

THE
OXFORD
HANDBOOKS
OF
POLITICAL
SCIENCE

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≡ The Oxford Handbook of
PUBLIC POLICY

forth, they are much less successful. Changing people's behavior—say to conserve energy, drive slower, cease smoking—is many hundreds of times more difficult. This is a major reason why totalitarian regimes, despite intensive public education campaigns, usually fail. The question of what is most feasible is determined by fiat by policy makers and their staffs rather than by studies that are reported to the policy makers by policy researchers. Hence decisions are often based on a fly-by-the-seat-of-your-pants sense of what can be changed rather than on empirical evidence.¹⁰ One of the few exceptions is studies of nation building in which several key policy researchers presented the reasons why such endeavors can be carried out at best only slowly while at the same time many policy makers claimed that it could be achieved in short order and at low cost.¹¹

In a preliminary stab at outlining the relative malleability of various factors, one may note that as a rule the laws of nature are not malleable; social relations, including patterns of asset distribution and power, are of limited malleability; and symbolic relations are highly malleable. Thus any policy-making body that would seek to modify the level of gravity, for example, not for a particular situation (for instance a space travel simulator) but in general, will find this task at best extremely difficult to advance. In contrast, those who seek to change a flag, a national motto, the ways people refer to one another (e.g. Ms Instead of girl or broad), have a *relatively* easy time of doing so. Changes in the distribution of wealth among the classes or races—by public policy—are easier than changes involving the laws of nature, but more difficult than changing hearts and minds.

When policy researchers or policy makers ignore these observations and enact laws that seek grand and quick changes in power relations and economic patterns, the laws are soon reversed. A case in point is the developments that ensued when a policy researcher inserted into legislation the phrase “maximum feasible participation of the poor.” This Act was used to try to circumvent prevailing local power structures by directing federal funds to voluntary groups that included the poor on their advisory boards, which thus helped “empower the poor.” The law was nullified shortly thereafter. Similarly, when a constitutional amendment was enacted that banned the consumption of alcohol in the United States, it had some severely distorted effects on the American justice and law enforcement systems and did little actually to reduce the consumption of alcohol. It was also the only constitutional amendment ever to be repealed.

Among social changes, often legal and political reduction in inequality is relatively easier to come by than are socioeconomic changes along similar lines. Thus, African-Americans and women gained *de jure* and *de facto* voting rights long before the differences in their income and representation in the seats of power moved closer to those of whites (in the case of African-Americans) and of men (in the case of women). Nor have socioeconomic differences been reduced nearly as much as legal

¹⁰ Indeed unlike science, Carol Weiss has argued that in the policy field it may be impossible to separate objective knowledge from ideology or interests: see Weiss 1983.

¹¹ See Carothers 1999; Etzioni 2004.

and political differences, although in both realms considerable inequalities remain. The same is true not just for the United States, but for other free societies and those that have been recently liberated.

In short, there are important differences in which dedication of resources, commitment of political capital, and public education are needed in order to bring about change. Sound policy research best makes the determination of which factors are more malleable than others, which is a major subject of study.

2. SCOPE OF ANALYSIS

Another particularly important difference between basic research and policy research methodology concerns the scope of factors that are best encompassed. Policy research at its best encompasses all the major facets of the social phenomenon it is trying to deal with.¹² In contrast, basic research proceeds by fragmenting the world into abstract, analytical slices which are then studied individually.

A wit has suggested that in economics everything has a price; in sociology, nothing has a price. Policy makers and hence researchers are at a disadvantage when they formulate preferred policy alternatives without paying attention to the longer-run economic and budgetary effects—or the effect of such policy on social relations including families (e.g. tax preferences for singles), socioeconomic classes (e.g. estate taxes), and so on.

To put it in elementary terms, a basic researcher may well study only the prices of flowers (together with other economic factors); a physiologist the wilting processes; a social psychologist the symbolic meaning of flowers; and so forth. But a community that plans to grow flowers in its public gardens must deal with most, if not all of these elements and the relations between them. Flowers that are quick to wilt will not be suitable for its public gardens; the community will be willing to pay more for flowers that have a longer life or those that command a positive symbolic meaning, and so on.

Medicine provides another model of a policy science. It cannot be based only on biology, chemistry, anatomy, or any one science that studies a subset of variables relating to the body. Instead physicians draw on all these sciences and add observations of interaction effects among the variables. This forms a medical knowledge base and drives “policy” recommendations (i.e. medical prescriptions). Indeed doctors have often been chastised when they do not take into account still other variables, such as those studied by psychologists and anthropologists. Similarly, international relations is a policy science that best combines variables studied by economists, political scientists, law professors, and many others.

