

EMES events

Welfare societies in transition
Roskilde, 16-17 April 2018

ECSP-3EMESPolanyi-01

**Responsible Public Procurement:
A De-Commodification of Public
Markets? A Case Study in the City
of Nantes, France**

Leslie Carnoye

Roskilde, April 2018

3rd EMES-Polanyi International Seminar

Welfare societies in transition

Full Paper

Responsible Public Procurement: A De-Commodification of Public Markets?
A Case Study in the City of Nantes, France

Leslie Carnoye

Postdoctoral researcher, ETHICS - Catholic Institute of Lille and Clersé - Lille University

Abstract:

Responsible Public Procurement (RPP) is increasingly identified as a key policy lever for innovation, local development and the ecological and social transition of territories. The aim of this paper is to explore the issues at stake around RPP, based on a qualitative case study and in the light of the institutionalist analysis of Karl Polanyi. First, the main rules and current practices related to RPP are briefly reviewed. Recent changes in the legal framework at the European and national levels are crucial for the development of RPP. But the importance of those changes remains difficult to assess because the jurisprudence around the new legal texts has not been produced yet. However, some non-risk-adverse cities such as Nantes Metropole have taken the lead. The second part of the paper presents the case study and its methodology. Nantes Metropole's strategy for RPP, based on the introduction of CSR criteria in a series of experimental public markets, is rooted in a specific history and still faces important challenges. The third part of the paper aims at developing previous research results by analysing how a Polanyian theoretical perspective can help to better understand RPP. While until now price criteria have had a 'sovereign power' in public markets, the introduction of CSR criteria could open a new space for the reappearance of ethics and politics in (public) markets.

Keywords: Responsible Public Procurement; Karl Polanyi; CSR; Nantes Metropole

Public procurement (PP) refers to ‘the purchase of goods, services and works by governments and state-owned enterprises’ (OECD, 2017, p.172). The general government component includes ‘the values of procurement by central, state and local governments, and social security funds’ (OECD, 2011, p.148). Measuring the size of national PP markets is not an easy task.¹ However, the European Commission estimates that it represents around 14% of the EU’s GDP (European Commission, 2017).² PP³ is not traditionally identified as a central means of government intervention in the economy or for market regulation, compared to minimum wage laws or monetary policy, for instance. However, given the importance that it has taken on in modern Western economies, PP is increasingly identified as a ‘strategic policy lever’ (OECD, 2017, p.174). The Europe 2020 strategy points out that PP is an important tool for ‘smart, sustainable and inclusive growth’ (European Commission, 2010) and the revision of the European directive on PP of 2014 nourished this dynamic.

The idea is that through their procurement, states and local government can act as ‘big consumers’, able to influence producers and the design of products along the supply and value chains, to the extent that they take into account qualitative variables in their buying decisions (such as product life cycle and quality, ecological impacts, fair trade or other ecological and social variables), instead of systematically seeking to minimize costs and prices. Considered this way, Responsible Public Procurement (RPP) could represent a key policy lever for the ecological and social transition of territories. Actors in the social and solidarity economy (SSE), who often depend on government funding, also tend to identify RPP as a strategic concern (e.g. APES, 2017). However, the political objectives behind ‘strategic’ PP are plural, the vocabulary is diverse, and the legal security is still fragile or being built. In short, RPP implies a wide range of institutional reconfigurations.

Several expressions, or ways of understanding the issue at hand, can be found in the literature: some insist on ‘green’ PP (e.g. Cheng et al., 2018), while others focus on ‘socially responsible’ PP (McCrudden, 2004; 2006; Schulten et al., 2012; Jaehrling, 2016; Cravero, 2017; Semple, 2017). Bramer and Walker (2011) include both environmental and social criteria under the banner of ‘sustainable’ PP, while Edler et al. (2005) and Edler and Yeow (2016) have been developing the idea of ‘PP of innovation’, which is also echoed by the OECD (2017) and the EU (European Commission, 2017). Thus, along with ecological, social or sustainability policy objectives (the joining-up of which is already not self-evident), PP can also be seen as strategic for innovation, transparency, modernization and/or efficiency purposes, as well as a new way of pursuing more traditional economic policy objectives regarding the regulation of competition, such as fostering small and medium-sized enterprises (SMEs) and other forms of national or regional protectionism.

In this paper, we use the expression ‘responsible public procurement’ (RPP) as a synonym for ‘sustainable public procurement’ (SPP), i.e. a term that includes both ecological and social dimensions. An interesting definition of RPP, derived from Carter and Rogers’s (2008)

¹ To do so, the OECD generally excludes expenditures by state-owned utilities and focuses on those of the general government (OECD, 2017, p.172-173), while the European Commission also estimates state-owned utilities procurement. The European Commission uses both OECD data, based on the System of National Accounts (SNA) and the value of tenders published in the Official Journal of the European Union (OJEU) (OECD, 2011, p.148).

² The size of PP markets in Belgium, Denmark and France are in the EU average, in percentage of GDP and government procurement spending represents in those countries around 25% of total government expenditures (OECD, 2017, p.173).

³ In this paper PP refers generally to general government expenditures and more particularly, regarding the case of Nantes territory, to local government public markets.

definition of supply chain management, can be found in Preuss (2009). The latter define ‘sustainable public sector supply chain management’ as:

*The strategic and transparent integration and achievement of a public sector organisation’s social, environmental and economic goals in the systematic coordination of key interorganisational commercial processes for improving the long-term performance of the organisation and the territorial base for which it is democratically accountable, in line with overarching public policy priorities (p.220).*⁴

In our view, the key aspects of this definition are that it emphasizes the importance of democratic governance, a long-term decision-making horizon and the consideration of its impacts at the territorial level. Empirical studies remain rare around RPP initiatives. In order to contribute to this emerging body of knowledge, the purpose of this paper is to present the first research results related to an empirical case study realized in the territory of Nantes, where the city authorities have implemented an original device aiming to take into account Corporate Social Responsibility (CSR) in its public markets. More precisely, the aim is not to promote the device and its designers as a case of best practice or benchmark material, but rather to present its singular history while it is still being made, with its numerous difficulties and remaining uncertainties.

The first section presents a brief historical perspective on RPP and offers a short inventory of the recent legal reforms in Europe and in France. The second section focuses on the case study in Nantes: both the methodology and the results are presented. The third section is an attempt to conceptualize RPP, building on Karl Polanyi’s theoretical perspective as well as on previous research results, which are already committed to a similar agenda. We seek to identify promising avenues of research around RPP.⁵

1. RPP: Are the legal tools available in Europe and in France?

1.1 A brief historical perspective of RPP

Defined as indicated above, the history of RPP can be understood as being located at the crossroads of two dynamics, or paths, of institutionalization. Indeed, as McCrudden (2004) puts it, social and environmental ‘linkages’ with PP have only recently been articulated, in reference to ‘sustainable PP’, but green PP initiatives ‘were more often than not, separated from efforts to integrate social policy goals into procurement’ (p.257). The author focuses on procurement for social purposes and shows that its history can be traced back to the nineteenth century in the UK, United States and France.⁶ However, the ‘modern’ history of social PP picked up after World War II, first through a Convention adopted by the ILO in 1949. McCrudden (2006)

⁴ French readers can also refer to the definition given by l’Observatoire des Achats Responsables (OBSAR) for the norm AFNOR NFX 50-135, according to which: *‘L’Achat Responsable correspond à tout achat intégrant dans un esprit d’équilibre entre parties prenantes des exigences, spécifications et critères en faveur de la protection et de la mise en valeur de l’environnement, du progrès social et du développement économique. L’acheteur recherche l’efficacité, l’amélioration de la qualité des prestations et l’optimisation des coûts globaux (immédiats et différés) au sein d’une chaîne de valeur et en mesure l’impact’* (<http://www.obsar.asso.fr/definition-achats-responsables-r15343.html>).

