

“Do You Want to Negotiate with Me?”– Avoiding and Dealing with Conflicts Arising in Conversations with the Young Unemployed

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1 Introduction

Although the European welfare states have taken different paths in implementing the transformation into an ‘enabling’, ‘activating’, or ‘workfare’ state, an activating labour market policy plays a decisive role in all of them.¹ This means greater individual obligations, particularly with regard to integration into the job market. Additionally, social services are put in place, which are meant to contribute to an increase in employability by implementing, for example, counselling strategies (Dingeldey, 2007).

In Germany, this change is impelled by the so-called Hartz reforms (i.e., Kommission zum Abbau der Arbeitslosigkeit und zur Umstrukturierung der Bundesanstalt für Arbeit [Commission to Reduce Unemployment and to Restructure the Federal Employment Service], 2002), which brought about significant changes in work-related services both legally and organisationally.

The Code of Social Law II (Sozialgesetzbuch II/SGB II) provides the foundation for this article. It regulates basic social security for job seekers who receive unemployment benefit II (Arbeitslosengeld II). This law combines the former unemployment benefit and the social welfare benefit in the framework of the above-mentioned Hartz reforms on 1 January 2005. Unlike unemployment benefit I (Arbeitslosengeld I), which depends on one's previous salary, unemployment benefit II is means-tested and based on the so-called ‘promoting’ (Article 14 SGB II) and ‘demanding’ (Article 2 SGB II) of individuals receiving benefits. This restructuring was associated with extensive policy-driven and organisational changes, and with the introduction of new person-centred methods and instruments with a long tradition in social work services. The latter include, for example, the introduction of case management formulated in the specific concept of employment-oriented case management (Autorenteam, 2005), counselling, and the legal establishment of a personal contact person who ideally retains responsibility for the ‘customer’.² The process of developing the concept of

¹ We want to thank the two anonymous reviewers for their very valuable comments.

² In German job centres, beneficiaries are called ‘customers’ (‘Kunden’/‘Kundinnen’) and not clients, recipients or service users as in other social services, although they do not have the same rights as consumers nor a choice concerning the provider. The terms ‘personal contact person’, ‘case manager’ and ‘customer’ are terms from the field. We use them in quotation marks to show that they are not our terms. But replacing these terms with other terms will not solve the problem of such categorisations (cf. McLaughlin 2009).

employment-oriented case management was also supported by big charity organisations such as Päritätischer Wohlfahrtsverband Hessen and Caritasverband für die Diözese Trier e.V.

Thus, this new organisation of person-related social services was from the beginning caught between at least two rationalities: it is not mere social policy administration, but makes use of socio-educational methods to process people by changing them (Hasenfeld 1983).

As a consequence, increasing numbers of social pedagogues and social workers have been engaged to work especially with the younger unemployed (under the age of 25), and from the beginning there was a demand for case management training, sometimes provided by social work departments at universities of applied sciences.

However, there are irresolvable tensions that arise from the legal and organisational regulations. The so-called 'promoting' is contradicted by the one-sided risk of the 'customers' to receive sanctions if they do not act in line with this agreement, and they can be forced to accept a jobseekers' agreement by administrative acts.

Specific to the group of under 25-year-olds – the conversations with them have been the subject of our research project – is the fact that sanctions for breaches of obligations according to Article 31 SGB II turn out to be harsher than for employable benefit recipients over 25 years of age: Unemployment Benefit II can be immediately reduced to the contribution for housing and heating; contributions in kind, e.g. vouchers for food, can be granted. A repeated breach of the obligations (i.e. not fulfilling the duties laid down in the 'integration agreement') can lead to the complete omission of Unemployment Benefit II.

At the same time, after filing their application for benefits, the young people (if they are not students or parents of children under 3 years of age) are meant to be immediately assigned to vocational training or work. For benefit recipients without qualifications, work is supposed to help improve their professional knowledge and capabilities (Article 3, sub-section 2 SGB II). This is intended to prevent under-25-year-olds from becoming stuck in the benefits system in the long term.

