Legitimation as justification: Foregrounding public philosophies in explanations of gradual ideational change

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Abstract. In accounts of institutional change, discursive institutionalists point to the role of economic and political ideas in upending institutional stability and providing the raw material for the establishment of a new institutional setup. This approach has typically entailed a conceptualisation of ideas as coherent and monolithic and actors as almost automatically following the precepts of the ideas they hold and support. Recent theorising stresses how ideas are in fact composite and heterogeneous, and actors pragmatic and strategic in how they employ ideas in political struggles. However, this change of focus has, until recently, not included how foundational ideas of a polity, often referred to as 'public philosophies', are theorised to impact on institution-building. Drawing on French Pragmatic Sociology, and taking as a starting point recent efforts within discursive institutionalism to conceptualise the dynamic nature of public philosophies, this article seeks to foreground moral justification in accounts of ideational and institutional change. It suggests that public philosophies are reflexively used by actors in continual processes of normative justification that may produce significant policy shifts over time. The empirical relevance of the argument is demonstrated through an analysis of gradual ideational and institutional change in French labour market policy, specifically the development from the state-guaranteed minimum income scheme of 1988 to the neoliberal make-work-pay logic of the 2009 scheme, *Revenu de solidarité active*. The analysis shows that public and moral justifications have underpinned and gradually shaped these radical changes.

Keywords: ideas; legitimacy; France; labour market policy; reform

Introduction

During the ideational turn of the 1990s, ideas were reintroduced to mainstream political science to help explain the processes of change that new institutionalist approaches struggled to account for within their stability-oriented frameworks. Scholars thus argued that ideas work on multiple levels – as policy ideas, programmatic ideas and public philosophies (Schmidt 2008; see also Campbell 2004) – that come to impact on policy making through processes of delegitimisation, battles between contending paradigms and institutionalisation of new ideas (Blyth 2002; Hall 1993). Recent work seeking to push beyond the earlier focus on punctuated equilibria-style change has produced significant progress by developing a more dynamic understanding of political and economic ideas as malleable, composite and locally anchored hybrids (e.g., Schmidt & Thatcher 2013; Ban 2016; Matthijs 2011) and actors as both pragmatic and strategic (e.g., Béland & Cox 2013; Carstensen 2011a; Jabko 2006; Schmidt 2008; Wood 2015) to help account for gradual ideational changes following in the wake of the ascendance of neoliberalism (Campbell & Pedersen 2015; Seabrooke 2006; Carstensen & Matthijs 2018). However, in terms of the well-established distinction between three levels of policy ideas as frames, programmes and public philosophies (Schmidt 2008), the turn toward a more dynamic understanding of ideas has largely been limited to the

two former levels. Although scholars assign transformative potential to public philosophies in the sense that actors may connect their preferred policy ideas to ideas located in the 'background' of the polity (Carstensen & Schmidt 2016), in accounting for the extent to which ideas come to impact in national settings, public philosophies – understood as the deeper core of organising ideas, values and principles of knowledge and society (Schmidt 2008) – are generally conceived as stable, coherent and placed in the 'background', and thus primarily important in how they limit which ideas may be introduced in the first place (Béland 2009).

This article follows on the back of recent discursive institutionalist efforts to theorise how public philosophies play into processes of policy change (Boswell & Hampshire 2017; Kornprobst & Senn 2017; Schmidt 2016). Taking these conceptual advances as our starting point, we utilise insights from French Pragmatic Sociology (FPS) to argue, first, that discursive institutionalist analysis may benefit from conceptualising public philosophies as composite and in need of continuous justification. In this view, the public philosophy of a polity is not structured by a coherent set of foundational ideas but instead is made up by competing beliefs and norms – what we term 'repertoires of evaluation' – the meaning of which actors continually establish in compromises related to policy problems (see also Boswell & Hampshire 2017: 135). Second, and following on from this, we suggest that appreciating ideational heterogeneity at the level of public philosophies is key to understanding how these deeper level ideas of a polity play a direct role in policy making. Specifically, we employ four analytical concepts from FPS – repertoires of evaluation, qualification, justification and compromise – to show how policies are gradually, but radically, changed through compromises between competing moral understandings of the world, that then in turn over time undergo a similar process of evaluation, critique and compromise. In this way, employing FPS in discursive institutionalist analysis may lend further insight to the role of public philosophies in setting in motion processes of gradual ideational and institutional change. It underscores how a key driver of such processes of change is the interaction between the different levels of ideas – policy ideas, programmatic ideas and public philosophies – that is set off by political agents activating 'repertoires of evaluation' in efforts to forge compromises between competing moral repertoires that address the often quite practical problems arising from the policy-making process.

Finally, we demonstrate the empirical relevance of the framework of FPS in an analysis of the introduction and gradual reforms of the French minimum income system from the end of the 1980s to the last major reform in 2009. The case is particularly relevant for the arguments pursued in this article since it presents a least-likely situation: in contrast to, for example, British liberal public philosophy, the republican French 'public philosophy' has traditionally been considered a bulwark against neoliberal reform efforts in the area of social policy, since it departs so clearly from neoliberal conceptions of members of society – notably in their role and position in relation to market and state. One should thus expect to see public philosophies cast in the role of limiting what policy ideas may be introduced, whether overtly or covertly. Arriving instead at the result that a heterogeneous set of historically anchored repertoires of moral justification helped facilitate the neoliberal turn in the minimum income scheme, thus strengthens the argument that public philosophies may play a central role in accounting for ideational and institutional change.

The analysis is presented in two parts. In the first part, we focus on the creation of the first state-guaranteed minimum income in France, the *Revenu minimum d'insertion* (RMI) in 1988. Specifically, we show how the rise of long-term unemployment created a situation with substantial uncertainty as to the 'whatness' of the phenomenon and how to handle it politically. Subsequently we reconstruct the efforts of qualifying the phenomenon by demonstrating how political actors mobilised three co-existing and competing repertoires of evaluation. The three qualifications resulted in the justification of various instruments and policies to deal with the problem put together into the composite arrangement of the RMI. The second part of the article focuses on the continual process in the 1990s and 2000s of putting the RMI to the test and gradually requalifying and adjusting it accordingly, culminating in the replacement of RMI with the make-work-pay logic of *Revenu de solidarité active* (RSA) in 2009. We finally zoom in on a number of test situations illustrating tensions between and within the repertoires of evaluation.

