

From “Social” to “Public” Problems Theory? *

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Introduction

The constructivist sociology has influenced the social problem theory since the 70s' and gave birth to the influential “definitional approach” of Spector and Kitsuse (1973, 1987). As described by the authors, the definitional approach analyses the process through which definitions of social problems are constructed, changed or abandoned by organizations, groups or individuals who take alternative positions and propose specific definitions and solutions.

Thirty years later a publication is dedicated to the review of the constructivist approach of social problems. In his article "*Staying alive: Prospects for constructionist theory*" Best mentions the risk for the death of this approach because “readers and editors become bored after they have read a few case studies chronicling the social construction of some social problems” (2003:146). He thus expresses the wish for a renewal that enhances the theoretical perspective of these studies and proposes to encourage historical and comparative studies, the development of extra-American case studies and the meeting of constructivism with other disciplines.

This article responds to some of these remarks by presenting the main results of the way social constructionism is applied to the historical public policy analysis in Europe and at the international arena. The principal thesis which comes out from the encounter of the two disciplines considers that the terms 'social problems' and 'public problems' are not tautological and the use of the one instead of the other is not to be seen as a simple effect of preference, (Ibarra and Kitsuse, 1993: 48). This is because the process of definition of social problems is not identical to the process of definition of public problems. 'Social problems' are considered here as situations defined as undesirable by a series of social actors who search for a compromise in order to find an acceptable solution. 'Public problems' are considered as problematic situations defined as such by public actors¹ who seek a compromise in order to set up public policies that offer acceptable solutions.

It would be erroneous to believe that the definition of a social problem constitutes always a first stage before it is undertaken by the state. It would be also erroneous to consider that public actors play simply the role of putting social problems on the political agenda and transforming them into public problems. Various situations are defined as problems by public actors without any social mobilisation. When the State is recognised as responsible to cope with a problem, the public actors become the principal agent of the definitional process. These actors are specific because they are invested with official authority. Thus once the problem

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¹We use here the term public actors or public authorities to refer to the political and administrative actors competent to deal with a problem.

falls into their jurisdiction they become the principal agent of the definitional process and social actors must negotiate only via the official authorities.

The implication of the state modifies the definitional process which becomes more complex. If social actors are essentially interested in the causal definition of the problem, public authorities give particular attention to the definition of its consequences. Defining public problems is not only a causal story, as Stone (1997: 149) suggests, but a double definitional story referring simultaneously to the causes and the consequences of problems. The constraints imposed by the political and institutional configuration determine the acceptable definitional scenarios and the solution to be envisaged. Those differences trace the contour of a constructionist 'public problem theory'.

The first paragraph examines how Social problem theory perceives public actors and the difference it makes between social and public problems (A). The second paragraph discusses the specificity of 'public problems' and proposes an analytical model for the study of their definition (B). The last paragraph presents two case studies of public problem definition, air pollution in France and environmental migration at the international level (C).

A/ Problem definition as social activity

Social problems theory is based upon two assertions, more or less explicit, that influence the way to observe the definitional process. First, the State is seen as a claims-receiver more than a claims-maker and social actors are considered as the principal definitional agent. The 'natural history' conceptualizing model reflects this view. Second, problems are perceived as causal stories produced within society by its members who express dissatisfaction in relation to a situation and ask for the State's intervention in order to find a solution. This reinforces the prominent role attributed to social actors. When attention is given to public authorities their specificity and the implications of their intervention to the definitional process are not detailed.

1. Social problems as natural histories

The idea that social problems are activities of making claims and complaints for change on the part of the individuals and groups who express their dissatisfaction in relation to a problematic situation (Spector and Kitsuse, 1987: 75, 78) implies that their definition evolves from the society towards the state. Such a conception is well represented by the 'natural history' of social problems which is the dominant conceptualizing model on constructivist social problem theory.

In 1941, Fuller and Myers tried to generalise such evolution by proposing a model of 'natural history' according to which all problems pass through the stages of awareness, policy determination and reform. Similarly, Blumer (1971) thirty years later revisits this sequential presentation and suggest to conceptualize the definition of problems as a five-stage process: emergence of the problem, legitimization of the problem, mobilization of action, policy-making and policy implementation. Spector and Kitsuse also accept this evolutionary model and consider social problem definition as a four-stage process. At the first stage, some groups claim the existence of an undesirable situation and try to stimulate controversy and create a public or political issue over the matter. At the second stage, those groups are legitimized by some official organizations and the establishment of an agency to respond to these claims and demands. At stage three, new claims emerge by original groups or by others expressing

dissatisfaction with the established procedures and asking for new measures to deal with the problem. The final stage four includes rejection by complainant groups of the institution's responses or lack of response and efforts to create new institutions to deal with the problem.