Since the introduction of SGB II, discussions have arisen in the field of social work, especially: Are counselling and case management possible in such coercive contexts in terms of social work professionalism? Or is the lack of employment opportunities reinterpreted as an individual responsibility for failure and thus social work reduced to 'social technologies' designed to change people (Buestrich et al., 2010)? And what about professional ethics that oblige social workers "to put the clients' interests in the center" (Kjørstad 1995, 383)? On the programmatic level, these tensions are not dealt with and remain invisible. Thus, the individuals must solve these tensions in interaction.

Given the sanctioning possibilities provided by the law, which in most cases lead to existential distress of those affected, it is not surprising that the German Code of Social Law II is generally recognised as a conflict-ridden amendment.

The findings of a study carried out by German accident insurers concerning work-related stress in job centres also point to this. The findings show on the one hand that "extreme threats in the form of assaults and acts of violence" occur relatively rarely (cf. Deutsche gesetzliche Unfallversicherung, 2010, 25, translated). However, on the other hand the data show that "conflicts or difficulties occur in client contact" quite frequently (ibid 26,

translated). At the same time, in 2010, cases relating to the SGB II constituted the greater part (approximately 40%) of all lawsuits settled by the social courts (cf. Statistisches Bundesamt, 2010, 13, 28 f.). In the following we intend to examine aspects of conflicts, especially stopping and avoiding conflicts, in *conversations*. Our central question is how conflicts become apparent at the level of conversational interaction, and how they are formed, processed and stopped by the participants in the interaction. This question is especially relevant, because it is in face-to-face interaction where professionals and clients have to deal with the ambivalences of the institutional framework.

At this point we can already document a basic tendency in the conversations we analysed. Participants focus on avoiding episodes of conflict in order to ensure the continuity of their relationship. This is also consistent with other empirical findings. They show that participants do not always achieve agreement but that they are able to limit conflict episodes in conversation.

2 Database and analysis strategy

Our dataset consists of 52 conversations between 'personal contact persons' and 'customers' recorded at three different locations in Germany. The conversations were not preselected by the researchers. They were transcribed and evaluated as part of the project "Conversational Practices in Job Centres (Sector of People under the Age of 25) – A Conversation Analytical Study".³ Besides these conversations we conducted interviews with the 'personal contact persons' (12) and with the three heads of the under-25s department. These interviews are not part of the following analyses. The overall question of this project was how the legally prescribed special treatment of young people less than 25 years of age (see above) is reflected or processed in the employment counselling communication process. (Böhringer et al., 2012)

The 'customers' were youths and young adults under the age of 25. They are usually attended to in special sections within the job centres. The 'personal contact persons' had varying degrees of education and training and varying institutional and professional backgrounds, and included social workers. Some had the title case manager, although they were not social workers, and some were social workers without being named a case manager. The important point is that we could find differences between 'personal contact persons' and also different local practices. However, concerning our sampling, we could *not* find differences that are substantially linked to one profession. As Ludwig-Mayerhofer (2014, 76 f) shows, being a social worker does not prevent them from seeing the work as a fight against unwilling 'customers'. Against this background, we focus on the institutional context and its challenges that are relevant for social work professionals.

We informed both the professionals and the 'customers' about the study and recorded the conversations only on the basis of written informed consent, which underlined that they did not face any disadvantages if they do not participate and that they could stop the recording at any time. The audio recordings of the conversations were transcribed and anonymised.⁴ The analysis of the material was based on ethnomethodological conversation analysis, which studies conversations in institutions (cf. Heritage, 2005, 225) and conversations in general. One might argue that recording a conversation could influence the interaction of the

³ Financed by the German Research Foundation (DFG), 2008-2011. Other colleagues involved in the research project were Hermann Müller, Stephan Wolff, Wolfgang Schröder, Julia Schröder and Bettina Holdreich.

⁴ Transcription according to GAT (cf. Selting et al. 1998), see Appendix.

participant and the conversation itself. But we raise the objection that this argument remains hypothetical until such influences are traced within the data; secondly, there is no way to reconstruct real-time interaction other than by observing it ethnographically and recording conversations; and thirdly, interacting partners will do their best to give a good example. Reconstructing the regularities behind this can shed light on the structures they are guided by and the structural problems that lie behind them.

