P13 / The construction of Policy Solution: The Hidden Face of the Governmental Policy Formulation

Topic : POLICY FORMULATION, ADMINISTRATION AND POLICYMAKERS

Chair : Philippe Zittoun (ENTPE - LAET - University of Lyon)

Second Chair : Frank Fischer (Humboldt University in Berlin)

GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

David Rochefort and Roger Cobb published an edited book in 1993 titled "The Politics of Problem Definition: Shaping the Policy Agenda" which is used as a major reference in all Textbooks and Handbooks on Public Policy. Drawing on the studies undertaken by Cobb and Elder, the “first systematic scholarly assessment of the pre-decisional component of the policy process” (Jones, 2016), Rochefort and Cobb focused on the problem definition process. This involves defining the meaning of a social situation, its implication, its urgency, and also who or what was to blame for the situation. They proposed to study the “problem definition” phenomenon from both political and policymaking perspectives, to map out the most frequently employed [definitions] by problem definers and to analyze the scenarios by which definitions are build and crumble” (p. 4).

Despite the focus on issues and problems, however, an enigmatic paradox persists, namely the neglect of problem solutions. Jordan and Turnpenny (2015) refer to the policy formulation stage and the choice of solutions as the most neglected phase of the policy cycle. In this regard, the question of how a solution is defined remains underdeveloped, if not altogether missing from policy research. That is, how solution definitions are constructed, how a solution succeeds or fails to attract the attention of governmental decision-makers is in need of investigation. If most policy studies have shown that problems are social constructions that actors in the policy process create, then it is equally important to consider this perspective for the construction of solutions.

Following Kingdon, who argued that solutions and problems are not inherently interrelated, there is then no reason to assume that the problem definition necessarily carries over to the development of policy solution. But the means by which policymakers in the policy formulation process construct, define, build agreements and impose policy solutions remains poorly understood in the policy literature. If the problem is considered as construction, a large part of the literature considers the policy solution as an instrument which already exists and just has to be chosen by government.

But how is a policy solution defined and given meaning to attract government attention? How is the policy instrument constructed? How does an instrument become the “relevant and appropriate” solution to a problem? How and why do actors decide to accept and support a policy solution? How is the competition between different policy proposals supported by different coalitions before one is selected?

CALL FOR PAPERS

The panel focus on policy formulation and decision to better understand the target following by a proposal, from its emergence to its governmental decision. We look for paper proposals which can contribute theoretically, empirically or methodlogically can contribute to better understand the success and the failure of the different proposals and contribute to answer to the following question: how is a policy solution defined and given meaning to attract government attention? How is the policy instrument constructed? How does an instrument become the “relevant and appropriate” solution to a problem? How and why do actors decide to accept and support a policy solution? How is the competition between different policy proposals supported by different coalitions before one is selected?

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Session 2

Friday, June 28th 10:30 to 12:30 (MB 9 B)

Discussants

Charlotte Halpern (Sciences Po Paris - Centre d'Etudes Européennes (CEE))

Upcycling a Trashed Policy Solution? Argumentative Coupling and Decoupling in German Pension Policy

Sonja Blum (Universität Bielefeld)

Policy research has highlighted how problems and solutions flow largely independently through the political system, and how the classical ‘problem-solving logic’ may be reversed when there are solutions in search of (fitting) problems (Kingdon, 1995; Zahariadis, 2003). This paper contributes to an on-going book project which goes one step further by showing how not only problems (for which this is well-established), but also policy solutions do not just ‘exist’, but undergo processes of definition and construction. This paper yet picks up on one decisive difference between the two: Namely, while problems may be defined without connecting them to solutions, this is not the case vice versa. Policies, measures and proposals are developed all the time, but they indispensably require the connection to a problem (or several ones) to become a ‘solution’. While such problem-policy couplings are crucial within the multiple-streams framework (MSF), the coupling process itself has remained largely overlooked in the literature (Zahariadis, 2003; Zittoun, 2013). Against this backdrop, this paper focuses on the argumentative strategies through which policy solutions are constructed. Building up on own previous work that integrated the MSF with knowledge utilisation, it further specifies the concept of ‘argumentative coupling’ (Blum, 2018), that is the linking of problem, policy, and politics issues through arguments. Such linkages may lead to the ‘softening up’ of an issue, while they let other ideas descend into the depth of the streams. Empirically, the chapter draws on the case of German pension policy: When the German pay-as-you-go pension system turned into a ‘wicked problem’ with demographic change and population ageing, retrenching the public pillar and promoting private provision emerged as ‘solutions’. This argumentative coupling was utilised by a powerful reform coalition for the far-reaching early 2000s reforms. However, with zero-interest rate policy, low returns, and increasing old-age poverty in a lean public pension scheme, this argumentative coupling itself came under pressure and was, at least partly, decoupled. The paper analyses the definitional struggles and argumentative coupling strategies in order to better understand the construction – and, notably, also the deconstruction – of policy solutions.