These alternative natural history models are based on a series of assumptions not discussed by the authors. First, it is considered that in order to be transformed into a 'public problem' one situation must first get publicity. In their study of the agenda setting process, Cobb and Ross (1997) point out that the recognition of a problem by the official authorities does not always take the form of an open controversy. It can also appear as a confined process. Previous work, the authors notice, covered the aspect of "*expansive part of the conflict*" while not taking into account the aspect of "*restrictive part of the conflict*". The democratic optimism according to which the public had to play an important role in the agenda setting is not always confirmed. Certain groups may have interest to negotiate in secret far from the attention of the public. In that case they call "*inside access*" the process which describes the definition of a problem and its registration on the agenda by the mobilisation of a small group of actors far from the attention of the public and the media. This involves actors having sufficient resources to impose their perception of a situation without asking for the support of the public.

Second, natural history proposes to consider public actors (official organizations, agencies or institutions) as parts of the responding activity and not as parts of the claims-making activity. Their intervention consists of recognizing the problem and seeking a solution. Thus, their influence on the definitional process seems marginal as they depend on the claims-makers' assertions. Several studies have shown that governmental agencies can be the main entrepreneurs of social problems (Schneider, 1985: 216). In this case, public actors seek to draw the public's attention on a new problem that they wish to deal with. D. Easton in its systemic analysis of the state qualified this phenomenon of "withinput". Although this scenario is recognized by social problem theorists (Spector and Kitsuse, 1987: 155), the attachment to the 'social actors matter' hypothesis prevent from examining its implications for the definitional process.

Third, Spector and Kitsuse (1987: 142) consider that claims-makers can influence the identity of the institutions which will be in charge of the problem (stage four) and no distinction is made between various types of public actors (political and administrative). However, the political actors do not play the same role as the administration in the definitional process. In the next paragraph we suggest that not only public actors preserve their autonomy from social pressures and play a major role in the definitional process but also that political and administrative actors respond to different objectives through out this process.

2. Public problems as causal stories

The stage of the official recognition of a problem and state intervention is not ignored by the constructivist approach of social problems. When the authors put the emphasis on the mobilization of governmental actors and on the policy making process, the term "public problem" frequently replaces the term "social problem". The work of J.R. Gusfield on drunk-drivers is in that sense innovative and puts new light to the definition of social problems. More recently, R.D. Benford and S.A. Hunt (2003) analyse the interactional dynamics in reframing public problems. Studies remain however attached to the interaction between social

actors and to the definition of causal stories, failing thus to reveal the specificity of public actors and the impact of State intervention on the definitional process.

Without presenting in detail the work of Gusfield we suggest to emphasize certain points which differentiate this approach from the analytical model proposed in the next paragraph. The author emphasizes the usefulness of distinguishing between "public problems" and "social problems" since all social problems do not necessarily become public ones (1984: 5). This assertion shows that Gusfield also has an evolutionary perception of problems which shifts from society toward the state. The division of his work in two parts follows the same logic as far as in part one he states that the definition of the problem is carried out initially within an extra-political sphere and in part two that this definition is transferred to the public sphere and becomes institutionalized through the promulgation of a law. Although he recognizes the unique position of the State to the definitional process his analytical model gives much more light to the interaction between social actors because he centres his analysis on the process of the causal definition.

His analytical scheme consists in formulating three concepts that he uses for the study of public problems: the *ownership* of public problems, *the causal responsibility* and the *political responsibility*. He considers that the actors (social or public) who have the ability to create and influence the public definition of a problem are the "owners" of this problem (1984: 10). However, if the owner is a social actor, he cannot succeed in imposing his perception if he does not first obtain the cooperation of the public authorities to the proposed definitional scenario. If, for example, the policy solution that comes out of this definition appear unpopular, or is likely to weaken the position of a powerful administrative body, it will have few chances to succeed. As soon as a problem becomes public and thus is taken in charge by the State, social actors cannot make the law alone. Even if they have enough power enabling them to limit the power of public authorities, the definition of the problem and policy making are possible only with the support of the authorities responsible to deal with it.

