Soft sanctioning, real relationships:
Accountability, media and public sector interaction in German employment administration and Norwegian hospitals

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Introduction

Wherever politics takes place, the media seem to play an almost inherent or «natural» role. Spin doctors, communication professionals, citizens, public officials and politicians alike both expect media coverage and engage with their presence. The idea that the media play an important role for the functioning of democracy is not new, however. Alexis de Tocqueville wrote that the press

> … causes political life to circulate through all the parts of that vast territory. Its eye is constantly open to detect the secret springs of political designs and to summon the leaders of all parties in turn to the bar of public opinion. It rallies the interests of the community round certain principles and draws up the creed of every party; for it affords a means of intercourse between those who hear and address each other without ever coming into immediate contact (Tocqueville 1835, cited from Graber 2003: 139).

Suggesting that the relationship between those who govern and those who are governed need not be formal and strict, the media can be seen as an interface between citizens and the formal apparatus of society – or a relational field of interconnected actors that create opportunities for voice and communication, debate and response. Despite the typically lacking formal role for the media in political systems, it is often assumed that the media have the ability to pressure or influence the actions, agenda and framing of politics for governments and political actors (Allern and Blach-Ørsten 2011). This diagnosis is not only true for the political system: The media's capacity to influence may in fact establish, sustain or destroy the reputation and legitimacy of any organization or individual actor taking part in societal exchange (Jansson 2012). According to Wiesenfeld et al. (2008), the media act as intermediary sense-makers, or arbiters, in ambiguous situations, by transforming the present evidence of a case into judgments and interpretations that are consequently disseminated to society at large.

> (…) the news never mirrors exactly what officials say or do, even under the most favorable conditions. Newsworkers reserve for themselves the final control over the news, which draws on journalistic definitions of news values at least as much as officials' preferences for optimal communication (Cook, 2006).

Thus, it seems media may be important for processes of accountability that openly reflect the relationship between citizens and government in democratic societies. The news media are perceived as promoting accountability by directing attention to certain political issues, by encouraging debate and by providing visibility mechanisms that increase the potential for representatives or public officials to be answerable (Ettema 2007; Maia 2009; Schudson 2002). Furthermore, the media are seen as an important accountability actor themselves as the «press can serve as a stand-in for the public, holding the governors accountable—not to the public (which is not terribly interested), but to the ideals and rules of the democratic polity itself» (Schudson 1982:217). However, this conception of the media as a political or accountability actor is not without preconditions as it would imply that the actions of the media are firstly purposive and secondly to a certain extent unified in order to make sense to speak of a single actor (Page, 1996).

In this paper, we ask whether the media really have a role in promoting accountability or if they rather encourage political disbelief and cynicism. The media coverage of mismanagement and wrongdoings in government or public services might either be seen as an example of democratic accountability or as a pattern of a «culture of negativity that ignores success or balanced accounts in favor of crisis amplification and personalized attacks» (Flinders 2011:614). How can we understand the media's role in terms of accountability? Do the media create or undermine accountability in democratic societies? In answering these questions, we look for the peculiarities of the relationship between media coverage and accountability and investigate the preconditions of media-based accountability processes.

Our analysis relies, firstly, on an investigation of a selection of cases from, and, secondly, the general media coverage of, the relatively heated political discourse concerning the governance of Norwegian hospitals and the German employment administration. Departing from Bovens (2007), we discuss whether the relationship between the media and political and public actors *can* be seen as an accountability relationship as such. More precisely, we analyze what happens when informal accountability relationships are accentuated in interaction between media and the public sector, where sanctioning possibilities are of an indecisive or «soft» character. An important argument is that even though the media may lack the capability to impose direct sanctions on political and public actors, they have important functions in creating forums of debate where the question of who should be held accountable, for what and how, can be determined. In this process, media have the capabilities to shame public officials and to activate other accountability forums. Furthermore, media often frame and reframe the debate by publicizing information that otherwise would have remained undetected. A central idea to our analysis is that the accountability function of the media depends on two relational aspects: The media's ability to attribute accountability to actors, and these actors' likelihood of assuming accountability for media-generated cases. In order to differentiate between the varying nature of media-public sector relationships, we depart four hypothetical or possible roles for the media: They may act as an *informant* towards the public; as the archetypical *watchdog* scrutinizing public sector activities; as a *booster* of processes already taking place; or they may act as uncritical *lapdogs,* simply forwarding political or administrative actors' points of view without reflection.

The paper proceeds as follows: Firstly, we outline our approach to accountability as a social relationship within the realm of political systems, before commenting on our research design and choice of methods. Secondly, we describe the context and recent developments within these two systems of the welfare state, before, thirdly, presenting a series of cases and assessments that are illustrative of the media's role in these systems. Fourthly, we discuss this empirical material in light of our analytical framework, arguing that the involvement of the media in public debate has as real consequences as formal arrangements – although sanctioning possibilities may be «soft» or even hard to predict. Lastly, we summarize our findings and make a few concluding remarks.

Accountability and the media: What's the story?

Discussing the role of the media in accountability relationship requires several clarifications, such as *what* accountability is, *how* processes of accountability may play out, and *whether* there is an analytical space for the media within this basically relational line of reasoning. The definition applied by Bovens (2007) fast became the standard reference for scholars interested in accountability and public sector governance. Accountability may be understood or perceived as either a virtue or a set of relationships, and we depart from the idea that the concept basically refers to a social relationship characterized by one actor's obligation to explain and justify conduct towards some form of authority. More narrowly, Bovens (2007:449) suggests that «Accountability is a relationship between an actor and a forum, in which the actor has an obligation to explain and to justify his or her conduct, the forum can pose questions and pass judgment, and the actor may face consequences».

Whereas most categorizations departing from this definition focuses on either the nature of the forum (the entity to whom an actor is accountable) or the nature of the obligation (what an actor is held accountable for), we suggest setting the idea that accountability is a social relation (Bovens 2007:450–451) into focus. For our analysis, the suggestion is that the relationship between the media and various actors within the Norwegian and German welfare states take on characteristics that resemble those in more formal accountability relationships, but that the dynamics are less dependent on organization than on expectation and virtue. This means that the accountability relationships of this sort are suitable for investigating the boundaries between the normative aspects of accountability and the more readily identifiable structural features of formal arrangements.