⁵ The author is solely responsible for any errors or omissions that may remain in the paper and for the interpretation of the results proposed here. However, this article is the outcome of a collective ‘*research-citizens*’ project on RPP, which was co-financed by the Haut-de-France Region. The RSECO project is a partnership between a local association (YAMANA) and a multidisciplinary research team, composed of members of three local research centres: Ethics (EA 7446) from the Catholic Institute of Lille and Clersé (UMR 8019) and Ceraps (UMR 8026) from Lille University. I am very thankful to all the participants in the RSECO project, with whom I was able to work daily, during seminars, study days and fieldwork, and especially to all the people with whom I was able to conduct interviews.

⁶ On this point, see also Schulten et al., 2012.

shows how the linkage between CSR and PP can be understood as an answer to the problem of the CSR ‘compliance-gap’. The problem of lack of compliance regarding CSR can itself be seen as the result of the ‘voluntarist’ interpretation of CSR, adopted by the UN and the European Commission during the 1990s. But the relationship between CSR and PP represents more than a ‘compliance gap-filling measure’ according to the author. The latter points out a larger dynamic of hybridization occurring between public and private ethics, norms and practices: public authorities are encouraged to develop RPP initiatives on the basis of the exemplarity that they are expected to demonstrate towards users and private companies. This is in line with the observation by Quairel-Lanoizelée et al. (2010), according to which the replacement of the notion of CSR by that of ‘social responsibility of organizations’ (i.e. both public and private) is a claim that has stemmed from the industrial representatives’ group during the negotiations around ISO 26000.

At the same time, Cantillon (2010) shows that the development of sustainable PP in France has not only been influenced by the CSR dynamic. According to the author, the engagement to take sustainable development (SD) and environmental impacts into account in PP dates from the Agenda 21 programme, adopted by the UN at the 1992 Rio Earth Summit. In France, while the National Strategy for Sustainable Development adopted in 2003 mentions PP, a series of National Plans for Sustainable Public Procurement have been adopted to guide public authorities since 2006. In addition, the General Review of Public Policy of 2007 enforces SD objectives and an important step was the creation of the State’s Purchase Department in 2009. According to the decree, the State’s Purchase Department must ‘ensure that State purchases are made under the most economically advantageous conditions, respect the objectives of sustainable development and social development and are carried out in conditions that favour the greater access of small and medium-sized enterprises to public procurement.’⁷ Cantillon (2010) states that:

This reorganization of the state’s purchases is congruent with the evolution of the general principles of public procurement law. Through the definition of the government’s current purchasing policy, procurement strategies and government procurement performance objectives, the State’s Purchase Department illustrates, in the area of government procurement, the erosion of the position of lawyers in favour of managers and procedural regularity in favour of performance and public policy objectives (p.340–341).

Hence SD requirements, combined with other forms of normative claims, have globally participated in the institutional changes specific to the New Public Management approach. If PP law henceforth includes competitive, or even contradictory, objectives (e.g. cost-killing and the improvement of the quality of products and services), it is the nature of the law that has changed according to the author: ‘public procurement law is no longer just a law of competition or to ensure compliance with the principle of free competition. It now incorporates sustainable development objectives’ (p.345). In other words, PP law has become a new regulation tool, at the service of public policies (Cantillon, 2010). However, are all the legal tools necessary to the implementation of real RPP policies available today? To what extent does the European directive of 2014 on PP represent a real improvement or a missed opportunity? Those questions are still a matter of debate.

1.2 A short inventory of the current legal tools available

On the one hand, the new legal framework includes true enlargements and embodies a real change of vision. Indeed, as confirmed in France by the Order on PP of July 2015 and its decree of application of March 2016, SD has a new place in the subject matter of public markets and

⁷ Article 2, décret n°2009-300 du 17 mars 2009, in. Cantillon (2010). Our translation.

in the definition of the need of the awarder entity (Brunaud, 2017). Among the new elements encouraging the implementation of RPP, we can note the support to sourcing practices, which allow a better collaboration with providers; the possibility of requiring ecological and social labels in the technical specifications, award criteria and execution conditions (to the extent that they remain related to the subject matter of the market and that they are non-discriminatory); possibilities for allotment to foster SMEs' participation in public markets; an reinforcement of set-aside mechanisms; and the obligation to reject abnormally low offers. Important changes also concern the criterion of the best offer choice. The choice of the economically most advantageous offer can henceforth include a cost criterion, extended to the product's life cycle, instead of considering only the price. Furthermore, the award criteria can be based on a plurality of non-discriminatory criteria, i.e. the price, the quality (including the technical value, the conditions of production and commercialization, fair trade, biodiversity and even animal wellbeing, among others), the time frames and other criteria, if (and only if) it is justified by the subject matter of the market.

As we have already mentioned, in practice what is changing is the profession of public buyers. The latter are expected less and less to secure legal processes and more and more to make strategic decisions. Therefore, the implementation of RPP practices implies a series of important organizational changes within administrations and demands a greater awareness from political representatives. In France, the Law on the Social and Solidarity Economy of 2014 accompanied some of those changes by introducing the obligation for municipalities with a budget of over €100 million to adopt a strategic document describing how RPP is promoted within the organization.⁸

However, on the other hand, these improvements to the legal framework can be relativized. This is especially striking when comparing EU and US PP legislations and their relationships to international agreements (Cravero, 2017; Semple, 2017). While in the US the Small Business Administration and protective mechanisms such as set-asides or social programmes linked to PP are seen as 'beneficial to the economy as a whole', even though they are not always exempt from fraud (Friedman, 2014, p.50), the issue seems to be more complex in the EU, where neoliberal ideology is the norm and protectionism is at best a dirty word or at worst a *bête noire*.

For some, the European revision of 2014 is a 'missed opportunity' (Van den Abele, 2012). Certainly, the new legal framework has opened up the inclusion of societal objectives, other than free competition, in PP law. Nevertheless, the new legal framework still needs to be interpreted in the jurisprudence, both at the European and national levels. The scope of the new room for manoeuvre remains a matter for debate. But what seems clear is that in the EU the consolidation of the single market remains the number one priority, and this is reflected in the texts around PP: the principle of free competition and non-discrimination remain first in the hierarchy of criteria and all other forms of societal objectives, although henceforth recognized as such, continue to be secondary. Thus legal experts in charge of public procurement in local communities and elected officials are still generally rather hesitant, or adopt a position of 'wait and see', before developing ambitious RPP policies. However, some non-risk-adverse and innovative cities have taken the lead, hoping to contribute, by doing so, to the creation of new institutional possibilities for RPP.