Each element of the situation recorded is considered to be potentially ordered, and makes sense in the situation as a whole. (Sacks, 1984; Bergmann, 2007) Social order is seen as an interactive accomplishment of the participants, which they generate while spinning forth the thread of interaction.

The analysis begins by isolating "possible organisational elements" (Bergmann, 2004, 532) within the transcript, in our case conversational sequences in which the participants indicate non-agreement. Then a data collection of the corresponding conversational sequences is produced. The analysis starts with simple observations of regularities on the basis of a few conversations. The data collection is expanded to capture different variants. (Ten Have, 1999, 154 ff.; Bergmann, 2004, 532) In a third step, all remaining conversational sequences are checked through in order to take into account potential deviant cases and new variations in the analysis. It is also determined whether the variants that occur and the supposed 'deviant cases' fit into the system that is revealed. In a final step, we determine the conversation-structural and organisation-related functions and implications of the conversational practices that have been found. (Bergmann, 2004, 533).

For the conversation analysis it is essential to take the sequentiality of the conversation into account. Underlying this is the assumption that utterances are not understandable in themselves. The participants indicate to each other through their specific exchange of utterances in the course of the conversation what they mean or, as Rawls (2005, 182) formulates it: "The essential point is that meaning emerges over a sequential course of utterances." The fact that meaning is a product of interaction is also essential for the analysis of conflicts in the interaction, since looked at this way a conflict is not given a priori – even if the social configuration makes this expectable from an outside perspective.

We will proceed in three steps. First, we will examine the question of how conflict episodes can be identified in conversations. Then we show on the basis of examples from our corpus of data how the emerging conflicts are dealt with and how the attempt is made to avoid them. In a third step, we draw general conclusions based on our findings as to how the participants deal with the potential for conflict in an ambivalent legal situation such as the SGB II.

3 Conflicts in conversation

In the research on social work, practice especially in social services, the different viewpoints of the interactants – namely clients and professionals – are a well-known problem. Juhila, Caswell and Raitakari (2014) describe different forms of resistance. Resistance as sequential actions are defined as misalignment (cooperation in interaction breaks down) or as disaffiliation. Thus, resistance might be active or passive, more confrontational or less. They also describe resistance towards stigmatised categorisations and towards policies. Matarese & Caswell (2014) use the term 'insistence' instead of 'resistance'. In their case study they analyse how a client occupies a strong conversational position against the professional.

We want to make a different point here and show how conflicts are avoided or stopped as soon as they arise. We follow previous research on interaction in social services (for social work see: Hitzler, 2012; Messmer 2003; for other fields of research e.g.: O'Connell, 2002; Arminen, 2007), especially on establishing caseness and the construction of clienthood by White (2002), Hall et al. (2003), and Messmer and Hitzler (2011), and conversation analytical research on activation in conversations in employment services by Toerien et al. (2013) and Caswell, Eskelinen and Olesen (2013; also: Eskelinen et al. 2010), and categorisation and interaction in career and vocational guidance or training (e.g. Vehvilainen 2003; Mäkitalo 2005). Our analyses show that there is not only interactive work to establish the case or to end the helping processes. There is also interactive work to keep the case going on (cf. Böhringer et al., 2012) and to preserve the 'customer' as a benefit recipient. 'Customers' and 'personal contact persons' reach common solutions – even in case of conflicts. Conflicts are either settled down quickly or are avoided altogether, since otherwise it is difficult to continue the process. This may lead to extreme frustration or a feeling of powerlessness towards the structures of the field, on the part of both the employees in the job centre and the benefit recipients. For example, Kjørstad (1995) analysed how social workers in municipal social welfare offices in the framework of workfare policy in Norway act within a conflictual field of action, i.e. between professional ethics and bureaucratic rationality, based on interviews. We ask how conflicts may come up in the conversations in such an ambiguous setting, how they are settled down, and if the institutional roles and power relations are relevant for the ways of dealing with conflicts which arise.