In Bovens' (2007) scheme, presupposing that we see the media as a forum, this represents what he calls social accountability: As transparency has become more important for both public organizations and stakeholders of different kinds, the media conveys information, facilitates debate and in some cases pose judgment. This also coincides with an increase of arrangements within public sector organizations, designed to handle the relationship between public organizations and the media, with the main responsibility to maintain legitimacy and reputation of the organization (Wæraas et al. 2011). This suggests that organizations – not least the public institutions that we are interested in – exist in social arenas where openness, debate and opinion are deemed important for legitimacy. In this arena, then, the media may have the potential to act much in the same manner as formal accountability forums, directly holding scrutinized actors accountable for their actions. The accountability process depends on considering different points of view and includes debate with a variety of political, administrative and social actors about who is accountable for what, how and with which consequences. Accountability relations thus «evolve through political debate and struggle and in response to events, in particular exceptional, unexpected and undesired events, scandals, accidents and performance crises» (Olsen 2013:452).

This process of attributing accountability in modern societies takes place to a high extent in the public media. The media are the single most important arena in which political

processes and developments are not only observed and reported but also framed. Different forms of accountability (e.g. political, administrative, legal, professional, social) become interwoven in the news-media environment, as media professionals, politicians, governors, experts, and citizens demand explanations about events and exchange reasons and explanations (Maia 2009). Journalists and other sources frame an issue by providing news and information to the public that explain problems, provide context, and offer solutions or recommendations. Framing in this respect include to «select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described.» (Entman 1993:52)

Thus, media plays a crucial role as an information provider and but also as sense maker and the attribution of accountability is part of this sense-making process. The process of accountability attribution within the media influences the image, the competences and the democratic legitimacy of political authorities. The media not only monitor political processes, they also construct or rearrange political problems in a way that affects the citizens' perception of who is to blame and who should take accountability as the citizen perception of political action is only to a minor extent influenced by personal experiences but rather by the observation of the media coverage.

> In short, mass media news presentations loom as powerful vehicles for political framing effects. For virtually all Americans, political issues are defined primarily through news reports, and since news coverage is inevitably expressed in particular frames, the influence of the media on public opinion can be significant (Iyengar 1990: 21).

Further, by detecting reasons and causes for a political problem or political failure, the media influences the political problem-solving process and the scope of problem solving strategies, the attribution of accountability is thus connected to certain policy solutions. Since the media are the main source of information and a vital link between the government and citizens they are an indispensable precondition for accountability. The daily flow of news generates the basis for citizens to make their choices. The media's capacity to influence reputation and legitimacy serve as potentially severe consequences of being held accountable in the media, as organizations' or individuals' status is important in any form of social exchange (Jansson 2012). This understanding of the role of the media is not without criticism: Concerning the media's increasing obsession with negative news and scandals, Alistair Campbell, himself one of the most famous spin doctors in British history, complained:

> I think the public are just as keen on success as on failure, but failure, it is thought, is what sells, and what people want to hear and read about. I am not so sure. (…) Britain is not the basket case, nor its politics and public services the abject failures conveyed through the media (Campbell 2008:334).

Also Ruder (2012) argues that an essential characteristic of the media's role in accountability processes is one of attribution. In essence, the media's influence rests with their capacity to inform about events, suggest relationships and relevance, and to frame issues to place them on the public agenda. The assumption is that media coverage (…) «helps citizens understand how agencies make decisions and who is ultimately responsible

for those decisions. Armed with this information, voters can hold government officials accountable (…)» (Ruder 2012: 5). If bureaucratic decision-making is connected to political actors in media coverage, the *attribution* of responsibility may well become a matter of accountability – notwithstanding that the formal distinctions between political leadership and administration may in fact become blurred. Media coverage can shift decision making from administrative and technical arenas to the political arena.

The attribution of accountability has different aspects. Based on Gerhards et al. (Gerhards et al. 2009, 2007), attribution through the media consist of an attribution sender (this might be the journalist acting as committed speaker or experts, politicians and other officials that are cited – in this case the media act as transmitter or gatekeeper), an attribution subject and an attribution receiver or addressee. Furthermore, according to Iyengar (Iyengar 1996, 1990), two principal types of responsibility can be differentiated: Causal and treatment responsibility. Causal responsibility concerns the origin of a problem, while treatment responsibility focuses on who or what has the ability to alleviate the problem. Causal responsibility might be allocated positively (success), negatively (failure) or ambivalent; treatment responsibility is either clearly assigned to one responsible or formulated ambiguous (someone has to do to something).