Carbon capture and storage: transformation of a technical solution against climate change or the price of coupling

Sebastien Chailleux (Institut d'Etudes Politiques de Bordeaux)

Carbon capture and storage (CCS) is a solution against climate change. It aims at capturing carbon emissions and at storing them deep underground. However, despite an important industrials’ endeavor in the 2000s, CCS did not meet the expectation and lost tractability in the early 2010s in Europe, while it stayed an enhanced oil recovery technique in the USA. Nevertheless, the industry adapted to sustain the definition of CCS as a relevant policy solution against climate change in securing policy decisions promoting CCS and developing new funding schemes.

The paper focuses on the political work of redefining a policy solution in changing political context. It shows

how the coupling process between a problem (climate change) and its solution (CCS) redefines both the issue and the initial proposal to address it. To put differently, the chapter demonstrates how CCS is promoted as a mitigation tool against climate change since 1997 but following different justifications and supported by different coalitions depending on the period and on localization. On the one hand, it insists on the necessary adaptation of the initial proposal to the critics through scientific justification, the mobilization of industrial resources and the promotion of new beneficiaries, funding schemes and even purposes of the solution. The pre-couplings between the solution and its problem enable promoters to bind together and to define the most efficient narratives linking their solution proposal and the issue they aim to solve. Sometimes, a final coupling of a proposal became a solution in the institutional agenda and is even funded, but the targeted solution failed confronted to a changing political, economic or social context, and supporters must renews the coupling once again to stay on the governmental agenda. The chapter insists on the necessary characteristics of a solution proposal to be maintained in the institutional agenda. On the other hand, it shows the price of the coupling for the problem in demonstrating how CCS as a solution transformed climate change to reduce it to a technical issue, to limit its impacts and therefore the necessity of radical decision. The objective of the paper is then to contribute to better explain how a solution proposal is first a way to reduce the complexity of an issue – to tame the problem. The case of CCS illustrates how technical solutions enable this reduction of complexity, but it also shows that behind the solution proposal statements lay political strategies aiming at limiting radical policy change. Therefore, the taming process is not only the way to make an issue ‘solvable’ but also a strategy to make it less ‘dangerous’ and stressful for the society.

The paperis based on press and stakeholders documents analysis about CCS in Europe and in the USA to underline the changing narratives about this solution. It is also backed up by interviews with CCS promoters in France and policymakers at French and EU levels.

Public Postsecondary Governance in the United States: The Political Messiness of State Policy Solutions

Magdalena Martinez (Rowan University)

In the United States, public postsecondary governance structures play an important role in the approval of policies, programs, budgets, and the monitoring of the performance of postsecondary institutions (McLendon & Perna, 2014; Richardson & de los Santos, 2001). Politically, governance structures advantage some postsecondary institutions and policies over others (Nicholson-Crotty & Meier, 2003) as well as serve as a buffer between state legislatures and institutions to manage the complexity of institutions and possible resource allocation infighting (Glenny & Schmidtlein, 1983; Hearn & Griswold, 1994; Tandberg, 2010). Changes to states’ higher education governance structures often reflect policymakers desire to improve alignment with social and economic priorities. The pendulum has shifted from the initial growth of deconsolidated public postsecondary governance to consolidated arrangements and structures to address efficiency and budgetary priorities (Hearn & McLendon, 2012; McLendon, 2003).

