

Text commentary on Eve Fouilleux's articles about the 'making' of public policies¹

Fouilleux, E., and Balié, J. (2009) '*Le double paradoxe de la mise en place de politiques agricoles communes en Afrique. Un cas improbable de transfert de politique publique*', *Pôle Sud*, 31(2), pp.129-149

Fouilleux, E. (2015) '*Au-delà des États en action: la fabrique des politiques publiques globales*' in Boussaguet, L. et al. (eds.) *Une French touch dans l'analyse des politiques publiques*. Paris: Presses de Sciences Po, pp.287-318

Fouilleux, E. and Jobert, B. (2017) '*Le cheminement des controverses dans la globalisation néo-libérale: Pour une approche agonistique des politiques publiques*', *Gouvernement et action publique*, 3(3), pp.9-36

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A travers le prisme de l'analyse cognitive des politiques publiques, Eve Fouilleux cherche à comprendre les processus de production et de diffusion des *référentiels* qui sous-tendent la construction des politiques publiques. Elle fait l'hypothèse que les politiques globales actuelles sont modelées par un référentiel hégémonique néolibéral et s'intéresse à la façon dont ce référentiel a été construit et diffusé dans différentes arènes politiques. Elle s'appuie sur des analyses empiriques dans le secteur de l'agriculture, de l'alimentation et de la gestion des ressources naturelles. Cette note présente non seulement les concepts développés par la chercheuse mais pointe également d'éventuels angles morts.

Drawing from - as well as being part of - the French school of cognitive public policy analysis, Eve Fouilleux's² research focuses on understanding complex processes of production and diffusion of *référentiels*³ in public policies, never considering those as a given.⁴ Her theoretical work pays particular attention to the conditions, the content and the process of public policy debates in the era of globalization, with empirical analysis in the fields of agriculture, food, and natural resources⁵. This text commentary analyzes three articles that are representative of Fouilleux's scientific contribution which are the following: "*Le double paradoxe de la mise en place de politiques agricoles communes en Afrique. Un cas improbable de transfert de politique publique*" (2009)⁶, "*La fabrique des politiques publiques globale*" (2015), and "*Le cheminement des controverses dans la globalisation néo-libérale*" (2017)^{7 8}.

The first article appeared in *Pôle Sud*, a political science journal of CNRS, and the two most recent articles were published by SciencesPo Press, an editing house focused on the topics of globalization and governance, political science, economics, among other subjects. It is important to highlight that these articles were all published after 2007-08, years that were marked by the world financial and food crisis, as well as "growing concerns about the

¹ The 'making' of public policies stands for the French expression 'la fabrique des politiques publiques'.

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³ This note will remain prudent regarding the translation of the word *référentiel* as this is a specific and central concept of the French cognitive public policy analysis school. To avoid incurring into imprecisions - and not mixing, for example, Hall's notion of paradigm with Jobert's and Muller's definition of *référentiel* - this note will follow Hall's approach in his English writings and will use the word *référentiel* in its original language. See Hall, P., 2015.

⁴ Fouilleux, E., 2015, p.289.

⁵ Umr-lisis.fr, 2019.

⁶ Published with Jean Balié, who at the time of the publication was part of the Agricultural Development Economics Division of the FAO/Rome.

⁷ Published with Bruno Jobert, political scientist and researcher on Public Policies, Political Actions, and Territories.

⁸ This note is well aware that two articles were co-written with other researchers, nevertheless as Fouilleux was the main author of both this note will prefer to only reference to her as the author to preserve the fluidity of writing as well as of the reading.

consequences of global climate change.”⁹ The need to find solutions to these global challenges that were high in the international agenda meant a new ‘breath’ to discuss global public policies to address the crisis, and Fouilleux’s articles attempt to capture the nuances of such negotiation processes.

This paper proceeds as follows. First, a brief presentation on the two characteristics of the common ground of the three articles: the understanding that current global policies are shaped by a hegemonic *référentiel de marché*, and the application of the cognitive approach for public policies in their analysis. Following, is a brief synthesis of the specific hypothesis that each one of them attempts to address: how the global neoliberal *référentiel* is produced and diffused to sectorial and/or national policies¹⁰; an agonistic approach of public policies¹¹; and, finally, an examination of where the ideas on which African common agricultural policies were constructed come from¹².