Secondly, there is the question of how the involved actors react to the attribution of accountability. In both cases - causal and treatment accountability - public officials might accept or reject the attribution, even though some cases are more realistic than others. It seems rather unlikely that public officials might reject the attribution for a success. Next to that, it might be possible that officials accept responsibility, even though there might be no formal reason to do so. Public officials – such as ministers – sometimes engage in detailed matters that usually would fall outside their scope of action, and sometimes this is directly related to media attention. The following graph summarizes the attribution triad. However, the triad should be seen as a cycle as the media can again react to the reaction of the receiver either acting as committed speaker or transmitter.
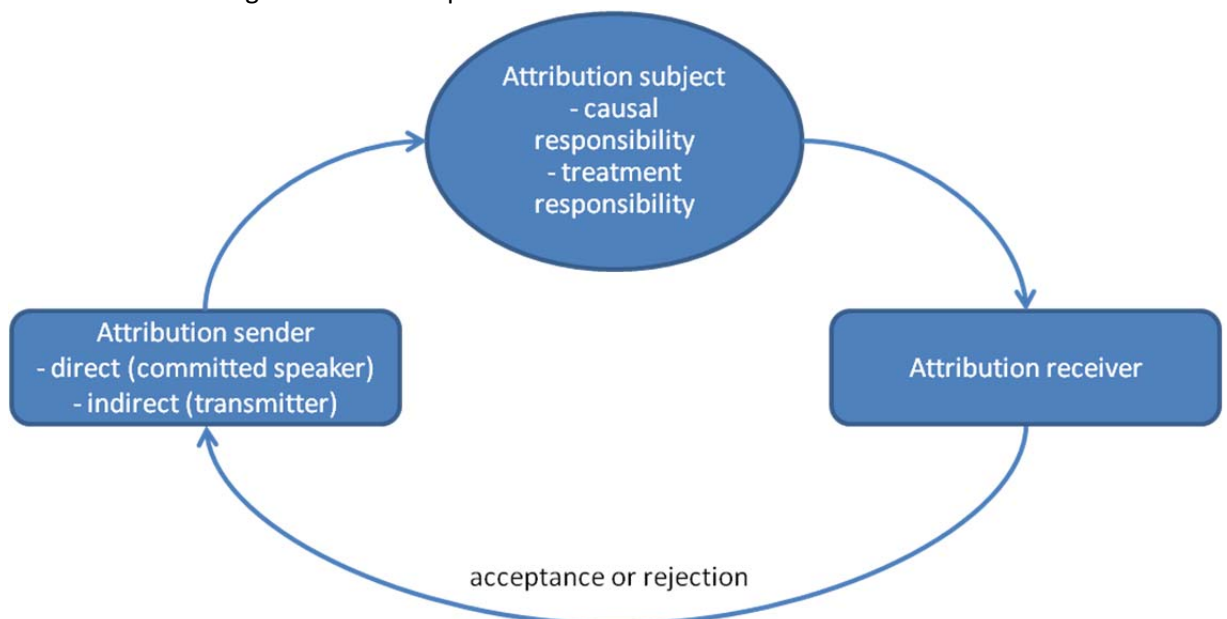
Source: own compilation in partly based on Gerhards et al. 2009, 2007

An important element to note – adding to this scheme – is that the informal nature of the relationship between the media and actors held accountable involves acceptance or rejection of the attributed accountability. This suggests, granted that accountability represents a social relationship, that the actors involved also play a role in *assuming* accountability in different situations. This relates to the distinction between accountability and responsibility: It could be argued that a functional prerequisite for the media's ability to attribute accountability is that the targeted actor actually assumes responsibility. The «negotiation» between attributing accountability and assuming responsibility may well be one of the constitutive elements of the relationship between media and public actors. Maggetti (2012) argues that while public communication via the media is a prerequisite for the accountability of political institutions, the media also represent a venue where both principals and agents can engage in activities that establishes oversight and knowledge of performance. Media attention and coverage thus links policy-makers, regulators, service providers and the public. The direct sanctioning through media attention thus rests with a forum where the actor herself can engage, and where the positive or negative outlook of media coverage *… can be considered an important symbolic sanction or reward, both of which have crucial consequences on their activeness, effectiveness, and prospects for survival* (Maggetti 2012: 5).

> However, the increasing political role of the media also has been criticized as their bias for incidents and personal tragedies makes political accountability more volatile. *«Public managers have to be constantly alert to the media, because the agenda of the media determines in large part the agenda of their political principals. Increasingly too they may find themselves to be the subject of media attention and political scrutiny»* (Bovens 2005:203).

In a recent analysis, Flinders (2011) has argued that the media are increasingly influenced by a culture of negativity that ignores success or balanced accounts in favor of crisis amplification and personalized attacks, thus creating cynicism and distrust of politicians among citizens. However, this argument remains contested as we have no sound empirical analysis about the sound of negativity and even more important, there might be no causal relationship between negative media coverage and trust in politicians as citizens might be more than just media victims (Papadopoulos 2012).

In terms of media coverage of welfare issues, the list of stories portraying scandals, failures and wrongdoings is long. The media coverage of public institutions of welfare is high in numbers. The relative accuracy of such single stories is up for discussion, but that is a different topic: The question here is whether the cases and coverage that reach the public through the media display social relationships assuming the shape of accountability, and whether the somewhat loose coupling between formal roles in this end of the system has effects on the consequences and possible sanctions that involved actors experience. Departing from our account of accountability and media, we suggest four possible scenarios or roles for the media in terms of accountability within political-administrative systems – all four to be discussed in more detailed below. In the following, it should thus be analyzed if and how the media attribute responsibility and for what and how the receiver reacts to these attributions.

Berger and Luckmann claim that «all institutionalized conduct involves roles» (1967:74). The idea that both media and actors are involved in a social relationship entails that expectations towards roles are important to understand their interaction. Such expectations are normative, which can be taken to suggest that they impose constraints on social behavior (Scott 1995). In the sense that the media's role in Germany and Norway is an institutionalized feature of their democracies, it is possible to suggest conceptions of different variants of more or less acceptable interaction – and consequently the role played by the involved actors. We suggest that there are at least four possible roles that the media may play in the institutionalized relationship between the public sector, the media and society at large:

The informant: The media may act as a provider of information about political and social issues, through processes that scrutinize and transmit information about governmental organizations and their performance – in practice bringing issues into the public agenda. Here, the accountability relation is diagonal, fostering other actors to exercise their roles in accountability arrangements. To put it more precisely:

> [j]ournalists provide the information which a society needs to debate current policies, public issues, societal threats, the potential failings of its institutions as well as necessary reforms. In so doing, journalism fulfils a major democratic function, which includes, as a crucial responsibility, the duty to make issues transparent and therefore to help citizens to gain information about and exert oversight of the state's executive bodies (Fritz 2004: 1 cited from Hillebrand 2012:692).

The watchdog: Where formal accountability arrangements are unwilling, incapable or non-existent, the media may fill an «accountability gap» between citizens and public officials. This would be a direct form of accountability, where the media itself acts as a forum. Media coverage can provide a channel for leaking information that might not have been taken into account by formal oversight bodies, or when individuals felt unable to approach formal oversight bodies and instead approach journalists. Media channels might also be used by opposition politicians to stimulate public interest in a particular topic or to point to misconduct by government officials as well as executive agency. And last but not least, reports and investigations of formal oversight bodies are either not accessible for the wider public and or written in a bureaucratic and legalistic manner. Moreover, the release of official reports often goes unnoticed by the wider public. By contrast, media coverage can provide more pointed information, and present them in a shorter and more clearly presented way than official reports. Even though this might imply the danger of sensationalism and scandalization, media coverage creates a wider public and can thus exert pressure on public officials to act.

