

CRITICAL EXAMINATION OF WHAT PUBLIC POLICIES ARE AND ARE NOT

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ABSTRACT

This paper has as its main objective the critical analysis of certain influential definitions of public policies that exist in the scientific literature of the field. This analysis intends to trace the change in the way public policies are seen, studied and evaluated. The paper in question also investigates the historical context and the process of the birth of public policies, identifying the key factors of a structural, economic, cultural and political nature. The originality of our approach consists in grouping these factors within explanatory paradigms of the emergence of public policies: the structural paradigm, the social control paradigm, the utilitarian paradigm (which includes both economic and social-political pragmatism), the political mobilization paradigm, the humanistic and anti-oppressive paradigm. We first analyze the metamorphoses of the two concepts: public and policies. Later, we bring together the analysis of the historical evolution of the two respective concepts within the framework of the same approach. The conclusion underlines the fact that public policies are socially constructed. The methods used were from the category of those based on secondary qualitative analysis: bibliographic analysis, conceptual analysis, discourse analysis, processual analysis and hermeneutic analysis.

***Keywords:** paradigm, political actors, public policy, social construct, symbolic policy*

INTRODUCTION

Our main objective is to sketch a critical analysis of certain existing approaches about public policies within the scientific literature of the field. We intend to deconstruct the latent, non-explicit assumptions of the public policies regarding the structure and functions of a society.

We investigate the process of the birth of public policies, in a specific economic, social and politic context of modernity, identifying the key structural, economic, cultural and political factors. The originality of our perspective consists in detecting the explanatory paradigms of the emergence of public policies: the structural paradigm, the social control paradigm, the utilitarian paradigm (which includes both economic and social-political pragmatism), the political mobilization paradigm, the humanistic and anti-oppressive paradigm. These paradigms reflect a cultural change, also, regarding the political ideas about the role of state in policy design and implementation.

We begin with the analysis of the two concepts: public and policies. Later, we bring together the two respective concepts within the same framework of analysis. We will underline the diversity of theoretical and paradigmatic perspectives, as well as even their overlapping. The application of different perspectives - separately or simultaneously – is often used opportunistically and pragmatically by the different authors.

One of our focuses is how is seen the role of the government by the different theoretical and methodological perspectives, as neutral or transactional entity, as institution or as an actor.

The conclusion underlines the fact that public policies are socially constructed. The present paper is approaching public policies simultaneously as an object of study and as a discipline; still, it does not give definitive answers to these problems, but is an invitation to polemics.

MATERIAL AND METHODS

In order to achieve our goals, we have used methods based on secondary qualitative analysis: conceptual analysis, discourse analysis, processual analysis, hermeneutic analysis, and, especially, bibliographic analysis. Therefore, we have operated analyses of both classical and more recent approaches of concepts related to public policies.

The main methodological and theoretical approaches we considered are institutionalism and constructivism regarding especially the genesis and development of public policies in Europe and North-America. We have uses examples excerpted from the daily practice of the actual construction of public policies, in different contexts. Therefore, our research combines diachronic and synchronic courses.

THEORY

The expression made up of the two concepts ("public" and "policy") has long been analyzed, explained, differentiated from other concepts and other approaches.

First of all, the concept "public" means that public policies are based on a distinction between public and private. Public policies address problems that they take out of the private space and bring them into the public space. A telling example of this "deprivatization" is the issue of domestic violence, which is no longer a problem related to familial relationships within the intimate space; as a public policy issue, it is addressed through programs that aim to reduce it, inform the public, protect the victims, punish and re-socialize the perpetrators.

The distinction between public and private has not always existed, it is an invention of modernity and a powerful tool through which the traditional society, based on feudal privileges, is replaced by the modern society, in which the inherited privileges are attenuated and the social-political hierarchy is no longer decided by birth [1]. Traditional societies did not even have the notion of privacy, as we conceive it nowadays [2]. The modern state and its specific functions are based on intrusion into the private sphere and personal life, on taking control of the population, bodies and people's thinking [3]. Public policies were established in the seventeenth century in Western Europe as techniques of social domination and control.

Second, the word “policy” is distinct from “politics”. "Politics" is the activity of distribution and use of power and "policy" is the activity of identifying and improving/solving issues of public importance). This distinction is, in fact an interaction: the political decision influences public policies but, in the same time, the political life is influenced by public policy issues [4]. For instance, the energy crisis we live today is a consequence of certain political decisions but this policy issue indisputably influences the political decision taken in order to alleviate the crisis.