2. The strategy of Nantes Metropole for integrating CSR into public markets

⁸ The amount fixed by the law was often seen as much too high during the interviews.

2.1 The methodology of the case study

Two elements can justify the choice of Nantes Metropole as a case study in the context of the RSECO collective project (see footnote n°5). First, a national report led us to think that innovative actions regarding PP and CSR were being conducted in Nantes and the Pays-de-la-Loire region (Comité 21, 2016). And second, we quickly succeeded in establishing contact with local actors, and especially with the administrative team in charge of the RPP policy in the municipality, which was interested in communicating on the original device implemented.⁹

The qualitative inquiry process is based on three days of participatory observation (on 14–15 March 2017 at a meeting of the CSR platform of Nantes Metropole and on 4 April 2017 at the Réseau Grand Ouest general assembly), 33 semi-structured interviews, and an analysis of complementary sources of evidence, such as internal documents or communication materials collected during fieldwork. Interviews were conducted, both on site and by phone, between 16 February 2017 and 23 January 2018.¹⁰

The municipal team in charge gave us access to the list of participants on the CSR platform of Nantes Metropole, which included the names and contacts of more than 120 representatives of a wide range of organizations from local economic networks to local trade unions (of employers and employees), regional and departmental councils, local academic experts, local associations and SSE networks. Because our approach is essentially explanatory and comprehensive, we conducted several interviews with the team in charge of the RPP device implemented, but we also focused on gathering information from the other categories of actors involved in the CSR platform and beyond, including companies that have responded to calls for tenders from Nantes Metropole, in which a CSR criterion had been inserted. Table 1 gives an overview of the interviews conducted.

Table 1: The actors interviewed¹¹

Organizations	Details	Interviews
Nantes Metropole	Political representatives	5
	Administrative personnel	5
Other public institutions	Region	1
Consular Chambers	Chamber of Trades and Crafts	1
Economic Networks	Centre des Jeunes Dirigeants (CJD), Dirigeants Responsables de l'Ouest (DRO), IMS entreprises, FACE ¹²	5
Employers Trade Unions	CPME ¹³	1

⁹ The RPP initiatives in Nantes were strongly supported by the Metropole, i.e. the intercommunal alliance of Nantes. But it should be noted that the configuration is special because the same political team around the Socialist mayor Johanna Rolland leads both Nantes City and the Metropole. The two administrative bodies have mutualized some administrative services, including PP. To simplify, in this paper, we refer to both the City of Nantes and the Metropole as if it were the same entity.

¹⁰ The interviews were transcribed during and shortly after this period of time. Their length is over an hour on average.

¹¹ Table 1 presents the fieldwork in a simplified way. Indeed, at times, several interviews with the same person were realized for the purpose of the inquiry. Furthermore, it should be noted that some actors were involved in several organizations (e.g. being both a researcher in a local business school, or a local independent consultant and a local political representative, or alternatively a member of a local economic network and of the Planet RSE network).

¹² Different economic networks active in the territory and in some cases at the national level. All of them use CSR rhetoric and practices as a means of identification and communication.

¹³ The CPME is the main employers' trade union for SMEs, active both at the national and local level.

SSE Networks	Ecosolies ¹⁴	1
	FONDES ¹⁵	1
Employee Trade Unions	CFE-CGC ¹⁶	1
Academic experts and consultants	Audencia Business School; Comité 21; VERTUEL consultancy; Les artisans du changement; RS'SCOP ¹⁷	5
Others	Planet RSE ¹⁸	3
	Réseau Grand Ouest ¹⁹	2
	Member companies of Planet RSE having answered a call for tenders by Nantes Metropole ²⁰	2

Source: Author

The content of the interview grid was naturally adapted depending on the respondents, but overall it focused on the following elements: 1) the presentation of the interviewee, her/his professional experience and the history of her/his organization; 2) the CSR platform of Nantes Metropole (its participants, its objectives and its innovative character); 3) the Planet RSE network (idem); 4) the introduction of a CSR criterion into the City of Nantes' public markets, its valuation methodology and its impacts; 5) the positive and negative points of the RPP initiative as a whole and, potentially, 6) the political dimensions around RPP, CSR and SSE in general, and in the territory of Nantes in particular.

2.2 Results

Nantes Metropole has been developing a RPP policy since the 2000s. It has been synthesized recently in a strategic document: the 'Scheme for Promoting Responsible Procurement' (SPRP), voted in the metropolitan council on 24 March 2017 (Nantes Metropole, 2017).²¹ The SPRP of Nantes Metropole includes 11 thematic actions sheets, divided into three groups (Table 2).

¹⁴ The Ecosolies is a 'Pôle Territorial de Coopération Économique' (PTCE), aiming at the promotion and development of SSE in the territory.

¹⁵ The FONDES is a fund for SSE, and a member of the France Active network.

¹⁶ The CFE-CGC is an employee trade union active both at the national and local level, which defends the interests of executives, engineers and supervisors, as a specific professional category.

¹⁷ This category brings together different entities. Audencia is a local Business School which hosted a chair entitled 'SMEs and global responsibility', partly financed by Nantes Metropole and which greatly helped the development of the Planet RSE network, as well as its valuation methodology. Years later, the leader of the chair, who is also an established researcher in the field of management, was elected as CSR vice-president in Nantes Metropole. The other entities mentioned here are consultancy firms active on CSR in the territory. The particularity of RS'SCOP is to be specialized in the application of CSR strategies to SSE businesses (mainly local cooperatives).

¹⁸ Planet RSE is a local association that was created on the basis of a partnership between Nantes Metropole and local economic networks. Its purpose is to value the CSR practices of its members. More details are given in section 2.2.

¹⁹ The Réseau Grand Ouest is a network for local and regional public authorities created in 2006 and covering all the Pays-de-la-Loire region and beyond. Its purpose is to promote the integration of SD in PP by sharing good practices. In contrast with the Planet RSE global approach, the Réseau Grand Ouest generally aims at developing specific methodologies for SD integration in PP, depending on the purchasing families. However, Nantes Metropole is a member of the Réseau Grand Ouest and both approaches pursue similar objectives. In our view, the existence of the Réseau Grand Ouest probably greatly favoured, indirectly, the development of the innovative device of Nantes Metropole around CSR as a whole.

²⁰ It should be noted that both of the local companies that we have been able to reach in this study were cooperatives. One is in the printing industry and the other is providing cleaning services.

²¹ As we have already mentioned, the law on SSE of 2014 obliges municipalities with a budget of over €100m to implement such a strategy regarding RPP. Few other municipalities have already voted their SPRP in France. The City of Paris was the first in 2016 (Mairie de Paris, 2016).