Then, in a second moment, this paper will question what has been left out of scope by the author borrowing from her methodology. This analytical grid was extracted from the three articles being examined and can fairly be described as: Fouilleux’s starting point is (1) the definition of a *référentiel*, in her case the hegemonic neoliberal one, which is followed by (2) an analysis of the actors and ‘scenes’ where the public policy debate takes place. Finally, after having looked at the power relations between those actors and their interactions in the construction of the meaning of public policies, she moves to (3) a final step that is an investigation of the mechanisms and tools used to diffuse the *référentiel*. This text commentary will borrow from this three-steps sequential framework - *référentiel*, actors, mechanisms and tools - to critically highlight potential blind spots in Fouilleux’s articles.

I. Revealing elements of Fouilleux’s framework

A. The ‘general’ frame

In all three articles, Fouilleux puts forward the idea that there is a dominant neoliberal *référentiel* in the global public policy debate that is able to influence the making of policies across sectors and at different levels - international, regional or national. As this is a central concept in her writings, it becomes crucial to underline what is her definition of the neoliberal *référentiel*, which is “a system of meaning that does not simply identify itself with a form of neoliberal ideology, but constitutes, in a way, a form of translation of this vision of the world in terms of content and forms of public action.”¹³ Also of equal importance, is to draw particular attention on the fact that the author emphasizes that it is necessary to avoid understanding the *référentiel* as a stable framework for public policies, instead it is a dynamic process¹⁴ of negotiation in which ideas are constantly put forward, debated and selected.

The second aspect of the common ground between the articles is the analytical framework that she deploys: a regime of debate that comprises arenas and forums, which are the scenes in which actors intervene and that allow for the analysis of how ideas are produced and circulate. According to Fouilleux, to understand the dynamics of the public policy debate implies distinguishing these two distinct configurations: forums and the arenas. The first corresponds to the “places where ideas are generated, mobilized and translated into public policy proposals (...) They are spaces where different interpretations of the world, alternative visions of a given field or sector and the public policy recipes to be applied to it are confronted”¹⁵, feeding arenas with ideas for public policy negotiations. The actors that can be involved in such negotiation range from experts such as economists and political scientists to administrators and different groups or associations organized around a profession or a theme such as agricultural professionals or environmentalists. Arenas, on the other hand, are places where actors involved in the negotiation and decision-making process, from agenda setting to implementation, lead directly to public policy decisions. It is the articulation between forums and arenas that characterizes the regime of debate, which involves and comprises a set of mechanisms, institutions, and actors.

⁹ Losch, B. et al., 2012, p.2.

¹⁰ Fouilleux, E., 2015.

¹¹ Fouilleux, E., Jobert, B., 2017.

¹² Fouilleux, E. & Balié, J., 2009.

¹³ Fouilleux, E., 2015, p.290.

¹⁴ Fouilleux, E., 2015, p.292.

¹⁵ Fouilleux, E., Jobert, B., 2017, p.13.

Having briefly explored the commonalities of the texts, this note will now review the specificities of each article as they attempt to address different hypotheses. The following section will not be structured according to a chronological approach, and will adopt what seems to be a logical sequence of first looking over the article that sets up the global context - '*La fabrique des politiques publiques globale*' - then move to the one that adds an in-depth analysis of how controversies are channeled - '*Le cheminement des controverses dans la globalisation néo-libérale*' - and, lastly, it will focus on what can be considered a case study of policy transfer in the context of the African common agricultural policies.

B. Exploring the specific hypotheses

La fabrique des politiques publiques emphasizes on the originality of the cognitive approach¹⁶ to analyze public policies. Fouilleux borrows from Jobert and Muller¹⁷ to defend that such an approach goes beyond the analysis of the decision-making function of public policies, and it adds the comprehension of their "intellectual function"¹⁸. This allows to understand more concretely how the hegemonic neoliberal *référentiel* is produced at the global level - a gap that hadn't been properly studied in her opinion and that the author makes an effort to address - and through which mechanisms it will be materialized in public policies through the figure of international trade. In the article, Fouilleux argues that international organizations such as the World Bank and the Organization for Economic Co-operation and Development (OECD), that have institutional, financial, political and discursive resources¹⁹, put forward neoliberal ideas that are diffused through mechanisms - such as the World Trade Organization (WTO) non-discriminatory rules or aid conditionalities - that influence the content, conditions and the process of making sectorial international and national policies.

