76 NRP

Welfare and Coercion
National Research Programme

Call for proposals

Table of contents

What are National Research Programmes (NRPs)?

National Research Programmes comprise research projects that contribute to solving the key problems of today. Pursuant to Article 10 paragraph 2 of the Research and Innovation Promotion Act (RIPA) of 14 December 2012 (version of 1 February 2017), the Federal Council selects the main research topics for NRPs and transfers full responsibility for conducting them to the Swiss National Science Foundation.

The Federal Ordinance on the Federal Research and Innovation Promotion Act of 29 November 2013 (version of 1 January 2017, Article 3) describes the NRP funding scheme as follows:

[1] The National Research Programmes (NRPs) of the Swiss National Science Foundation (SNSF) are a means of generating and conducting coordinated research projects that pursue a common goal.

[2] Topics of research are generally appropriate for National Research Programmes if:

  a. Swiss research can make a significant contribution to the resolution of the problem;

  b. solutions require research contributions from multiple disciplines;

  c. research on the problem can be expected to produce research results that have practical applications within a five-year period.

[3] In exceptional cases, an NRP may also be used for the targeted creation of additional research potential in Switzerland.

[4] The following criteria are also taken into consideration in setting forth the topics of NRPs:

  a. the programmes can provide the scientific basis for decision-making by the government and administration;

  b. the programmes can be conducted with international collaboration.

1. Summary

In the years before 1981, as part of the state welfare and guardianship system, Swiss authorities carried out measures against adults and minors publicly referred to as "Fürsorgerische Zwangsmassnahmen und Fremdplatzierungen" (compulsory social measures and placements (CSMP)) according to cantonal practices and with practically non-existent procedural rights. The measures repeatedly led to drastic interference in the lives of the persons affected. Today the Federal Council and Parliament recognises the suffering caused to the victims and their families through the disregard of their fundamental rights. In order to have an academic inquiry conducted into compulsory social measures and placements prior to 1981, in 2014 the Federal Council set up the Independent Expert Commission tasked with conducting a Scientific Review of Administrative Detention (Unabhängige Expertenkommission Administrative Versorgungen (UEK)). To investigate compulsory social measures and placements in a broader context, including those arranged by private individuals, the Federal Council commissioned the Swiss National Science Foundation SNSF on 22.2.2017 to conduct the National Research Programme "Welfare and Coercion — Past, Present and Future" (NRP 76).

NRP 76 aims to analyse the characteristics, mechanisms and effects of Swiss welfare policy and practices in their various contexts. It should identify possible causes of welfare practices that had an impact on the integrity of the persons concerned and identify the consequences for those persons. For the research into this complex series of issues, five modules have been set:

I. Fundamental rights and state action: In this module, the investigation focuses on the question of how the desire to achieve a well-ordered state and society conflicts with that of achieving respect for personal rights.

II. Federal structure and economic factors: The subject of the investigation in this module are the requirements for and differences in welfare practices within Switzerland's federalist system.

III. Discourses and their effects: Welfare and coercion are embedded in a social structure of standards and values specific to a certain time. In this module, the aim is to reconstruct and analyse the relevant interacting discourses.

IV. Impact on the persons affected: In this module, the investigation focuses on experiences and long-term consequences of measures in the context of welfare and coercion. The aim is also to investigate the effects of violations of integrity, and equally, circumstances in which procedures resulted in welcome support being given to the persons affected.

V. Stabilising and dynamising factors: This module focuses on the institutional changes in Swiss welfare policy and practices.

NRP 76 tackles the legal and social dimensions of welfare and coercion in Switzerland from a historical perspective and the perspective of the relevance of these measures to the present and the future. It is expected that the projects will either approach historical questions from the point of view of their relevance to current challenges or tackle current issues while including the historical dimension. The project work will make use of results already available from the UEK and will look for potential synergies.

NRP 76 will produce practical and orientational findings for politicians, society and practitioners and will make these available to the target groups. CHF 18 million in funding has been made available for this Research Programme, which has a five-year research phase.

2.   Introduction

The starting point for this NRP is a complex series of issues that the public and politicians often refer to simply as compulsory social measures and placements (CSMP; Fürsorgerische Zwangsmassnahmen und Fremdplatzierungen). This expression is used in particular to designate certain official procedures involving minors and adults that were carried out prior to 1981[1] supposedly in the name of law and order and according to a variety of cantonal practices. These measures, in most cases ordered or initiated by public authorities, but also occasionally arranged privately with no official intervention, were an essential part of the state welfare and guardianship system, what would now be regarded as the system of social assistance and child and adult protection. In some cases, they led to drastic interference in the lives of the persons affected, who were often not even granted the bare minimum of procedural rights. Children and adolescents were hired as cheap labour, sent to institutions, or otherwise placed with foster families, often for trivial reasons. In foster families, homes and institutions, many of these young people were exploited economically, sexually abused, mentally and physical maltreated, used in drug trials or even forced to undergo compulsory medical procedures. An unconventional lifestyle or a disability could be grounds for committing men and women to institutions, requiring them to do forced labour, or compelling them to undergo sterilisation or to give up their children for adoption. Adolescents and adults were often detained in prisons without having committed any criminal offence, but simply because others had moral reservations about them (e.g. alleging that they were "workshy", or "promiscuous"). In most cases, appeals against these procedures had no prospect of success.