Descriptive accounts of college decentralization initiatives exist (e.g., Marcus, 1997), however far less research looks at how decentralization solutions emerge, are taken up, and under what conditions solutions are adopted. Few empirical studies examine the messiness of solutions as they emerge, and are defined and adopted or discarded during the policy process of college decentralization efforts. The focus of this paper is to examine the political messiness of solutions in one state in the United States that attempted to change public college governance for four decades and failed, despite the abundance of evidence to decentralize its governance structure.

Policy solutions figure prominently in policy studies and research. The formulation of policy solutions generates ideas, political struggles, and in some instances define policy problems (Rochefort & Cobb, 1994). Moreover, the intended population targeted by policy solutions often shapes the public and policymaker perception of how policy problems and solutions are understood and implemented. Policy solutions have historically been examined through the prism of problems which have narrowed our ability to gain a rich understanding of how ideas frame and reframe policy decision making. Further, policy analysis of solutions often focuses on macro issues with a limited examination of state policymaking and how states actors negotiate policy ideas and solutions. This paper fills this gap and shares findings from a multi-year analysis of one state’s legislative attempts to decentralize public postsecondary governance. Attention is paid to how policy solutions were defined, by whom, and at what point in the policy process did policy solutions gain traction and acceptance by key policy actors. Employing discursive methods and analysis of policy solutions and actors, I illustrate the ways in which legislative deliberative practices were circumvented to maintain an antiquated and exclusionary governance structure that did not reflect the changing demographics and social realities of the state.

Building the ‘Balanced’ Solution to Abortion: A Frame Analysis of Canada’s Federal Response to R. v. Morgentaler

Rebecca Vachon (University of Ottawa)

Moral controversies pose unique challenges to the creation of policy solutions because such issues can, as in the case of abortion, resist compromise due to a perceived indivisibility of the values involved. Such issues can also be more salient, thereby attracting greater rates of media and public interest and may elicit polarized views embodied in opposing social movements. These factors combine to complicate government’s pursuit of a policy solution for any such issue.

In 1988, Canada’s federal Parliament found itself facing this challenge after the Supreme Court of Canada ruled in *R. v. Morgentaler* to strike down the existing laws restricting abortions. In the resulting legal void and amidst varying provincial responses to funding and regulation, the Progressive Conservative Federal Government found itself under pressure to act. Yet accompanying this pressure were conflicting prescriptions and solutions from social movements and advocacy groups, from other political parties and Members of Parliament, and from within the Conservative caucus itself.

In the context of this moral controversy, how did policy solutions emerge in the deliberations of Parliament and how did the Progressive Conservative government construct and defend a policy solution? How did Parliamentarians resist or embrace this solution?

This research, in exploring how the government framed its legislative response to *R. v. Morgentaler* as a ‘balanced’ policy solution, engages with the construction of policy solutions for moral problems, as well as how political parties engage with and resist proposed solutions. Parliament, in this way, becomes a site of policy solution competition and contestation. It highlights the challenges that political parties face when addressing moral issues that not only fracture the electorate but also their own caucuses.

The research questions are studied using a frame analysis of transcripts of Parliamentary debates and other available government documents focused on the time period of 1988 to 1991, during which Parliament reacted to the Supreme Court’s decision and subsequently introduced and debated motions.NVivo12 is used to code the arguments, themes and narratives in order to reconstruct frames and analyze their construction processes. Framing theory facilitates an understanding of how narratives used in speech can construct solutions and influence policy outcomes. The use of moral and rational-technical frames are examined, in particular, to explain how Parliamentarians used language to politicise and depoliticise the proposed policy solutions.

In exploring policy formulation on abortion in Canada’s federal Parliament, this research contributes to our understanding of policy formulation and morality policy, as well as the role of frames in constructing, defending and contesting policy solutions to moral controversies.