In our analysis we draw on a specific notion of conflict as formulated by Messmer (2003). Messmer proceeds on the assumption that conflicts can be identified as specific sequences in conversation. Such conflict episodes are characterised by the "incompatibility of two viewpoints or perspectives" (ibid, 124, translated). This incompatibility is an interactional accomplishment of the participants. They show this incompatibility to each other through their reciprocal behaviour.

This means that a conflict in conversation is not simply there, but rather needs time to develop via the exchange of utterances or actions. The fact alone that benefit recipients and grantors of benefits sit facing each other is not sufficient to speak of conflict: the actors must first exchange conversational moves or actions. Messmer assumes that, for this purpose, two conversational moves are not sufficient. As a modification of the phrase 'it takes two to tango', one could say that indeed two people are needed for a conflict to occur but that more than two conversational moves are required to realise a conflict sequence. The following example makes this clear:

Sequence 1 (Hartmann_7)⁵

- P: one can really say
you no longer have to go to school,
why should i send you to school;
- C: yes, that is (...) that is vocational school that is (...) that is vocational training

⁵ The name is a pseudonym for the 'personal contact person'. The number means, that it is the seventh conversation of this personal contact person in our sample. P='Personal Contact Person', C='Customer'.

In this case P expresses doubts concerning C's plans to attend a school. C explains that what is involved is vocational training and not school. At this point he corrects P (veils this correction, however, through the use of "yes" in the form of agreement), and thus contradicts him. Here we are thus dealing with the communication of contradiction but still not with conflict. Now it is P's turn. Depending on how he interprets C's action this determines whether a conflict will develop or not.

Sequence 2a (continuation):

P: it makes it makes=no difference-

C: a vocational training.

P: you are are available for the the labour market=

=you should get out of (.) out of unemployment benefit two that's your main duty. not school not training in school

C: but i'll get out of that when i get a student grant,

As the continuation of the sequence shows, P remains with his position, whereas C continues to insist that what is involved is vocational training. Alternatively, P could have also reacted in his third move in another way, such as, for example:

Sequence 2b. (possible continuation)

P: oh, and why do you want to do that?

And then an exchange could possibly have ensued concerning the advantages and disadvantages of such vocational training *in* school. In his third move, however, P held on to his original (opposite) interpretation and thus a conflict in the conversation could then develop. At least two actors but more than two actions are needed in order for a conflict to arise in an interaction. The conclusion remains that for the development of conflicts in conversation so-called adjacency pairs are required, that is, reciprocal actions by a first and a second speaker – a question that demands a response, an invitation that is accepted or rejected, etc. Adjacency pairs are treated by the participants as belonging together. They set certain pressures to move in the interaction in motion. And so the avoidance of these pairs is an effective means of getting around conflicts in conversation. (O'Halloran, 2005, 554) In our data, conflict episodes start but are settled quickly through different conversational turns. Thus, the playing out of a conflict does not appear.

3.1 Conflict settlement in conversation

But once a conflict has come up, there are of course still possibilities for ending the conflict. In terms of interaction, a conflict is costly and has the tendency to burden the "bond of social relationship" (Messmer, 2003, 113, translated), which continues to be spun during the interaction. This is, of course, also true in the narrower sense of a (working) relationship in the context of SGB II, since through the exchange of contradictory impositions of meaning the inability to understand one another becomes explicit and the 'working consensus' of agreement for all practical purposes becomes visibly shaken (Wolff, 1998) . As soon as it becomes clear that the nucleus of a conflict episode lies in the fact that participants

demonstrate incompatible viewpoints to each other, it could be assumed that the solution or resolution of the conflict is to be sought in transforming this disagreement into agreement. That is, however, not always the case; in fact, it is rather rare. Leung (2002, 13) points out that – even if no agreement can be reached – “the participants need to, on some level, collaborate in order to bring the conflict episode (if not the actual conflict) to an end”. Seen in this way it is thus a matter of coming to terms with an interaction problem rather than solving a conflict. In the literature there are different pointers as to how conflicts in direct interaction can be settled. For instance, Vuchinich (1990, in: Messmer 2003, 140) develops five so-called stop mechanisms, which can be cited here as examples: giving in; dominant third party intervention; finding the middle ground; stand-off (letting things stand); leaving in a huff (retreating).