For a long time, the political authorities refused to pay any attention to the victims of these compulsory measures. In more recent years, the story of Swiss welfare practices has however undergone more critical consideration. The Federal Council and Parliament have now acknowledged the suffering that many people endured as a result of this disregard for their fundamental rights. The inquiry ordered will focus on inappropriate, questionable and unlawful state interference in the freedoms of individual people and the failure of state authorities to take action, for example through their inadequate supervision of state and private placements and institutions.

The story of these officially ordered compulsory social measures and these official and private placements requires explanation; little or no effort has been made to come to terms with it. It cannot be explained in terms of a primitive understanding of legal principles, for example by suggesting that human rights were more restrictively defined at the time. Long before 1981, the cantonal laws on social measures were inconsistent with the conventions on freedoms and human

---

[1] 1981 is a key date, because on 1 January of that year provisions on care-related detention were made law in the Civil Code. Although the new legal provisions, which applied throughout Switzerland, still allowed the authorities to detain people against their will, the Civil Code now laid down the conditions by which such measures were permitted. The new law also provided a bare minimum of procedural guarantees for the persons affected.

rights (e.g. Art. 8 ECHR). As a result of this, when Switzerland acceded in 1974 to the European Convention on Human Rights (ECHR), it was subject to a corresponding reservation.

Against this background, the Federal Council has commissioned the Swiss National Science Foundation (SNSF) on 22.2.2017 to conduct a National Research Programme on welfare and coercion in Switzerland (NRP 76). This assignment is a key element of the political process of coming to terms with this policy, a process which began on 10 September 2010 at Hindelbank women's prison when Federal Councillor Evelyne Widmer-Schlumpf made a formal apology to a group of people who had been subjected to administrative detention. In 2013, Federal Councillor Simonetta Sommaruga apologised to contract children and other victims of compulsory social measures and placements (11 April) and initiated a round table with representatives of the various victim groups, other persons affected and representatives of the Confederation, cantons, communes, responsible organisations and other actors from civil society (1 June). On 21 March 2014, the Swiss Parliament passed the Federal Act on the Rehabilitation of Persons subject to Administrative Detention[2]. This act, which came into force on 1 August 2014, enabled the Independent Expert Commission (UEK) on Administrative Detention to be established on 5 November 2014), an initial step towards the systematic academic inquiry into compulsory social measures and placements prior to 1981[3]. In parallel with these processes, the Reparation Initiative was submitted by various organisations on 19 December 2014 as part of the political debate on rehabilitation, compensation and redress. In response, the Federal Council made an indirect counter-proposal in the form of a draft federal act on 4 December 2015. The draft bill on the inquiry into compulsory social measures and placements prior to 1981 was approved by Parliament on 30 September 2016 and came into force on 1 April 2017.

The academic inquiry conducted under NRP 76 must take account of various demands:

- There is scientific interest in **obtaining new findings on welfare practices and policies in Switzerland** that link up with existing national and international scientific research. Here the goal is to gain knowledge of the causes and mechanisms underlying both constructive and destructive measures by bringing together the results of individual studies.

- The victims and persons affected and their descendants have an interest in a process of **documenting, coming to terms with and acknowledging** the suffering they have endured and its consequences for subsequent generations. NRP 76 can help to achieve this by analysing various aspects of welfare practices: placements and the system of contract children; forced removal of children from their parents and compulsory adoptions; detention in prisons, educative institutions, workhouses and psychiatric institutions; forced sterilisations and castrations; working practices of institutions and their supervisory authorities. At the same time, this involves drawing attention to biographical experiences and analysing individual and collective coping strategies.

- From a social policy perspective, the goal, based on an analysis of historical and contemporary aspects of welfare practices, is to obtain **practical and orientational information** on

---

[2] The Federal Act of 21 March 2014 on the Rehabilitation of Persons subject to Administrative Detention (SR 211.223.12) applies to people who were administratively detained or committed to an institution under the provisions of cantonal public law or the Civil Code before 1 January 1981. The key elements in this act include an academic inquiry, guaranteed archiving of records and procedures for inspecting those records. This act will be repealed and replaced by the Federal Act on Compulsory Social Measures and Placements prior to 1981 (CSMPA), which was approved by Parliament on 30 September 2016.

[3] SR 211.223.12; see Article 5 paragraph 2.

caring for vulnerable people and people in need of protection. This should raise the awareness of professionals of old and new forms of marginalisation in the context of state welfare provision and child and adult protection.

- NRP 76 is complementary to the **ongoing research programme of the UEK on Administrative Detention** (see "National context" in Chapter 3).

3.   National and international research context

National context

A range of different individual findings are available in relation to the complex series of issues just described. For example, studies from the two national research programmes "Social Integration and Social Exclusion" (NRP 51) and "Childhood, Youth and intergenerational relationships in a Changing Society" (NRP 52) investigated selected aspects of past and present Swiss welfare practices[4]. Historical researchers have also produced various case studies on the history of children in homes and contract children, in some cases in projects commissioned by cantons or private sponsors[5]. However, no comprehensive and systematic investigation of the history of compulsory social measures has ever been conducted.

Of special importance to this NRP is the **work of the Independent Expert Commission (UEK)**[6]. The UEK's primary task is to analyse the history of administrative detention cases prior to 1981. The UEK research programme deals with the issues of "legal principles / legitimising and delegitimising administrative detention", "legal practices and opinions", "practices in institutions" and "biographies and life courses". The UEK has a four-year mandate (2014–2018). In contrast, NRP 76 chooses a single focus, analysing the interplay between various levels and areas of welfare practices and also taking persons subject to non-administrative measures into consideration. In addition, the NRP will investigate the process-related aspects of the history and its relevance to the present, by examining the key dynamics of welfare and coercion to identify any relevancies for current-day practice. In order to avoid any overlap and to exploit synergies, close cooperation between the two programmes is planned.