Table 2: A synthesis of the SPRP of Nantes Metropole²²

Groups	Thematic actions sheets	Main RPP mechanisms	Main targeted purchasing families
New Economic Models	Corporate Societal Responsibility (CSR)	Valuation of CSR as a criterion in calls for tenders, in collaboration with Planet RSE	Services and Supplies (cleaning, printing, meal vouchers, etc.)
	Circular Economy	Eco-labels and Life Cycle Analysis	Public Works and Supplies (food, office furniture, bikes, textiles, etc.)
	Social and Solidarity Economy (SSE)	Set-asides to SSE structures	Services and Supplies (waste, green spaces, collective catering, internal studies and audits, etc.)
	Small and Medium-Sized Enterprises (SMEs)	Allotment; Reducing terms of payment	All (but mainly agriculture, services and public works)
	Fair trade	Fair trade labels in technical specifications	Services and Supplies (food, textiles, etc.)
Social Dimension	Integration through economic activity	Number of hours of insertion in the conditions of execution	Services, Supplies and Public Works (construction, kitchens, waste, water, electricity, supporting services, communication and studies, mail, caretaking, public transport, etc.)
	Fight against discrimination / Promotion of equality	Meet the specifications of Diversity and Equality labels as a condition of execution and an award criteria	Services and Public Works (graffiti removal, waste collection, distribution of documents, etc.)
	Handicap	Set-asides to ESATs (centres providing assistance for employment)	Services and Public Works (green spaces, cleaning of buildings, laundry, etc.)
Environmental Dimension	Energy Transition (Energy – Climate)	Including SD in the definition of need and technical specifications whenever possible. Including an SD criterion in the analysis of supply, weighted between 10% to 15%	Services and Public Works (construction, collective catering, waste, public spaces and green spaces, logistics, etc.)
	Environment (air – health – water – biodiversity – pollution)	Integration of the environment in the definition of the need, technical specifications, award criteria and conditions of execution; Valuation of offers depending on the technical report	Services, Supplies and Public Works (construction, collective catering, public spaces and green spaces, cleaning, textile, stationery, printing, etc.)
	Organic – local food systems	Eco-labels; CSR practices of the respondent; Support for improvement in waste reduction	Services and Supplies (food, central kitchen, catering, caterer)

Source: Author, based on the SPRP of Nantes Metropole (2017)

Table 2 shows that while the CSR action sheet is at the heart of the SPRP of Nantes Metropole and probably one of the most innovative, the municipality is also developing many other RPP

²² Table 2 is based on the information included in the SPRP of Nantes Metropole, as presented to the council in 2017. The remaining uncertainties are related to the synthetic and programmatic nature of the document. For instance, the main RPP mechanisms used by the Metropole regarding Energy Transition and Environment may not appear very precise. On this point we can note that taking into account SD during the definition of the need it is now a legal obligation for public buyers, since the revision of the European directive on PP of 2014 and its translation into national law in 2016. However, how this is to be implemented in practice can vary greatly depending on the purchasing families and the strategy adopted. The elaboration of precise criteria grids is still under construction in Nantes Metropole (and elsewhere). This echoes the idea of the necessary professionalization of public buyers, already mentioned.

initiatives in parallel (such as the use of eco-labels, allotment, set-asides and other social and environmental clauses). The SPRP also includes a range of numbers, based on the year 2015 (Table 3).

Table 3: The share of SD and CSR in Nantes Metropole's PP²³

Total financial volume of the purchasing families included in the SPRP of Nantes Metropole (reference year: 2015)		M€
CSR device	Cleaning	1.8
	Communication agency	3.2
	Surveillance and security	2.7
	Printing	1.1
	Meal vouchers and food	1.1
	Supply and maintenance of computer equipment	1
	Travel agency	0.3
Other SD actions	Balloons	0.01
	Construction and public works material	1.8
	Distribution of documents	0.201
	Foodstuffs	5.293
	Office equipment	0.6
	Waste collection	41
	Graffiti removal service	0.61
	Lighting	1.3
	Promotional activities	0.1
	Textiles	0.46
	Travel: vehicles, freight, logistics	4.6
Total SPRP		68.174
Total CSR		11.2
Total Public Procurement of Nantes Metropole		310

Source: Author, based on the SPRP of Nantes Metropole (2017)

According to the SPRP (and the numbers reported in Table 3), the share of RPP in the total PP of Nantes Metropole is about 22%. The share of the CSR device in the RPP strategy represents around 16% and approximately 3.6% of the total PP of Nantes Metropole. But, beyond the numbers presented here, what is interesting is the history of the CSR device and the way it operates.

The creation of the current CSR device is related to the political impetus created by Jean-Marc Ayrault around 2009, which was later continued by the team of Johanna Rolland, mayor of

²³ As in table 2, the numbers reproduced in table 3 were extracted from the SPRP public document. It should be noted that they are very approximate and represent an underestimation: set-asides, insertion through economic activity clauses and construction and public works markets are not quantified through the numbers reported here and in the SPRP. However, our belief is that their presentation remains useful to gain a very general idea of the situation, in the absence of better indicators. During an interview, a representative of the municipality in charge of RPP explained that developing such indicators and monitoring tools is still an important working area for the Metropole. However, it was their belief that the integration of SD in the public markets of the Metropole (i.e. the estimated RPP share here) was overall around 30%.

Nantes City and president of the Metropole since 2014.²⁴ The following quote, from interview 7, clearly illustrates the historical roots of the device and its ‘spirit’:²⁵

Jean-Marc Ayrault was the first president of the Local Mission when he was mayor of Saint-Herblain. It was 1982 so I am talking about old times. But it set in some way the pace for an alliance between the political project of the Socialist majority, which won the municipal elections, the social project carried out by the predominance of the CFDT²⁶ on the territory, and the local employers of the Christian Social movement, who very early on led all the actors to consider that they were slightly co-responsible for the fact that people were left by the wayside, and that when there was unemployment ... at the time we were far from the mass unemployment that we know today ... it was through integration with economic activity that we could put people back in the circuit and not just by compensation or a sticking plaster [...] So it continued afterwards as the years went by [...] We were among the precursors of the social clause in public procurement. We started to apply it before it was the law, in the early 2000s [...] Yes we took legal risks to impose it. But we could do it because the territory, the companies of the territory, were ready to acknowledge it and play the game [...] In the end, we created the law before the law! (p.2–3).

Hence the current CSR device can be understood as the continuation of the logic that prevailed regarding the social clauses in the 2000s. Box 1 presents more detailed chronological benchmarks, extracted from the interviews as well as from two communication documents edited by Nantes Metropole and Audencia Business School (2017a, 2017b).