However, in the case of institutional communication, these stop mechanisms cannot be deployed by all participants in the same way and in equal measure. Just as Hitzler (2012, 114) ascertains with respect to care planning conferences in youth welfare, it is true of conversations in the job centre that the representatives of the institution have interactive authority available to them. The institutional conversation suggests the existence of unambiguous guidelines for action. In practice these are handled very flexibly. Nonetheless, in cases of doubt, the representatives of the institution can refer to the institutional context and the associated rules and constraints. The power relationships that manifest themselves in the interactions are in this sense not simply derivable from the structural circumstances (cf. Hitzler 2012, 120 ff.). Rather, institutionally available positionings are realised in the course of the interaction. In taking up these positions, in principle the actors have room for manoeuvre. Institutional roles are, however, decisive in determining whether a conversational intervention is successful or not. Power can at the same time be seen as a relationship which describes the scopes and options of action available to the participants in a conversation, and to what extent their successful realisation depends on asymmetry and hierarchy. The possibilities for acting to end conflicts or at least to slow down their continuation, as well as the question of what conversational move is regarded as legitimate, should be seen in the context of the institutional roles and the associated asymmetric positioning. “From the structural complementarity an interactive asymmetry between the participants arises which allows the professional side, by accessing the larger context of institutional knowledge but also by accessing material resources, to gain the upper hand in conversation and at the end to obtain the power of definition in relation to those contents which are being negotiated”. (Hitzler 2012, 125, translated) This is also shown in the action strategy of ‘giving in’.

Giving in

It is not surprising that the termination of conflict sequences is also forced by the representatives of the institution referring to the institutional procedures, as is evidenced in the following example. As a consequence the ‘customer’ gives in.

Sequence 3 (Hartmann_7)

- P: so the question now is if you are going to DO (.) this.
C: ((laughs))
P: VOLUNTARILY do this,
C: nah.

P: you're not going to.

C: nah-

P: then um i'll mandate it.

C:→okay i'll do it.

At this point the conflict is ended because C apparently relents (see arrow). He no longer maintains his original standpoint of not wanting to do something. He reacts to P's announcement that the measure will be mandatory. Within the conflict episode an escalation can be observed. First P asks C if he would do "this" voluntarily. C says he would not. Then P asks once again, and C responds again with "nah". At this point C could have relented and toned down his refusal, but he lets this opportunity pass. Then P announces that it can be mandated using his powerful institutional position – and on this proclamation C abandons his position and responds with: "okay, i'll do it". With this move made by C, P's statement becomes a threat – because it apparently causes C to abandon his position. Referring to Luhmann, it can be said that one cannot go back once this form of regulation has been engaged in (Luhmann, 1972, 101).

The following example depicts a conflict episode in which C repeatedly signals opposition and expresses his objections.

Sequence 4 (Zeuner_1)

P: (1) because um we've now done that too many times with the temporary employment-

C: (2) we've only done this once-

P: yes: and then you always say i can work a while here and work a while there and then after a long time no contract came and nothing and now ((lets his hand? fall on the table)) (1)

C: hmmm-

P: this is where we are

C: but wouldn't it be better if i got another mini-job – then there still would be this three hundred out of it

P: ((lets his hand fall on the table again))

C: instead of this eighty euros, mr. zeuner-

P: do you want to negotiate with me?

C: NO but i [thought] ((laughs slightly))

P: [good]

C: ((laughs slightly))

P: okay. so this matter is, i guess?=closed-(2)

The first objection is the correction of P's statement, which is delayed (for more details see below). The next objection is in the second conditional form ("wouldn't it actually be better") and initiates a factual argument. Moreover, C addresses his interlocutor directly ("mister zeuner"). Because of C's question, this argument is considered principally questionable ("do you want to negotiate with me?"), whereas the question is formulated in such a manner that an affirmative reply in this interaction would not have been the preferred answer and would appear to be an escalation. C responds with an emphatic "no", thus conceding to P's version. Nevertheless, he again attempts to explain his objections. P ignores this and focuses on the "no" when he finally indicates and treats this topic as closed. In this context, a continuation of the contradictory communication in the interaction would be associated with considerable effort and would appear as an escalation of the conflict. In the present situation, however, with the partial retreat by C serving as the communicative reference point, P declares the conflict to be ended.