The intercantonal comparison is also highly relevant to NRP 76. Despite sharing similar concepts of the law and the state, regions and cantons, and often even communes developed divergent welfare practices. These regional, cantonal and communal differences continue to have an effect to this day[7], regardless of the fact that the law on child and adult protection has now been harmonised.

---

[4] See www.nfp51.ch and www.nfp52.ch

[5] See the research report prepared for the FDJP: www.fuersorgerischezwangsmassnahmen.ch/pdf/Bericht_Lengwiler_de.pdf; see also the summary of ongoing research projects on compulsory social measures in Switzerland on http://www.uek-administrative-versorgungen.ch/de/Ueber-die-UEK.3.html.

[6] For the research progamme and design, see http://www.uek-administrative-versorgungen.ch

[7] This is clearly shown by the statistics recently published by the Conference for Child and Adult Protection, which reveal that there are significant differences in the number and type of adult protection measures ordered depending on canton, and that these discrepancies cannot be explained simply in terms of differences in population or social structure.

International context

The NRP 76 research programme will also aim to place the specific elements of the Swiss welfare practices into an international context. To this end, synergies can be exploited with two areas of research:

Research on compulsory social measures in other countries: Since the end of the 1990s, a substantial volume of research has been carried out in other countries into compulsory social measures, and in particular into the connection between placements, violence and abuse and the social marginalisation of individual sections of society. Ground-breaking studies were carried out into Catholic children's homes in Ireland and Canada; later came studies into placements in institutions in Germany, Austria, France, Australia, Sweden and Great Britain.[8] The studies focused on the extent of malpractice in ordering and implementing welfare measures, enquiring into the duty of oversight and the responsibilities of the state and private welfare organisations and into standards and values that were used to legitimise problematic measures. Frequently the research was accompanied or initiated by a political process of reconciliation and recognition and a debate on financial compensation for the victims. The investigations are often organised on an interdisciplinary basis and combine historical, legal, socio-pedagogical or sociological perspectives. However, the research also shows that the history of abusive welfare practices exhibits traits that are highly country-specific. In some countries, responsibility for the abuses lies with the Catholic church or Catholic orders (Ireland, Canada), while in others it lies with the state (Sweden, France, GDR) or was shared between the state and private welfare organisations (as in the Federal Republic of Germany). Equally different were practices relating to accommodation and the different types of institution. There are also fundamental differences between the victim groups. Measures often targeted children of morally stigmatised (e.g. unmarried) parents (e.g. in Ireland, France and West Germany), in some cases stigmatised adolescents as well, in particular girls (e.g. in Ireland and West Germany). In some cases, children from ethnic minorities were placed with foster families because of their race (e.g. in Australia and Canada). In addition, there are special cases such as the persecution of politically suspect young people in the GDR, or the system of contract children, which was prevalent in certain regions of Austria (above all the Tyrol) and Switzerland.

Comparative welfare state research: There are also opportunities to forge links with comparative welfare state research. Here research is of particular interest where it interprets welfare and social assistance as an element of certain national welfare regimes, concentrates on religious or denominational aspects of the development of the welfare state, or makes a comparative analysis of the national traditions and administrative structures of modern policy on poverty and social assistance.

---

[8] See the research report submitted to the FDJP: www.fuersorgerischezwangsmassnahmen.ch/pdf/Bericht_Lengwiler_de.pdf, p. 17-21 and the opinion of the Swiss Institute of Comparative Law dated 20 May 2014: www.fuersorgerischezwangsmassnahmen.ch/pdf/Bericht_SIR_de.pdf

4. The goals of NRP 76

Welfare practices and policies in modern, democratically organised societies must be applied in a complex environment in which factors such as individual fundamental rights, statutory entitlements to support, state intervention procedures, compulsory measures and control mechanisms conflict with each other. The way in which the relationship between freedom, the right to assistance and protection, and concepts of social order and state intervention is structured and assessed by the groups involved depends on their respective interests and the general conditions and practices of the time.

In this context, official measures are part of the state welfare system that is in turn legitimised by society's perception of what is abnormal and by standards and concepts of morality. They must also be compared with measures that are taken on a private basis, such as similar placements outside the immediate family. State assistance, including financial aid, is provided with a variety of intentions and expectations on the part of both those seeking help and those providing it. The main aim is to support people in coping with specific aspects of everyday life. However, the assistance, whether material or more intangible, is always made conditional on certain express or implied requirements that are justified in normative terms. As a result, both private and state welfare provision operate in a sensitive, ambiguous zone. Socio-political instruments for fighting poverty and supporting families are closely linked with social ideals of families and concepts of what constitutes an appropriate lifestyle, and have become institutionalised in modern measures to help those on low incomes and social assistance. The help offered is frequently used as a vehicle for implementing concepts of social order, often leading to the repudiation of the unconventional lifestyles of marginalised groups, or even external interference or indeed the use of force. Examples of this include the way in which Yenish families were dealt with.