Box 1: Chronological benchmarks

1989: Jean-Marc Ayrault (Socialist Party) becomes the mayor of Nantes City;
2000s: Creation of Nantes Metropole;
2009: The department of employment and social innovation of Nantes Metropole hires a CSR project manager in charge of business relations; A working group around RPP involving political representatives, the PP management team of Nantes Metropole and a local economic network (the CJD – see Table 1) is set up;
2010: The elected officials of Nantes Metropole vote for the creation of the CSR Resource Centre, in partnership with the local job centre; At the national level, the OBSAR (see footnote 4) publishes its first opinion poll on public and private responsible procurement;
2011: Nantes City and Nantes Metropole pool their PP services; Nantes Metropole joins the Audencia Chair on CSR; The VERTUEL consultancy firm wins the tender for supporting the CSR Resource Centre; The two reports from the working group around RPP are published (Nantes Metropole and CJD, 2011a; 2011b);
2012: Jean-Marc Ayrault becomes Prime Minister; the national decree extending the obligation of reporting on CSR to non-listed companies of more than 5000 employees is published;
2013: The website of the CSR Resource Centre is open; The PP management team of Nantes Metropole, Audencia and the CJD, with the support of the vice-president of the Chamber of Commerce (which is also a CJD member), discuss the creation of an independent territorial entity, dedicated to the valuation of CSR; The first experimental Framework Agreements in which a CSR criterion is inserted are launched by Nantes Metropole; The national CSR platform is created;
2014: Johanna Rolland (Socialist Party) becomes the mayor of Nantes City and the president of Nantes Metropole; Andre Sobczak, who remains the leader of the CSR Chair in Audencia, becomes the CSR vice-president of Nantes Metropole; Marc Tarabella, rapporteur of the European Parliament on the revision of the European directive on PP of 2014 is welcomed to Nantes; The association Planet RSE is created;
2015: The CSR Resource Centre becomes the CSR platform; A group of several vice-presidents of Nantes Metropole follow its development: mainly the CSR VP (Socialist Party), the VP on energy transition

²⁴ Jean-Marc Ayrault started his political carrier as the mayor of Saint-Herblain in the 1970s. He was the mayor of Nantes from 1989 to 2012, Socialist deputy from 1986 to 2012 and president of the Socialist group in the National Assembly from 1997. He became Prime Minister from 2012 to 2014 and Minister of Foreign Affairs from 2014 to 2016. He created the national CSR platform in 2013, on the basis of the Nantes experience, according to some of our interviewees.

²⁵ To protect the anonymity of our interlocutors, names have been replaced by numbers. The quote was translated by our means.

²⁶ One of the main French employee trade unions, committed to a social-democrat agenda.

(Green Party), the VP on SSE (Green Party) and the finance VP (Socialist Party); Planet RSE, Nantes Metropole, Nantes City and the Loire-Atlantique Department sign a partnership agreement.

Source: Author

As Box 1 shows, the CSR device relies on two pillars: the CSR platform and the association Planet RSE. A wide range of local organizations participate in the CSR platform (see section 2.1). Its main purpose is to bring together local initiatives on CSR and to convey relevant information to local companies (and mainly SMEs). The CSR platform allows Nantes Metropole to develop a one-window approach towards local socioeconomic actors and the municipality also uses the platform as a lever to communicate on its SPRP, the Planet RSE device and the introduction of CSR criteria in PP.

Planet RSE, which became an association in 2014 (see Box 1), is at the heart of the RPP strategy of Nantes Metropole. The device is presented as a ‘territorial valuation platform of CSR’ (Nantes Metropole and Audencia, 2017b).²⁷ The logic is to value the ‘global performance’ of companies, which is an idea long promoted by the CJD.²⁸ The scoring grid of Planet RSE, developed by the association, under the supervision of a PhD student at Audencia, rely on 51 criteria divided into five families (economic, social, environmental, societal and governance), each having the same weighing coefficient. The valuation system relies on a peer-review mechanism. To describe the process, Nantes Metropole and Audencia (2017b) explain that:

All members of Planet RSE are evaluators. Three evaluators are chosen by lot. Two must be business leaders. The third represents another stakeholder. The evaluation leader should have experience and have contributed to at least two evaluations (including the one of their organization). They are accompanied by two other evaluators. The three evaluators analyse the company on the basis of the 51 criteria of the grid. The company furnishes the pieces of evidence necessary for each criterion. The score and the pieces of evidence are validated by the dedicated committee of the association. A 1000 points score is attributed (p.14).²⁹

All the pieces of evidence must be official documents or signed by a certified accountant. The first meeting between the company under evaluation and Planet RSE’s representatives is conducted on site, after which the documents can be transmitted to the municipality. The score attributed by Planet RSE is valid for two years, but companies can re-apply after six months if progress is made and with the approval of Planet RSE. The cost to become a member of Planet RSE is €300 per year, plus two half working days to participate in the evaluation of new members. The score delivered by Planet RSE can be publicly used as a communicational tool (as is the case with most CSR labels), or alternatively kept private if it leads to the design of a CSR internal management plan.

In parallel, Nantes Metropole has integrated a reference to Planet RSE in a series of experimental calls for tenders, in which the CSR criterion introduced was weighted up to 15%, in addition to the standard price and quality criteria.³⁰ The calls for tenders explain that Nantes

²⁷ We translated all the quotes related to Nantes Metropole et al.’s documents.

²⁸ The foreword in Nantes Metropole and CJD (2011a), co-signed by Jean-Marc Ayrault and Michel Meunier, the national president of the CJD, is explicit on this point.

²⁹ Planet RSE delivers a score on a 1000-point scale, as 200 points are allocated to each family of criteria. However, each family does not include the same number of criteria. The economic family includes 7 criteria, the social family 15, the environmental family 14, the societal family 10 and the governance family 5. The whole list of criteria is kept confidential. However, we have at our disposal a demonstrative version of the grid provided to us by the chief delegate of Planet RSE, as well as the version of the grid used by Nantes Metropole in its experimental calls for tenders, which was sent to us by the officer in charge of RPP at Nantes Metropole. The grid of criteria, as well as the peer-review process could have been the object of further developments. However, this point is not directly at the centre of the present paper.

³⁰ This concerns mainly the purchasing families and the volumes indicated in table 3.

Metropole recognizes the evaluation led by Planet RSE and states its scores regarding the CSR criteria. To this end, the member organizations of Planet RSE should communicate their scores to Nantes Metropole, as well as the related pieces of evidence. The organizations that do not wish to benefit from the services provided by Planet RSE are required to provide the same pieces of evidence, for all of the criteria described in the CSR diagnosis component of the call for tenders.³¹

Therefore, following on from the idea formulated by the CJD, with the support of local economic networks, the RPP strategy elaborated by Nantes Metropole is original in the sense that it relies on a global approach of CSR valuation, instead of depending on specific valuation processes and criteria for each purchasing family.³² The idea is that the Planet RSE device provides a mutually beneficial advantage. For the bidding companies, the certification process is simplified, its costs considerably reduced and the internal commitment to CSR can henceforth lead to substantial financial gains, because of the increased chances of winning calls for tenders. And for the procuring entity, the RPP process is also simplified and its costs reduced, considering its global nature, as well as its outsourcing to Planet RSE. In short, the deal is developing the exemplarity of public buyers and a better acknowledgment of local and innovative companies in public markets, in exchange for the support of local employers and their commitment to make progress and invest in CSR, i.e. in innovation and the improvement of the environmental and social quality of the products and their processes of production.