Framing basic income as a policy solution: a comparative study of interest groups and political parties

Rincón Leire (University of Barcelona)

The framing of policy solutions is key in the political batterfield of ideas. Policy proposals are key to the policy process, not only as a response to public problems, but they also form part of the agendas and interests of different sets of actors. In this sense, it is essential to understand how agents of the policy-process defend their proposals, and why they choose to do so in a particular way. To which interests do they respond to in defending policy-proposals in a particular way? To advance the knowledge in the field, we perform an empirical analysis of frames proposed by different actors in the discussion of basic income policy. We begin by identifying different interest groups, political parties and policy entrepreneurs that defend basic income policy, and debates in different arenas. We collect information on the competing justifications of basic income and compare the texts using text analysis techniques. Basic Income policy is a particularly good case study in this sense. It is defended from all the sides of the ideological spectrum as a solution to a varied set of problems. While it is not a new idea, it is being increasingly discussed in relation to its potential of mitigating the effects of labor automatization and structural unemployment derived thereof. Despite this, basic income is also presented as an effective policy that can tackle gender inequality, poverty traps, improve health and education rates, as well as ecological sustainability amongst others. In this sense, the objective of this paper is to find out how different actors both in favor and against this policy solution frame this proposal, and how different framing strategies may be more or less effective in generating support for basic income policy. Results will not only empirically contribute to the growing field of basic

income, but will also speak to how policy solutions are framed and constructed in comparative perspective by different actors.

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Session 3

Friday, June 28th 14:00 to 16:00 (MB 9 B)

Success and Failure of (De)Coupling in US Agricultural Policy Making: the Introduction and Demise of Direct Payments to Farmers

Gerry Alons (Radboud University of Nijmegen)

Agricultural policy is a policy area par excellence where policy-makers are confronted with inconsistent policy objectives and unruly problems, which they often address by constructing and reconstructing problems and solutions in order to arrive at their preferred policy outcome. In an effort to solve problems of market intervention while simultaneously guaranteeing a sufficient safety net for farmers, they have become adept at applying the discursive strategy of coupling: constructing compatibility between the policy solution they champion and the sector's problems. Problems and solutions in the sector have thus been defined and redefined to fit decision-makers purposes.
This paper will show that in the past two decades in the US, the vigorous debate between coalitions of proponents and opponents of a retreat of the government from intervention in the agricultural sector has resulted in different constructions of problems and solutions as well as problem-solution couplings in four consecutive Farm Bills. While direct payments were first introducing as a temporary solution in the transition to a market-oriented agriculture (1996) they were soon reframed as a permanent and central instrument of the farm safety net - addressing the farm income problem rather than the problem of state intervention (2003). Later attempts to reconstructing problem and solution – redefining direct payments as unwarranted support rather than a solution for farmers in time of need – sought to 'decouple' direct payments as a policy solution for the farm sector's problems (2008). Although this new construction initially failed to attract a sufficient coalition supporting the new solution, it prepared the ground for success in the latest Farm Bill (2014). In this reform direct payments were successfully decoupled as a legitimate solution to support farm income and manage farming risks, while crop insurance, instead, was defined as the appropriate solution, forming the central pillar of a legitimate and market-oriented safety net.
This paper addresses the question why coupling and decoupling strategies were successful at some points in this process and unsuccessful at others, affecting the demise of existing and the construction and emergence of new policy solutions. In order to explain this variation, the focus will be on how relevant actors (administration, Congress, farm interest groups) with different material interests and ideas about appropriate farm policy, through discursive strategies sought to (re)define problems and policy solutions to make them compatible and legitimate their preferred course of action in the policy-making process, while taking into account the institutional power relations between these actors and the changing economic and political context over time.
The nature of farm policy making in the US allows for such a (longitudinal comparative) analysis, as the issue is automatically on the agenda every four to five years, when the Farm Bill is up for renewal. The major role of Congress in the policymaking process ascertains that the debate about farm issues takes place in the 'public eye' and can be traced in a large number of publicly available sources such as policy documents, parliamentary protocols, law texts, interest group position papers and newspaper coverage.

Policy learning, bricolage or exogenous change: what is driving the formulation of biodiversity protection solutions?

Pierre Chassé (AgroParisTech)

In France, regulatory instruments such as national parks or natural reserves have long been the preferred responses to solve nature protection issues for numerous reasons. Among them, the first examples of national parks in the United Stated had proved particularly efficient to develop economic activities based on

tourism while protecting landscapes. Moreover, even before the creation of a legislative framework, naturalist associations had already created their own reserves, facilitating the implementation of such instruments. More recently, the design of the new nature protection policy instruments evolved from statutory instruments to contractual and voluntary ones. Even if these evolutions are part of a broader context in which the role of the command and control instruments are widely contested, other kind of factors could explain the choice and the support of previous governments for such policy instruments. One of these factors is the emergence of the concepts of “biodiversity” and “ecosystem services” in the mid-1980s. Highlighting the interdependency of man and nature, these concepts may have reshaped the policy-making process notably by including nature protection issues into sectors that were less impacted by previous regulations, such as agriculture or land use planning, involving new actors into the policy solution formulation process.