The above definition of what is a public policy transforms the state into a neutral institution, located above social groups and private organizations and autonomous in relation to them. But different theories (institutionalism versus constructivism) conceive the role of the state differently - not only as a rational actor, who wants the public good, but also as a transactional actor, as a crystallized expression of the dynamics of interactions, negotiations and compromises between the organizations and groups that make up the social fabric, pursuing their own interests and having their own values and motivations. These two perspectives are illustrated, among others, by the jargon they use, especially by the use of the term "institutions"[5], respectively "actors"[6]. A possible quantitative analysis of the literature of the field would show the clear trend of overuse of the latter, which denotes not only a change of vocabulary but, also, a change of theory.

Public policies can be seen as political and administrative activities but also as a scientific discipline, focused on analysis and evaluation of political and administrative activities. This approach is intended to be as neutral and objective as possible but, in fact, public policies as a discipline involve a special interest, concern (including affective) and empathy for the target groups. Thus, the "positive" approach is often complemented by a normative approach and influenced by socio-political values of researchers.

If the "traditional" view of science would have condemned this approach, there are recent trends in the evolution of political science that consider (perhaps following older, Marxist or voluntarist orientations) that the empathic research brings more knowledge and, above all, understanding of the people and their

situations [7]. Thus, debates continue regarding the social and political role of the political sciences, about their involvement or neutrality, about implementation of their research results, in order to improve people's lives, about scientists who are also activists, which is a quite frequent situation within the discipline.

The study of public policies developed, however, differently, in different periods of time and in different cultural spaces. First, their subject of study – public policy – developed differently. Thus, classic models of public policy analysis (institutionalism, interactionism, group theory, rational choice theory, systems theory, sequential model, etc.) have proven their limits in terms of adapting to the 21st century [8]. Today, combinations and bricolage are used, more than well-defined models.

The study of public policies developed differently in North America and in Western Europe. These differences are caused, first of all, by the differences between the objects of study: public policies have different origins, different traditions, different structures and functions on the two continents (more pluralistic in America, more state-based in Europe). Also, different research paradigms and styles operate in political sciences: more quantitative in America, more qualitative in Europe. We can detect, in the field of public policies, not only differences but also superiority complexes. Thus, Page describes the simplistic and lack of depth of the study of public policies in Europe [9].

We can, however, contradict Page because in Europe, too, there are important scientific contributions to research of public policies. European experts seem more interested, however, in the complex and concrete process of bringing issues to the public agenda and the interactions between social and political actors during the design and implementation of public policies [10].

A widely accepted definition is that public policies are sets of programs and measures that cover the distance from intention to action or - in the jargon specific to the discipline - from policy design to implementation, according to the sequential model of public policy analysis [11].

RESULTS AND DISCUSSION

However, these simple and clear approaches are continuously questioned and nuanced and our research intends to analyze and exemplify these developments.

For instance, the very influential definition of Dye [12] - which considers public policies as governmental actions - is contested, because not only the government, but also civil society, pressure groups, social partners, academia, and international organizations contribute to the public policies. In this way, policy communities, policy networks and fringe policies are created. Thus, public policies are not only governmental actions but non-governmental actions, as well.

The role of the government in public policies is contested by the existence of multi-level policies. Apart from the governmental level, there are a global level (represented mainly by the United Nations system), European level (European Union, Council of Europe), regional and local levels (local communities). Therefore, the policy networks expand and unify all these levels. The analysis elements of a policy network are: actors; functions; structure; institutionalization; formal and informal rules; power relations between actors; actors' strategies. We can exemplify the existence of policy networks in regional development policies, employment policies, and advocacy coalitions.

Regarding the sequential model, not all public policies contain all the stages of the cycle, and also these stages do not follow each other in the order described by the textbooks, they can be staggered or even simultaneous. For instance, evaluation is often considered as the final stage of a policy, deciding if the respective policy succeeded or failed. In practice, evaluation is possible before the policy design (ex-ante), during implementation (monitoring) and, of course, after implementation (ex-post).

Very often, policies have no implementation. These are the symbolic policies [13], that give hope of solving problems by creating the impression that the government is working to eliminate them, when, in fact, no significant changes are taking place. These policies are declarative, pursuing rather political marketing goals, a good public image and legitimation of the government. An example are the policies in Romania for the social reintegration of prisoners, which are underfunded and not having enough human resources for an effective implementation. Therefore, symbolic policies exist on paper only, as normative documents – laws, strategies, directives – but they are not effectively implemented.