The second article, '*Le cheminement des controverses dans la globalisation néo-libérale*', builds upon the previous framework and adopts an agonistic approach to explain how divergent ideas and controversies that emerge during the public policy debate might be channeled. Together with Jobert, Fouilleux identifies three mechanisms that "dominant actors can use to channel or neutralize controversy, notably through forum/arena shifting, excluding participation, and discursive demining."²⁰ For the author, the most powerful actors will work their way to find manners of channeling the conflictual issues "to forums or arenas whose access and rules are better controlled by the supporters of the dominant *référentiel*."²¹ These actors can also move the debate to spaces of apparent openness and inclusion, but that does not prevent an implicit selection of interlocutors, or they can still make an effort to translate the problems into solutions in terms that are more favorable for them.

The last article '*Le double paradoxe de la mise en place de politiques agricoles communes en Afrique. Un cas improbable de transfert de politique publique*' is considered as a case study of policy transfer. It is an empirical application of the conceptual tools presented above to unveil which ideas were behind the multiplication of common agricultural policies (PAC) in the African context. The core argument is that there is a strong external influence regarding the setting of the objectives, the instruments and the process of building these regional policies. Fouilleux points that the European Union, one of the main donors in the continent, settled that aid agreements would be signed between the EU and African regional organizations²², pushing them to the construction of such regional institutions. Besides, the author analyses that the content of the common agricultural policies is much focused on trade liberalization and that this can be "largely explained by the nature of the dominant *référentiel*, institutions, and the pressure being exerted at the international level by a number of actors from the political, administrative and financial elite."²³

After exploring both the common ground of the chosen articles as well as their specific contributions to the public policy analysis field, this note will now place the readings in a broader critical context and try to shed light on some of the blind spots of the author. In order to do this, the following section will be structured upon Fouilleux's

¹⁶ Fouilleux, E., 2015, p.289.

¹⁷ Jobert, B., Muller, P., 1987.

¹⁸ Fouilleux, E., 2015, p.289.

¹⁹ Fouilleux, E., 2015, p.296.

²⁰ Fouilleux, E., Jobert, B., 2017, p.12

²¹ Fouilleux, E., Jobert, B., 2017, p.16

²² Fouilleux, E., 2009, p.133.

²³ Fouilleux, E., 2009, p.129.

analytical steps: *référentiel* - actors - mechanisms and tools. First, it will highlight the lack of a problematization around the neoliberal *référentiel*, then it will point to the need to scrutinize the actors that are part of international organizations such as the World Bank and the OECD and, finally, it will look at the mechanisms and tools, and point to already existing proposals that are at the table to reform certain global governance mechanisms.

II. A three-steps comment on blind spots

A. Problematizing the neoliberal *référentiel*

Fouilleux advocates for the understanding that the current global public policy system is dominated by the neoliberal *référentiel*. The author is able to make a strong case about how this *référentiel* ends up moving from the global level and being institutionalized in international, regional and national levels, or even sectorial policies, as well as making an essential contribution to the public policy analysis field by looking closer at the mechanisms that allow for this idea to 'travel'. Nevertheless, Fouilleux seems to forget to fundament her criticism of the neoliberal *référentiel*. Although such task is not part of the main article's objectives, as her writing is marked by a critical position regarding neoliberalism, her argumentation would benefit from a short critic about the flaws of the dominant *référentiel* such as the creation of an "unparalleled wealth accumulation levels for a handful of individuals and global corporations while the rest of society has been asked to swallow austerity, stagnating incomes, and a shrinking welfare state."²⁴