By focusing on particular case studies, the Habitat Directive and the National Biodiversity Strategies (NBS), the aim of the article is to better understand the choice made by governments concerning the biodiversity protection instruments. The choice of policy solutions and instruments is not neutral and is a social construction (Zittoun, 2013) resulting from an interaction between different factors such as ideas, interests or the instrument ability to resolve problems. By focusing on the discursive approach (Durnova *et al.*, 2016), these two case studies could highlight the weight of these different factors in the solution-making process. While the implementation of the Habitat Directive has been widely studied, the choice made for transposing the directive received little attention. Yet, France was the only EU member with the UK to choose the contractual option. The formulation of such a solution makes it a particularly interesting case considering also that during the phase of implementation, rural actors, through protests, had been able to reshape some aspects of the previous solution. This study could then also help us understand how actors can influence such decisions. The study of the elaboration of the two NBS could help us understand how a new policy solution is constructed and chosen but also how previous experience can affect the elaboration of new instruments through policy learning. Acknowledging the failure of the first NBS, government chose a different way to elaborate the second strategy and a different way to solve the issue, mostly based on voluntary agreements with private actors.

This research is part of an on-going PhD project. This empirical study includes semi-structured interviews with actors that were directly involved with the formulation of policy solutions (senior officials, cabinet members, lobby members, NGO members…), archive analyses on ministerial and interministerial negotiations and public position statements of lobby groups.

Smart city initiatives in Toronto: New formulation tools to address old urban problems?

Francis Garon (Glendon College / York University)

Nicolas-Guillaume Martineau (York University, Glendon College)

Caruso Andrea (York University - Glendon School of Public and International Affairs)

In the city of Toronto, Canada, smart city ideas and initiatives are flourishing. These developments, involving complex technologies, are embedded in a complex web of relationships between all levels of governments (federal, provincial, and municipal) and a multitude of private actors. The leading (private) organization is Sidewalk Toronto, an entity born out of the merger of Sidewalk Labs, a sister company to Google, and Waterfront Toronto, a nonprofit corporation created in 1999 with the mandate of revitalizing Toronto’s waterfront.

Urban development problems such as traffic congestion, waste management, energy consumption, urban sprawl, and others have been known for decades. Usual policy solutions to these problems such as regulations and taxation were based mostly on welfare economics’ tools such as cost-benefit analysis. Within the smart city discourse, the tools used to devise policy solutions are changing. Energy modeling assumptions, time-of-use utility rate, code compliance models, dynamic curb system, just to name a few, are now guiding the solutions proposed by smart city proponents. Such tools, contrary to those used prior, appear to center solely on the efficiency of urban arrangements, without any intrinsic concern for equity.

We use the framework developed by Jordan and Turnpenny (2015) to explore these developments. The framework contains four main dimensions: actors, venues, capacities and effects. The framework seeks to uncover who is involved in the making of formulation tools, where these tools and their attached policy solutions are conceived and adopted, where lies the capacity to develop them, and with what consequences. Our main questions are: where and how have these new tools been developed? How do they fit within the existing definition of the problem? What are the consequences of this shift for the capacity of governments to regulate urban development and ensure democratic accountability?

In a nutshell, what we observed so far is that private actors are developing formulation tools to devise policy

solutions to urban problems, whereas government actors try to follow these developments and find appropriate regulatory responses. The capacity of governments to do so appears relatively weak, as we suspect that these tools are unknown to public authorities. These tools are developed within a plethora of private organizations such as tech start-ups, think tanks, and research institutes interested in urban development. The effects of these tools will need to be explored in greater details.