Dominant third party intervention

In our material we did not find any instance of intervention by a third person *in attendance* to whom the participants submit. There was also no case, for example, in which a third person was called in during the meeting to help end the conflict episode. The participants focused on solving their conflicts themselves in the dyadic situation. They used 'everyday' forms of conflict resolution, as has been described above. (cf. Greatbatch & Dingwall, 1997) Although in a few cases there were other people present, they could clearly be assigned to one or the other participant. In the present cases, the role of the third party as a mediator (as found not only in mediation sessions but also in everyday communication) was not implemented.

There are cases in which the group supervisors take on a mediating or intervening role. However, because they are typically not present at meetings with 'customers', problem-focused discussions must be arranged separately. What happens – demonstrated in the following excerpt – is the allusion to the clarification of an existing disagreement by an authority outside the conversation.

Sequence 5 (Hartmann_7)

P: no the youth workshop in THAT period um
will i see that it continues,
is it going to keep going on as before?
that i keep finding out about absences,

C: yes-

P: that would be like an argument for me one day just to say,
um when it also doesn't work out in school then i'll take you out.

C: yes-

P:→and i would have to do just that so that it would stand up to a complaint perhaps.

P explains his actions by stating that he has to follow the legal guidelines, if for no other reason than simply because the proceedings must be able to "stand up to" legal appeals by the

'customer' within the framework of a possible judicial clarification process.⁶ This interaction shows that the legal processes and the judicial clarification of objections and entitlements are definitely present in the discussions, thus becoming a topic of the discussion as well. Expressing the knowledge and already anticipating a potential future complaint characterises P as an expert, and demonstrates his powerful position in an unequal conversation.

In the following excerpt from the ongoing discussion, C suggests a compromise.

Finding the middle ground

In principle, the possibility of finding the middle ground, a compromise, is available to both parties.

Sequence 6 (Hartmann_7)

P: =actually I want from you - really want to see,
the motivation (..) [what-

C: [at the youth workshop – motivation - pooh=

P: =yeah,

C:→you can forget that=then i prefer to go back to the ((name of the institute)) training
institute-

At this point in the discussion P makes a demand of C: he has to show that he is motivated. P keeps holding on to this view when C interrupts his second move and signals with "pooh" that motivation is difficult in the youth workshop (compare the "yeah"). C also maintains his position in the subsequent third move: "you can forget that". He concludes, though, with a proposition that balances the two incompatible positions. He would in fact prefer to go to the "training institute". In this situation there are also initial irreconcilable stances, but they can be eliminated by the compromise proposed by C. In the further course of the conversation it will be shown that this compromise is unattainable, but at this point it is important to note that a compromise proposal (from C) is used in an attempt to de-escalate the conflict.

Stand off⁷

Vuchinich (1990) showed that most conflicts in his data were terminated by the participants by just leaving it be and, for example, starting another topic. The dialogue presented here originates from the end of a conflict episode in which P and C were unable to agree on whether C was really sick and, therefore, unable to participate in the compulsory measure or whether he was faking it. Both participants maintain their positions throughout the sequence. It is interesting how it ends.

Sequence 7 (Hartmann_7)

⁶ It is not important whether P's actions could really withstand a possible objection, but rather the fact that P's argumentation is based on this possibility.

- P: (...) I know your attitude from the past,
that=that sometimes leaves something to be desired,
C: yes-
P: and=um this also occurs to me here once again.
→ GOOD then apart from this=
=you want to do something starting in summer;

The prolonged tug-of-war ends at this point because of the standoff initiated by P with an emphatic "GOOD". Without reaching a final resolution of the conflict or it being a general theme as such, he moves on to a new topic. This standoff is also made possible by the fact that P formulated his remark in such a way that C does not have to view this as a challenge to which he must respond. P formulated an estimate of C's "attitude" to which he reacts only slightly with "yes". In this situation he falls back on an option that belongs to him as a representative of the institution – namely, making an assessment of his 'customer'. A similar phenomenon is described by O'Halloran (2005) regarding the resolution of conflicts at Alcoholics Anonymous (AA) meetings. It was shown that the avoidance of adjacency pairs enabled conflicts to be contained, or the conflict was simply left to stand as it was. The diverging comments of other members are not addressed.