In short, the scope of variables that basic research encompasses can be quite legitimate and effective but also rather narrow. Policy researchers must be more

¹² Roe 1998. For an academic policy research perspective, see Nelson 1999.

eclectic and include at least all the variables that account for a significant degree of variance in the phenomenon that the policy aims to change.

3. PRIVATE AND CONFIDENTIAL

Basic research is a public endeavor. As a rule its results are published so that others can critically assess them and piece them together with their findings and those of still others in order to build ever more encompassing and robust bodies of knowledge. Unpublished work is often not considered when scientists are evaluated for hiring and promoting, for prizes, or for some other reason, especially not if the work is kept secret for commercial or public security reasons. Historically, scientific findings were published in monographs, books, and articles in suitable journals. These served as the main outlets for the findings of basic research both because only by making scientific findings public could they become part of the cumulative scientific knowledge base and also because publication indicates that they have already passed some measure of peer review. It is only through peer review that evidence can be critically scrutinized. In recent years findings are still made public but increasingly they are often posted on websites, most of which lack peer review foundations, which is one reason why they are less trusted and not treated as a full-fledged publication. Publication is still considered an essential element of basic research.

In contrast, the findings of policy research are often not published—they are provided in private to one policy maker or another (Radin 1997, 204–18). The main purpose of policy research is not to contribute to the cumulative process of building knowledge but rather to put to service available knowledge. In that profound sense policy research is often not public but client oriented.¹³ Although some policy research is conducted in think tanks and public policy schools that may treat it similarly to basic research, more often than not it is conducted in specialized units in government agencies, the White House, corporate associations, and labor unions. And often tools of policy research are memos and briefings, not publications.

Often the findings of policy researchers are considered confidential or are governed by state secret acts (which is the case in many nations that have a less strong view of civil liberties than does the United States). That is, the findings are merely aimed at a specific client or a group of clients, and sharing them with the public is considered an offense.¹⁴

¹³ See “Professional practice symposium: educating the client,” *Journal of Policy Analysis and Management*, 21 (1: 2002): 115–36.

¹⁴ For instance, the Defense Department has prohibited a Washington think tank from publishing a complete report about the lack of government preparedness for bioterror attacks: see Miller 2004.

4. COMMUNICATION

Basic researchers, as a rule, are much less concerned with communicating, especially with a larger, “secular” public than are policy researchers. This may at first seem a contradiction to the previously made point that science (in the basic research sense) is public while policy research is often “private” (even when conducted for public officials). The seeming contradiction vanishes once one notes that basic researchers are obligated to share their findings with their *colleagues*, often a small group, and that they seek feedback from this group for both scientific and psychological validation. However, as a rule basic researchers have little interest in the public at large. Indeed, they tend to be highly critical of those who seek to reach such an audience—as did scholars such as Jay Gould and Carl Sagan (Etzioni 2003, 57–60).

In contrast, policy researchers often recognize the need to mobilize public support for the policies that their findings favor and hence they tend to help policy makers to mobilize such support by communicating with the public. James Fishkin developed a policy idea he called “deliberative democracy,” which entailed bringing together a group of people who constitute a living sample of the population for a period of time during which they are exposed to public education and presentations by public figures, and they are given a chance to have a dialogue. By measuring the changes in the views of this living sample, Fishkin found that one is able to learn how to change the public’s mind. Fishkin did not just develop the concept and publish his ideas, but conducted a long and intensive campaign through radio, TV, newspapers, visits with public leaders, and much more, until his living sample was implemented in several locations (Fishkin 1997). Indeed, according to Eugene Bardach, policy researchers must prepare themselves for “a long campaign potentially involving many players, including the mass public” (Bardach 2002, 115–17).

Hence, basic researchers are more likely to use technical terms (which may sound like jargon to outsiders), mathematical notations, extensive footnotes, and other such scientific features. On the other hand, policy researchers are more likely to express themselves in the vernacular and avoid technical terms.

One can readily show numerous publications of professors at schools of public policy and even think tanks that are rather similar if not indistinguishable from those of basic researchers.¹⁵ But this is the case because these schools conduct mostly basic, and surprisingly little policy research. For example, on 28 April 2004 Google search found only 210 entries for “policy research methodology,” the good part of which referred to university classes by that name. But on closer examination, most entries

¹⁵ See for instance the reports of the family research division of the Heritage Foundation, available at www.heritage.org/research/family/issues2004.cfm (accessed 29 Apr. 2004). See also “The war on drugs: addicted to failure,” Recommendations of the Citizens’ Commission on US Drug Policy, available at www.ips dc.org/projects/drugpolicy.htm (accessed 29 Apr. 2004).