The position attributed to public authorities becomes clearer through the distinction that Gusfield establishes between "causal responsibility" and "political responsibility". The first term is used to designate the causes (events) perceived as being at the origin of the problem. The second term designates those (office or persons) who are charged with solving the problem (1984: 13). This distinction seems to complicate the analysis and weaken the role played by the public actors. He uses the example of air pollution and notes that in that case both types of responsibility coincide: the causal responsibility of impure air is attributed to the automobile and the political responsibility to the automobile industry. This is however the case for any causal relation as there is no cause without responsibility: if the cause is industrial emissions, the person responsible is the industrialist, if the cause is agriculture pesticides the person responsible is the farmer, and so forth... As Stone (1997: 189) points out, both terms designate the same thing: causes designate the persons who have responsibility for the problem and must pay in order to resolve it.

Gusfield argues that the causal and political responsibilities do not always coincide. He takes the example of cancer and notes that medical profession has responsibility to solve the problem but is not responsible for it. He also takes the problem of inflation for which the government is responsible for solving it but not for creating it. Even in these cases it is not excluded that the causal and the political responsibilities coincide: if the cause of breast cancer is smoking, the responsible is the tobacco industry; if the cause of inflation is speculation of prices the responsible is the trade business. We can also inverse the example of

air pollution and say that the causal and political responsibilities do not coincide: the cause is the automobile and the political responsible the profession of engineers charged to find a non-polluting technology. To say it differently, Gusfield presents these cases as different types of problems but in fact he does not refer each time to the same type of actors.

Further, if the medical and engineering professions are not causal responsible they should not be considered either as political responsible. Saying that scientists are political responsible of a problem is considering that public actors (political and administrative) have no responsibility in its resolution because they are dependant on the scientist's expertise.. It is also saying, in a positivist sense, that policy choices are not dependant on political and strategic considerations but on the scientific knowledge of the moment. Consequently, it is preferable to consider that when a problem becomes public, the "political" responsibility belongs to the public actor (as far as coping – or not- with au public problem is a political decision). Public actors are responsible for bringing a solution by compelling the authors of the problem to change their behaviour and practices and by mobilizing certain communities of experts that can justify their policy choices. Therefore, for cancer the political responsible is the Health Ministry which may be in close collaboration with the medical profession and for air pollution the Ministry for the environment which may be in close collaboration with the profession of engineers. This distinction between the two forms of responsibility (causal and political), makes it possible to give to each type of actors (private-social and public-political), his place in the definitional process.

While Gusfield considers the institutionalisation of the problem and policy making as an important stage of the definitional process, he gives more light to the role played by social actors and less to the role of public actors. The emphasis is put on the social actors for two reasons. First, because public problems are considered as 'causal stories' and the debate on the causes primarily influences the balance of power between social actors (see below): if defining a problem means define its causes, consequently this means identify the persons who created it (a specific group or society as a whole) and the victims (large segments of society or society as a whole) who have to receive compensation. Second, Gusfield considers that political responsibility can also be attributed to non-public actors. If so, public authorities seem to play a minor role in the definitional process.

Benford and Hunt (2003) also choose to study 'public problems' by putting the emphasis on the interactions between and among collective claims-makers as they attempt to advance or impede an imputed condition as a problem by defining its causes. Policy actors are perceived once again as the receivers of claims formulated by the claimants (pressure groups and social movements) who must formulate policies to address the origins of the problem. In the next paragraph we suggest that public actors form the main component of the definitional process to which they add a new dimension. If it is the interaction between public actors and social groups that gives to public problems their substance, the former constitute the orchestrator of the definitional process.

B/ The double definitional process of public problems: public actors matter

Rocheftort and Cobb (1994) have pointed out the weak attention given by the definitional approach to the analysis of the institutional structures. Indeed, the constructivist approach of social and public problems insist most on the role played by the social actors and their efforts to determine the causal definition of problems. This paragraph presents public problems as specific units. This specificity is linked to the fact that once recognized as such

and put into the public agenda, they follow a different definitional process because they are undertaken by the public authorities.