The booster: Every once in a while, rather small issues become large crises or critical events for involved actors. In such cases, one may argue that there is possibility that the media may strengthen or reinforce the pressures arising from certain cases or processes. The media frames issues so as to be more serious or fundamental than one may expect, for instance when single cases of minor medical malpractice become part of a larger story of public sector failure. The media may have the capacity to boost the intensity of engagement and awareness in the public, causing a «snowball effect» that cannot be ignored by actors that arguably are accountable.

The lapdog: When the media fails to sufficiently question governments, policies, practices and so on, or when unsubstantiated claims by government or officials are simply transmitted to the public. This is regularly the case in authoritarian regimes, but Bennett et al. (2008) clearly reminds us that also a free press can become a communication arm of government, even though one that compete fiercely for getting inside interviews and information from top sources spinning the story. In another article, Bennet (2009:99) concludes that «the watchdog press norm becomes a misleading frame for thinking about the generally uncritical U.S. press acceptance of the Bush administration rationale for invading Iraq, and for understanding why so many American news organizations had so much trouble reporting the possibility that the government might have adopted a policy of torturing enemy combatants in the war on terror».

In these cases, when the media are getting too close to the sources of power, are uncritically repeating official or unofficial political sources and are becoming the communication channel of the government, they are rather acting as some sort of a counter-accountability forum. The rationale for including these stereotypical role constructions rests with the argument that the attribution of accountability by the media and the assuming of it by the actors, may depend on the expectations towards the media in given cases, and consequently on the roles that they may play.

Design, methods

In our opinion, studying the relationship between the media and public sector actors demands both a broad overview of the fields in question and a deeper approach to understanding single processes. On the one hand, a relevant question relates to the amount of media scrutiny and the routinized or default «setting» that this scrutiny takes place within. On the other hand, accountability processes – not the phenomenon – are almost per definition case specific. There is a demand for combining a general assessment of these activities with a more specific dive into processes that display what we are looking for.

Data for the individual cases has been gathered from media coverage, public reports and a few secondary sources. Mainly, the Norwegian media coverage has been mapped and assessed by use of the Retriever search engine, which covers most Norwegian news press, both printed, internet and broadcast. For the German cases, media coverage has been mapped and assessed by two databases, Factiva and Lexis-Nexis both covering all mayor German newspaper and weekly as well numerous regional newspapers.

Although we have collected empirical material for this study, our main purposes are conceptual and analytical. This means that our comparisons across cases and studies are not based on exhaustive or rigid empirical criteria, but rather on analytical principles allowing us to explore the social dynamics present in accountability processes where the media play a role. The selection of cases is thus based on an illustrative strategy, but where the Norwegian and German context provides two very different contexts among European welfare states. The argument for such a selection rests with grasping how media attention translates to accountability – an analytical issue – more than uncovering or adequately understanding the general media coverage of healthcare and employment administration

issues. Thus, the design seeks to maximize contextual variation (two countries, different sectors), but to keep the cases within a comparable framing (European welfare states, democracies).

The Norwegian cases and their context

Healthcare – and particularly hospitals – is among the more contested and broadly covered themes in Norwegian political journalism (see e.g. Eide and Hernes 1987 and Neby et al. 2013). Frequently, discussions and blame-games take place in full public disclosure as both individual and more principal cases are covered. The presented cases (or perhaps media stories or sequels) are quite different, but illustrate how the media may play a role in accountability relationships within Norwegian healthcare governance. Moreover, Norwegian healthcare has been subject to relatively high number of reforms during the last 15 years (Byrkjeflot and Neby 2008). The hospital system has moved from a county-based system with regional democratic governance at its core, to a corporate-style system of state-owned health care enterprises governed by boards and directors. Financial arrangements have moved from general block grants to DRG financing schemes; patient choice and quality assurance schemes are high on the agenda. An argument is that there has been a simultaneous centralization and decentralization, where political influence is centralized and managerial autonomy has been decentralized. Recent reform initiatives aim at creating a more integrated healthcare service, attempting to mend some of the less fortunate experiences of fragmentation and complexity that has occurred in recent years. The medical bureaucracy is important to the Norwegian system, for political governance and implementation of general policies, for regulative purposes, and not least for financial arrangements and cash flow. Recent topics in Norwegian healthcare debate and news coverage to a large extent revolve around expenditure, overly detailed and excessive bureaucracy, and the quality of services. Moreover, recent debates on public administration and politics have focused on accountability to a certain extent – not least following a commissioned report following the incidents at Utøya and in Oslo on July 22, 2011 (Christensen, Lægreid and Rykkja 2013). Accountability and responsibility are both high on the agenda in Norway, which is typically described as a high-trust society (Wollebæk et al. 2012). The three cases discussed below represent several of these themes, but are in this study chosen for illustrative more than representative purposes.

The first case (N1) concerns waiting list mismanagement in the Vestre Viken health enterprise. The case was uncovered by the national newspaper VG, which in 2009 and 2010 ran a series of articles on waiting times on the Norwegian hospital system. Lacking routines for informing patients about waiting times for hospital admission, their rights to complain over hospital decisions, their right to treatment and their opportunities to choose a different provider were among the issues in this case. These problems were rooted in semi-systematic alterations of patient records that in turn caused problems for follow-up appointments and recording of treatment before discharge. This caused more manageable and favorable-looking waiting lists for the hospital, as fewer patients were added to them. Length of waiting lists and time spent waiting by patients are among the parameters for

measurement of hospital performance. The problem persisted for six years before being uncovered, and as a consequence several lives were lost. Possible gains for the hospital included a lesser likelihood for becoming a subject to cost containment measures and an improvement in its reputation, but also an alteration of the financial basis for the hospital as a result of actual diagnoses not being recorded, reported and coded appropriately.