There are policies that are not explicitly designed but, still, are implemented, for example, Great Britain's policy towards immigrants from Romania, after this country's accession to the European Union, in 2007.

Inaction (lack of a policy) is a policy, too [14]. The public issues and problems that need solutions exist, but the governments choose to not take action. For instance, a rural community needs very badly a bridge in order to pass a river but the local government decided to build a church, instead.

There are many explanations for this absence of public action: incompetence and lack of motivation; dysfunctional information; agenda control by the governments; and non-coordination of policy networks.

A special kind of policies are those that are implemented, but they don't have policy outputs [15]. For instance, the Romanian government passed a law against picnics organized in areas that were not designated for this purpose. Nobody

respects this law and, in fact, the prescribed fines are not enforced by the authorities.

Public policies also start from assumption of a conflictual society that can and must be pacified by reaching a consensus regarding the role of the state in managing of social competition between persons, organizations and groups, in imposing rules within this competition and in distributing and the redistribution of social rewards (wealth, power, prestige, etc.). Public policies want to solve/improve problems of public interest, which can become harmful for society as a whole, and not only for the directly affected groups; for example, economic inequality can cause social instability, tensions and conflicts that endanger the development and social cohesion.

Why do modern states assume these responsibilities? A first explanation could be expressed in the structural paradigm, referring to the social and economic factors. Thus, modern states were obliged by the social ruptures that accompanied the transition from the traditional to the modern society, by the collapse of the old social structures. These mutations had to be managed and the social balance restored. Thus, the modern state is an institution that responds to changes in society. Capitalism, industry and commerce needed an allied state to develop. Many times, the state becomes the main actor of the external economic expansion and becomes significantly involved in the internal economic development. In order to cope with this role and having to manage a growing amount and complexity of social problems, the state becomes and develops as an increasingly hypertrophic bureaucracy.

Therefore, another paradigm is the social control. In order to respond to the more and more numerous and diverse social needs, the modern state multiplies its functions. It progressively penetrates both the public and private spheres. This increased involvement of the modern state in all spheres of social life has contributed to social progress, well-being, improving the health of the population and extending the life expectancy, raising the level of education, etc. This represents its strength but also the risk of the emergence of totalitarianisms. The modern state plays an active role in preventing and repressing social instability, farmer and labor movements. Based on political and social pragmatism, this paradigm explains the public action for maintaining social peace through negotiations and compromises with potentially explosive social groups. They are called to respect the normative order in exchange for advantages: jobs, social security benefits, access to public services. The rulers know that marginalization and social exclusion can produce social explosions. That explains why right-wing political leaders (Bismarck, Napoleon III and von Taaffe) of the autocratic European empires were the first introducing public policies such as social insurance.

If the social control paradigm was based on a social and political pragmatism, the utilitarian paradigm is rather based on an economic pragmatism. From this

point of view, people are a precious economic resource, a human capital that can bring profit, which is necessary for economic development and boosting competitiveness. Therefore, people constitute the labor force and, therefore, they must be educated and healthy in order to be able to work. This explains the emergence of public education and health systems. But people are not only the labor force, but also consumption force, therefore, public policies offer social security benefits to those who do not have income. In this way, these people can also have purchasing power.

The paradigm of political mobilization emphasizes the role of target groups in the configuration of public policies. The target group becomes aware of its disadvantaged position and begins to organize itself in its own social movements, parties, unions, associations, thus exerting pressure on the rulers. The political mobilization explains that only because of these social movements and because of these pressures, the rulers had to grant rights and social benefits to the disadvantaged groups.

The most illustrative example in this sense is the working class, which created its own unions and parties and, through protests and strikes, succeeded in winning economic and social rights. The concept of social classes no longer has coverage in the reality of our days, but other social groups, structured on other criteria (gender, ethnicity, sexual orientation, etc.) use political mobilization to impose policies suited to their needs and goals. Therefore, in our view, policy advocacy is a public policy, as well.

An observed trend in public policies is that they become more and more humane. This, anti-oppressive paradigm considers that policies have overcome the motivations of pragmatism (economic, social or political) and that they value human rights and human persons for themselves. This trend is obvious within the European social policies, both at the national and supranational levels.