We claim that a part of the public debate covers not only the causes but also the consequences of the problem whose definition influences the political actors' legitimacy as well as the balance of power within the administration. Public actors become an indispensable component of the definitional process since all other participants are not able to negotiate any further without the intervention of the official authorities. In order to reveal this new dimension of the definitional process it is necessary to precisely conceptualise the term 'problem' as a unit of analysis.

1. Definition of causes and consequences

In the case of social problems, negotiations between social actors, claiming for problem recognition, cover primarily the causes of the problem and marginally its consequences. The importance attached to the causes is obvious since these distribute between the actors the cost of the resolution of the problem (who will pay and who will benefit) by identifying the authors and the victims. The reference to the consequences of the problem has only a symbolic impact: justifying to the other participants and more largely to the community the perception that certain actors have of a given situation. Whatever the justifications are, it is up to the actors concerned to solve their problem while agreeing on its causes and, therefore, on the solutions to apply. In the case of public problems, the reference to the consequences has at the same time a symbolic and a concrete impact. This difference is related to the fact that those who are concerned with the problem do not coincide with those who are responsible for solving it, namely a public authority.

Each reference to the consequences of the problem constitutes, in the case of public problems, not only a justification legitimizing to various degrees the intervention of political leaders ("we act to protect the citizens' health", "we act to guarantee safety", etc), but also a means of distribution of legal competences and authority within the State. In this sense, M. Edelman (1991: 50) writes that the construction of a problem triggers the recognition of authority to those who claim to have one or another type of legal competency. Let us take again the example of air pollution: it can be defined as an industrial problem or as a motor vehicle problem. This determines the causes of the problem and consequently those who must change their conduct in order to solve it. It can also be defined as a public health risk or as an environmental degradation problem. This determines the consequences produced by the presence of the problem. Each consequence has a different legitimizing impact for politicians according to the context and the period where the definitional process takes place. In addition, according to whether the definition of the problem covers health protection or environmental protection the distribution of legal competencies between administrations changes.

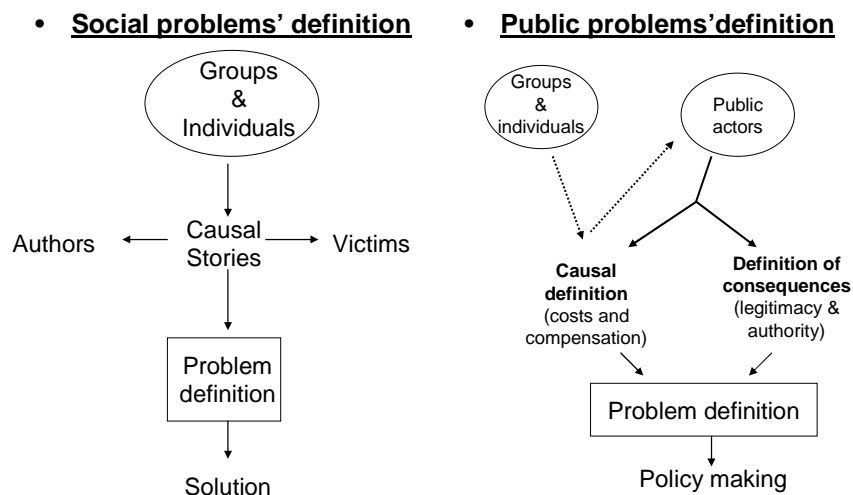
As Ross and Stain (1972) have shown, political and administrative actors develop different definitional strategies in order to gain or not lose power. However, those two categories of actors do not act separately. Political discourse depends on the institutional feasibility of different definitional scenarios. If powerful administrations are hostile to one definition, it will have few chances to be adopted. If the definition does not match with the division of authority between administrations, politicians will avoid promoting the issue. This appears to be one of the main reasons for agenda denial in the case of environmental refugees (see below). Of course, public actors do not act in a vacuum. They are in constant interaction with claims-makers as well as with interest groups opposed to the problem definition.

However, if they are faced with causal definitions which have a negative political impact, they develop strategies to avoid their adoption (claimants delegitimization, agenda denial...). As far as it concerns the definition of consequences, they have considerable autonomy in constructing the justifying discourse for public action.