The VG investigations efficiently triggered formal scrutiny of the patient journal mismanagement, involving The Board of Health Supervision, the police, local and regional hospital boards. Several formal sanctions were imposed following formal accountability processes; notably the replacement of the local hospital board, the firing of three managers, and the issue of a 5 million NOK fine by the police. As these formal processes played out, however, the media attention around the case persisted, in turn contributing to establishing – or at least sustaining – an image of a hospital system in dire crisis being portrayed in a series of newspapers and broadcasts. In this particular case, however, national actors were only marginally affected: The problem was framed as a local issue, in structural terms pointing to specific organizational locations; in functional terms described as a direct violation of regulations rather than a system failure.

It seems the role of the media – in particular the newspaper VG – primarily was to provide both the general public and more central authorities with information: As formal scrutiny bodies readily assumed the task of investigating, debating and posing judgment on the case, the newspaper coverage rested with «uncovering» the case. There was less of a need to attribute accountability towards particular actors, as formal forums openly engaged in this. Thus, the accountability function of the media was diagonal, in the sense that they first and foremost provided the public with information on which relevant organizations could act. On the other hand, the case has been important in establishing a general acceptance for a more rigid control system for journal keeping, records and coding practices in Norwegian hospitals – which in turn has created prolonged attention to the matter and triggered quite a few other cases (Lægreid and Neby 2012). In this sense, there was also a judgment passed: If VG had not framed its stories on the case as one of mismanagement it is likely that it would have been less newsworthy. There may be a combination of the informant and watchdog role in this case: Formal accountability processes were set in motion as a direct consequence of media coverage, but a certain judgment seems to have been passed in building the story. To the extent that the media was involved in «naming and shaming» beyond the initial uncovering of the case, such coverage rested on the formal processes (which were strong enough to highlight who were accountable, for what and how).

The second Norwegian case (N2) resembles N1. In the summer of 2010, the newspaper VG (again) uncovered a strikingly ironic case of fraud concerning the director of the national office for the authorization of healthcare personnel: The director herself had falsified her education documentation and resume. After a few days of intense media attention, the director admitted the falsification and promptly left her position. In substance, certificates from both Norwegian and UK educational institutions had been falsified and fabricated, and it became clear that the better part of her career was based on these falsifications. In the course of the following year, the police conducted a formal investigation. In mid-2012 a regular criminal court found her guilty of documentation falsification and fraud with intent

to gain advantages on false premises, and sentenced her to 14 months imprisonment. The striking irony of the case is that the office for authorization of healthcare personnel has a strict zero-tolerance policy for document fraud concerning education and experience. The public interest of the case rests with the ethos of public sector affairs: The authorization of health care personnel is supposed to ensure a minimum of quality amongst healthcare workers, and the director's conduct poses a potential legitimacy challenge for this particular part of the medical bureaucracy. The case directly taps into the authorization office's raison d'être.

In accountability terms, the case displays a two-step process, where the first step revolved around social accountability, media attention and the immediate consequences of news coverage – and the second stage concerns the formal legal accountability processes set in motion following the director's admittance of resume falsification and her resignation. The initial news coverage did lead directly to consequences (admitted fraud and resignation), and it seems the media did indeed play a watchdog role. In accountability terms, the media scrutiny was strong enough to force the director's resignation: The provision of facts and judgment based on these through the media, established that the director's conduct was unacceptable and in practice left her with no choice other than resignation. In this sense, the media acted as a classic forum, portraying misconduct to the public – which in turn can be said to have a legitimate interest in the case. On the other hand, there is also an indirect and diagonal relationship between the processes taking place in the media and the more formal arrangements that were set in motion. Here, the informant role should be underlined, as the case most likely would never have occurred without the initial news stories. Thus, the ability of formal accountability forums to take particular action may in fact rest on media coverage, in turn displaying the important role that the media may take in democratic systems such as the Norwegian.

The third Norwegian case (N3) displays a somewhat different situation. Here, the subject matter revolves around the public officials' inability to reach decisions, in combination with news press being eager to place accountability. In Norway, localization of hospitals has from time to time emerged as tense topic for political and public debate, particularly outside the larger cities. In the Møre and Romsdal county on the west coast, two cities – Molde and Kristiansund – battle over the localization of a new hospital, and the regional health enterprise is reluctant to reach a decision – and national politicians are equally reluctant to interfere. Actors in Molde felt betrayed after promises for a strengthening of the existing hospital in the city, whereas actors in nearby Kristiansund to a larger extent wanted the new hospital. This case is more about the prolonged and sustained media attention about the conflict, which turned broad and national, than it is about a particular incident of malpractice or unwanted happenings. Local and regional actors demanded that national level politicians engaged themselves in the case, but the minister promptly replied that this was a matter for the semi-autonomous health enterprises to decide upon – spurring even more debate and less action. In this sense, the media took a watchdog role, pinpointing indecision as a flaw: In spite of the prolonged media coverage, however, government officials, health bureaucrats and managers never assumed the responsibility that mass media attempted to attribute to them.

In one sense, it seems the case is about the lack of a local or regional democratic forum with significant influence over hospital decision-making – a fact after the 2002 hospital reform, which removed the county councils from hospital governance. Interestingly, the case is not over: the minister of health postponed the decisions for a new hospital structure in the area until 2018, temporarily calming the storm between political activists, parties, cities and politicians in local and national settings. On the other hand, the results of the local elections of 2011 indicate that political parties at the local level are held accountable for decisions they have little or no influence over, particularly in Molde, where Labor support has dropped considerably. This goes to show that even in cases where there is no particular wrong doing social accountability forms such as media coverage may in fact contribute to shifts in political preferences among voters. Thus, it seems the media actually has an influence in democratic terms, turning indecision to a matter of political preference. Here, after sustained media criticism, local politicians are held accountable by their constituency for central level indecisiveness. The establishment and communication of normative pressures have been the prime reason for politicians and administrators to remain active in discussing the case. In terms of these normative pressures, it is in particular political promises and the interpretation of these that have been important – such as local hospital preservation stated in the so-called Soria Moria declaration (a joint policy statement by the national coalition government).