Public policies are not mechanical and neutral approaches but are based on different ideologies, axiologies, philosophies but which, however, have a common basis, a common latent thinking. This latent vision is marked by several important assumptions: first of all, the structuring of society. It is structured both vertically and horizontally: between people and groups there are differences and hierarchies. Differences, most of the time, rank people. Two geometric figures can be very suggestive for understanding this vision: the pyramid and the circle. The structure of society can be seen in space as a pyramid, with a top and a base; also in plan, like a circle, with center and periphery. Thus, society is seen through the prism of binary codes: top/bottom, superiority/inferiority, centrality/marginality, majority/minority, normality/abnormality.

Public policies are based on a latent vision about the role of science and how society should look. This implies that policies, based on scientific knowledge,

have the ability to change people and the world we live in (we detect here the influence of directions, such as positivism, rationalism, enlightenment).

Another tacit assumption of these policies is the belief in progress and continuous improvement. It is assumed that the public authorities know what is good and what is bad for the whole society and take decisions accordingly. Thus, public policies involve the idea of social desirability, of imposing desirable social models through social control.

CONCLUSION

The results of our analysis observed certain trends in studying the public policies: the transition from the conception of public policies as government actions, to the multiplication of actions and of the actors involved; changing the role of the state, from a neutral institution to a transactional actor; exploring different types of public policies, such as the symbolic policies, conflictual policies, unimplemented policies, implemented but undesigned policies, the lack of a policy as a public policy.

Also, our analysis identified the main latent, non-explicit assumptions of the public policies: the binary codes, the belief in progress, the role of scientific knowledge in solving social issues, and imposing desirable social models through social control.

All these observations prove that public policies are not a neutral and objective activity, thought and put into practice by a state located above society and which knows what the common good is and pursues it. In fact, public policies are socially constructed through the interactions of the social and political actors, in specific contexts.

The public policies, both as public actions and as discipline, are permanently changing, becoming more diverse, more flexible, taking into account the variability of social and political contexts. The public policies evolved from the classical analysis of the national level to the multilevel analysis: local, regional, national and supranational. Nowadays we can easily see the important role played by the international organizations, such as European Union and NATO.

REFERENCES

[1] Habermas J., *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, MIT Press, United States of America, pp. 14-27, 1991.

[2] Ariès P., G. Duby (coord.), *Histoire de la vie privée*, tome IV, Seuil, France, p. 240, 1987.

[3] Foucault M. (1976), *Histoire de la sexualité, Tome I. La volonté de savoir*, Gallimard, France, 1976.

[4] Lowi T.J., Four systems of policy, politics, and choice, *Public Administration Review*, United States of America, no.32, pp. 298-310, 1972.

[5] March J., Olsen, J. P., *Rediscovering institutions: The organizational basis of politics*, Free Press, United States of America, 1989.

[6] Fischer F., Public policy as Social Construct. Multiple meanings in Sustainable Development, in Fischer, F., *Democracy and Expertise: Reorienting Policy Inquiry*, Oxford University Press, United Kingdom, pp.168-188, 2009.

[7] Nelson B.J., Chapter 24. Public Policy and Administration: An Overview, in Goodin R.E., Klingemann, H.-D., *A New Handbook of Political Science*, Oxford University Press, United States of America, pp. 470-509, 1998.

[8] Gjelstrup G., Sørensen E., Method and methodology: Pragmatism, interactive research and narratives: Introduction, in G. Gjelstrup, Sørensen E. (Eds.), *Public administration in transition: Theory, practice, methodology*, Djøf Forlag, Denmark, pp. 295-298, 2007.

[9] Page E.C., The origins of policy, in Moran, M. Rein, M., Goodin, R., *The Oxford Handbook of Public Policy*, Oxford University Press, United Kingdom, pp.205-225, 2006.

[10] Kessler M-C., *Evaluation des politiques publiques*, L'Harmattan, Paris, 1998

[11] Hogwood B.W., Gunn L.A., *Policy Analysis for the Real World*, Oxford University Press, United Kingdom, 2000.

[12] Dye T. R., *Understanding Public Policy*, Prentice-Hall, United States of America, 1987.

[13] Gerston L.N., *Public Policy Making: Process and Principles*, Routledge, United Kingdom, 2010, p. 62.

[14] McConnell A., Hart, P., Inaction and public policy: understanding why policymakers 'do nothing', *Policy Sciences*, Great Britain, no. 52, pp. 645-66, 2019. <https://doi.org/10.1007/s11077-019-09362-2>

[15] Anderson J. E., *Public Policy Making: An Introduction*, Houghton Mifflin Company, United States of America, pp. 1-3, 2003.