P02 / Public Policy and the ‘Policy State’

Topic : POLICY, POLITICS AND POLITICAL REGIME

Chair : Fritz Sager (University of Bern)

Second Chair : Markus Hinterleitner (University of Munich)

GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

The policy state describes the organization of a state in which policy has become the preferred problem-solving tool of the government. In modern, complex, and fast-changing societies, governments address a large number and variety of problems. As governments undertake more over a broader range of issues, policy infrastructure thickens and permeates almost all areas of social, political, and economic life. This has profound implications for the organization of the state and for democratic politics. Democratic political systems are governed by different forms of rule, of which individual rights, formal political institutions and policy are the most important ones. In the policy state, policy interventions increasingly interfere with individual rights and formal political institutions, throwing into disarray the traditional ordering principles of democratic political systems. Because the policy state motivates an increase in the number and intensity of policy conflicts, it is also one of the main reasons for the current flourishing of more conflictual politics in many democratic systems (see e.g. Orren & Skowronek 2017; Pierson & Skocpol 2007).

Research on the policy state in the field of American political development bears particular relevance for the public policy discipline for a number of reasons:

First, it adopts a content-free, macro-perspective on policy that is different from the more particularistic and procedural perspectives on specific policies, which are common in the study of public policy. By considering the policy infrastructure in its entirety and interplay, the research on the policy state is able to ask (and answer) questions that do not emerge if there is emphasis on particular policies and their trajectories.

Second, research on the policy state invites policy scholars to contribute to important current debates in political science about intensified political conflict. Intensified conflict about policy forces the discipline to reconsider the assumptions about the type of political conflict presupposed in major policy-making and policy-change frameworks.

Third, research on the policy state indicates exciting new research opportunities for policy studies as well as potentials for cross fertilization between disciplines. For example, policy scholars can contribute to a better and more comprehensive understanding of policy-centered political conflict, or they can add a comparative dimension to research on the policy state, which has so far only been analyzed in the context of the US.

References:

- Orren, K. & Skowronek, S. 2017. The policy state: An American predicament. Harvard University Press, Cambridge, Massachusetts

- Pierson, P. & Skocpol, T. (eds.). 2007. The transformation of American politics: Activist government and the rise of conservatism. Princeton University Press, Princeton, N.J.

CALL FOR PAPERS

This panel invites both conceptual and empirical contributions that explore various facets of the policy state, as well as its implications for democratic politics and the study of public policy as a discipline.

Papers may address (but are not limited to) the following issues and questions:

- (Empirical) Approaches to assessing the extent and form of policy states: How can we measure policy’s advance? Are there differences across policy fields? Can we build on existing work on policy expansion and policy density to get an adequate (and nuanced) picture of the policy state?
- A systematic comparison of the perspectives on ‘policy’ adopted by research on the policy state and by policy studies: What (if anything) is ‘new’ about the macro-perspective on policy adopted by the policy state? Is there work in the policy studies community that adopts a comparable non-procedural perspective on ‘policy’? What are the advantages of a different perspective?

- An international perspective on the policy state: Are there differences between policy states across advanced democracies? Are there differences in the configuration of different forms of rule (i.e. individual rights, structure, and policy)? Are there different (historical) trajectories that lead to the outcome ‘policy state?
- Assessments of the various facets of ‘policy conflict’: What are the dominant forms of conflict about policy in the ‘policy state’? Are all of these forms covered by existing policy-making and policy-change frameworks? Or do we need to update our frameworks to capture all facets of policy conflict in the ‘policy state’?
- Explorations of the link(s) between the policy state and political polarization: If research on the policy state is right that the policy state is an important enable of political polarization, through which processes does a thickened policy infrastructure enhance political polarization?
- Explorations of the link(s) between the policy state and democracy: What are the consequences for democracy and politics if policy becomes more widespread? Does politics become more polarized and democracy more confusing? What is the relationship between the policy state and direct democracy?

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Session 1Public Policy and the Policy State

Friday, June 28th 14:00 to 16:00 (MB 9 EFG)

Discussants

Markus Hinterleitner (University of Munich)

The Study of Public Policy and the Policy State

Markus Hinterleitner (University of Munich)
Fritz Sager (University of Bern)

This article examines research on the ‘policy state’ in the field of American political development and explores its relevance and implications for the study of public policy. The policy state describes the organization of a state in which policy has become the preferred problem-solving tool of the government. A ‘thickened’ policy infrastructure, which permeates almost all areas of social, political, and economic life, has profound implications for politics and policy-making. We emphasize the distinct and innovative perspective on ‘policy’ that research on the policy state adopts, highlight potential implications for a more adequate account of policy conflict in prominent policy-making frameworks, and identify research opportunities for policy studies. Overall, we contend that the research on the policy state provides a welcome opportunity to critically reflect on the state of the policy literature in light of current political developments and to examine its position vis à vis other subfields of political science.