were referring to basic, not policy research methodology. For instance, a course titled “Cultural Policy Research Methodology” at Griffith University in Australia includes in its course description “basic research techniques, particularly survey methodologies, qualitative methods and a more in depth approach to statistics.”¹⁶ Many other entries were for classes in policy *or* research methodology (usually basic). The main reasons for this are (a) because few places train people in the special methodologies that policy research requires and (b) the reward structure is closely tied to basic research. Typically, promotions (especially tenure) at public policy schools are determined by evaluations and votes by senior colleagues from the basic research departments at the same universities or at other ones. Thus the future of an economist at the Harvard Business School may depend on what her colleagues in the Harvard Economics department think of her work. More informally, being invited to become a member of a basic research department is considered a source of prestige and an opportunity to shore up one’s training and research. Conversely, only being affiliated with a policy school (like other professional schools) indicates a lack of recognition, which may translate into objective disadvantages. This pecking order, which favors basic over policy (considered “applied”) research, is of considerable psychological importance to researchers in practically all universities. Even in think tanks dedicated to policy research, many respect basic research more than policy research and hope to conduct it one day or regret that they are not suited to carry it out.¹⁷

People who work for think tanks, which are largely dedicated to policy research, often seek to move to universities, in which tenure is more common and there is a greater sense of prestige. Hence many such researchers are keen to keep their “basic” credentials, although often they are unaware of the special methodology that policy research requires or are untutored in carrying it out in the first place because they were trained in basic research modes instead.

At annual meetings of one’s discipline, in which findings are presented and evaluated, jobs are negotiated and information about them shared, and prestige scoring is rearranged, policy researchers will typically attend those dominated by their basic research colleagues. And attendance at policy research associations (such as the Association for Public Policy Analysis and Management) is meager. Most prizes and other awards available to researchers go to those who conduct basic research.

In short, although the logic of policy research favors it to be more communicative than basic research, this is often not the case because the training and institutional formations in which policy research is largely conducted favor basic research.

¹⁶ See Griffith University course catalog. Available at: www22.gu.edu.au/STIP/servlet/STIP?s7319AMC (accessed 28 Apr. 2004).

¹⁷ This section is based on my personal observations of organizations such as the John F. Kennedy School of Government, the American Enterprise Institute, RAND, CATO, the Heritage Foundation, and many others.

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CHAPTER 41

CHOOSING GOVERNANCE SYSTEMS: A PLEA FOR COMPARATIVE RESEARCH

ORAN R. YOUNG

1. INTRODUCTION

Studies of public policy typically focus on processes taking place at a single level of social organization—more often than not the national level—and direct attention either to one-off choices (e.g. whether or not the US federal government should open parts of the Arctic National Wildlife Refuge to oil and gas development) or to generic decisions applicable to a relatively well-defined class of situations (e.g. whether or not the US should prohibit or ban the harvesting of marine mammals regardless of the circumstances). There is much to be said for engaging in analyses of this type. They have given rise to an influential stream of research; there is much still to be done to broaden and deepen our understanding of public policy processes approached in this way.

In the discussion to follow, however, I take the view that there is a compelling case to be made for adding to the mainstream of research in this field a second stream of work that directs attention to a different class of public choices and highlights the value of comparing and contrasting policy processes occurring at different levels of social organization. Specifically, I focus on public choices featuring the creation of governance systems or institutional arrangements (e.g. the system of tradeable permits for sulfur emissions established under the US Clean Air Act Amendments

of 1990), and I emphasize the added value to be derived from supplementing the normal focus on the national level with comparative studies of the formation, implementation, and adaptation of these regimes at the local and international levels.

In developing this argument, I proceed as follows. The first substantive section provides a map of the relevant conceptual landscape. The next section explores insights about the policy process arising from this approach to public choice. The final substantive section then raises questions about the practical implications of these insights and more specifically about issues of scale and institutional interplay (Young 2002). To illustrate my argument, I resort throughout to examples relating to natural resources and the environment. But the subject is generic; it arises in all issue areas.

2. MAPPING THE TERRAIN

There is a natural tendency to equate public policy with the actions of governments construed as organizations that possess the authority to make choices on behalf of societies or in other words, public choices addressing more or less well-defined sets of issues or subjects. This way of thinking is understandable and often useful. But it obscures several important points. The domain or range of issues over which governments can exercise authority is a variable. Actual governments differ widely in these terms, ranging from minimalist arrangements in which the government is limited to maintaining law and order internally and providing for the common defense against external threats, to maximalist arrangements in which the government owns the means of production and possesses authority to intervene deeply in the lives of individual citizens. In most places and during most eras, the boundaries of the authority of governments are contested, with some groups calling for an expansion of the authority of government and others advocating increased restrictions on the authority of government. Under the circumstances, equating public policy with the actions of governments defines a subject whose boundaries are often hard to specify and whose scope varies not only from one society to another but also over time within the same society.

