Spire, *Résistances à l'impôt, attachement à l'État. Enquête sur les contribuables français*, Paris, Seuil, 2018.

investigation into the mysteries of the *Caisse Nationale des Allocations Familiales* (CNAF)) and appropriation by staff in the field, who have been enlisted and socialised into the task of verifying eligibility while deploying a specific professional ethos, leads to increased severity of eligibility checks and strengthened domination of the persons in question by them.

Let us look just at three issues involved in this process. Even if the empirical material is French, *Contrôler les assistés* deals with social developments that are taking place on a transnational level; from an empirical point of view, the main feature of the book is that it deploys a cross-sectional sociology of public action, which subtly articulates the different scenes in which the demand for monitoring has gradually asserted itself. Finally, the book puts forward a synthesis of different critical traditions, borrowing from the analyses of Bourdieu, Foucault and Goffman to highlight a new economy of control, i.e. a regime of socio-political and technological domination.

## A transnational sociology

Despite its focus on French welfare agencies, notably the CNAF and its network of branch offices, Vincent Dubois' book represents a transnational sociology of contemporary political and technological control processes, which borrows many of its theoretical and analytical frameworks from North American examples. If the author does not try, as he was able to do in studies on strengthened surveillance of the unemployed, to look at the dynamics of cumulative reinforcement of control linked to the circulation of categorisations or practices between countries<sup>2</sup>, the work is profoundly embedded in analytical perspectives which cut across all advanced industrial societies: in particular, in the Anglo-American hemisphere.

It is so first of all, as Chapter 1 on "Verifications in the transformation of the welfare state" illustrates, because the subjection of welfare beneficiaries to strengthened eligibility checks forms part of a context of their stigmatisation, which is itself linked to the establishment of new social and moral boundaries in the neo-liberal era in a context of pauperisation and the emergence of mass unemployment that goes beyond French borders. At the same time as he notes that "the imperative to check

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<sup>2</sup> Vincent Dubois, "When elective affinities foster europeanization: how the active welfare state EU model and national policies for controlling the unemployed have fed off each other (1997-2005)", *Journal of Public Policy Studies*, 1-25, 2020.

eligibility comes to be imposed as negative representations of the welfare state progress” (p. 32) and the representation of social protection as a general system declines, Vincent Dubois rightly distances himself from the horror stories about a return to the 19th century or the Americanisation of the contemporary French welfare state (pp. 20-21). Shifting the focus of public debate toward the administrative discourse (both for internal and external use), he underscores the importance of eligibility-verification policies in defending the institutions of the welfare state and highlights the concrete repercussions of this (counter-)discourse throughout his argumentation. The activation of social protection is studied by way of the changes it entails in the structural relations between the social dimension of the state, on the one hand, and its managerial and punitive side, on the other, and these transformations form part of a reflection on the overall economy of social protection.

The approach is also transnational by virtue of the prism adopted: that of tools of surveillance and the effect of the development of digitalisation on inter-institutional relations, on professional practices and finally the treatment of recipients of social benefits. Assessing the role of materialist, political and technological dimensions of the strengthened monitoring of welfare recipients and integrating them into the framework of a “relational and critical analysis of public action” (p. 45), Vincent Dubois reveals the effects of the residualisation of social protection which objectively brings the French system of social protection closer to the Beveridgian Anglo-American model – from a symbolic point of view, but also from an institutional and organisational one. He also shows the importance of IT systems in the surveillance of populations, bringing out, notably in chapter 6, the stakes involved in the rise of information technologies and the processing of personal data, while taking studies of the US case as reference point. The thesis according to which increased monitoring goes hand in hand with greater social selectivity and greater severity is all the more convincing inasmuch as studies in the field allow him to avoid misleading generalisations. This provides important nuance to the idea of digital surveillance, field studies bringing out the elements of a new linkage between standardisation by way of IT and individualisation of practices (p. 402). The new economy of surveillance is also far removed from the criminalisation of poverty associated with the hyper-incarceration of racial minorities in the United States.

## A cross-sectional sociology of public action

The increasing punitiveness of social policy can be approached along two different interpretive axes. The first tries to grasp the functional articulation and complementarity of the state's (law-and-order) "right hand" and (social) "left hand". Loïc Wacquant's analyses are deployed along this horizontal axis<sup>3</sup>. Vincent Dubois uses a vertical reading to reveal the mechanisms of dissemination, appropriation and naturalization of control within institutions and organisations. With great subtlety and advancing cautiously, the argument traverses different spaces from political programmes and their naturalization in the media to the lived experience of bureaucratic control. Vincent Dubois undertakes a cross-sectional analysis of public action which proves extremely fruitful for his subject. The chain of administrative levels and institutions, the transformation of legal and normative frameworks, the involvement of new actors in social protection and the changes in the mentality of professional staff gradually adumbrates a culture of control and shared self-evident truths. Practices that would have shocked the social conscience have gradually come to prevail, and a double loss of precision in the diagnosis of situations and the taking into account of the "social" dimension of the poor and underprivileged occurs along the way.