In Switzerland, the legal position has changed fundamentally, especially since 1981. The current substantive and procedural provisions for child and adult protection are intended to guarantee that the required protection is provided, along with support that respects human dignity. Whether this has succeeded or whether old practices are being perpetuated has never been investigated and is a matter that this NRP intends to address. The key concern of the programme is thus to have an inquiry into the various areas of welfare and its links to coercion up to 1981, uncover the effects that these practices have to this day, investigate any similar dynamics in the present day and assess these lines of tradition with an eye on the present and future structure of the welfare system.

In specific terms, NRP 76 will pursue the following goals:

1. Analysing **features, mechanisms and modes of action in Swiss welfare policy and practices** in their many different forms and in context of whether there should be continuity or change;

2. Identifying possible **causes** for welfare practices that either damage or restore personal integrity, and considering the extent to which social order and individual rights may be reconciled;

3. Investigating the **effects** of welfare practices on the persons affected and in particular on their economic and social standing.

An explicit goal of NRP 76 is to **link questions related to the past with issues relevant to the present**.

The primary disciplines to be addressed are general history and Swiss history, the history of medicine, church history, legal history, legal science, legal sociology, sociology, psychology, psychiatry, political science, economics, social work/social pedagogy, applied ethics, and ethnology.

5.   Research modules

NRP 76 comprises five modules: Fundamental rights and state action, Federal structure and economic factors, Discourses and their effects, Impact on the persons affected and Stabilising and dynamising factors. Research projects in the context of NRP 76 should relate to themes from one or more of these modules.

Research module I: Fundamental rights and state action

The fundamental rights enshrined in the Swiss Constitution and international law are vital to the state and society. These rights protect people's personal freedoms and their physical and psychological integrity. In particular, children and adolescents, minorities and people with disabilities have an existential need for such protection. Because state support often involves interference in the freedoms of the persons affected and their families, providing state support can lead to a conflict between the desire to achieve a well-ordered state and society on the one hand and respect for personal rights on the other. The protection of basic human rights was and still is dependent on complying with certain standards, and thus partially excludes some individuals. Before 1981 in particular, but not only then, fundamental rights were breached in the context of compulsory social measures in both visible and concealed ways, and the integrity of individuals and social groups was seriously damaged.

The research module "Fundamental rights and state action" seeks to identify firstly the state acts and omissions that tolerated, facilitated or systematically encouraged violations of integrity and secondly the social standards and values that the state based its actions on. Among the key research questions in this module are:

- Are there conditions and factors (e.g. placement procedures, practices of guardianship authorities, guardians and advisers, the form of institution chosen, the supervision of institutions, the delegation of state tasks to church bodies) that involved or encouraged systematic violations of integrity?

- How were and are welfare practices that are damaging to integrity justified? What social, economic, cultural aspects placed and place individuals, families or social groups at risk of becoming victims of compulsory social measures?

- What are the key features of "fair" procedures (procedural organisation, jurisdiction, hearings, rights of appeal, etc.)? What social and legal conditions are required to guarantee adequate procedures in accordance with due process in which the persons affected can express their views effectively?

- How significant were pedagogical institutions (e.g. foster families, small institutions, residential schools or special schools) in safeguarding or restoring integrity or for the spate of violations of integrity? Were/are there specific institutions that were or are more likely to cause violations of integrity? Does a broader choice of options have a positive effect?

- What role did the funding body (state, church or private) pay in the institutions concerned?

- What influence did the medical profession and in particular the psychiatric profession have on state action in general and on violations of integrity in particular?

- What influence did the persons responsible (foster parents, institution management and staff etc.) and the persons affected have over the practices of the institutions where they worked or lived?

Research module II: Federal structure and economic factors

Welfare and social assistance were and still are organised on a federalist basis in modern Switzerland. Compulsory social measures also reflect regional, cantonal and communal differences in relation to jurisdiction (courts or public authorities), procedures or the level of professionalism within the authorities and of other persons involved. The economic dimension of social assistance and of child and adult protection has especially strong federalist characteristics. This is exemplified by the communal and cantonal mechanisms for funding welfare expenditure (including fiscal equalisation within and among cantons), by the budgetary practices of homes and institutions, and by the complex traditions of working for your keep in the system of contract children and in other foster families. Federalism also plays a role in communal and cantonal differences, which still exist to this day in some cases, in the level of payments (e.g. to institutions and foster families), in the counselling and care services that come before residential institutions, and also in the criteria for deciding which people were placed in institutions against their will. It is questionable whether these differences are compatible with the requirement of equal treatment imposed by the Federal Constitution. Moreover, in the research into the welfare state, federalism is often discussed as an element that impedes the development of the welfare system.

Yet federalism can also allow more scope for action. Communes and cantons often compete in socio-political terms and can, to a certain extent through their closeness to social focal points, devise model systems and encourage socio-political developments. Ultimately, the small scale organisation of welfare practices offers organisations, those responsible and the persons in need of care more scope for action.

The key research questions in the module "Federal structure and economic factors" include:

- How did federalist differences in welfare measures manifest themselves prior to 1981 in relation to the substantive law, procedures, administrative and court jurisdictions and the legal remedies specifically available to the persons affected? At what levels were federalist differences visible: at the level of political differences (cantons, communes, differing policies of political parties), differences between linguistic regions (e.g. German-speaking Switzerland versus French-speaking Switzerland), economic differences between poorer and more prosperous regions, differences between urban and rural areas, differences related to education (or closeness to universities) or religious issues? What differences still exist to this day, and what effects do these have, especially on practices that are damaging to integrity? Where differences exist, why is that so?