It is then possible to claim that the definition of a public problem is processed through a double definitional process. The first determines the causes of the problem and answers the question "what is the problem?". The second determines the consequences of the problem and answers the question "why does this situation constitute a problem?". This difference between social and public problems' definition can be presented as follow:

Table 1

Definition of social and public problems



2. Looking for a unit of analysis

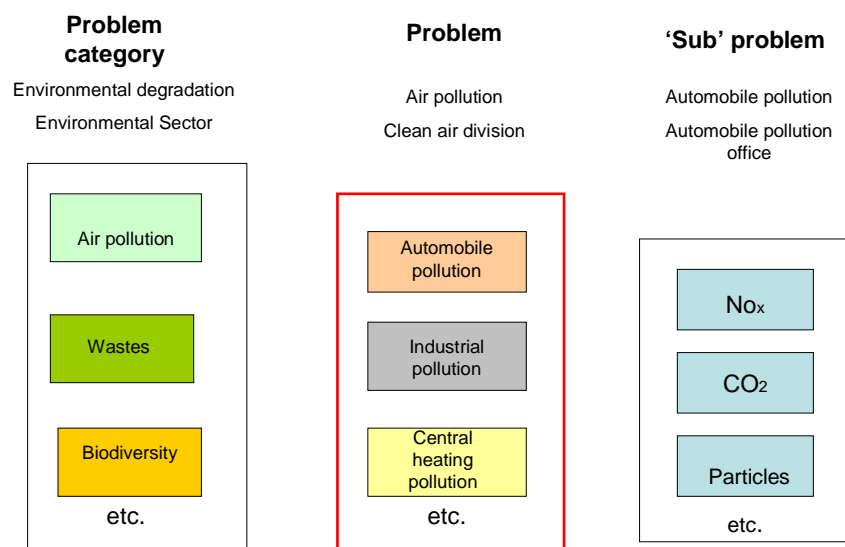
In order to observe this double definitional process, it is necessary to precisely construct the unit of analysis. A survey of the literature shows that there is no consensus among specialists on the level to choose in order to better apprehend the process of problem definition. This is because there is no debate on what constitutes a 'problem' for the analyst. As a unit of analysis, the term is used to describe various forms of situations which are not without effects on the observation of the definitional process. Addiction, alcoholism, drunk drivers, environmental degradation, air pollution, lead emissions, disease, mental health, discrimination, homosexuality, are all examples of social problem studies reflecting situations of very different magnitude.

We can represent problems like Russian dolls enclosed within one another. Let's take the example of the environment. What is called environmental degradation represents a *problem-category* made up of a series of *problems* like clean air, water quality, wastes, etc. Each problem can also be divided in more restricted '*sub*'-*problem*. Motor vehicle pollution or industrial pollution are parts of the air pollution problem. In short the term "problem"

concerns situations of a different dimension, reflecting (in case of public problems) different levels of public interventions. The problem of environmental degradation represents the jurisdiction of a whole administrative sector. Clean air is an issue attributed to an administrative division in this sector, etc.

Table 2

Problems as russian dolls



What is the difference of each dimension for the study of the definitional process? One could choose to study environmental degradation. But the environment does not generate a definitional debate on its consequences. Environmental protection is a "self-justified" question in the sense that it constitutes an accepted social value (to say that one must protect the environment does not require any additional justification). In order to be able to identify the double definition of public problems a "hetero-justified" problem must be chosen, namely a problem which necessitates a broader justification in order to be admitted as indisputable: this is for example the case of air pollution which has to be justified with reference to environmental quality, public health, quality of life, etc. Simultaneously, the selected problem must be sufficiently broad to generate a debate on its causes. In Gusfield's study, drinking and driving constitutes a mono-causal problem: the problem is drunk drivers. The quality of the roadway, the driver's age, young drivers' training, etc, can also cause accidents but are not discussed. In the same way, alcohol is source of other problems like violence, social disintegration or family destruction. To obtain a multi-causal problem one must therefore climb up a level and choose for example the problem of alcoholism.

C/ Defining air pollution and environmental migrants

The double definitional process of public problems can be observed through the examples of air pollution in France² and environmental migration at the international agenda.

² The same results have been observed to the historical analysis of clean air policy in Greece.

In the first case, two different processes evolve at a different pace giving to the problem its various contents through time. In the second case, the definition of the causes and consequences does not fit either to the institutional structures or the political objectives of western democracies.