From static to dynamic policy ideas

The spread of economic ideas has long been a main focus of ideationally attuned scholarship seeking to understand how actors develop preferences for specific institutional setups (for a useful overview, see Hirschmann & Popp-Berman 2014). In this context, the rise of the financial crisis in 2007, along with its ramifications in terms of a slew of post-crisis reforms, has thrown up a number of pressing questions – most notably, how despite having lost theoretical and intellectual authority, neoliberalism and its supporters have remained at the helm of policy making in Western economies (Crouch 2011; Fourcade et al. 2013; Schmidt & Thatcher 2013; Blyth 2013; Ban 2016). Understanding the continued resilience of neoliberalism has necessitated some rethinking of how ideas are structured and how actors work with them to effect change or stave off the onslaught of their critics. Thus, while earlier approaches to the political power of economic ideas argued that ideas were tightly structured, coherent and typically shifted in large ruptures, in turn explaining how economic ideas become so politically powerful in policy making, (e.g., Hall 1993; Blyth 2002; Schmidt 2002; see also Parsons 2007), later contributions have stressed that abstract economic ideas need to be translated and adjusted to make them work in a national setting (Campbell 2004; Campbell & Pedersen 2015; Ban 2016). In this perspective, actors' employment of ideas takes a more pragmatic (Carstensen 2011b) and strategic (Jabko 2006) tack.

To understand how ideas play into processes of institutional change and stability, it is helpful to distinguish between different levels of generality in which policy ideas are cast. Here we follow Schmidt (2008) in her distinction between public philosophies, programmatic ideas and specific policy ideas. In this conceptualisation of ideas – which is broadly in line with other influential approaches to ideas (e.g., Campbell 2004; Mehta 2011) – policy ideas refer to the specific policies proposed by policy makers, programmatic ideas encompass the more general programmes (or policy paradigms) that underpin the policy ideas, while public philosophies are argued to 'undergird the policies and programs with organizing ideas, values, and principles of knowledge and society [that] generally sit in the background as underlying assumptions that are rarely contested except in times of crisis' (Schmidt 2008: 306). According to the literature, public philosophies generally persist over long periods of time, while programmatic ideas tend not to have as much staying power but

are more lasting than policy ideas, which are open to more rapid shifts because they may be compatible with many different wider programmes and philosophies (Schmidt & Thatcher 2013: 21). In terms of dynamics of institutional change, public philosophies typically remain stable over long periods of time and thus help explain why despite crisis – and the changes in policy ideas and programmes that such moments of uncertainty may entail – significant national differences among political economies often endure (Campbell & Pedersen 2015). From this vantage point, public philosophies are generally seen as constraining rather than facilitating institutional change, whether as a full blockage on change or as pushing developments along a more evolutionary trajectory.

In an effort to break with the understanding of background ideas and public philosophies as essentially immovable objects, a number of recent interventions have sought to bring greater attention to how public philosophies may develop significantly over time and how such processes may help account for institutional change. Kornprobst and Senn (2017), for example, ask how agents change the public philosophies in which they are embedded, but they uphold a distinction between times of stability, where foundational ideas remain decontested, and periods of greater uncertainty that offer actors opportunities to contest public philosophies. Boswell and Hampshire (2017) argue that strategies of selective mobilisation may over time bring about adjustments to public philosophies themselves, while Schmidt (2016) and Carstensen and Schmidt (2016) also highlight the possibility of changing public philosophies as certain elements of such foundational ideas may eventually lose their central role, with others gaining in importance. Scholars have thus begun teasing out the ways that the constraining and enabling dimensions of ideas may intersect at the level of policy and programmes, resulting in significant advances towards a more dynamic conception of background ideas. Seeking to contribute to this promising research agenda within discursive institutionalism, this article suggests that FPS may be a particularly useful starting point for understanding the role of public philosophies in processes of gradual, transformative change in ideas and institutions.

Introducing FPS

To elucidate the process through which public philosophies facilitate ideational and institutional change, we employ insights drawn from FPS – a research programme founded in the late 1980s by Luc Boltanski and Laurent Thévenot outlined in their landmark publication *On Justification* (Boltanski & Thévenot 2006). This approach is particularly suitable since, much in line with recent developments in discursive institutionalism, it offers an account of ideas and their role in enabling collective action and overcoming disagreement that emphasises the continued need for political actors' normative justification.

The starting point of FPS is a conception of social reality as uncertain in the sense that the upholding of coordination between individuals is a fragile and continual process subject to breakdowns and unease about the right way forward. In this perspective, uncertainty is not a relatively rare instance, as in Blyth's (2002) periods of 'Knightian uncertainty', Hall's (1993) paradigm shifts or the 'critical junctures' that more generally dominated explanations of change in earlier historical institutionalism (Capoccia & Kelemen 2007). Rather, in periods of general (or seeming) stability, FPS posits that even well-established norms and beliefs can be contested and routinely are (Cloutier & Langley 2013). This means that practices of

justification – whether among coordinating elites or elites communicating with the public (Schmidt 2002) – are paramount for understanding the degree and direction of change in a policy area.

Uncertainty occurs when questions about 'what is' and 'what is valid' upends order until compromises are reached among the involved actors and, for the time being, the dispute is settled. In this way, the uncertainty emphasised by FPS resembles the necessity of continued interpretive work on the part of the actors to practice, enforce and uphold institutional rules, as presented in the work of Streeck and Thelen (2005). Here, too, actors continually need to adapt interpretations to unforeseen developments, underlining the importance of ideas to keep coalitional actors in line (Capoccia 2016). Similar to recent efforts within discursive and historical institutionalism to bring more active agency into explanations of ideational and institutional change, FPS thus suggest that actors are neither passive nor dominated, but instead have to actively employ critique as they inhabit a social space 'shot through by a multiplicity of disputes, critiques, disagreements and attempts to re-establish locally agreements that are always fragile' (Boltanski 2011: 27). This is encapsulated in the key concept of *test* in FPS. First, a test signifies a *device* with a particular yardstick to evaluate the worthiness of objects, subjects, actions and so on. Second, test signifies an uncertain and fragile *situation*, that entails an ontological uncertainty to the 'whatness of what is' (Boltanski 2011: 75) preventing actors from simply relying on what is taken-for-granted or appropriate. Finally, the concept points to the *actions* and *process* by which reality is 'put to the test' (Boltanski & Thévenot 2006: 132).