- How do federalist differences in welfare economics manifest themselves? Who paid and now pays for welfare measures? What effects do associated incentive structures have on the behaviour and the decisions of those involved? Was and is there a correlation between specific welfare practices and their funding, and if so what is it?

- What were the economic factors that led to the delegation of responsibilities to private and church institutions?

- In which areas and in what circumstances did or does federalist competition play a role? Were there and are there persons or institutions that have distinguished themselves through best practices in individual parts of the country, cantons or communes? What influence do these differences have on the quality of welfare measures?

- What role was and is played by intercantonal conferences and concordats such as the Conference of Welfare Ministers, Conference of Ministers of Social Affairs, Conference of Cantonal Justice and Police Directors, and the Conference for Child and Adult Protection?

- What consequences did and do federalist differences have for the concerns of the persons affected in relation to their own protection?

Research module III: Discourses and their effects

The evaluation of welfare and coercion must be seen in the context of the social standards and values of the specific period. This is often characterised by contradictory discourses. An example is offered by the history of corporal punishment: in 1874 corporal punishment for disciplinary purposes was abolished in Switzerland for a short time, but it was reintroduced in 1879 and remained for the most part acceptable until the 1980s. Nevertheless there is general consensus about what is appropriate as corporal punishment in schools or the family home. Excessive punishments such as officially sanctioned floggings were prohibited early on.

The evaluation of welfare regimes and methods of punishment within different milieus and professional groups (e.g. teachers, educationalists) largely depends on the discourses that prevail within these contexts. Discourses can be understood as contexts that are fundamental to both linguistic and non-linguistic practices. Swiss welfare practices were primarily shaped by scientific and professional expert discourses (in law, psychology, education, psychiatry, by lawyers, welfare workers, social workers, children's home staff, social education workers, psychologists, psychiatrists). In addition, they are also affected by the political and public discourse (politics, religion/church, laypersons in part-time public service, actors in civil society, media).

The focus of the research module "Discourses and their effects" is the reconstruction and analysis of the discourse networks within which compulsory social measures, state social policy and child and adult protection law operated and still operates. This leads to the following research questions, among others:

- Which discourses (politico-ideological, profession-specific, discipline-related, moral, religious) shaped the Swiss practices of welfare and coercion? Which factors allowed this to happen? How different or how uniform were the profession-specific or discipline-related discourses? To what extent did individual professional groups have a privileged power of definition?

- Were the various practices discursively negotiated at local, cantonal and national levels? How uniform or diverse was the discourse network (e.g. the discourse on the Swiss militia

system based on democratic theory compared to the professionalisation discourse, discourses based on social movements in comparison with the psychiatric discourse)? To what extent and in the context of which discourses was the general public aware of certain practices?

- How and by whom were the conflicting aspects of state acts and omissions discussed, in particular with regard to the state's supervisory function vis-à-vis other actors?

- What specific discursive concepts shaped welfare practices in Switzerland? What role was played by the discourse on poverty (including the issue of the causes of poverty and avoidance strategies) and by the discourse on economic distribution? What significance did religious or denominational discourse elements have, in particular in church-run homes (e.g. doing penance, promise of salvation and other specifically religious arguments)?

- Which of the discourse traditions still play a role in the current debates surrounding the structure of social security and child and adult protection (e.g. current discourses on security, on the conflict between ordering and encouraging, or on the definition and role of the family)? Which new lines of discourse have been added over the course of time (including since 1981)?

Research module IV: Impact on the persons affected

Scientific investigations and personal testimonies by persons affected are rich in evidence that compulsory social measures and placements – whether ordered by public authorities or arranged privately – led to profound traumatisation. The measures included arbitrary placements of children, without any chance to have a say, failure by the authorities to consult children and adults or to consult them properly (which in some cases was regarded as degrading), strict bans on contacting family members, silence or denials from family members, physical, sexual and psychological abuse, and detention in children's homes as a punishment or in order to be made to work. Simple association with a group stigmatised by society could lead to similar consequences, as indicated, for example, by the experiences of the children of former home and contract children. Psychological research has also shown that, in the long-term, victims of traumatisation deal with their experiences in very different ways. Social and psychological factors of vulnerability or resilience to traumatic experiences can be described on this basis.

Drastic interference in the lives of the persons affected in order to implement official compulsory social measures and placements was necessary in certain cases; occasionally it saved lives and was of existential significance for the persons affected. This must be taken into account when investigating the research questions. In addition, a voice must be given to foster parents and institution staff who took responsibility, to the best of their abilities, for the welfare of the children and adults compulsorily entrusted to their care, and tried to provide them with a sustainable environment that encouraged their development.

The research module "Impact on the persons affected" asks about the traumatic experiences and long-term effects of violations of integrity in the context of welfare and coercion. What were the experiences of traumatic situations of the persons affected, how did or do they cope with it in specific terms, and what influence did these experiences have on their personal development and that of their children? Possible research questions include:

- What consequences did traumatic experiences in homes or in foster families have for the biographical development of the persons affected, in particular as far as their personality, professional career and social relationships are concerned?

- What different coping strategies did the persons affected develop for dealing with violations of integrity and what consequences did these have for the rest of their lives? What social and psychological factors contribute to an increased vulnerability or resilience towards traumatic experiences?

- From the point of view of the persons affected, what factors helped or hindered their ability to cope? Are there differences in perspective among the individual groups, e.g. between children and adults, or between people with mental illnesses and people with physical disabilities, who were dependent on state welfare?