1. Defining causes and consequences of air pollution

In France air pollution was initially defined as a problem due to industrialisation. Some rare debates evoked from the beginning of the 20th century other sources of pollution like cars or central heating but they remained exceptional. Until the 1990s (unless in the early 80s marked by the European debate on acid rain) all public discussions put the emphasis on industry. This confirms Stone's and Edelman's analysis that in the public sphere problems are always defined in a simplified way. The first causal redefinition took place in 1996 with the enactment of the law on air pollution and the rational use of energy. Since then air pollution is officially defined as a motor vehicle problem and the industrial component of the definition declined.

The definition of air pollution as an industrial problem was the result of demands expressed by claims-makers. First, the home owners near the industrial plants asked for public regulation and definition of specific industrial zones. Second, the industrialists asked also for regulation in order to guarantee the serenity of their installations. For the definition of air pollution as a car traffic problem there were no claimants. It was a political construction serving the interests of the Minister for the environment and more largely the interests of the government. This been said, the definition of industrial air pollution as a public problem would not have taken place without the definition of its consequences necessary to justify the public character of the problem and the necessity for the State's involvement. For almost two centuries air pollution has known only one definition in terms of the consequences it generates. The political discourse, developed around the Napoleonic law of 1810 to justify the intervention of the state in the domain of air quality, defined air pollution as a public health risk. This definition had a direct impact on the institutional organization of clean air action. The principal "expert" consulted on this matter was the hygienist present within the public administration and in Parliament. Throughout the 19th century and until the mid 20th century hygienists gradually strengthened their position in the policy making process (C. Vlassopoulos, 1999, 2007).

The powerful lobby of car manufacturers with the close collaboration of the Ministry of Transports succeeded for nearly a century in keeping the question of motor vehicle pollution off the political agenda (C. Vlassopoulos, 2005). Three factors (conjunctural, political and strategic) were met to make it possible to break this balance. First, a confidential study on the harmfulness of motor emissions was published in 1994. At that time the Minister for the Environment was looking for an issue to mark her political career and considered this study as a window of opportunity for action. Finally the prestigious grand corps of the mining engineers (corps des Mines), close to the industrial lobby, supported the Minister because it perceived her legislative project as an opportunity to discharge industry of the blame hung over it since the 19th century.

This causal redefinition did redistribute the power between social actors but had a marginal impact on public actors. More specifically the balance of power between polluters was reconfigured. The industrialists who were until this moment very active within the policy subsystem fell back to the periphery demonstrating that they are not any more concerned by

the problem. On the contrary, car manufacturers became much more active and placed themselves at the heart of the subsystem in order to control further policy initiatives. The most important impact for public actors was that for the first time the Minister of the Environment played an active role in the air pollution problem and policy making. The Ministry of Transport tried to support the car manufacturers' interests but its legal competencies were not modified.

The redefinition of air pollution as a car traffic problem did not trigger further redefinition of its consequences. The perception of consequences was modified 25 years earlier when the arrival of the environmental era in the 70s' produced a new political discourse. This time combating air pollution has been justified in the name of the protection of the environment and not any more in the name of public health. The definition of air pollution as an environmental problem relegitimized the political authorities by modernizing their 180 years old health oriented discourse. At the same time, the shift of the definition of consequences produced the transfer of clean air legal competences from the Ministry of Health to the Ministry for the Environmental. This explains until today the difficult collaboration between the two structures.