The ideational and institutional resources that are at the disposal of actors in handling test situations and participating in struggles about giving meaning to political problems and their solution are captured in the concept of 'repertoires of evaluation' (Lamont & Thévenot 2000). Repertoires of evaluation comprise abstract and philosophical elements as well as concrete and everyday elements, thus encompassing the three levels of ideas developed in the discursive institutionalist literature. Thus, on the one hand, repertoires of evaluation contain a normative test and a conception of the common good; on the other hand, the test is underpinned by an array of material and immaterial worthy and unworthy objects and subjects. For instance, depending on the repertoire taken into use, a person that is not working may be considered to be someone who had an accident or, alternatively, someone in need of further incentives to work. In turn, the benefit he or she receives may be regarded either as compensation or as a potential unemployment trap.

Hence, repertoires of evaluation provide the equipment that make two forms of action possible, of which the latter prerequisites the former. First, repertoires of evaluation enable actors to *qualify* reality – that is, to recognise what is relevant in a particular situation, to see differences and similarities, thus 'valorising' reality '(Boltanski & Thévenot 2006:131). The workings of repertoires of evaluation therefore differ substantially from those of ideologies. Where ideologies, in the common-sense understanding, work 'on top' of reality by masking or obscuring it, repertoires of evaluation provide the means to make sense of it (Hansen 2016). This practical dimension of repertoires of evaluation similarly distinguishes it from the rich literature on the role of framing in public policy (e.g., Baumgartner & Jones 1991; Schon & Rein 1994; Benford & Snow 2000). Little doubt remains that studies of framing have successfully demonstrated the centrality of framing processes for establishing and maintaining collective action. However, while taking due consideration of this important

insight, the analytical framework set out in this article focuses on the ways in which policy making often *traverses* the three levels of ideational generality, from the more general values of a polity to the specific policy ideas employed by actors, both to address policy problems at a more practical level as well as frame policies in ways that persuade elites and the public alike. A discursive institutionalist analysis inspired by FPS would view policy making as an equally strategic, moral and practical endeavour, where the object of persuading the public and competing elites is crucially intertwined with the process of working out practical compromises that may (for the time being) offer resolution to a situation of uncertainty.

Second, qualification opens the way for a set of actions related to *justification* and *critique*, which enables moving from the question of 'what is' to 'what ought to be' – that is, the way adjustment of existing policies or the introduction of new measures are justified. Furthermore, it 'foregrounds' the repertoires of evaluation to a *contested* arena. Test situations give rise to tensions and conflicts between a plurality of repertoires of evaluation that demand justification and give rise to critique. Repertoires of evaluation can thus be used to confirm or defend as well as to challenge given orders, and can be mobilised in reformative and corrective actions and adjustments within the premises of the repertoire as well as in radical critiques of other repertoires by questioning the very principles that the arrangements are built upon (Thévenot 2002). For example, even when unemployment benefits are developed following an insurance logic, there can be great dispute about the levels of compensation and contribution, what it takes to be entitled and how to deal with fraud. On the other hand, the insurance repertoire can also be radically challenged by a fundamentally different moral repertoire that, for instance, qualifies unemployment as a matter of lack of economic incentives. Thinking of these ideational dynamics in terms of repertoires of evaluation is helpful for getting at the interaction taking place between the different levels of ideas in processes of justification and dispute. Viewed from this vantage point, we may thus recognise how the values and norms of a polity are not only constraining in terms of which new ideas get a hearing, but in fact interact with more specific ideas as actors try to work out the concrete meaning of otherwise abstract notions of morality.

The repeated public disputes and testing of repertoires of evaluation in test situations result in *compromises*. Compromises, here, should not primarily be understood as a balancing of the interests of various actors, but as settlements where elements from several repertoires are concurrently recognised. FPS suggests that a society at any one point will contain a limited plurality of mutually conflicting moral structures that are continually employed to provide justification and resolve uncertainties and conflicts, resulting in ideational tensions over time being institutionalised in policy (Blokker 2011: 253). The unexceptional role of test situations and ongoing compromises suggest a more dynamic and unstable relation between actors' political engagement and ideas compared, for instance, to the advocacy coalitions approach (Sabatier & Jenkins-Smith 1993) in which a shared and rather stable set of beliefs establish specific policy positions (Holden & Scerri 2015).

Compromises make two or more repertoires compatible by establishing 'composite' arrangements that assuage the tension between them (Boltanski & Thévenot 2006: 277ff). For instance, although the French contribution-based unemployment system was initially qualified as an insurance, elements have gradually been introduced that focus on improving incentives through reduction in duration and levels of compensation (cf. Hansen 2017). Compromises are thus fragile since they never completely satisfy the principle of one

Table 1. Public philosophies versus repertoires of evaluation

	Public philosophies	Repertoires of evaluation
Legitimacy	Because they are decontested	Because they are used to contest
Enactment	Passive	Active
Morality	Homogenous, cultural, taken-for-granted	Plurality, political, put to the test
Location	Background	Foreground
Agency	Actors connecting programmes and policy ideas with public philosophies	Actors criticising reality and justifying changes

repertoire – for example, there can never be full compensation *and* monetary incentives to work – and compromises risk being challenged by tests based on repertoires that are not recognised in the original compromise, such as criticising the aforementioned compromise for neglecting the problem of skills in relation to unemployment. This conceptualisation thus provides a view of the interaction taking place between the different levels of ideas that suggests an active role by political actors in working out compromises between otherwise competing public philosophies. It also emphasises how such work may be conducted as much bottom-up (i.e., begin from issues arising from the use of concrete policy instruments and in that process come across more foundational and normative tensions between competing accounts of right and wrong) as through top-down processes of collective puzzlement of how to practically form society in accordance with abstract, normative notions. In sum, the ongoing institutionalisation of compromises implies that institutions rarely follow the logic of just one repertoire. There is, rather, an often composite and contradictory hybridisation and layering of the mobilisation of different repertoires over time. While these enduring tensions between contending repertoires enable actors to resolve uncertainty at one point of time, it likewise creates impetus for future reform efforts as these unstable compromises bring up new uncertain test situations that need to be worked out. Table 1 outlines the main differences between the concepts of 'public philosophies' and 'repertoires of evaluation'.