"From the highest levels of the state to direct encounters between social services and beneficiaries, power relationships have been established, types of interaction have been entered into, which, with some nuances (...) favour stricter control policies, as well as a stricter application of their rules. Each of these relational dynamics has its own logic and they are in part independent; nonetheless, they are also interdependent and feed off one another." (p. 47).

It was during the presidencies of Jacques Chirac and especially Nicolas Sarkozy that eligibility checks were put on the agenda. The political programmes on offer and the government agenda mutually reinforced one another at these two moments and structured a field of positions in which, little by little, criticisms of increased surveillance were marginalised. Alain Juppé's naming of a parliamentary mission on "abusive practices" in 1996 to send a signal to the free-market right and then the mission conferred on Éric Woerth by Nicolas Sarkozy in 2007 constitute two important historical markers. Sarkozy was the first to have really integrated the critique of welfare dependency into his programme and to have justified the need for checks as an element of political identity. The media took up these political problematisations

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<sup>3</sup> Loïc Wacquant, *Les prisons de la misère*, Paris, Liber/Raisons d'agir, 1999.

and acted as a “secondary definer”. The “Juppé plan” for reforming social security and the annual vote in parliament on the Social Security Financing Bill will have served to get a number of institutions interested in monitoring how the social security administration works: in particular, its family branch<sup>4</sup>.

The spiral of severity appeared to be an effect of the nationalising of social protection that was underway, as well as of intervention by its managerial bodies, in particular the *Cour des comptes* (Court of Auditors). Its assessments took the form of a performance measurement “based on management and results indicators, which the *Cour des comptes* uses to influence the organisation and practice of the services and thus the conduct of public action.” (p. 137). The focus on the *Revenu minimum d’insertion* (RMI), which was taken as a symbol of a certain number of abuses even though its importance was an effect of the general reduction in social protection<sup>5</sup>, gave rise to suspicion and naturalized the spread of control measures. From institutional creations to management and data-sharing tools, the highest sphere of the welfare state took a managerial turn which would inspire the family branch to systematise control practices.

Between this level, which is devoted to the role of actors in government and the media and of the “grand corps” and that of the professional staff in the field (chapters 7-8-9), three chapters are devoted to developments in the *Caisse Nationale des Allocations Familiales*. These three chapters constitute a monograph on their own, nourished by the author’s long, intense exchanges with this institution. They describe how the CNAF came under political pressure to strengthen and tighten control and the manner in which it actively set in motion a series of internal transformations. Despite hesitations, oscillations and the development of arguments defending the institution and the beneficiaries, the logic of “mastering risk” as a disruptive and harmful element for the institution won out and it crystallised on the non-compliant declarations of beneficiaries. This logic spread the practice of verifying eligibility and enlisted a growing number of actors to this demand. The tightening was achieved by reinforcing the accounting logic and the national level over services which historically had a high degree of autonomy. These reorientations were translated into a reinforcement of the corps of inspectors and its prerogatives. The rare and violently intrusive practice of eligibility checks in the 1970s was replaced by a generalised, supervised, professionalised, but far more systematic practice. Control culture got established as

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<sup>4</sup> These elements show the importance of the transformation looked at by Bruno Palier, *Gouverner la sécurité sociale*, Paris, Puf, 1999.

<sup>5</sup> Nicolas Duvoux, “Trente ans de RMI”, *La vie des idées.fr*, 27 November 2018.

the culture of a professional elite within the services and gradually made the culture of counselling retreat. Finally, it was the introduction of predictive statistics that allowed the checks to be rationalised and their social selectivity to be reinforced. Inasmuch as risk factors are also features of situations of economic insecurity, investigations were logically focused on persons in the most precarious situations, who were already subject to increased surveillance. We find here the large-scale deployment of the logic of “risk management” analysed by Robert Castel<sup>6</sup>.

The three chapters on implementation explore the local ecosystems of the spread of control. They strikingly show how the expression of a “social” sensibility was gradually marginalised. A legal and technical approach to cases, which was facilitated by the digital preparation of the files, drained the situations of their reality (p. 287), thus facilitating a punitive mode of grasping them. In this environment, staff gradually adopted a less personal reading of the files and embraced, sometimes actively, the demands for control. Occupying male positions and at the end of their careers, the inspectors were subject to forms of insecurity that they were eager to reduce and accept a depersonalised treatment of situations that was the only way of making a judicial translation of the files possible. In these chapters, we again find the ethnographic qualities of the branch office situations proper to Vincent Dubois<sup>7</sup>, even though the localisation of the administrative relationship is reversed, since these situations do not take place in the institution, but rather during visits to the homes of beneficiaries which are described in detail. The last chapter covers the social selectivity and the tightening of the checks, revealing a bureaucratic domination which, if it does not deprive beneficiaries of all room for manoeuvre, affects the identity of the people in question. More than the degradation of their status, the collective suspicion embodied by a representative of the institution and the fear of the consequences of his or her appearance call into question the “integrity” of beneficiaries (p. 441), in the sense both of their presumption of honesty and their existential wholeness.