Moreover, Fouilleux's explanation of the institutionalization of the neoliberal *référentiel* - that due to the power imbalances and interests at stake seems hard to be moved from its hegemonic position - ends up leaving aside the emergence of alternative *référentiels* that might not be dominant, but that are worth being mentioned as they present an important counternarrative, such as Buen Vivir or the '21st century socialism'. The first concept challenges "the neoliberal agenda and how its power is redefined in the process (...) it is an indigenous philosophy that emphasizes community well-being, reciprocity, solidarity, and harmony with Mother Earth"²⁵, and achieved official status in the Constitutions of Ecuador and Bolivia following the 2007 UN Declaration on the Indigenous Rights.²⁶ While the 21st century socialism movement present in Latin American countries offers an alternative to neoliberalism based on "integral human development, human beings as social beings, social property, eliminating the division between manual and intellectual labour, governing nature in a rational way, and finally, that society, not the state, must take the reins of economic development."²⁷

B. Dissecting international organizations

Référentiels are mobilized by actors and the main statement put forward by Fouilleux is that there are two main international organizations responsible of diffusing the neoliberal *référentiel*: the World Bank and the OECD. Nevertheless, as the author itself presents, these organizations are "at the same time arenas (where public policy decisions are taken), forums (places in which different public policy recipes are debated), and actors in debates and negotiations on other arenas or forums"²⁸ This leads to the need to study their 'internal dynamics' as both organizations are composed by members - 189 countries in the case of the World Bank, while the OECD is composed by the 36 most advanced countries²⁹ - and power imbalances, fight for interests, and negotiation processes are also encountered at the core of these organizations. In the conclusion of '*La fabrique de politiques publiques*', the author briefly mentions that "the inflexibility and hegemony of the World Bank or the OECD can be explained, among other things, by the role played by the United States".³⁰ Nevertheless, she doesn't develop this argument, neither back it up with evidence. In addition, these internal dynamics are complex and cannot be reduced to a single voice that

²⁴ Polychroniou, C. et al, 2019.

²⁵ Villalba, U., 2013.

²⁶ Mamani, F., 2010

²⁷ Yaffe, H., 2016.

²⁸ Fouilleux, E., 2009, p. 294.

²⁹ Oecd.org., 2019.

³⁰ Fouilleux, E., 2015, p.315.

promotes international trade both as the main means and as the ultimate goal of economic and social development, as the author defends.³¹ One example of emerging alternative view coming from inside this organizations, in this case the World Bank, is the Rural Struc program³² that began on 2006 and that expresses a desire “to bring structural issues back into a debate that was mainly focused on trade (...) and to reconnect the issues related to trade liberalization with the broader discussion of rural transformation and the evolution of rural economies in a rapidly globalizing world.”³³

C. Solutions from within: reforming mechanisms

Fouilleux puts forward the idea that the neoliberal *référentiel* is diffused through a set of mechanisms and tools such as the non-discrimination rules of the WTO, aid conditionalities - which triggered the development and implementation of the African PACs³⁴ - as well as particular methods of evaluation such as the producer and consumer support estimates (PSE and CSE) database of the OECD that evaluates agricultural public policies³⁵. This evaluation method is also discussed in the article ‘*La fabrique des politiques publiques*’ as a tool that “conveys a vision of agricultural policies in which the essential criterion no longer refers to the effects of the policy in relation to nationally defined domestic objectives, but to its effects on international trade”³⁶, therefore being a tool that carries embedded in itself the hegemonic neoliberal *référentiel*.

Although giving an accurate description of the institutional architecture that favors the promotion of neoliberalism and that seems to be impervious to challenging views, it is important to highlight that if it might not be possible to completely overcome the imposition of this *référentiel* there are scholars and practitioners looking at how to reform some of the mechanisms that Fouilleux mentions. This is the case of the debate on which configurations allows to address the issue of ‘carbon leakage’ without hurting WTO law. As De Schutter points in his article ‘Trade in the service of climate’, “WTO law generally allows for meaningful linkages to be established between trade and climate change (...) and doing so would serve the cause of climate justice”³⁷, indicating that there are ways of promoting sustainable development by reforming some of the mechanisms and tools that are mobilized to advance the neoliberal *référentiel*.