Gradual ideational and institutional change in the French minimum income system

The gradual but radical changes in French social policy from the 1980s onwards, in which the minimum income scheme came to play a pivotal role, provides a puzzling and critical case to the study of public philosophies. Today scholars generally agree that by introducing a neoliberal make-work-pay logic and punitive measures, the reform of RSA marks a radical break with what was considered French public philosophy (Clegg 2014; Lazzarato 2011; Palier 2010; Vlandas 2013). The RSA introduced an in-work benefit providing a substantial reward for working recipients; it replaced the relationship of reciprocity between the recipient and the state to one of conditionality emphasising the 'rights and obligations' of the recipient; and it introduced much stronger obligations including a sanction of non-compliance and intensified control of not only the recipient but the entire household (Vlandas 2013: 122). However, preceding the introduction of the RSA, scholars argued that French public philosophy would delay or even inhibit the neoliberal reform pressure.

Barbier and Théret (2001: 177), for example, pointed to the French 'Rousseauist' conception of citizenship, which implies that the state is indebted to the citizens (to provide a secure life), which in turn is 'inconsistent' with the idea that citizens have obligations to the state. France was thus 'bound to experience limited pressure for job search, and the absence of a consistent punitive orientation' (see also Barbier & Fargion 2004:457; Enjolras et al. 2000). Béland's (2007) analysis of the discourse of social exclusion in France reached a similar conclusion suggesting that consistent with the French republican model, policy makers opted for a participatory approach to activation based on a contractual model. In this view, policy makers 'rejected the [punitive], moralistic and neoliberal logic of workfare that became dominant in the US and, later, in Britain' (Béland 2007: 129).

Although Schmidt (2002: 253) sees clear neoliberal changes, she points to how a lack of moral justification followed from the strength of French public philosophy, arguing that 'governments of the right or the left, have all provided the same justification for why changes have been economically necessary but insufficient legitimisation of its appropriateness in terms of social values'. Schmidt (2002: 253) further argues that this gap between policy programme and public philosophy increasingly created a tension-filled situation in which 'the neo-liberal policy programme [was] seen to conflict with long-standing values related to social solidarity'. Where Schmidt sees the public legitimation of French reforms as largely failed, Palier (2005) argues that changes nonetheless became acceptable to elites and the French public because they were the result of 'ambiguous agreements'. The new policy instruments were 'polysemic' – that is, imbued with multiple meanings – and thus actors 'agree on the same measure, but for very different – often contradictory – reasons.' (Palier 2005: 137–138).[1] Palier concludes that it is precisely the lack of justification and explicit compromises that make reforms acceptable. We do not object to Schmidt's argument that reforms continue to be contested, nor do we contend with Palier's emphasis on the polysemic nature of new policy ideas. However, we argue, and try to show in the following, that both accounts underestimate the reflexive, public and moral justifications and compromises that have underpinned and gradually shaped radical changes. By taking into account the ongoing qualifications and justifications, while recognising that the national public philosophy may not be as homogenous as expected, the 'puzzle' of radical gradual change becomes much less puzzling.

How, then, can one more specifically go about studying the role of public philosophies in these reform processes? As a starting point, studying test situations of qualification, justification and compromises requires a 'non-normative' approach cleared from any 'ought tos' and judgements based on externally given principles of what is best, just, legitimate and so on (Hansen 2016). Rather, the reading and presentation of the empirical material adheres to a principle of acceptability in which the researcher's analysis should, in principle, be acceptable to the actors (Boltanski 2011: 25). This entails practicing a 'descriptive pluralism' (Bénatouïl 1999: 382) in which the researcher pays 'careful attention to the diversity of forms of justification' (Boltanski & Thévenot 2006:12). The case study of the basic income scheme in France presented below is based on Hansen's (2017, 2019) study, inspired by FPS, of one of four major policy reforms in France and Denmark. The study aimed, first, to map the variety of repertoires of evaluation that were mobilised in public debates surrounding the reform processes. This was carried out through an in-depth study of statements in newspaper articles from the announcement of reform programmes to their adoption. Over

1,300 articles were coded and analysed using *nVivo* software (for details, see Hansen 2017: 32ff). In order to initiate coding, a tentative model of repertoires was developed from normative literature and current debates about the welfare state. A coding scheme was developed on the basis of a tentative model which was gradually reconfigured throughout an iterative coding process until reaching a moment of saturation. Second, the coded material was analysed to see how the co-existence of repertoires of evaluation resulted in test situations and compromises. The analysis below presents a simplified version of the model but it is extended by tracing the mobilisation of repertoires of evaluation further back in history, specifically to the debates leading up to the first state-guaranteed minimum income in 1988, and by supplementing with other sources of qualification, justification and compromises such as parliamentary debates, governmental reports, intellectual works and laws.

Test situation: The problem of long-term unemployment

The story begins in the 1970s when a socioeconomic phenomenon was gradually qualified and politicised. The phenomenon consisted of a growing number of long-term unemployed without any entitlement to financial support. These people were situated inconveniently between the two main components of the French postwar unemployment system: the corporatist contribution-based scheme, *Assurance chômage*, and a locally organised and financed system of assistance for the most needy. This hitherto marginal group came to be labelled as the 'new poor' subject to 'social exclusion' (Béland 2007). While the gap was instigated by economic crisis, it was extended by subsequent tightening of eligibility critieria and the raising of contributions to counter mounting financial pressures on *Assurance chômage*. In the 1970s and 1980s the gap was addressed politically by the *ad hoc* establishment of state-led 'regime of solidarity', including the unemployed who had exhausted their rights without access to the system of assistance (Eydoux & Béraud 2011: 44–45).

However, in the 1980s, there were still groups without any rights to support (Eydoux & Béraud 2011:132). This created a longstanding test situation in which the 'usual' instruments, especially those based on the insurance logic of contribution and compensation, were deemed inappropriate causing substantial uncertainty as to how to qualify and handle these groups politically. The major substantial political response only came in 1988 with the establishment of the *Revenu minimum d'insertion* (henceforth RMI). To understand the outcome of the reform and subsequent changes we return to the question of how the phenomena of social exclusion and poverty were qualified in the years preceding the reform and how it allowed for new conceptions of poverty, unemployment and the role of the state. The RMI can thus be seen as a compromise between three repertoires of evaluation that qualified the phenomena and put policies to the test in each of their way. Table 2 provides an overview of the three repertoires.