Leaving in a huff

Naturally, a conflict can also be resolved when one or both of the persons involved terminate the conversation. In other words, the discussion does not reach an orderly conclusion; rather, an individual leaves the situation. This situation does not occur in our data. Llewellyn and Butler (2011) investigated this phenomenon in the context of radio and television interviews. It is possible to see parallels with our material in the fact that the media interviews sometimes deal with situations in which the participants have little opportunity to express their "personal anger and rejection" (ibid, 44). Leaving the situation is, in this respect, the last resort for the interviewees.

3.2 Concealment and Slowing-Down of Conflicts in Discussions

Studies of conversation analysis have shown that in interaction (verbal or otherwise) there is a strong preference for consensus or, more generally, for the "socially desirable". (Messmer, 2003, 115) In contrast, disagreement holds a strong potential for disruption. (cf. Hitzler, 2012, 156) In this respect, conflicts instead constitute an exception, unless the interacting participants are in a situation or set up a situation in which the conflict is socially desirable – as is the case, for example, when defending one's own position within the framework of a dissertation defence or in media debates. Our data also reveal such conflict avoidance through the ways that rejection of statements or differences of opinion are treated in discussions.

Delayed placement of a disagreement

Hitzler (2012, 156, referring to Pomerantz, 1984) has pointed out that the rejection of prior statements is not the preferred reaction and can be seen in delayed responses. In this way, the speech or action taken can change the focus, thus extending the possible range of the other person's reactions.

Sequence 8 (Zeuner_1)

P: (1) because um we've now done that too many times with the temporary employment-

C: (2) we've only done this once-

In this case, with a significant delay of two seconds, C demonstrates his rejection of P's remark. Using such a delayed response, C signals that he definitely does not share P's assessment. However, he does not formulate his objection in an extremely confrontational manner.

Concealment

In the following example P conceals his negative position towards what C has stated by 'concealing' his rejection elaborately in the response.

Sequence 9 (Hartmann_7)

P: exactly and as i said Mrs Peters is a very very very nice and friendly because if you don't go y'know the same old game and then [you don't go] there;

C: [have a sickness] certificate ne, ((exhales with a slight laugh))

P:→well a sickness certificate is something else again =

This sequence is located at a point in the conversation after P has already attempted to persuade C to admit, at least in an informal way, that he faked or brought about his sickness. P begins his rejection with "well". He is noncommittal in his assessment of C's attitude (cf. Hitzler, 2012, 178) But whereas P makes a distinction between the informal and formal level, C remains on the less risky (for him) formal level. At this level P cannot voice any objections (sickness certificates are valid excuses) because he does not want to fail completely in his institutional role; that is, he must either clearly withdraw his objection or, as is the case here, remain vague about whether he believes C or not.

4 Discussion

The starting point of this article was an empirical phenomenon that at first appears contradictory. On the one hand, there is hardly a topic that has preoccupied the German social courts as much as the appeals made by benefit recipients under SGB II. On the other hand, our conversations in the job placement division for the group of under 25-year-olds show that interactants tend to settle down or even avoid conflicts which arise. We have been able to demonstrate that this is an interactive accomplishment of the actors. Both the representatives of the institution and the benefit recipients are geared towards keeping conflicts to a minimum, or to concealing, terminating, or ending them by relenting or choosing to let things remain as they are (Kolbe 2012). It has become apparent that the involvement of third parties plays only a minor role. The mediation or moderation of the conflict episode or reference to a future problem-focused discussion of the conflict at hand did not occur. The participants were able to adjust to the situation that they must quickly settle the issue or the conflict themselves.

Thus, in this manner, the conversation could continue. The reference to legal (judicial) clarification was made in only one conversation. At the same time, our analysis shows that the strategies to deal with conflicts depend greatly on a person's position in the institutional power relationship.