The more the better? Rule growth and policy effectiveness

Julian Limberg (Department of Political Economy)
Louisa Bayerlein (European University Institute)
Christoph Knill (LMU Munich)
Yves Steinebach (University of Oslo)

Do more rules improve policy outcomes? In this paper, we look at rule growth in the area of environmental policy to answer this question. We argue that a growth in rules needs to be accompanied by a simultaneous expansion of state capacity to be effective. If state capacity is stagnating or even declining, countries face the phenomenon of empty rule growth where they lack the ability to implement their ever-growing stock of policy instruments. Hence, rules are a necessary, but not yet sufficient condition for improving societal outcomes. An analysis of the effect of legislative effort on environmental outcomes covering 13 countries from 1980-2010 supports our argument. These findings have important implications for policy-making in the 21st century.

Sustaining the Policy State: A Concept of Vertical Policy Process Integration

Yves Steinebach (University of Oslo)
Christoph Knill (LMU Munich)
Christina Steinbacher (LMU Munich)

As public policy-making is motivated by the attempt to solve political problems, states might be naively evaluated against the number of policy targets addressed and the number of policy instruments applied.

However, recent studies have shown that the growing stock of policies is often not mirrored by an equal increase in implementation capacities. Addressing problems by more and more policies but not being capable of putting these policies into effect, governments are threatened to be caught in a vicious circle: Problems do not get solved despite governmental activity and require further measures which cannot be implemented either. Stuck in such a 'responsiveness trap', political orders are substantially threatened. Consequentially, scholars are required to react and to engage in answering the question on how sustainable policy-making can be reached.

This paper highlights the importance of an integrated policy-making process. In this context, we propose an innovative two-dimensional concept of vertical policy process integration which captures (1) the degree of involvement of policy formulators in the affairs of policy implementation and, vice versa, (2) the degree of implementers' integration into the process of policy formulation. Accordingly, the paper deduces four types of vertical policy process integration: Non-integration, administrative integration, political integration, and full integration. We expect a higher level of vertical policy integration to result in a more sustainable policy growth path. To test and illustrate the explanatory power of our concept, we examine the nexus between the level of vertical policy integration and the patterns of policy accumulation at the sectoral level for four crucial cases.

The concept proposed enables researchers to gain insights into public policy-making on an epidemiological level nurturing comparative analyses in the field of public policies. By asking how policy-making is structurally connected, vertical policy process integration provides the missing link to integrally systematize previous thoughts on public policy integration. Our concept links and contributes to various theoretical approaches developed in both the public policy and the public administration literature as well as in administrative law.

Occupational Licensing in Israel: the expansion of the licensing state

Osheroff Yair (The Hebrew University of Jerusalem)

Occupational License (OL) is a state regulation that restricts the practice of an occupation by requiring practitioners to hold a license to practice it. For many years OL draws the attention of scholars given its significant impact on market and society. But while a considerable knowledge of the outcomes of OL was gathered, the understanding of its origins is still limited. This study aims to advance this understanding, by analyzing the development of OL in the Israeli market and explaining the differences between the licensing of occupations.

Drawing on the literature of public policy and regulatory governance, three theoretical approaches are suggested to explain the variance in OL between the occupations. First is the public interest approach by which OL is a means to protect the public from low-quality practice of occupations. The licensing requirements are assumed to ensure a certain standard of the qualification of practitioners, and hence of their practice of the occupation. The second approach is the private interest approach, by which OL is the result of political contestation between interest groups who aim at utility maximization. The restrictions OL poses on accessing an occupation are assumed to limit the competition in an occupation and increase the wage of its practitioners; hence practitioners would mobilize their political power to promote OL. The third approach is the state-centered approach which suggests that OL is initiated by the state to expand its influence over the market and promote its own interests. By licensing, the state gains control over who may practice the occupation and under what conditions; it may use this control to channel practitioners to act according with its needs.

Preliminary findings confirm two main explanations for the variance of OL between occupations. In line with the private interest approach, the first factor that explains the variance is political power of practitioners. In line with the state-centered approach, the second factor that explains the variance is the state interest in OL. The state has a great interest to license occupations that it may use to oversee the activity in the market as accountants and tax advisers. The findings show only marginal explanatory power of the public interest approach. Based on the findings, the study suggests implications for explaining OL in general. It stresses the relativity of political power of practitioners according to other actors that might be involved in the politics of OL. It emphasizes the potential role of the state in setting and designing OL in accordance with how an occupation may serve its goals. Furthermore, the study suggests that privatization might be a prominent factor in the expansion of OL. The state is likely to require more control by licensing in the private sector in comparison with the public sector, since it already controls the latter. In addition, since wages are affected more by competition in the private sector than in the public sector, it is likely that practitioners would promote OL to the extent that their occupation is practiced in the private sector. Finally, the study suggests understanding OL as part of a broader context of Regulatory Capitalism.