In this case, the media's role is rather unclear. On the one hand, it informs the general public about ineffective decision-making and the statements and actions of involved actors, suggesting an informant role (e.g. as shifts in political preferences among voters are expressed through local elections). On the other, the media scrutiny and continuous attention suggests there is a watchdog component, whereby the media itself passes judgment on the conduct in question. Lastly, however, one could perhaps argue that the reluctance of leading officials to deal with the case and the topics distinctly local focus represents a situation where the media has acted more as a lapdog. Unable to significantly place accountability in an effective manner, media criticism has been more or less toppled by central level politicians eager to escape indecision as a relevant framing for the case.

The German cases and their context

The reforms of the German labor market during the second term of the Red–Green government starting in 2002 signify a turn towards «activation» of German labor market policies. «Activation» can best be described as a combination of demanding and enabling strategies. This means the enforcement of labor market participation of the individual through the reduction of maximum benefit duration or the imposition of sanctions on the one side and an increase of active labor market policies in order to promote employability and to make jobless people more attractive to potential employers on the other side (Dingeldey, 2007). The most important measures to reform Germany's labor market policies are the four laws introduced to implement the recommendations of the «Hartz Commission», named after its chairman, and additional reforms of the government programme «Agenda 2010».

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In essence, these reforms consist of three parts:

- Greater flexibility of the labor market by the reduction of restrictions on temporary work, mini jobs and self-employment, and a gradual decrease of job protection.
- Fundamental re-structuring of the Federal Employment Agency and the instruments of active labor market policies. This includes re-organising structures and processes of the Federal Employment Agency by reducing the influence of the social partners, and increasing the use of external service providers. Target and performance-oriented control instruments have been introduced as well. On the other hand, the repertoire of different instruments for active labor market policy was widely changed. This includes, in particular, introducing placement vouchers to enable the use of private agencies; targeted, success oriented delivery of further vocational training using education vouchers; and the increased support of self-employed activities.
- The transition from a strategy based on status protection through comparable high benefit rates to the principle of «support and demand». Important initiatives are shortening the entitlement period for unemployment benefit for older claimants from 32 to 18 months, merging unemployment and social assistance, and encouraging increased efforts by benefit recipients to engage in job search work, especially the long-term unemployed, via a sanction regime.

Despite the recommendations of the Hartz Commission, it has not been possible to implement a «one stop agency» solution. In fact, the system is now split into two sectors, one for recipients of insurance-related benefits and another for recipients of income support. The Federal Work Agency deals with recipients of the contribution-based Unemployment Benefit I in newly created customer centers. The tax funded Unemployment Benefit II is usually administered by consortia, called JobCenter, with the Federal Work Agency working with municipalities. However, the responsibilities within the JobCenter are clearly separated.

The formulation and implementation of the Hartz-Reforms has been rather controversial and has broken with the consensus-oriented mode of welfare corporatism' signifying the intensive involvement of the social partners in the formulation and implementation of labor market policies. In the aftermath of the reforms, heavy public protest against the reforms erupted followed by the election defeat of the Red-Green coalition in 2005 and the establishment of a new left party, DIE LINKE, in 2007.

Two elements of the reform, «Hartz IV», signifying the merger of unemployment and social assistance to the ne Unemployment Benefit II, as well as the «Ich-AG» (Me Inc.) became the word and respectively the non-word of the year. The reforms process as well as the media coverage have been labeled as a communicative catastrophe (Raschke and Tils, 2013) and also after ten years, the reform is still discussed controversially. The three cases presented below all deals with outcomes of the reform trying to show how these have been dealt with by the media. However, like the Norwegian cases they are chosen for illustrative more than representative purposes.

The first German case (N4) is about an overall problem that has arisen shortly after the implementation of the reform of the benefit system - the massive flood of lawsuits against

applications for the newly created benefit regime, the Unemployment Benefit II. Lawsuits were also a problem within the system of Unemployment Benefit I, but to a lesser extend as the Unemployment Benefit I is neither means-tested nor does it cover additional expenses like housing, heating etc, and thus might be easier to calculate. However, that this problem was not a minor one is shown by the following table that summarizes the development of lawsuits in the Unemployment Benefit II regime since 2005 (date of the implementation of the new regime).
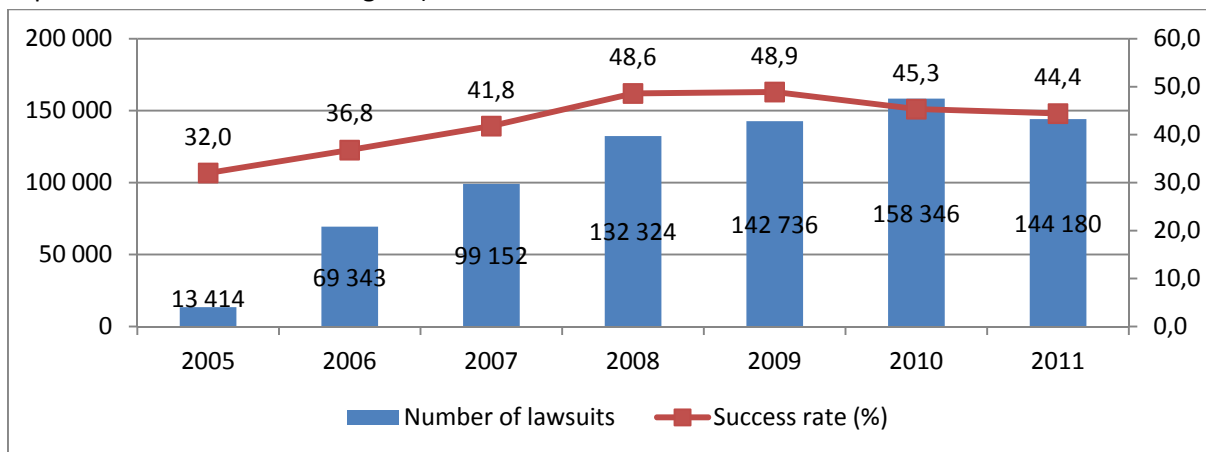
Source: own compilation, data from Bundesagentur für Arbeit