Qualifications and justifications: The 'whatness' of social exclusion and how to handle it

In the context of the RMI, the first and most influential repertoire of evaluation was that of *redistribution*. This repertoire entailed qualifying social exclusion as mainly a problem

Table 2. Repertoires of evaluation (based on Hansen 2017)

	Redistribution	Prevention	Incentives
Common good	Citizenship through redistribution	Equal opportunities	Maximise supply of labour, society that makes work pay
Test Are policies …	… increasing or decreasing material inequality?	… increasing the employability of the labour force?	… generating incentives to stay unemployed?
Subjects	Citizen	Human capital	Economic man
Objects	Rights, security, inequality, taxation, precariousness, universal, property, pauperisation, greed, civic engagement	Investments, complexity, knowledge society, education, skills, life chances, social heritage, long-term, personalise, diligence	Inactivity traps, negative tax, motivation effect, carrots, get up early, perverse incentives, monetary stimuli

of citizenship (Barbier & Fargion 2004: 442). In the French context, this involved social, economic and political participation; all of which the group was excluded from and to which poverty was seen as the main barrier (Béland & Hansen 2000: 56). The test was thus whether policies were capable of guaranteeing an income above the poverty threshold, in turn rendering political citizenship possible. The test was not as such new but had been debated at least since the economist and businessman, Jacques Duboin, in the 1930s, introduced the notion of a 'distributive economy' calling for a state-guaranteed basic income. In the 1980s, increasingly popular Christian associative movements such as Emmaüs and ATD Quart Monde were pivotal in qualifying social exclusion as a problem of redistribution.

In 1985, ATD Quart Monde, an organisation established by the Catholic priest Joseph Wresinski in the 1950s, initiated a local experiment in Rennes with an additional minimum income. Later, Wresinski chaired an influential government council on 'poverty and social and economic precariousness'. The council's final report published in 1987 proposed a policy very similar to what became the RMI (see, e.g., Palier 2002: 306), which clearly mobilised the repertoire of redistribution. While the report estimated that around 400,000 people were without social protection coverage, the work in the commission went beyond statistical descriptions of poverty. By visiting and documenting accounts of people living in extreme poverty, Wresinski challenged the traditional division between the unworthy and worthy poor. Rather the poor were qualified as 'partners' and citizens with rights. The need for redistribution and a guaranteed minimum income *beyond* the most basic needs was justified in the additional costs of a 'physical' urban life as well as of 'social participation' (Wresinski 1987: 64).

The repertoire of redistribution was mobilised in the government's justification of RMI where it was presented as in line with a long French trajectory. In parliament, the socialist minister of solidarity, health and social protection justified RMI as the 'prolongation of great republican principles' in which 'the right to insertion, was naturally first the assurance of minimal resources' (Assemblée nationale 1988b: 633). He also referenced President François

Mitterrand's famous 'Letter to all Frenchmen' from earlier the same year which called for a tax-financed minimum income making sure that 'a means of living, or rather surviving, is guaranteed to those who have nothing, who can do nothing, who is nobody. This is the precondition for their social reinsertion' (Assemblée nationale 1988b: 633).

The second repertoire influencing the creation of RMI can be labelled the 'repertoire of *prevention*' and it grew directly out of the debate on social exclusion. One of the most important intellectual contributions that mobilised this repertoire was a book by Claude Lenoir, a civil servant, from 1974 entitled *Les exclus: Un français sur dix* (Lenoir 1974). Although Lenoir recognised material inequality as an element of social exclusion, he claimed it was not the main driver of exclusion. According to him, social exclusion followed from a complex array of factors related to urbanisation and industrialisation, aggravating and concentrating processes of mental, physical and social 'unsuitability'. In this qualification, policies were worthy if they 'prevent, rather than cure' (Lenoir 1974: 84) and were able to address the complexity of the phenomenon of social exclusion, by engaging various 'craftsmen of social action' such as teachers, psychologists, social workers and associations. The prevention repertoire also informed Wresinski's aforementioned report, which recognised that apart from the disposal of 'means of existence allowing to prepare the future for oneself and one's children', it was necessary to be able to 'make bear fruit one's human capital in order for the social and cultural exclusion to deteriorate' (Wresinski 1987: 64).

The third repertoire of evaluation, which we term the 'repertoire of *incentives*', also gained impetus from the social exclusion debate in the 1970s. One of the earliest and most influential contributions to mobilising the repertoire was the economist Lionel Stoleru's book *Vaincre la pauvreté* published the same year as Lenoir's *Les exclus*. In the book, Stoleru (1974: 138) argues that the problem of poverty was first and foremost a problem of 'how to discourage idleness'. As opposed to the *prevention* repertoire, social exclusion was not complex, but instead a rather simple problem of a lack of monetary incentives to take on a job. Stoleru presented the idea of a 'negative tax' – an idea that was earlier proposed by Milton Friedman (1962), which is a benefit in that it that gradually decreases until a certain income has been reached. Rather than a policy solution, the negative tax should be seen as a way of putting policies to the test by asking whether 'everyone always has an interest in working, and in working more, in order to improve his final income, which is the sum of his earnings and the benefit he receives' (Stoleru 1974: 206). While the idea of the negative tax accepted a lower threshold, a 'vital minimum' (Stoleru 1974: 23), it was thus inherently sceptical towards whether the encouragement to work was sufficient. Further, it denounced the repertoire of prevention in deliberately disregarding the complexity of the origins of poverty. The negative tax was about 'coming to the assistance of those who are poor without seeking to know where the fault lies, that is to say based upon the situation and not on the origin' (Stoleru 1974: 206).

Compromise: The creation of RMI

Although the specific content of RMI was widely debated, it was unanimously adopted by the National Assembly. The RMI was a composite and tension-filled arrangement containing elements from all three repertoires. The most contested compromise was between the

repertoires of redistribution and prevention. In order to receive the minimum income the recipient had to sign an 'insertion contract' with 'society' in which the recipient committed to engaging in an 'insertion project'. The activities encompassed health, housing, counselling and activities that targeted employment, such as job search and professional or educational internships (Barbier & Théret 2001: 161–162; Palier 2002: 324). Mobilising the prevention repertoire, the government justified the contract as a an instrument to ensure a project 'adapted to the social situation, adapted to the capacities of the persons, and in particular discussed with them' (Assemblée nationale 1988b: 633). The National Assembly went through heated debates about whether the signing and compliance of the contract ought to be a precondition for receiving the benefit. Mobilising the repertoire of redistribution, the socialist rapporteur argued that the minimum income ought to be a 'right' and hence non-negotiable and unattached to a contract (Assemblée nationale 1988b: 641). The RMI did introduce conditionality, but only the *possibility* of sanctions, in case the recipient was not committed to the contract – a possibility that was offset in periods and places with low job creation (Barbier 2011: 52). The benefit was hence positioned 'somewhere in between a totally nonconditional benefit and a benefit that was conditional on compliance' (Barbier 2013: 163), leaving it to the local authorities to decide the balance between the two repertoires.