The CSR device of Nantes Metropole appears in our view to be very ambitious, considering where things are at elsewhere, both politically and legally. The legal risk of seeing the device invalidated by the administrative court is considerable. But responsibility for this risk is assumed politically and the strategy can be viewed as an attempt to ‘creat[e] the law before the law’, both from the bottom up and the top down. From the top, we have already underlined the important political affiliation of the initiative, both at the national level (through the support of J.-M. Ayrault) and at the European level (through the contacts established with Marc Tarabella in 2014) (see Box 1). From the bottom, or at the territorial level, the operation of Planet RSE is in itself collaborative, in the sense that it is closely associated with local economic networks such as the CJD and DRO, but it has also been linked up to the CSR platform, which includes other public institutions, employees’ trade unions and SSE networks. Nantes Metropole has positioned itself as the federator of the territorial initiatives and not as a sovereign ordering entity. This inclusive dynamic allowed the mechanism to work, because the companies or economic powers that could have opposed the device by threatening to sue felt rather isolated and did not want to lose access to the City of Nantes’ PP. Hence the objective of ‘softening PP law, the rigidity of which does not facilitate responsible procurement’ was clearly stated from the start (Jean-Marc Ayrault and Michel Meunier, foreword, in Nantes Metropole and CJD, 2011a). The PP director at Nantes Metropole also explained during an interview that the political purpose was to enlarge the legal notion of the ‘link to the subject matter of the market’.

However, in practice, several points had to be reviewed, including the grid of criteria. The latter was revised several times, which is a priori to be expected, given the experimental nature of the process. But in order to respect closely enough the idea of the ‘link to the subject matter of the markets’, the number of criteria included in Nantes Metropole’s PP was reduced from 51 to 35

³¹ This is explained in Nantes Metropole and Audencia (2017b), p.24. The PP management team at Nantes Metropole also gave us access to the complete files of two calls for tenders that have been concluded, one for printing services and the other for the purchase of meal vouchers in 2017 and 2016 respectively.

³² This appeared very clearly when we attended the presentation of the Planet RSE device, by the director of PP at Nantes Metropole, during the Réseau Grand Ouest General Assembly.

after the first tests. This created some confusion for the bidding companies, which had trouble understanding why the score attributed by Nantes Metropole differed from the one that was attributed to them through Planet RSE. Furthermore, while the point was initially to weight the CSR criteria up to 33% (i.e. one third for the price, one third for the quality and one third for the CSR score) (Nantes Metropole and the CJD, 2011a), the barrier of 15% has rarely been overcome in practice, as was confirmed to us during the interviews.

Another difficulty is that some actors were much more wary than others about the device as a whole, and this is especially true for construction and public works. In addition, the success of the device per se is strongly dependent on its recognition by a significant number of public entities: in practice the valuation process is only truly simplified for bidding companies if the latter can reuse their scores and the pieces of evidence to answer other calls for tenders. However, to date, only Nantes City, Nantes Metropole and the Loire-Atlantique Department have signed the convention with Planet RSE. The right-wing party won the regional elections of 2015 and the Pays-de-la-Loire Region did not sign the convention with Planet RSE, although the latter gives its support to the CSR platform and continues its involvement in the Réseau Grand Ouest. And finally, as indicated in section 1, overall the jurisprudence related to the new legal texts, both at the European level and national level, has not been produced yet. The future of the CSR device of Nantes Metropole is therefore not guaranteed. But there is hope that it can contribute to new institutional arrangements favouring the integration of ecological and social imperatives in PP and, in turn, in modern capitalist societies as a whole.

3. RPP and the CSR device of Nantes Metropole: An analysis in the light of Karl Polanyi's institutional perspective

The point is now to take a look at the bigger picture by returning to this strange idea of a 'de-commodification of public markets', which does sound, at first sight, like a double oxymoron. RPP can be defined as the integration of both CSR and SD in PP law, which has the effect of transforming the nature of PP into a novel regulation tool (Cantillon, 2010). Yet according to McCrudden (2006):

Seen from the historical perspective, then, modern discussion of corporate social responsibility (CSR) might seem to be simply the old debate about the proper role of government and the limits of the market dressed in new clothes (p.4).

This can probably also be said about the debates around the 'internalization of externalities', applied to the environment, which was raised during the 1970s and 1980s.

Some elements of Karl Polanyi's analysis (1957) have already been mobilized to think about CSR (Postel and Sobel, 2010; 2018) and others have also referred to Polanyi to conceptualize SSE (Laville, 2008; 2010). But, to our knowledge, few academic works have built on Polanyi to consider SD and/or the commodification of the environment (e.g. the ecosystem services metaphor or biodiversity offsetting), which is paradoxical given that one of the crucial aspects of Karl Polanyi's approach is his substantive definition of the economy, which takes into account the double dependency of mankind on society and on nature.

Postel and Sobel (2010) have envisioned in CSR the basis for a novel 'great transformation', which could take over the crumbling Fordist social compromise, but a fragile basis, in building and among other elements, for a potential transformation ... or even, say, a small transformation. According to Postel (2009):

In a way, the emergence of CSR tells us a great deal about what doesn't work anymore. It is not that suddenly companies have become more ethical or more caring about the social and ecological impacts of their activity ... but that, on the contrary, progressively freed from legal national constraints, they

found themselves facing the return of a profound and legitimate interrogation of the social usefulness of the capitalist mode of production, and which they had to answer. In other words CSR is not the advent of the ethical company or the fortunate and unexpected convergence of the entrepreneurial spirit and social progress. It is not a phenomenon related to a novelty among companies ... but the exact mirror of the institutional novelty following the dereliction of social national states and the emptiness in regulation that it implies. In other words, it is a symptom of a transformation in the mode of regulation and legitimation of capitalism ... The embryo of regulation which CSR embodies prefigures, perhaps, a wider form of institutional change. It is one potential regulation, emerging among others (in a non-competitive way) (p.10).³³

The latter also states that the ‘institutionalist approach on CSR stresses the fragility of CSR processes and invites us not to swap a bird in the hand for two in the bush, meaning not to oppose governmental intervention and legislation and voluntary commitment ... Even further, it pleads for an institutionalization of CSR processes’ (p.11). If we can largely agree with the author up to this point, however, it seems that the present study on RPP invites us to somewhat distance ourselves from the following idea, which could besides easily be mistaken for the unexpected comeback of an old Trotskyite dream:

The maladjustment of the national legislative framework and of the still dominant political form of the nation state to a capitalism buttressed by globalized finance legitimates the search for non-governmental forms of regulations, which can transcend national issues ... CSR is the symptom of the maladjustment of the nation state’s perimeter of intervention and a form of premise for a transnational collective regulation (Postel, 2009, p.11).

On the contrary, the institutional dynamics around RPP and the case study of Nantes Metropole act as a reminder of the fact that national public law and governmental regulations are detrimental to the effective institutionalization of CSR and further show that, to some extent, nation states and territorial forms of regulation can (and should) be used against some transnational and collective forms of de-regulation, such as the holy but nevertheless misleading European principle of free competition. More generally, the issues around RPP resonate twofold with the institutionalist perspective of Karl Polanyi: firstly, with the notion of ‘embedded markets’, as Jaehrling (2014) points out, and secondly, with its substantive definition of the economy.

Indeed, according to Jaehrling (2014):

To use a widely established distinction loosely based on Polanyi’s notion of ‘embedded markets’ (1957), public procurement legislation was originally established with the primary aim of ‘market-making’ rather than ‘market embedding’; its main objective was to ensure undistorted competition between companies qualified in principle to provide the goods and services put out to tender (p.3).