- What factors in foster families and in homes/institutions contributed to making the treatment given to children and adults either traumatising or beneficial to their development? What motives and attitudes did foster parents and staff in institutions and homes have that led to positive development? Can these motives and attitudes also be identified in today's foster families?

- What effect does the public debate on individual welfare measures or on rights to compensation have on the feeling of integrity of the persons affected? What effect does public silence on the issue have?

Research module V: Stabilising and dynamising factors

The fifth research module considers the factors that are responsible for institutional change in child and adult protection practices. Many legally relevant concepts (including neglect, moral discourse and various other moral or ethical terms) have a long tradition that in some cases dates as far back as the 18th century and which remained highly influential at least until 1981. The legislation in civil law, penal law and poor law that formed the basis for compulsory social measures until 1981 also dates from the distant past, as do the origins of the system of homes and institutions. To understand previous and to establish present and future welfare practices, it is important to examine how Swiss welfare practices developed, stabilised and changed. However, the mechanisms and levels of historical change are complex. Thus account must be taken of the fact that change processes were initiated at various levels, without related transformations reaching all levels immediately. For example, the ratification of the ECHR mentioned earlier did not have immediate consequences for welfare practices. And even years after the new provisions on custodial welfare measures came into force in 1981, these provisions were still regarded as controversial and were inconsistently applied. In addition the revision of the law only related to one individual aspect of practices that are damaging to integrity, namely what had been termed "administrative detention". In the remaining provisions of guardianship law, stigmatising concepts lived on until the new adult protection law came into force in 2013, and practices continued that would now be regarded as damaging to integrity. Conversely, certain provisions that seemed obsolete were no longer applied in legal practice long before the legislation was reformed. The history of the development of the law in this field alone shows that there is no single legal explanation for the transformation of practices that damage or encourage integrity.

In view of these circumstances, the research module "Stabilising and dynamising factors" analyses the institutional change in Swiss welfare policy and practices and identifies stabilising and

dynamising factors in institutional developments. A further matter of interest is the question of when politicians and the media took up the issue of welfare and coercion and what led them to do so. Research module V focuses on the following questions:

- How has the system of homes and institutions changed over the long term (e.g. since the end of the 19th century)? What significance could and can be attached to differences between the accommodation locations? In what different forms have these distinctions and specialisations in residential or daily care continued since the 20th century?

- What factors are responsible not only for transformations, but also for instances of continuity in welfare policy and practices? What influence did international attitudes (based on factors from political and legal change to international discourse) have over changes in the Swiss welfare regime? What influence did changes in concepts of supervision and control, or in systems of reporting and expert assessment have in the various areas of welfare, not least from the point of view of the persons affected and with a view to a more humane practice?

- How did historical change take place – was it a stop-start process or one of gradual progress? Taking a long-term perspective, can ground-breaking political and legal turning points be identified in various areas (measures to help those on low incomes/social assistance law, guardianship/adult protection law, international conventions, changes in funding practices)? In relation to specific transformation processes, is it possible to identify patterns or important groups of actors that have driven these changes forward? What conditions must apply before the public take an interest in the issue of welfare and coercion?

- Lastly, the present-day dimension of institutional transformation processes is relevant. Are there groups of persons affected whose position in the state system of social assistance or child and adult protection has hardly changed, while other groups had more rights from much earlier on? Are there movements for change that have been repeatedly discussed but which have so far not been implemented? What current policy developments in politics, society and the jobs market (such as Industry 4.0, the call for an unconditional basic income) are stabilising or dynamising factors for the future of welfare practices?

6. Requirements for the research projects

Historical perspective and relevance to the present and future

NRP 76 aims to contribute to making the dynamics in the Swiss welfare and coercion practices visible and comprehensible. It is an explicit requirement of this NRP that in researching society's way of dealing with atypical behaviour, marginalised people, poverty and people regarded as "different", issues of relevance to the past and the present are linked. The projects are expected either to tackle historical issues that correlate with present-day challenges or interests or consider questions relevant to the present while clearly including the historical dimension. The period under investigation and its relevance to the past or the present must be justified in the project proposal.

Coordination with the UEK Research Programme on Administrative Detention

The Federal Council decided to initiate NRP 76 in addition to the ongoing UEK research initiative (see Chapter 3). Research into welfare and its links to coercion in NRP 76 will reach far beyond administrative detention. When planning projects that form part of NRP 76, a check must be made as to whether the UEK is conducting similar research and whether datasets or other synergies with the UEK can be exploited. The UEK research programme and research design are published under http://uek-administrative-versorgungen.ch/documents/.

Analytical approaches

A variety of analytical approaches may be taken to the research questions. Projects that take account of the interaction between these analytical approaches are especially welcome.

1. Subject level: The viewpoint of individual persons affected and victims; groups of persons affected and victims; other persons and professional groups involved.

2. Organisation level: Communal and cantonal authorities and courts, including the political form of organisation of the social services system; intercantonal conferences; homes, psychiatric institutions, prisons, foster families; state, civil society, denominational sponsors of institutions; the network of organisations working together that shaped welfare practices at communal, regional or cantonal levels and in various parts of the country.

3. Discourses: Political, media, discipline-related, profession-specific discourses that are closely linked to and directly or indirectly shape welfare practices.

4. Regulatory level: Substantive, procedural, organisational and financial law relevant to social and health services and child and adult protection, including aspects of social insurance law and health law, cantonal and communal acts and ordinances, international conventions and their enforcement mechanisms. These legal principles are on the one hand (as with any law) the expression of social norms, values and practices, and provide answers to questions and problems; on the other they shape and dynamise practices and their development.