The repertoire of *incentives* was not significant in shaping the key instruments of RMI but it was mobilised to justify certain delimitations, especially to the redistributive aims, of the scheme and that would continue, in the decades to come, to function as a qualified target of critique. Importantly, this concerned the threshold between the guaranteed minimum income and the minimum wage, the so-called 'SMIC', as a potential factor of discouragement to work. In justifying the RMI the minister of solidarity, health and social protection thus assured that it would not 'lead to effects of disincentives to work or disorganisation of the labour market' since the government would 'take into account the level of SMIC in order to set the level of RMI' (Assemblée nationale 1988a: 720). Incentivising elements were also integrated, though in a rather marginal scale, in a 'differential' component that made the size of the benefit dependent on whether the recipient received other benefits (Vlandas 2013).

In practice, though, RMI mainly served the redistributive aim, and with substantial success. When after three years the scheme was evaluated, it was deemed effective in improving recipients' living conditions (Barbier & Théret 2001:168–169) and it managed to cover more than one million people during the 1990s (Palier 2002: 84). Meanwhile, the prevention instruments of personalised counselling and social up-skilling were challenged by the problem of a lack of resources and overloaded institutions. Only half of the recipients signed a contract, and very few of those were sanctioned (Barbier & Théret 2001: 162).

Critique from the repertoire of incentives

While the repertoire of redistribution was effective in practice, it was marginalised in the subsequent qualification and testing of RMI. This may explain why the repertoire did not play a leading role in reforms to come. In the 1990s and 2000s the 'success' of the scheme was increasingly questioned. RMI marked an experimental phase with permanent state-led evaluations of the effects of social policy instruments (Castel 1995: 697; Palier 2002: 235). At the end of the 1990s, RMI was intensely criticised in evaluations mobilising the

repertoire of incentives justifying subsequent gradual adjustments. Analyses, for instance by the *Conseil d'analyse économique*, showed that recipients of RMI were losing income if they took up low-paid part-time jobs (Palier 2005: 139). To take one example of a problem that the analyses raised, the RMI was connected to a number of 'secondary social benefits', so-called '*droits connexes*', such as housing benefits, which, allegedly, further disincentivised the recipients to take low-paid jobs (Vlandas 2013: 120). One of the first adjustments, in accordance with the repertoire of incentives, gave recipients who found a job (if the wage was very low) the right to keep the allowance for three months, then later six (Palier 2005: 139). The most important reform following in the footsteps of the critique of disincentives was the *Prime pour l'emploi* (PPE, 'Premium for employment') in 2001 (Palier 2010: 90). Based on the negative tax logic, this offered a (minor) tax credit to encourage low-paid jobs to counter 'inactivity traps' (Palier 2005: 139). While these evaluations were pushing on for rather minor adjustments, they entailed a radical denunciation of the morality underpinning the repertoire of redistribution. The citizenship based on economic redistribution was now merely (dis)qualified as a potential 'trap'. At the level of public debate, the French republican virtues of citizenship were thus openly contested.

The PPE reform, however, did not radically change the belief among policy makers that RMI performed poorly (Palier 2010: 85). In 2005, the government commission on families, vulnerability and poverty – chaired again by a representative from the Christian associative movements, the then president of Emmaüs, Martin Hirsch – proposed a scheme, labelled the *Revenu de Solidarité Active* (RSA, 'Income of active solidarity'), which aimed to strengthen incentives to work with in-work benefits for low-paid and often part-time employees (Hirsch 2005). At this point, RSA was supported by all centrist parties – notably, the socialist presidential candidate Ségolène Royal, who included RSA in her campaign (Auguste 2008) – and soon after his inauguration in May, President Nicholas Sarkozy adopted the idea and initiated an experimental phase lasting five months rolling out the RSA scheme in 17 *départements* (territorial authorities).

Profiting from almost 20 years of mobilisation of the repertoire of incentives, he further extended the moral implications of the qualification. In the election campaign Sarkozy had promised to 'rehabilitate work' for 'the France that gets up early'. One of the slogans of the campaign was thus 'work more to gain more' (Linhart 2009). This entailed fierce criticism of RMI and of the repertoire of redistribution. Sarkozy argued that increasing social expenses and taxes had done nothing but 'serve to buy the silence of those that live on the fringes of society' (Serafini 2007). This kind of criticism was widespread on the right. A commentator from *Le Figaro* newspaper spoke of the 'generous allocations of the nourishing state' where 'the suicidal social minima policy had brought about a phenomenon of a descending social elevator' (De Kerdrel 2008), while a Union for a Popular Movement (UMP) deputy stressed that they should 'finally break with this 'French preference for unemployment and exclusion' that maintains, with the help of some billions of social benefits, several millions of our co-citizens far away from the labour market, that is, away from society full stop' (Carrère-Gée 2008). This diagnosis qualified RMI and its recipients as the '*assistanat*' – a term similar to 'welfare dependency'. The diagnosis of RMI also entailed a critique of the instruments justified by mobilising the repertoire of prevention. According to Hirsch, the high commissioner for the creation of RSA, the system of RMI had 'stiffened', leaving people in a 'permanent pseudo-insertion'.[2] Since two-thirds of the recipients of RMI were

capable of working, 'the system had wrapped up and shut up a population that it was not created for. These people are not in need of social care' (Chevallereau 2007).