Looking at the re-organisation of social security systems, which can be observed across Europe, our results are relevant. Thus, in the context of SGB II, the representatives of the institution are authorised to make demands of and promote their 'customers' (cf. Art. 2 and Art. 14 SGB II). The 'customers' lifestyles are inextricably linked with these interventions. Conflicting interests are pre-programmed in such constellations: a classical dilemma in social work that cannot be balanced generally but only situationally (Schütze, 2000) – although changes of organisational and legal conditions could alter such situations substantially. So, looking at conflicts in interaction is a question which is central for social work as a profession, because it is an important task to manage contradictory goals in a professional-client relationship in general. Moreover, looking at conflicts in interaction is also important for the management and monitoring of social securing systems and social services, because it is on the basis of interaction that cases are established and benefits are provided or sanctions are imposed.

For social work as a profession it is important to note that our examples from the job placement divisions at job centres show that conflicts are not dealt with as conflicts per se; rather, they are avoided and quickly brought to an end using different methods in the interaction. Conflicting interests and opinions are kept in abeyance or are dismissed by the 'personal contact person', who has indeed more possibilities and the institutional power to do so.

In spite of a principal orientation towards the avoidance or settlement of conflicts, escalations can certainly arise, as our data have shown. In terms of such escalations Messmer (2003, 225 ff.) speaks of power struggles. Threats then become a central means of communication used. Considering the principal orientation towards conflict avoidance or quick settlement, these kinds of escalations are not the preferred response in the interaction. Their actual occurrence can be interpreted as an expression of experienced hopelessness, given that other forms of communication for conflict resolution are no longer considered helpful.

To avoid such escalations in the interaction or to maintain the situational balance, the benefits recipients can also have the conflicts dealt with by the courts, which, as a third party, can be called upon to resolve the conflict. Thereby, objections to sanctions or notice of benefits can be removed from the interaction, which then can basically proceed. In comparison to the conversation in the job centre, legal recourse is more likely to be de-personalised. That both places of conflict resolution are not independent of each other can be seen in the example above: The 'personal contact person' attempts to formulate the so-called integration agreements and conditions in such a way that they can, in case of doubt, withstand legal appeals. (Schütz et al., 2011) What is striking to us is the finding that a third-party intervention outside of the court does not appear to be an option for conflict resolution for the persons concerned. They focus on having to get along (no matter what). In conclusion, the provocative question can be formulated of whether or not the conversations in job centres proceed too harmoniously and whether or not it would be more 'honest' to clarify differences in this context or at least to provide the space for the conflicting perspectives. This could, for example, be achieved by improvements to the grievance procedures in the job centres,

implementing an ombudsperson or by engaging an outside, moderating third party. (cf. Hitzler, 2012)

5 Limitations and further research desiderata

Our research shows how the conversation participants deal with conflicts that arise, how they stop them and how institutional positions and power relations limit the scopes of action they have in handling conflicts in face-to-face interaction. However, due to our small sample we cannot say what the likelihood is of conflicts arising in interactions. We also cannot say how the 'customers' and their 'personal contact persons' experienced these specific situations. Further research should also link the occurrence of conflicts in interaction with the possible complaint filed to a social court. A large-scale sampling of dossier analyses and interviews with customers' who have already filed a complaint would be interesting approaches to focus these further aspects.

Appendix

Transcription

(cf. Selting et al., 1998):

[]	simultaneous talk, overlapping utterances
=	fast, immediate alignment, latching
(.)	break, each dot ca. 0.5 seconds, depending on the length also in seconds
:, ::	lengthening of a sound, depending on length
akZENT	primary accented syllable of a unit
?	denotes a high rising tail
,	denotes a rising tail
-	denotes a level tail
;	denotes a falling tail
.	denotes a deep falling tail
((laughs))	para- and/or non-linguistic events
<<laughing>>	Other prosodic parameters which are used with local or global extension
.h, .hh	breathing in, depending on length
h, hh	breathing out, depending on length
→	marks a sequence which is analyzed in more detail

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