Comparative prospects

Federalist diversity makes it important to gain insights into the key factors influencing the specific structure of social assistance, welfare measures and procedures by using comparative methodological approaches (e.g. comparisons between cantons, language regions, sponsors of institutions, and also comparisons between different time periods). Where a comparative approach is more likely to bring results, it should be used if possible. The comparative dimensions must be explained in the context of the question.

Relevance for policy, society and practice

NRP 76 is intended to provide practical and orientational information to enable society to care for vulnerable people appropriately in future. This will entail a comprehensive appraisal of the issue and the results with a view to deciding what action is currently needed. Accordingly, project proposals should explain their relevance to policy, society and practice. Researchers involved in

NRP 76 will also be required to publish their results in a format and a language that is appropriate for the relevant interest groups who will be playing an active part in the knowledge transfer.

7.   Practical relevance and target audience

The practical value of NRP 76 lies in it identifying and explaining the influences and correlations in the policy of welfare through coercion before and after 1981 that are of interest to public authorities, politicians, professional groups, private and public institutions and the persons affected by the measures. The results should serve as orientational information for future decisions and developments, in particular the continued development of specific welfare practices, the related legislation, and the ways in which the authorities organise themselves and in which their measures are funded. The knowledge obtained in this area should also help to raise public awareness of this subject. Accordingly, particular importance is attached in NRP 76 to the process of knowledge transfer.

The results of NRP 76 should be especially relevant for:

- Federal, cantonal and communal authorities that are involved in this field

- Politicians in the executive and legislature that are involved in this field

- Institutions responsible for basic, continuing and advanced education and training in the fields of child and adult protection, social pedagogy, social work, and health care

- Institutions operating in the fields of social assistance, professional and social integration, child and adult protection, social and family counselling, non-residential assistance for families, support for children and adolescents, homes for children and adolescents, prisons and other institutions in the penal system

- Pedagogical institutions involved in developing teaching materials

- Persons affected and groups of persons affected or victims and their families

- Self-help organisations and NGOs that support persons affected

- The media and interested members of the public

8.   Selection criteria

The project pre-proposals and applications for research funding will be assessed based on the following criteria:

- **Conformity with the aims of NRP 76**: The project proposals must correspond to the programme aims specified in the call for proposals and fall within the overall framework of the programme.

- **Scientific quality**: The project proposals must meet international standards in relation to scientific quality and methodology. They must exhibit an element of innovation and achieve

the aims of the programme while taking account of research projects that are ongoing or have already been concluded.

- **Inter-, multi- and transdisciplinarity:** In projects with research questions that involve various disciplines or require various approaches that overstep the boundaries between science and practice, it must be ensured the interaction between the actors, project management and methodology is appropriate.

- **Relevance to politics, society and practice**: Projects with clear political, social or practical relevance will be given priority.

- **Staff and infrastructure**: The applicants must have proven scientific abilities in the specialist field addressed by the application submitted. Appropriate human resources and a suitable infrastructure must be available for the project.

- **Account taken of comments made**: As an aid to drafting the project proposal, the Steering Committee may make comments in response to the project pre-proposal and suggest or recommend changes to the project team. The account taken of this feedback will be a factor considered when assessing the research proposals.

The Programmes division of the SNSF Administrative Offices will examine the project proposals to confirm compliance with the formal requirements and the eligibility of the applicants, before passing the application on for scientific appraisal (see the SNSF Funding Regulations, and Chapter 9). Project pre-proposals and proposals that fail to meet the formal and personal requirements will not receive further consideration.

9. Submission procedure and project selection

General conditions

One call for proposals is envisaged. In order to fill any thematic gaps or bring NRP 76 more closely into line with the UEK's research programme, the Steering Committee may decide to launch a second call.

The **duration** of the individual research projects is between 30 months and 48 months. To optimise coordination, approved projects must start no later than three months after the approval date.

The **project budgets** generally amount to between 400,000 and 600,000 francs; this range is given as a reference point, i.e. smaller and larger budgets are possible. Interdisciplinary and interinstitutional projects are encouraged. However, financing large consortia is not explicitly envisaged under the programme. If joint projects comprising a number of single projects are planned, the subprojects should be submitted individually and should include a reference to the joint topic of the collaboration, so that each subproject can be assessed individually.

Cross-border research projects are supported if the competence of researchers from abroad is essential for realising the project. As a rule, the financing requested for researchers abroad may not exceed 30% of the overall budget, and the person responsible for the project abroad may not be assigned the role of corresponding with the SNSF. For applicants from abroad, the

rules and salary rates of the relevant country will be applied mutatis mutandis, with the SNSF maximum rates generally serving as the upper limit. Before submitting a proposal for a cross-border research project, please contact the programme manager of NRP 76.

A **two-stage submission procedure** is in place: pre-proposals are submitted first, followed by full proposals upon invitation.

Pre-proposals must be submitted in **English**, unless the research topic itself provides good reasons for not doing so. They may only be submitted in German or French upon prior agreement with the Programme Manager of NRP 76. The pre-proposal and the full proposal must be written in the same language.

Pre-proposals and full proposals must be submitted online via **the *my*SNF portal** (www.mysnf.ch). For this purpose, user-registration is required. User accounts obtained in the past remain valid and provide access to all the funding schemes of the SNSF. It is advisable to request new user accounts as early as possible via the *my*SNF homepage.