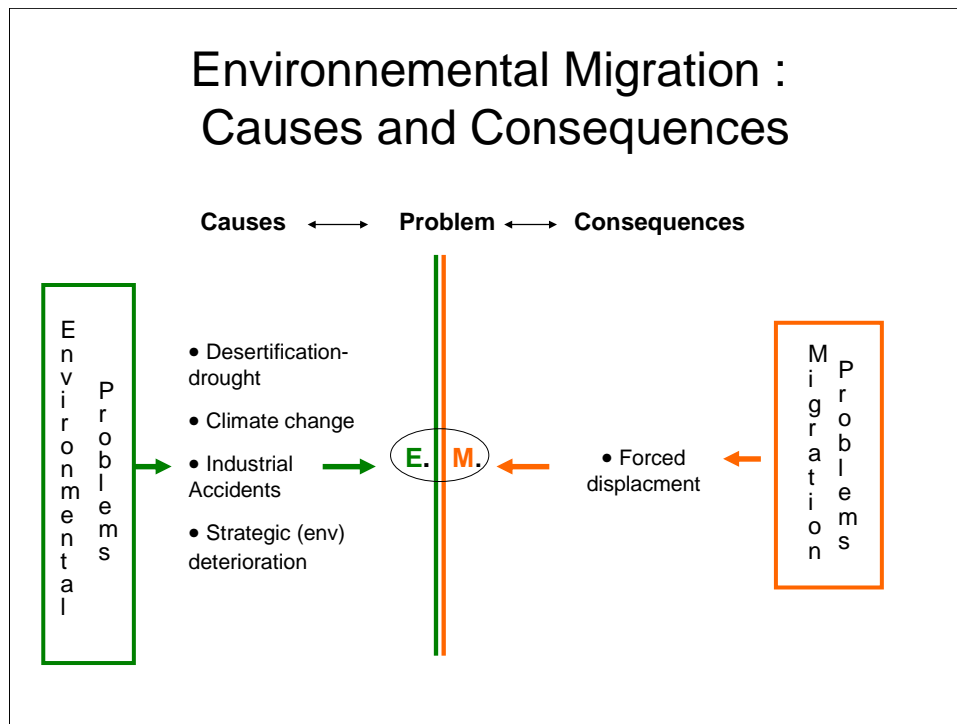
The example of clean air shows that the two definitional processes do not inevitably coincide but are both present and necessary for the definition of a public problem. Concerning the causal stories, the social actors have to collaborate with the public authorities because the relevance of these scenarios depends on their official recognition. However, public actors can define new causes without any collaboration with claims-makers. The definition of consequences belongs to public actors and depends on the legitimizing symbols and values at present and the possibilities for institutional arrangements.

1. Non-definition of a public problem: the environmental migrants

The last 20 years an important increase of the number of publications, debates and discourse about environmentally displaced people was observed. Although the United Nations and its member-states appear aware of the problem, no official definition has been given yet in order to allow the adoption of policy measures. The absence of any real effort to define the status of environmental migrants is often linked to the deliberate effort not to include them in the class of (political) refugees and grant them the protection provided by the Geneva Convention (Kibreab, 1997). It is also linked to the uncertainty of the phenomenon and the absence of credible numbers about its importance. Nevertheless, the complexity of the issue which involves different policy sectors and embraces different public problems is one of the main reasons of the absence of compromise on problem definition (C. Vlassopoulos, 2009).

The application of the 'causes-consequences' analytical scheme to the environmental migration problem gives the following configuration:

Table 3



In order to define a public problem, a coherent scenario linking the causes to the consequences is necessary. The causes that are most frequently mentioned as being at the origin of environmental migration constitute autonomous problems already undertaken by the environmental sector: For example desertification is defined as a public problem whose causes and consequences are presented at the Convention to Combat Desertification. Climate change is another public problem officially defined through the Climate Convention. Industrial accidents are defined at the international level by the Convention on the Transboundary Effects of Industrial Accidents, etc. Recognize these problems as causes of migration means minimizing, if not ignoring, their environmental effects. It means also removing from the environmental sector its main competences in order to transfer them to the migration sector.

A tension is actually visible between international agencies competent for migration (refugee and humanitarian issues) and environment. The first try to gain control on the controversy and extend its jurisdiction by arguing environmental degradation is a fact and the emergency is now to cope with its impacts. The latter try to avoid the definition of the problem by developing a different argumentation: “in order to avoid people’s displacement in the more or less near future it is necessary to develop policies for the sustainable development of vulnerable regions”.

Not only is at present the adaptability of the problem to the institutional structures weak but also the political actors are reluctant to officially recognize it. First, they have no interest to encourage inter-sectoral conflict. Second, minimizing the environmental risks and promoting an anthropocentric vision of reality is politically dangerous because of the prominent position of the environment on the national and international agendas. Last, the controversy about the definition of the environmental migration problem meets with an unfavorable political and economic context which pushes European governments to close their borders and restrain the migration flows.

When policy analysis meets the constructivist study of social problems both approaches are clarified. Policies are not seen anymore as responses to objective conditions, and social problems are not seen only as 'social' constructions. When social problems enter the public sphere they are under the State's jurisdiction which becomes a central piece in the definitional process. By their activity, the public actors do not simply distribute blame and compensation to those who are guilty and those who are victims within society. They build symbols and authority necessary for their own legitimacy which passes not only through the electoral campaigns but also through the everyday policy activity that constructs and reconstructs problems in the public problems marketplace. Their intervention modifies the definitional process which deals simultaneously with causes and consequences.

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