The mobilisation of the repertoire of incentives entailed a radical requalification of the recipient and his or her relation to the rest of society. First, inclusion was no longer a matter of income, but of work. In justifying the RSA, Sarkozy emphasised the inadequacy of *redistribution*: 'I want to tell the Frenchmen, it's you who pays for RMI, but with RMI you don't live, you survive. What I will do is give these people a chance to rehabilitate through work and not through the *assistanat*.'[3] 'The exit road' was thus 'work, again work, always work' (Auffray 2008). While the work ethic rewarded the working recipient, it (dis)qualified the non-working recipient as potentially unwilling to work and thus subject to 'obligations' and control. Sarkozy noted that 'with 2.2 million unemployed, it is absurd to have around 500,000 vacant jobs without any takers' (D'Orcival 2008). 'The vast majority of the unemployed try to find a job. There are some who don't want to set out for work. It's a minority, but it's a minority that shocks.'[4] Hence, Sarkozy argued for a 'sanctioning process for an unemployed person who refuses two jobs that correspond to his qualifications and his salary aspirations.'[5] In Hirsch's view, the 'rule of active search for employment [would contribute to] putting an end to the imbalance between rights and obligations' (Serafini 2008) The '*assistanat*' would thus be 'replaced by a logic of rights and obligations applicable to beneficiaries, public authorities and to companies (Chevallereau & Leparmentier 2008).

Besides a strengthening of the use of sanctions, the ideas were used to justify an intensification of the control of the recipient, or rather the household of the recipient, which would encompass an evaluation of whether there is a 'clear disproportion' between a 'way of life' and the 'resources declared' (L'Assemblée nationale et le Sénat 2008: Art.L. 262-41). The evaluation takes into account a list of 'elements' connected to the household (Premier ministre 2009: Art.R. 262–74) such as maintenance of buildings and means of transport, as well as more intimate elements such as appliances, objects of art, jewellery and spending on holidays. It is thus in fact not the actual resources of the household that determines whether the household deserves the benefit, but its behaviour, including the most intimate behaviour. The entitlement test is thus permanent and implies, for instance, that it is forbidden for relatives to support the recipient financially in any kind of way (Helfter 2015). It is thus no longer the state that is indebted to the citizen but the recipient being indebted to the state (Lazzarato 2011).

Second, the justification of RSA radicalises the repertoire of incentives' conception of poverty and ultimately of inequality. According to Hirsch (2007), the experimentation with RSA marked a 'fight against poverty' but it was first of all a fight against 'poverty traps' in encouraging an inquiry into the variety of behavioural responses to monetary stimuli within the targeted population of two million: The experimentation would draw 'special attention towards the working poor. Why? Because it is a transitional population.' Hirsch thus 'insisted that only the persons that work will benefit from augmenting benefits. With the RSA we will not put one cent towards inactivity' (Hirsch, quoted in Périvier 2013: 74).

Test situations within the repertoire of incentives

The reality of poor and socially excluded people were now qualified as economic men responding behaviourally to monetary incentives. The experimental phase was launched

with a green paper (Hirsch 2008) inviting stakeholders and citizens to contribute to solving a number of specific challenges related to RSA. The green paper initiated a detailed evaluation process of the local experiments, effectively, inducing a number of tests *within* the repertoire of incentives. Hirsch thus claimed that 'facts' showed that 'the rate of return to employment in test zones is 30% superior to that of control zones' (Vlandas 2013: 128). The experiments also sparked controversies. For instance, the socialist president of a *département* complained that the government's rate of decrease of RSA would be higher than the one his *département* had experimented with, which would make 'the incentive to return to employment a lot smaller' (Chevallereau 2008a). The economist Thomas Piketty questioned whether the rise in 'profits' from around €150 in the PPE to €200 for taking a part-time job, as well as the abandonment of the maximum duration of one year, would 'boost the rate of exit from RMI to part-time work' (Piketty 2008).

The testing also sparked debate about the incentives to take on part-time work, raising the issue of whether the thresholds from part-time to full time work were potentially disincentivising. According to Piketty (2008), RSA would lead to a 'strong reduction in the difference between working 20 and 35 hours a week'. UMP members had similar concerns. The difference between part-time and full-time work of around €200 was 'too weak' and 'not consistent with 'work more to gain more' (Guélaud 2008). Another spoke of the 'risk of perpetual part-time work' (Waintraup 2008). Another economist was even harsher in criticising the 'perverse' effects of incentivising part-time work:

> A person working at 60% [of a full working week] on an RSA contract can have the same resources available as a wage earner working full time and paid SMIC (…) How was it possible to transform the good intentions of the active solidarities into unjust, useless, and perverse transfers? By enriching the working poor, one risks in fact maintaining them in the trap of part-time work and discourage full-time wage earners. The latter will be rebellious from not gaining more while they work more. (Godet 2008)

Not only did RSA lead to 'perverse' incentives, it also infringed on the work ethic of the full-time workers paid close to the SMIC rate, and while the criticism questioned the appropriateness of details of the scheme it only further legitimised the repertoire of incentives. This illustrates well the importance of looking into the way policies are qualified and criticised. Doing so helps us appreciate that what matters to the direction of gradual changes is not so much whether polices fail or not in any objective sense, but instead how they are put to the test – that is, which repertoire of evaluation comes to structure the evaluation of whether a policy 'works' or not.

Critique from the repertoire of redistribution

The repertoire of redistribution was not completely absent from the debate surrounding the reform of RSA. The 'perverse effects' were also qualified as a matter of increasing part-time work and thus a symptom of increasing precariousness in the labour market. According to a sociologist, RSA would 'multiply bad odd jobs by institutionalising a second labour market based on the precariat'. This was mainly due to incentives for employers to be 'content with hiring part-time workers knowing that the employees benefit from assistance'.[6] Also, the socialists warned against an 'increase in precariousness' (Bourmaud 2008). The problem

was thus qualified as a consequence of exploitative employers. An economist argued for 'sanctioning employers who profit from RSA in order to multiply unworthy jobs', and also called for measures that 'oblige the industries to open negotiations on minimum wages and the reduction of part-time work' (Chevallereau 2008b). Also, the Workers' Force (FO), one of the largest unions, wanted the government to ensure that 'capital would genuinely be harnessed' (Barroux & Fressoz 2008). Rather than questioning RSA as such, these criticisms pointed towards solutions outside of the scheme and current reform process, specifically minimum wages and regulation of part-time work.