The **Funding Regulations** of the SNSF, the General implementation regulations for the Funding Regulations and this call document of NRP 76 provide the legal basis for the NRP 76 call for proposals. All documents needed for the submission of proposals can be found on the *my*SNF portal under "Information/documents" after selecting NRP 76 and creating a new application.

Pre-proposals

The deadline for the submission of pre-proposals is 26.6.2017, 17:00 CET.

In addition to the data that is to be entered directly in *my*SNF, the following documents need to be uploaded:

- **Project description** (in PDF format): Applicants must use the document template provided in the newly created application on the *my*SNF platform under "Information/documents". The project description must not exceed six pages (including the bibliography).

- **Short CVs and the five most important publications of the applicants** (one PDF file per applicant): the CVs, including the five most important publications, must not exceed two pages. A link to the full publication list may be added.

Project descriptions and CVs exceeding the indicated length will not be considered.

Full proposals

The deadline for submitting full proposals is expected to be 8.1.2018, 17:00 CET.

Besides the data to be entered directly in *my*SNF, the following documents need to be uploaded:

- **Research plan** (in PDF format): Applicants must use the template provided in the newly created application on the *my*SNF platform. The research plan must not exceed 20 pages.

- **Short CVs and publication lists of all applicants** (one PDF file per applicant): CVs must not exceed two pages. The publication list must meet the requirements set out in *my*SNF. Links to the publication lists may be included.

Additional documents (recommendation letters, confirmation of cooperation or co-financing, forms regarding international cooperation, etc.) can be uploaded in *my*SNF.

Project selection

The Steering Committee evaluates the submitted pre-proposals and makes final decisions based on the selection criteria outlined above. In making its decisions, it may refer to assessments by national and international reviewers. In particular, it aims to ensure that disciplines not represented in the Steering Committee are adequately covered. Applicants not invited to submit a full proposal will be informed in writing by means of an official ruling.

In the second stage of the submission procedure, the Steering Committee will invite the authors of the selected pre-proposals to submit a full proposal. In the invitation, the Steering Committee may include recommendations or set conditions for the full proposal. Based on external reviews as well as on its own evaluation, the Steering Committee will propose that the full proposals be either approved or rejected by the National Research Council (Programmes division and Presiding Board).

10. Budget and schedule

Total funds of 18 million Swiss francs are available for this NRP. These funds have been provisionally allocated to the different research modules and administrative activities as follows:

Module 1:	Fundamental rights and state action	CHF 3 million
Module 2:	Federal structure and economic factors	CHF 3.5 million
Module 3:	Discourses and their effects	CHF 3 million
Module 4:	Impact on the persons affected	CHF 3.5 million
Module 5:	Stabilising and dynamising factors	CHF 2.5 million
Programme management, knowledge transfer, synthesis		CHF 2.5 million

At present, the following schedule is envisaged for NRP 76:

Call for pre-proposals	4 April 2017
Submission of pre-proposals	26 June 2017
Invitation to submit full proposals	10 October 2017
Submission of full proposals	8 January 2018
Final decision on full proposals	15 May 2018
Start of research (latest possible point in time)	September 2018

11. Management

Steering Committee

Prof. Dr. Alexander Grob, Personality and Developmental Psychology, Faculty of Psychology, University of Basel, Switzerland (President)

Prof. Dr. Vincent Barras, History of Medicine and Public Health, Faculty of Biology and Medicine, University of Lausanne, Switzerland

Prof. Dr. Monika Bobbert, Seminar für Moraltheologie, Catholic theological faculty, University of Münster, Germany

Prof. em. Christoph Häfeli, legal consultant for child and adult protection authorities, Switzerland

Prof. Dr. René Knüsel, Institute of Social Sciences, Life Course and Social Inequality Research Centre, Faculty of Social and Political Sciences, University of Lausanne, Switzerland

Prof. Dr. Martin Lengwiler, Departement of History, Philosophical-Historic Faculty, University of Basel, Switzerland, vice president UEK "Administrative Versorgung"

Prof. Dr. Alexandra Jungo, Civil Law, Faculty of Law, University of Fribourg, Switzerland

Prof. Dr. Annegret Wigger, Institute of Social Work, University of Applied Sciences, St. Gallen Switzerland

Delegates of the Programmes division of the National Research Council

Prof. Dr. Regina Aebi-Müller, Private Law and Comparative Private Law, Faculty of Law, University of Lucerne, Switzerland

Programme manager, Swiss National Science Foundation, Programmes division

Dr. Stephanie Schönholzer

Head of knowledge transfer

NN

Representative of the federal administration

Prof. Luzius Mader, Deputy Director Federal Office of Justice, Delegate for victims of coercive measures, roundtable moderator

12. Contact details

For general questions about NRP 76 and questions regarding the submission of pre-proposals and full proposals, please contact the programme manager:

Stephanie Schönholzer, nrp76@snf.ch, Tel. + 41 (0)31 308 23 63.

For questions concerning salaries and eligible costs, please contact the head of finance of the Programmes division:

Roman Sollberger, roman.sollberger@snf.ch, Tel. + 41 (0)31 308 21 05.

Hotline for technical support for *my*SNF and electronic submission:

Tel. + 41 (0)31 308 22 00 (German)
Tel. + 41 (0)31 308 22 88 (English)
Tel. + 41 (0)31 308 22 99 (French)

E-mail: mysnf.support@snf.ch

***my*SNF homepage:**

www.mysnf.ch