Therefore, taking into account the development of RPP law and practices, the author proposes to see PP as a ‘dual-use tool’ (p.4):

Public procurement is a ‘dual use’ instrument than can be used for both market-making and market-embedding. Provisions aimed at ‘market-embedding’, such as pay clauses, can certainly help to attenuate price competition, in a similar way to national labour market legislation and collective agreements (p.13).

Jaehrling’s point (2014) is that ‘it requires complementary institutions to turn public procurement into a “market-embedding” tool’ (p.1). Focusing especially on socially RPP, the latter emphasizes that the study of RPP strategies and their impacts should be ‘related to the wider issue of how the procurement system interacts with the general employment and production regime’ (p.7). To this end, he underlines that:

Further empirical research is needed to explore how far public procurement is likely to become a regular collective bargaining arena, which rules and power relations prevail in this arena, and what effect this has on working conditions. In doing so, any empirical analysis needs to take into account the broader

³³ Quotes are translated by the author of the present text.

institutional and economic framework. In particular, a systematic comparison of sectors and countries with varying types of industrial relations systems is required in order to produce reliable answers to our core question concerning the extent to which the use and effectiveness of procurement-specific levers for job quality depend on complementary institutions (p.14).

In this paper, we have followed a significantly different approach, focusing on a meso-economic case study instead of on the macroeconomic outlook recommended by Jaehrling (2014) (or more generally by the Regulation School). However, the dual nature of PP mentioned by Jaehrling (2014) is essential to keep in mind, in order to fully understand the institutional reconfigurations at hand. Indeed, it draws our attention to the fact that the capacity of influence of RPP increases as long as the movement of public services outsourcing continues. In other words, if RPP can become a potentially powerful tool, it remains the instrument of a battle already half lost.

Hence, on the one hand, RPP can be seen as a means of an internal de-commodification of public markets, in the sense that it allows for the inclusion of a series of social and ecological criteria, other than price, in the decision-making process. This means that it is no longer requested of public buyers to act as standard consumers, or as maximizing rational agents, but as ethical and political beings. It is on this point that referring to the substantive definition of economics developed by Karl Polanyi, as well as its critique of the performativity of the economic science on social and political life, is detrimental. The professionalization of public buyers, necessary to the implementation of real RPP policies, implies that the latter step back from the ‘formal sense’ of economics and that they enlarge their representations of the economy to integrate long-term costs, indirect impacts and qualitative variables.

This of course implies further applied research on the indicators that could be used for RPP decision-making. Developing such indicators is in our view an indispensable condition in order to design powerful RPP mechanisms, at the service of governmental authorities. On this point, a series of works on the inclusion of ‘new wealth indicators’ in public policies and on the valuation of the social utility of organizations could probably usefully be mobilized (Jany-Catrice and Gadrey, 2005; Frémeaux, 2013; Branger et al., 2014; Thiry and Gueret, 2015).

However, on the other hand, this internal de-commodifying process takes place in the context of a larger external commodifying process: that of the outsourcing of public services. In this sense, it would be very interesting in our view to pursue the study of the institutional dynamics around PP and recent trends towards RPP, on the basis of a series of works in the political sciences and political sociology around the emerging figure of the market as a form of political regulation or as a new tool at the service of the state, but used by the latter to discharge itself of its liability and of its capacity to deal with public problems (Ansaloni, 2017; Ansaloni et al., 2017; Ansaloni and Smith, 2017).

Conclusion

The purpose of this paper was to contribute to the emerging field of research around RPP, especially from the viewpoint of empirical studies, by analysing the institutional history of the introduction of CSR criteria in the PP markets of Nantes Metropole. The main conclusions that can be derived from this study are that RPP has to be understood as a plural mechanism, which can correspond to very different strategic objectives (i.e. efficiency and modernization; cost-killing; sustainability (both social and ecological) and/or the regulation of competition and the fostering of SMEs). Furthermore, despite its long historical roots, going back to the nineteenth century for SRPP and to the beginning of the 1990s for the integration of SD in PP, and despite the recent revision of the European directive on PP, RPP remains today rather unstable from an

institutional point of view. The political and legal conditions necessary to its development are not yet granted. Finally, this study supports the idea put forward by Jaehrling (2014), according to which RPP must be understood as a ‘dual-use tool’, which can be applied both following a ‘market-making’ purpose and in a ‘market-embedding’ perspective.

In our view, the RPP strategy elaborated on Nantes Metropole’s territory can be considered a good example of the second alternative. Indeed, we have seen that Nantes Metropole’s RPP strategy can be commended on two main grounds. Firstly, because of its collaborative and inclusive approach, and secondly on the basis of the political courage that local actors have shown, considering the legal risks that they were facing. However, Nantes Metropole’s strategy for RPP remains one among others. Working on the elaboration of precise criteria and indicators for each purchasing family would have been another option, which could have implied a reduced legal risk. But the originality of the approach of Nantes Metropole lies in the global nature of the CSR valuation process implemented. This choice has been made in order to simplify the valuation process both for the public buyers and for the bidding companies. However, it remains difficult to say much more at this stage. Further empirical research is needed to get a better understanding of the different existing possibilities, of the impacts of the various alternatives on local economic development, as well as on their actual capacity to drive forward and accompany the ecological and social transition of territories.

In addition to the possible future avenues of research mentioned in section 3, the issue of the place that RPP takes today (and how it could evolve in the future) in the funding of SSE actors seems detrimental. Indeed, according to Tchernonog et al. (2014) in France:

The mass of subsidies to associations fell by 17% between 2005 and 2011, i.e. at an annual rate of 3% per year, while public procurement increased during the same period by 73%, i.e. at an annual growth rate of 10% per year ... These developments have disrupted the structures of public financing: grants were twice as important in volume as public procurement in 2005, when they were accounting for 36% of the total funding of associations; today, grants and public procurement are equivalent in the associative budgets, at respectively 24 and 25% of the total budget of the sector (p.120–121).³⁴

However, the context of austerity surely does not work in favour of the development of RPP, nor in favour of PP as a whole: according to the French observatory of PP (Caisse des Dépôts, 2017): ‘since 2012, public procurement has seen a decline in value of nearly €24 billion, or a quarter of the financial volume that was recorded in 2012.’³⁵

³⁴ Our translation.

³⁵ Our translation.