Conclusion

This note has sought to comment three articles of Eve Fouilleux recognizing the author’s ability to present and apply the conceptual tools of the cognitive public policy analysis field, unveiling dynamics on the production and diffusion of *référentiels*, with a focus on the dominant neoliberal one. It also acknowledges the value of the critical analysis of the actors and power imbalances involved in policy negotiations, as well as the places (arenas and forums) where such debates happen, and the specific mechanisms and tools that help to make certain ideas ‘travel’. Nevertheless, this note also wished to address some of the potential pitfalls of Fouilleux’s assumptions in the articles while staying fair to this valuable framework. For that, it adopted the author’s analytical steps and briefly reviewed the lack of a critic to neoliberalism, the shallow analysis of complex internal dynamics of international organizations that also play a role into the production of *référentiels*, and pointed to potential solutions that might be able to reform the mechanisms that Fouilleux criticizes. Considering some of these blind spots would make the articles analysis gain an even more critical perspective, something that the author praises for.

³¹ Fouilleux, E., 2015, p.290.

³² The official title of the program is Structural Dimensions of Liberalization on Agriculture and Rural Development.

³³ Losch, B. et al., 2012, p.2.

³⁴ Fouilleux, E., 2009.

³⁵ Fouilleux, E., Jobert, B., 2017, p.24.

³⁶ Fouilleux, E., 2015, p.300.

³⁷ De Schutter, O., 2014., p.65.

Bibliography

- De Schutter, O., 2014. Trade in the service of climate change mitigation: the question of linkage. *Journal of Human Rights and the Environment*, 5, 65-102.
- Fouilleux, E. & Balié, J., 2009. Le double paradoxe de la mise en place de politiques agricoles communes en Afrique. Un cas improbable de transfert de politique publique. *Pôle Sud*, 31(2), 129-149.
- Fouilleux, E., 2015. Au-delà des Etats en action... La fabrique des politiques publiques globales, In: Boussaguet L., Jacquot S., Muller P., Ravinet P., *Une French touch de l'analyse des politiques publiques*, Presses de SciencesPo, Paris, 287-318.
- Fouilleux, E., Jobert, B., 2017. Le cheminement des controverses dans la globalisation néo-libérale: Pour une approche agonistique des politiques publiques. *Gouvernement et action publique*, 6(3), 9-36
- Hall, P., 2015. Three Anglo-American Perspectives on French Policy Analysis in Boussaguet, L., Jacquot, S., Ravinet, P., Muller, P. (Eds.), *Une French touch dans l'analyse des politiques publiques*, Gouvernances. Presses de SciencesPo, Paris, p.237-262
- Inter-réseaux, 2018. Bulletin de Synthèse 'Le rôle croissant du secteur privé dans les politiques agricoles et alimentaires en Afrique', n.27.
- Jobert, B., Muller, P., 1987. *L'État en action. Politiques publiques et corporatisme*, Paris, PUF.
- Losch, B., Fréguin-Gresh, S., White, E., 2012. *Structural Transformation and Rural Change Revisited: Challenges for Late Developing Countries in a Globalizing World*. African Development Forum series. Washington DC: World Bank.
- Mamani, F., 2010. *Buen Vivir/Vivir Bien. Filosofía, políticas, estrategias y experiencias regionales andinas*, CAOI.
- Oecd.org., 2019. About the OECD - OECD. [online] Available at: <http://www.oecd.org/about/> [Accessed 24 Fe. 2019].
- Polychroniou, C., DeParle, J., Hanna, T. and Smith, Y., 2019. Exposing the Myths of Neoliberal Capitalism: An Interview With Ha-Joon Chang. [online] Truthout. Available at: <https://truthout.org/articles/exposing-the-myths-of-neoliberal-capitalism-an-interview-with-ha-joon-chang/> [Accessed 4 Mar. 2019].
- Umr-lisis.fr, 2019. LISIS - Eve Fouilleux -. [online] Available at: <http://umr-lisis.fr/membre/eve-fouilleux/> [Accessed 24 Feb. 2019]
- Villalba, U., 2013. Buen Vivir vs Development: a paradigm shift in the Andes?, *Third World Quarterly*, 34:8, 1427-1442.
- Yaffe, H., 2016. Marta Harnecker, *A World to Build: New Paths toward Twenty-First Century Socialism* (New York: Monthly Review Press, 2015), *Journal of Latin American Studies*, 48(02), 423–425.