This paper starts by describing the original policy framework guiding urban development in the city of Toronto, pre-smart city initiatives. The focus is on the definition of the problems that led to its creation, and the objectives and instruments that were set out to tackle them. The second step is to identify how Sidewalk Toronto defines the problem of urban development and to map out the main formulation tools that are developed and used to devise policy solutions. The two sets of information are then juxtaposed to see a) if the new analytical tools fit the original definition of the problem(s), and b) how these new tools impact the capacity of governments to regulate urban development.

Re-allocating urban roadspace: a technical solution in search of a policy problem

Charlotte Halpern (Sciences Po Paris - Centre d'Etudes Européennes (CEE))

Cities are changing in many ways. Changes in demographics, labour markets and lifestyles account for rapidly evolving travel patterns to, from and within metropolitan areas across the world. The concentration of multiple city users in core urban centres as well as the development of 24-hour activities puts considerable pressure on existing transport infrastructures. A number of policy solutions have been promoted in this context, including developing sustainable modes of transport, promoting alternative land-use patterns, encouraging the development of new roadspace functions and going beyond transport objectives in order to integrate a wider range of urban policy objectives. Yet over the past few years, the rapid development of new technologies and that of private shared-mobility led to the emergence of technical solutions aimed at supporting these new entrants' claims for accessing roadspace. Among these, the dynamic management of the urban road space was singled-out by a large array of transport policy entrepreneurs – firms, NGOs, international organizations, think tanks – as part of a global agenda to shape the "future of urban roads".

Drawing on an original qualitative dataset across five European cities, this paper argues that roadspace allocation can be characterized as a technical solution in search of a policy problem (Zittoun 2008). Following the work by Rochefort and Cobb (1993) on the politics of problem definition, and Kingdon (1995) on the relationship between problem definition and policy solutions, it examines how roadspace allocation is being constructed into an urban policy issue through standardized techniques and procedures as much as by context specific urban governance arrangements. On the one hand, this technical solution contributes to reorganizing transport policy debates and priorities by emphasizing the need for increased coordination – across levels of government, beyond the public sector and throughout the policy process. But on the other hand, it attracts the attention of urban policy-makers by opening new opportunities to promote their own political agenda and challenge existing arrangements about the ownership, management, and daily operation of urban road networks.

Revisiting Kingdon's model: Does solution definition precede policy formulation?

Maitreyee Mukherjee (LKY School of Public Policy, National University of Singapore)

This paper aims to explore the significance of development of the solution stream in Kingdon's model. Most of the existent agenda setting literature concentrate either on problem definition patterns or on political discourse of the issue. The presence or evolution of solution definition has thus been mostly under-theorized. Or does it really play any crucial role in formation of government agendas? To explore this question further, I examine the dynamics of agenda formation in India, focussing on a pertinent issue, that is the 'Clean India Mission'.

In recent times, Swatch Bharat or 'Clean India Mission' program has received substantial government attention in a bid to improve the nation's business, tourism, public health and overall economic performance. Hence the issue makes an ideal case study to understand the process of agenda formation as well as development of relevant solutions along the agenda trajectory. To understand its dynamics, issue mention plots of the case created through careful examination of parliamentary discussions and media coverage over past 10 years have been studied. In addition, the subject matter of each issue mention has been scrutinized through content analysis to understand the process of problem definition and how it interacted with solution proposals.

Preliminary findings indicate that an intense political motivation (specifically during election years) was necessary to provide the required momentum for promotion of 'Clean India Mission' into the government's

priority list. It was further noted that while the problem had existed for a long time, only to be politically reframed at several time intervals; the solution stream too had simultaneously co-existed and developed incrementally. As the complexities of the problem stream were slowly characterized over time, its complimentary policy solutions were accordingly refined to suit its new requirements. Thus, while the core policy tool framework was retained in the solution stream, new features were incrementally added to form a multi-layered structure. Slowly, these new features gained accreditation into the existent policy framework giving rise to a restructured, refined ‘solution stream’.

This paper intends to contribute towards understanding the trajectories of successful solution toolkits, explicitly how certain proposals gain salience in governmental policy formulation while others get side-lined. Further, its findings also shed light on the hidden side of the policy formulation process, where the problem agenda interacts with diverse proposals through several layers of actors, debates and discussions, in order to frame its policy toolkit. In doing so, the solution stream is traced right from the problem definition phase to construction of initial proposals, followed by subsequent revision, inscription and restructuring.