The media have since 2005 reported every year frequently about the problem. The media coverage (based on an analysis of over 100 media documents since 2005) not only included a mere play back of the actual numbers of the statistics of the Federal Employment Service, but also reports about bizarre cases, individual cases as well as about how the social courts are dealing with the flood of lawsuits. A popular example for different newspapers was the social court of Berlin with the highest amount of suits around Germany. The president of that court, Sabine Schudoma, acted as a «face» for the problem and brought it on simplistic formula («every 18 minutes one lawsuit against unemployment benefit II in Berlin») that were gratefully taken up by the media. Even though the headlines were often formulated in a populist language («flood of lawsuits», «gigantic waste of money», «state against citizens») the analysis as well as the attribution of blame and responsibility has remained rather balanced and cautious. In most of the articles, different reasons were analyzed ranging from complicated, unclear regulations, the numerous regulatory changes, untrained and overstrained staff at the JobCenters up to clever lawyers that were offensively advertising next to the JobCenters. It was also argued for a more consensus-oriented and flexible proceedings as most of the cases could have been handled without a court procedure. Thus, scandalization has not taken place, the media mainly acted as an information broker as the numbers of law suits were not published until 2009 by the Federal Employment Agency. Furthermore, the media were acting as an accountability forum attributing blame and negative assessment not only to the Federal Employment Agency but also to the politicians for bad law making and the lawyers that were profiting from the unclear legal interpretation. The influence of the media, though, was rather limited. As it is impossible to clearly attribute accountability because of an ambiguous cause

and effect relationship and because a strong actor was missing to take up the issue, the reactions from politics as well as the administration were reluctant. The Federal Employment Agency was only partly assuming responsibility highlighting that most of the applications were uncontested. However, some measures to improve the communication between the agency and the jobseekers were implemented like the simplification of forms, but the regulatory environment remained unchanged. As a result, what can be observed is a yearly repeating game, in which the media publish the new data about lawsuits and the social courts highlight their work pressure. After a few days, the excitement is over and superseded by other topics.

The second German case (N5) is rather different and concerns an internal, individual and non-tariff payment scheme of the Federal Employment Agency for senior managers that have been introduced as part of the modernization process in 2006. The weekly newsmagazine «Focus» firstly reported in May 2010 about a confidential assessment of the Federal Court Auditors which accused the Federal Employment Agency that the scheme was not approved by the responsible Ministry of Labor and Social Affairs, that positions have been awarded without public advertisement and more general that accusations of embezzlement against the Federal Employment Agency have to be verified. The first question here is how this confidential assessment became public, however it seems plausible that the Federal Court of Auditors has used the media and the wider public to reinforce their claims. In the aftermath, all mayor newspaper referred to the article in «Focus» and started a critical reporting not that much about the Federal Employment Agency but against their chairman, Frank-Jürgen Weise, who was attributed responsible for the introduction of the payment scheme. He, in return, defended the scheme fiercely, attacking not so much the media but the Federal Court of Auditors for an old fashioned and bureaucratic perception about the management of an agency. However, the media coverage took a clear stance, reporting about luxury salaries, unacceptable misconduct and so forth. The opposition demanded soon that Frank-Jürgen Weise should hold his office in abeyance. The Ministry of Labor and Social Affairs - responsible for the oversight of the Federal Employment Agency - at the beginning tried to deny the allegations, but soon switched its position and was also pledging for clarification. Furthermore, the public prosecution department started an investigation that was later given up. Even though the political outcry was quite intense at the beginning, at the end of the day not even the opposition had an interest to further damage the reputation of the chairman of the biggest German agency that was – in addition – in general perceived as a successful modernizer. The payment scheme was post-hoc legalized through a lex specialis.

This case shows clearly how the media can act as watchdog but also as a booster for other accountability institutions, in this case for the Federal Court of Auditors. The rather small allegations (only 38 employment contracts were criticized by the Federal Court of Auditors) would not have been a subject of debate without the critical media coverage. But the case shows also that scandals can be better sold if there is a possibility to personalize them. The media coverage of the payment scheme turned soon into a reporting about the general management style of the chairman who was blamed for autocratic attitudes. However, neither the Federal Employment Agency, nor their political superiors - the Federal Ministry of Labor and Social Affairs and the board of governors - were willing to

take the responsibility for the allegations. Also formal accountability mechanisms were not activated. The issue was treated in the budget committee but without mayor results. The reason for that can be seen in the elitist consensus that is present in German labor market policy. All mayor parties, except for the Left Party, have been part of the recent labor market reform and especially the reform of the Federal Employment Agency into a business-like organization was never questioned. This might explain why not even the opposition had a clear interest to take up the allegation by the Federal Court of Auditors and the media, showing that the political logic has dominated at the end over the media logic.

The third German case (N6) is about the media coverage of a workfare program called «One-Euro Jobs», introduced in 2005. These are temporary, mainly part-time jobs in the non-profit sector. Since their introduction, one-euro jobs have been the most important active labor market policy (ALMP) for welfare recipients, with 600,000 or more new participants a year. Participants are not paid a wage but receive their welfare benefit plus one to two Euros per hour worked. One-euro jobs aim to improve the employability and the employment prospects of welfare recipients with severe difficulties of finding a job. Furthermore, the Public Employment Agency can assign welfare recipients to one-euro jobs to test their willingness to work (Hohmeyer and Wolff, 2012). The media-coverage of this instrument has been high, and, after a smooth start, the critic of the instrument became quite intense. What can be observed here is on the one side that the One-Euro-Jobs were taken as an occasion to debate the concept of workfare in more general but also that the rather critical assessments not only of the Federal Court of Auditors but also of other evaluations institutions were intensively used by the media. However, this case also shows that the media are not as powerful as assumed and sometimes resemble more a toothless tiger. Despite the negative coverage, it took until 2010 before mayor changes were implemented. Until then, the Federall Employment Agency as well as responsible politicians from the conservative/liberal government played down the critique and the indentified abuse of the instrument speaking of isolated cases and referred that improvements and tighter criteria for approval have already been implemented. What also becomes clear is that the media are used in this case as a forum for debate, where opponent and proponents of the instrument exchange arguments, thus the media acted in this case rather as a transmitter than as a watchdog.