Even more fundamental is the observation that performing the social function of governance in the sense of arriving at public choices that are authoritative and regarded as legitimate by members of the relevant society does not require the existence of a government in the ordinary sense of the term. Many small-scale and especially traditional societies, for instance, rely on the emergence and evolution of social conventions to handle the function of governance (Ostrom 1990). They produce, as Hayek and others have observed, public orders that are spontaneous or self-generating in nature (Hayek 1973). Similar remarks apply to governance in international society, a social system widely construed as a society of states (and increasingly, non-state actors) that is anarchical in character due to the lack of anything resembling a government at the international level (Young 1999). Naturally,

there is considerable variation in the methods used to address the functions of governance in small-scale societies as well as in distinct sectors of international society. Valid generalizations in this realm are difficult to construct. The important point, however, is that societies lacking governments in the ordinary sense or in other words, stateless societies still need to find ways to arrive at public choices, a fact that makes them interesting to those seeking to understand public policy processes. My starting point in this regard, is that there is much to be gained from comparing and contrasting the public policy processes characteristic of stateless societies with the more familiar processes centered on the activities of governments at the national level.

Beyond this, it is helpful to draw clear distinctions among major types or classes of public choices emerging from policy processes. On one account, policies are (or should be) generic decisions that can be applied to determine the proper course of action to take in dealing with any member of a well-defined class of issues. A policy that calls for the stationing of observers on board all fishing boats, for instance, can be applied to individual vessels without regard to the details of specific cases. Similarly, a policy requiring all oil tankers to be built with segregated ballast tanks can be applied to individual cases without engaging in any assessment of the circumstances surrounding specific situations.

But this does not exhaust the range of situations that public policy processes address. There are many situations in which issues are framed as one-off choices and the relevant policy process is expected to reach a decision applicable to a singular or unique situation. Issues relating to public lands, for example, are often cast in these terms. Although it is perfectly possible to make generic decisions relating to matters like the establishment of national parks or the creation of wildlife refuges, policy makers regularly find themselves confronted with the need to make choices about the management of places—such as the Arctic National Wildlife Refuge—construed as unique situations rather than as matters to be handled through the application of generic decisions.

Yet another, arguably more important class of issues that arise in public policy processes encompasses those in which the challenge is to create a management regime or governance system that addresses a particular issue area and that is expected to guide human (inter)actions relating to that area for an indefinite period of time. Such regimes may vary widely from spatially limited arrangements like the Colorado River Compact to global arrangements like the ozone regime and from regimes involving a small number of actors like the regime established under the provisions of the Great Lakes Water Quality Agreements to arrangements involving large numbers of actors like the climate regime.

During the course of agenda formation, it is sometimes possible to make conscious choices regarding the framing of an issue as a one-off choice, a generic decision, or a matter of regime formation. But there is no denying that many issues now call for decisions involving the creation of regimes or specialized governance systems and that choices of this sort can and often will produce outputs, outcomes, and impacts whose effects are felt far and wide and over long periods of time. My plea

in this short chapter is for a more concerted effort to examine choices of this type and to compare and contrast the policy processes involved in making such choices at the local, national, and international levels.

In thinking about the implications of these distinctions, it may help to visualize the major points outlined in the preceding paragraphs. Table 41.1 highlights the distinction between the mainstream of policy analyses and the supplemental stream I am advocating. To be specific, the center of gravity of mainstream analyses of public policy processes falls into the cells marked “A” in the table. The supplemental stream I am advocating, by contrast, focuses on the cells marked “B.” Note that there is no conflict between the two streams, except perhaps with regard to the allocation of scarce resources available to support research. On the contrary, the addition of the second stream provides a new lens for the examination of public policy processes that can sharpen our understanding of these processes at all levels.

3. COMPARING POLICY PROCESSES

Turn now to a comparison of policy processes involving efforts to create institutional arrangements across three levels of social organization: small-scale, largely traditional societies, national societies, and international society. It is apparent at once that small-scale, traditional societies and international society share a fundamental feature that sets them apart from national societies. They are stateless societies in the sense that they do not have well-developed governments possessing the authority to make public choices regarding a range of important matters and the capacity to make them stick (Young 2005). Yet the need to create governance systems or regimes capable of addressing the demand for governance is just as pressing in these settings as it is in national societies. A systematic investigation is needed to understand the implications of this difference—together with a number of lesser differences—for efforts to establish and implement regimes in a variety of issue domains. In addressing this topic here, I draw relatively sharp distinctions among the three levels of social organization. No doubt, some actual societies constitute borderline cases or exhibit

Table 41.1. Policy domains

Type of decision	Level of decision making		
	Small scale, traditional	National	International
One-off choices		A	
Generic decisions		A	
Regimes	B	B	B