Despite the fact that the majority of political actors supported the content of RSA, the adoption of the law nonetheless ended up being controversial. The controversy surrounded the question of how to finance the RSA. Initially, Sarkozy wanted to finance it partly by abolishing PPE. The financing led to criticism, mobilising the repertoire of *redistribution*, from both the left and the right. For instance, the social liberal and third largest party, MoDem, argued that 'RSA was perfectly well-founded but the solidarity cannot rest on the most poor without calling on the most rich' (Barotte 2008). The socialists complained that 'RSA in reality is an arrangement that undresses the poor full-time workers in order to dress the poor part-time workers!' (Royal 2008).

The government finally responded by proposing to finance RSA by raising taxes on property. The proposal, however, did not stop the criticism. Because of a 'fiscal shield', the richest part of the population would not be paying the additional tax. The government's final proposal, which was adopted by the national assembly, accommodated the critique and installed a 'global ceiling' on tax breaks that would work outside of the fiscal shield. Somewhat paradoxically, the criticism resulted in both substantial changes in the financing of RSA while also legitimising its content, which, as shown earlier, was justified by a rather strong critique of the redistributive elements of RMI. It may have become financed in a less unequal manner, but RSA itself strengthened instruments that would fundamentally contradict the aim of more material equality – at least between the non-working recipient and the rest of society.

Despite its political prominence, the RSA has so far failed to effectively 'fight poverty' (Eydoux & Gomel 2014). It can thus seem paradoxical that the scheme was extended in 2009 to include 18–25 year-olds and has remained unchallenged by subsequent presidencies. The short answer is that the qualification of poverty and work that underpins the scheme – that is, the moral need for incentives to work, regardless of whether they actually make more people work – has not been radically challenged. When 'economic men' did not respond to incentives, the answer was to strengthen incentives. The lack of results, however, has put this logic to the test. While there are still calls for strengthening incentives even further, marginalised repertoires may become revitalised. The 2017 presidential elections exhibited more profound criticisms, from both the left and the extreme right, mobilising the repertoire of redistribution and suggesting radical reforms – ranging from universal basic income (Socialist Party) and increase of minimum income levels and job creation through massive public investments (La France insoumise), to protectionism and confining social rights to 'cultural' Frenchmen excluding 'foreigners' (Front National). Meanwhile, inspired by Scandinavian 'flexicurity', President Emmanuel Macron recently argued for a revitalisation of the 'repertoire of prevention' calling for addressing unemployment as a human capital problem, hence aiming towards further up-skilling of

long-term unemployed. Thus far, however, such ambitions are not directed towards RSA recipients.

Conclusion

Conventionally, politics concerns who should get what, when and how. Such interest-based struggles are in turn intimately connected with questions of how society should be organised, and what makes this organisation fair and justifiable according to foundational ideas and norms of a polity. Clearly, this moral dimension of politics was never lost on discursive institutionalists. To the contrary, the work of ideational scholars emphasised the importance of the ideas that inform political battles about fundamental questions of what the world is and should be, and how such legitimacy battles revolve around contending causal beliefs, theories and values. Despite a broad recognition of the central role of normative ideas for the institutions that actors establish, scholars have until recently tended to place this type of ideas in the background as stable, historical meaning structures of a polity – in the terminology of this article, 'public philosophies' – that constrain the kinds of ideas that may gain support and acceptance. We have made the case for foregrounding issues of moral and normative justification in explaining processes of ideational and institutional change. Rather than viewing public philosophies as stable, coherent and constraining, we suggest that in political struggles such ideas typically exhibit significant heterogeneity. They are also continuously used by actors to evaluate, critique and create compromises that over time undergo a similar process of evaluation, critique and compromise. Such an approach suggests that moral justification plays a pivotal role in setting off processes of ideational and institutional change.

Analysing the rise, spread and resilience of neoliberal ideas likewise requires an acute appreciation of how moral commitment is integral to the justification of neoliberalism. Contrary to the post-crisis bemoaning of a lack of morality on part of market actors, it is rather the case that appeals to certain ethics and values are key to understanding processes of legitimisation of neoliberal institutions and capitalism (Amable 2011; Fourcade et al. 2013), whether in accounting for everyday acquiescence to austerity (Stanley 2014) or, as has been the focus of this article, in public, elite-driven debates and reform processes. In the case of the French minimum income system analysed above, different forms of moral justification also played a key role in setting in motion a neoliberal turn in how recipients were conceived and the dominant notions of how to combat long-term unemployment. The analysis has shown how actors used a mix of contending repertoires of evaluation to, first, establish and justify the state-guaranteed minimum income scheme of 1988, and subsequently to employ these self-same repertoires of evaluation to justify the need to change the law in a way that increasingly put the onus on incentives in motivating people to take up employment. Actors' employment of competing moral justifications thus lies at the basis of both the creation and change of these institutions.

By foregrounding moral justification in processes of ideational and institutional change, FPS lends important insights to ideational scholarship. Perhaps most importantly, it presents us with a set of concepts that help us understand how public debate and contention translates into political compromises that breed future uncertainty, test situations and evaluation. It thus offers support for, and further theorises, Schmidt's (2002) and

Seabrooke's (2006) contention that to understand the character and direction of political change, it is necessary to take processes of legitimisation seriously, as opposed to more singularly studying elite-driven processes taking place in specialised forums of professions and experts. Reaping the full analytical benefit of such insights requires, however, ideational scholarship to foreground public philosophies and develop concepts useful for capturing the heterogeneous compromises produced through public debate. As argued in this article, utilising insights from FPS and adapting them to a discursive institutionalist framework offers one such route to greater appreciation of the key role of public philosophies in pushing ideational and institutional change.

Acknowledgements

Notes

1. The argument thus resembles the Réferentiel School's emphasis on the ambiguity of 'frames of reference' enabling each actor to 'interpret it in its own terms' (Jobert 1989: 380).
2. T. Serafini, Hirsch et Sarkozy vantent le RSA en Côte-d'Or le département est volontaire pour tenter l'expérience du revenu de solidarité active, *Libération*, 2 October 2007.
3. En direct de L'Elysée: Entretien avec le Président de la République Nicolas Sarkozy, April 24, *France 2*, 2008. Available online at: www.ina.fr/video/3610246001
4. En direct de L'Elysée, *France 2*, 2008. Available online at: www.ina.fr/video/3610246001
5. En direct de L'Elysée, *France 2*, 2008. Available online at: www.ina.fr/video/3610246001
6. Les syndicats plutôt satisfaits, *Le Figaro*, 29 August 2008.

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