Discussion/conclusion – points to consider

Initially, we asked two questions: Firstly, how can we understand the media's role in terms of accountability? Secondly, how do the media contribute to creating, or undermining, accountability in democratic societies such as Germany and Norway? The presented cases have shown that all four suggested variants of media accountability roles are arguably present. They are not clear, however, and typically occur in combinations. Moreover, combinations of the social accountability that the media represent and more formal accountability arrangements are characteristic.

The sanctions taking place in conjunction with media attention differs, however at least in the German case, politics is rather reluctant to act upon media allegations. Even though there might be a lot of talk after media allegations, the opinion that politics and policies are driven by the media cannot be approved by our cases. The often formulated hypothesis that politics and politicians are under a permanent scrutiny through the media (Koch-Baumgarten and Voltmer, 2009), that we are entering into a monitory democracy (Keane 2010) and that politicians respond to quickly and unquestioned to media coverage (Flinders 2011) thus has to be questioned. Two points have to be highlighted in this regard. First of all, the German cases clearly show that policy matters. For the interplay between media and politics, this means that some policy fields or some events are more open to media coverage than others; and this is also true for the attribution of accountability. Policy fields that are characterized by a high level of complexity, by a high level of joint decision making and joint implementation, and where a clear cause and effect relationship cannot be easily identified, makes it difficult for the media to attribute accountability. This is clearly the case in labor market policy in Germany that is embedded in a complex system of multi-level governance where it is difficult to identify one single root cause for success and failure. The routine role of the media is thus limited to a role of «booster» for several positions without endangering the autonomy of the established system of policy formulation and decision. Only in times of crisis, unforeseen events or in case of conflicts between established interests, it becomes possible for the media to take a more active role. As can be seen from the non-tariff salary scheme, this means that problems have to be dramatized («suspicion of luxury salaries»), personalized («allegations against BA boss Weise: Scandal at the employment agency») and scandalized («discretion and haggling»). However, even in this case a pure stimulus – reaction pattern between media and politicians blaming the bureaucracy and getting their own heads out of fire, cannot be observed. This leads to the second point, politics matter in the interaction of media and politicians. Even though a lot of actors not only from the political but also from the societal realm (especially the social partners) have a say or think to have a say in labor market policy, there is - at least in the cases analyzed - an elitist consensus not only among politicians from the mayor parties (except for DIE LINKE) but also the social partners, that the reputation of the Federal Employment Agency and also of its chairman should not be destroyed as this might endanger the reform process and also the results already achieved. If the media cannot find a powerful supporter in the actor constellation of the policy field, also the strongest allegations might blow out.

A parallel lesson can be drawn from the N3 case; the media did pass judgment on the indecisive decision-making in the hospital localization debate. Although this effectively led to a social opposition reflected in the 2011 local elections, no formal, case-specific accountability processes were set in motion. In this case, one can hardly argue that the media attention contributed to a reasonable process of accountability – rather, the case as such cut across formal accountability relationships and decision-making capacities in a counter-productive manner. Moreover, this could suggest that the question of whether the media contributes or undermines accountability depends on two other factors: Either that an actor assumes accountability, or that an appropriate institutional actor assumes the role as a forum. As seen in the German cases, the complexity of the actor constellation in this

case effectively hindered someone from assuming accountability, and neither was there a forum to «assign the case to». The effects of the 2011 local elections, however, show that accountability is not a perfect tool in combination with the media – actors not even involved with decisions made in the case were effectively held accountable by citizens as a result of media coverage.

This also suggests that accountability «strength» varies – or rather that the media's attributive capacity varies and may be both direct and indirect. The more specific the case (e.g. individual misconduct or clear illegal intent as opposed to general controversy or plain inefficiency), the more direct media accountability seems to be and the more direct is the attribution of blame. It also can be said that the media are more critical if the accountability can be personalized in contrast to corporate accountability. The more specific and clear a case is, the easier it is to attribute accountability to an actor and the easier it is for a forum to become engaged – as with the Vestre Viken case (N1) and the authorization office director case (N2).

The combination of media's attribution of accountability to actors, and these actors assuming accountability is also of importance (see e.g. the resume falsification case – where the actor was attributed accountability and also assumed it, as opposed to the localization case, where the actors never assumed accountability in spite of media attempts to attribute it, as well as the case where the chairman of the German Federal Employment Agency fiercely defended his management practices). Thus, even if the media are demanding personal consequences there is still the possibility to ride the crisis out.

Summing up, one may argue that the media may indeed play a role for public accountability. This role, however, is not necessarily dependent on the type of media attention and activity observed (that is, whether the media act as an informant, a wathchdog, a booster or a lapdog). Rather, there are case and sector specific variables, such as the degree of institutional and policy complexity, the nature of the conduct in question, the graveness of the conduct, and even the likelihood of formal sanctions being imposed. Although soft sanctions may be important, perhaps it is the mutual recognition or practice of accountability between actors and the media (attributing and assuming accountability) that constitutes the social relationship.

One may argue that such relationships make take different forms, pending on the case at hand, the involved institutions' agendas, distribution of political and administrative power; in short, that the attributing and assuming of accountability depends on context. One sign that public institutions take this kind of relationship seriously could be the increasing use of communication professionals and media advisors that work proactively in influencing institutional reputations through media strategies. Such strategies may influence both the relationship to the media and public opinion, but argument remains: For an accountability relationship to be relevant, a mutual understanding and recognition of the relationship is necessary. The prospects for a constructive contribution to accountability-based processes seem to depend on the role played by the media, where the coupling between informal or social forms of accountability and formal processes is important. Avoiding possible rouge consequences, finding institutional support for media claims across the intersection between media and politics, and covering cases of real distress, failure or crisis are among the factors that facilitate the media's contribution to

accountability – whether the final sanction is soft, hard or non-existing seems less important. As an informant and a booster, the media contributes constructively; as a watchdog there is a certain potential for useless barking at the moon.

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