Bibliography

- Ansaloni, M., 2017, 'Le marché comme instrument politique. Le désengagement de l'Etat dans l'usage des pesticides en France', *Sociétés contemporaines*, vol.1, no.105, p.79–102.
- Ansaloni, M., Tompette, P., Zalio, P.P., 2017, 'Le marché comme forme de régulation politique', *Revue française de sociologie*, vol.3, no.58, p.359–374.
- Ansaloni, M., Smith, A., 2017, 'Des marchés au service de l'Etat ?', *Gouvernement et action publique*, vol.4, no.4, p.9–28.
- APES, Acteurs Pour une Economie Solidaire Hauts-de-France, Lebrun, J., 2017, *La commande publique : le défi des achats créateurs de richesses sociales, environnementales et économiques*, [Technical report] Zenodo, <http://apes-hdf.org/docs/Fichier/2017/4-171110123227.pdf>.
- Bramer, S., Walker, H., 2011, 'Sustainable procurement in the public sector: An international comparative study', *International Journal of Operations & Production Management*, vol. 31, no.4, p. 452–476.
- Branger, V., Gardin, L., Jany-Catrice, F., Pinaud, S., 2014, *Evaluer l'utilité sociale de l'Economie Sociale et Solidaire*, Alter'guide, Université de Valenciennes et du Haut Cambrésis, Institut du développement et de la prospective, Valenciennes.
- Brunaud, G., 2017, 'De bonnes conditions pour des achats publics plus responsables', *communication pour le projet RSECO*, Lille, MESHS, 23 November.
- Caisse des Dépôts, 2017, 'Baromètre de la commande Publique 2012-2016', *Observatoire de l'évolution de la commande publique AdCF - Caisse des Dépôts*, February.
- Cantillon, G., 2010, 'L'achat public durable, un outil au service de l'Etat régulateur', *Revue française d'administration publique*, vol.2, no.134, p.335–350.
- Carter, C.R., Rogers, D.S., 2008, 'A framework of sustainable supply chain management: Moving toward new theory', *International Journal of Physical Distribution & Logistics Management*, vol.38, no.5, p.360–87.
- Cheng, W., Appolloni, A., D'Amato, A., Zhu, Q., 2018, 'Green Public Procurement, missing concepts and future trends – A critical Review', *Journal of Cleaner Production*, no.176, p.770–784.
- Comité 21 and Commissariat Général au Développement Durable, 2016, 'Les initiatives territoriales des acteurs publics en faveur de la RSE', October.
- Cravero, C., 2017, 'Socially Responsible Public Procurement and Set-Asides: A Comparative Analysis of the US, Canada and the EU', *Arctic Review on Law and Politics*, vol.8, p.174–192.
- Edler, J., Ruhland, S., Hafner, S., Rigby, J., Georghiou, L., Hommen, L., Rolfstam, M., Edquist, C., Tsipouri, L., Papadokou, M., 2005, 'Innovation and Public Procurement: Review of Issues at Stake', *Study for the European Commission: Final Report*. European Commission, Brussels.

- Edler, J., Yeow, J., 2016, ‘Connecting demand and supply: The role of intermediation in public procurement innovation’, *Research Policy*, no.45, p.414–426.
- European Commission, 2010, ‘Europe 2020: A strategy for a smart, sustainable and inclusive growth’, *COM(2010) 2020 final*, Brussels, 3 March.
- European Commission, 2017, ‘Making Public Procurement work in and for Europe’, *COM(2017) 572 final*, Strasbourg, 3 October.
- Frémeaux, P., 2013, *L'évaluation de l'apport de l'économie sociale et solidaire*, rapport de mission à Monsieur Benoît Hamon, Ministre délégué en charge de l'Économie sociale et solidaire et de la Consommation, Ministère de l'économie et des Finances Publiques, <https://www.economie.gouv.fr/files/rapport-fremeaux-ess.pdf>.
- Friedman, H., 2014, ‘Why small business self-certification should be abolished and replaced: A case against fraud’, *Journal of Contract Management*, vol.12, p.49–58.
- Jaehrling, K., 2014, ‘The state as a ‘socially responsible customer’? Public procurement between market-making and market-embedding’, *European Journal of Industrial Relations*, p.1–16.
- Jany-Catrice, F., Gadrey, J., 2005, *Les nouveaux indicateurs de richesse*, La Découverte, Paris.
- Laville, J.L., 2008, ‘Services aux personnes et sociologie économique pluraliste’, *Revue Française de Socio-Économie*, no.2, p.43–58.
- Laville, J.L., 2010, *L'économie sociale et solidaire*, Editions du Seuil, Paris.
- Mairie de Paris, 2016, ‘Schéma parisien de la commande publique responsable’, *Rapport technique*, p.1–11.
- McCrudden, C., 2004, ‘Using public procurement to achieve social outcomes’, *Natural Resources Forum*, vol.28, no.4, p.257–267.
- McCrudden, C., 2006, ‘Corporate Social Responsibility and Public Procurement’, *Working Paper no.9*, p.1–29.
- Nantes Metropole, 2017, ‘Schéma de promotion des achats responsables’, Conseil Métropolitain du 24 Mars, p.1–24.
- Nantes Metropole and Audencia Business School, 2017a, ‘Plateforme RSE de la Métropole Nantaise’, *Rapport technique*, p.1–33.
- Nantes Metropole and Audencia Business School, 2017b, ‘Planet RSE. Plateforme de notation territoriale de la RSE’, *Rapport technique*, p.1–25.
- Nantes Metropole and CJD, 2011a, ‘Guide juridique. Intégration de la démarche RSE dans les marchés publics’, *Rapport technique*, p.1–20.
- Nantes Metropole and CJD, 2011b, ‘Propositions pour développer l'achat responsable’, *Rapport technique*, p.1–36.

- OECD, 2017, *Government at a glance*, OECD Publishing, Paris.
- Polanyi, K., 1957, *The Great Transformation: The Political and Economic Origins of Our Time*, Beacon Press, Boston.
- Postel, N., 2009, 'Sur les relations entre l'éthique et le capitalisme', *Revue française de Socio-Economie*, no.4, p.9–13.
- Postel, N., Sobel, R., 2010, 'La RSE : une nouvelle forme de dé-marchandisation du monde ? Une lecture institutionnaliste à partir de Karl Polanyi', *Développement Durable et Territoires*, vol.1, no.3, p.1–25.
- Postel, N., Sobel, R., 2018, 'Corporate Social Responsibility (CSR): An Institutionalist Polanyian Analysis', *3rd EMES Polanyi International Seminar, Welfare Societies in Transition*, Roskilde University, p.1–21.
- Preuss, L., 2009, 'Addressing sustainable development through public procurement: The case of local government', *Supply Chain Management: An International Journal*, vol.14, no.3, p.213–223.
- Quairel-Lanoizelée, F., Capron, M., Turcotte, M.F., 2010, *ISO 26 000 : une norme hors-norme ?*, Economica, Paris.
- Schulten, T., Alsos, K., Burgess, P., Pedersen, K., 2012, 'Pay and Other Social Clauses in European Public Procurement: An Overview on Regulation and Practices with a Focus on Denmark, Germany, Norway, Switzerland and the United Kingdom', study on behalf of the European Federation of Public Service Unions (EPSU), Düsseldorf.
- Semple, A., 2017, 'Socially Responsible Public Procurement (SRPP) under EU Law and International Agreements', *Eur. Procurement & Pub. Private Partnership*, p.293–309.
- Tchernonog, V., Prouteau, L., Tabariés, M., Flahault, E., 'L'état des associations après la crise', *Revue internationale de l'économie sociale*, no.332, p.112–123.
- Thiry, G., Gueret, A., 2015, 'De nouvelles finalités pour l'économie. L'enjeu des nouveaux indicateurs de richesse', *Fondation de l'Ecologie Politique, IDIES, Institut Veblen*, October, p.1–119.
- Van den Abele, E., 2012, 'La réforme des directives de l'Union européenne relatives aux marchés publics : une occasion manquée ?' *Institut Syndical Européen*, Working Paper no.11, Brussels, p.1–53.



EMES network
building knowledge together