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<sup>6</sup> Robert Castel, *La gestion des risques. De l'anti-psychiatrie à l'après-psychanalyse*, Paris, Les Éditions de Minuit, 2011, first edition 1981.

<sup>7</sup> Vincent Dubois, *La vie au guichet. Relation administrative et traitement de la misère*, Paris, Economica, 1999.

## A renewal of critical sociology

By returning to familiar territory (the CNAF) while extending the focus to the top of the welfare elite and delving into the procedural developments and IT methods of a public agency, Vincent Dubois shows the gradual constitution and dissemination of a system of surveillance of economically insecure and impoverished populations in our society. In doing so, he brings about a synthesis of several different critical traditions in sociology. The first is that of Bourdieu, which is attentive to the denaturalisation of social phenomena, to conjunctures, to the forgetting of the genesis of the self-evident truths of the present, to the mechanisms of distinction and to the effects of the field (the bureaucratic field at the national level and the local one in this case). The second is that of Foucault, which is heavily mobilised here to understand social relations structured around managerial tools that have a cognitive and technological dimension. The state's "care of the self"<sup>8</sup> develops to the detriment of the most vulnerable members of society, and the spread of a culture of surveillance facilitates the appropriation of new information technologies for the purpose of more effective and systematic control. Against the backdrop of the targeting of social policy and the racialisation of the affected populations, which is unspoken in France but forms the framework for the reinforcement of disciplinary procedures in the United States, a selectivity of control with an increasingly punitive character comes into being via the spread of IT tools and a judicial culture which obscures lived social realities even including face-to-face relationships. Finally, these relationships are not neglected, and the interactionist tradition is mobilised to grasp how the agents present themselves to beneficiaries, their peers and their superiors. In the end, the disposition of punitive spirals and the production of partial irreversibility offends the collective conscience of which it is an expression.

Vincent Dubois' research provides a benchmark for sociology of public action and mobilises the sociology of tools to clarify the recomposition of the domination of the most vulnerable sections of the population. The book opens up numerous new directions of research, while at the same time completing a cycle. It is striking to note the discrepancy between the social scientific representations of social welfare administrations. The 1970s, which are interpreted via a Foucauldian grid, were characterised by far less systematic surveillance than the 2000s, which were, however, characterised by a decline in this type of analysis. Dubois's reactivation of the reference

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<sup>8</sup> Philippe Bézès, *Réinventer l'État. Les réformes de l'administration française*, Paris, Puf, 2009.

to Foucault forms part of an analytical renewal which is more in line with the current era than that in which it was mobilised. Nevertheless, the relational analysis and genetic research on the fight against fraud which are the volume's strength could be extended by covering the political and administrative mobilisations against non-recourse that emerged after the implementation of the RSA. Fraud and non-recourse, in effect, constituted two terms functioning as opposites. If there is no doubt about the rise of the topic of fraud over the last three decades, it is not sure that the scope of the debates taken into account is sufficient to recognize the relational dimension of these opposing positions<sup>9</sup>.

The genesis and uses of the anti-fraud watchword form part of a wider field in which these processes are articulated with other recompositions of the welfare state and its elites<sup>10</sup>. At the local level, the same sort of tension in the spread of support could be described in the work of the CAF. The analysis of ruling the poor would undoubtedly benefit from taking into account the intersecting recompositions of these two poles, if only to better understand how the fight against fraud won out in the end. Finally, one last remark concerns what is at stake in the suspicion of beneficiaries and the corrosion of their identity which are described in the last chapter. If the violations of personal integrity are well analysed and the consideration of stratification in the responses is based on credible hypotheses, the description and analysis of the social effects of this mass surveillance remain open questions, which Vincent Dubois' approach – and this is not the least of its merits – allows us to pose with renewed urgency and precision.

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<sup>9</sup> See ODENORE, *L'envers de la "fraude sociale". Le scandale du non-recours aux droits sociaux*, Paris, La Découverte, 2012.

<sup>10</sup> This other genesis is sketched out in the first chapters of the thesis of Clara Deville, *Les chemins du droit. Dématérialisation du RSA et distance à l'État des classes populaires rurales*, UPJV Amiens, 2019.