

# Tales From the Crypt: The Rise and Fall (and Rebirth?) of Policy Design

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## Abstract

Policy design is an area of study in the field of public policy with a curious intellectual history. It engendered a large literature in the 1980s and 1990s oriented to understanding design as both a process and an outcome with prominent figures in the United States, Canada, Europe, and Australia such as Lester Salamon, Patricia Ingraham, Malcolm Goggin, John Dryzek, Hans Bressers, Helen Ingram and Anne Schneider, G. B. Doern, Stephen Linder and B. Guy Peters, Renate Mayntz, Christopher Hood, Eugene Bardach, Evert Vedung, Peter May, Frans van Nispen, and Michael Trebilock writing extensively on policy formulation, policy instrument choice, and the idea of designing policy outcomes. After the early 1990s, however, this literature tailed off, and although some writings on policy design have continued to flourish in specific fields such as economics and environmental studies, in the fields of public administration and public policy, the idea of “design” was largely replaced by the study of institutional forms and decentralized governance arrangements. This article traces this decline to two related hypotheses about the changing nature of society and policy responses—the “government to governance” and “globalization” narratives—which it is argued crowded out more nuanced analyses of state options in the policy-making process in favor of decentralized market and “third” or “fourth” sector collaborative network mechanisms. Importantly, these

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latter designs are often seen as inevitable and “natural,” obviating the need for reflective studies of design and metadesign processes and outcomes. We argue that the denouement of design research has, in fact, hurt the scholarship on governance and institutions and call for a renewal of the notion of policy design.

### **Keywords**

policy design, policy making, globalization, governance

## **Introduction: Policy Design As Noun and Verb**

Policy design is a subject riddled with nuance and complexity. In David Bobrow’s (2006) apt phrase, policy design is “ubiquitous, necessary and difficult” but surprisingly little studied and understood in the contemporary policy literature. This is especially surprising because at different points over the past three decades, it has received detailed treatment (Bobrow, 2006; May, 1981, 1991, 2003; Weimer, 1992). This note discusses why this pattern of (in)attention has occurred and suggests the time is ripe for this particular facet of policy studies to reemerge.

The purpose and expectations of policy design have always been clear (Dryzek, 1983). That is, it is an activity conducted by a number of policy actors in the hope of improving policy making and policy outcomes through the accurate anticipation of the consequences of government actions and the articulation of specific courses of action to be followed. Regardless of regime and issue type, and regardless of the specific weight given by governments to different substantive and procedural aims, all governments who wish to have their goals effectively achieved in an efficient way, through employment of knowledge and empirical data to assess the appropriateness of policy means, engage in “design” (deLeon, 1988; Potoski, 2002; Weimer, 1993). As Linder and Peters (1990b) argued,

A design orientation to analysis can illuminate the variety of means implicit in policy alternatives, questioning the choice of instruments and their aptness in particular contexts. The central role it assigns means in policy performance may also be a normative vantage point for appraising design implications of other analytical approaches. More important, such an orientation can be a counterweight to the design biases implicit in other approaches and potentially redefine the fashioning of policy proposals. (p. 304)

This allows us to define the term as

the effort to more or less systematically develop efficient and effective policies through the application of knowledge about policy means gained from experience, and reason, to the development and adoption of courses of action that are likely to succeed in attaining their desired goals or aims. (Bobrow, 2006; Bobrow & Dryzek, 1987)

Although the scope of what is encompassed by the term *policy design* is an open question, most of its characteristics are clear. Within the policy sciences, it has been linked to studies of policy instruments and implementation (May, 2003) and to those of policy ideas and policy formulation (Linder & Peters, 1990a, 1990b). It shares a large number of features in common with “planning” but without the strategic or directive nature often associated with the latter (Tinbergen, 1958, 1967). Policy design is much less technocratic in nature than these other efforts at “scientific” government and administration (Forester, 1989; Schön, 1988, 1992; Voß, Smith, & Grin, 2009); however, it too is oriented toward avoiding many of the inefficiencies and inadequacies apparent in other, less knowledge-informed ways of formulating policy, such as pure political bargaining, ad hocism, or trial and error (Bobrow, 2006). In general, though, it is less specific than planning in developing general sets of alternatives rather than detailed directive “plans” (Fischer & Forester, 1987; May, 1991).

Like planning, policy design has its roots in the “rational” tradition of policy studies, one aimed at improving policy outcomes through the application of policy-relevant knowledge to the crafting of alternative possible courses of action intended to address specific policy problems (Cahill & Overman, 1990), but it extends beyond this to the consideration of the practices, frames of understanding, and lesson-drawing abilities of policy formulators or “designers” (Bobrow, 2006; Schneider & Ingram, 1988). Design is a dialectic between the (social) construction and (ecological) adaptation of policy (Lejano, 2006; Lejano & Shankar, 2012). That is, as May (2003) has argued, policy design is simultaneously noun and verb, outcome and process, but rather than treating design as simply a technocratic activity of finding the best output, it can also be seen to involve channeling the energies of disparate actors toward agreement in working toward similar goals. In this sense, policy design contains a substantive component—a set of alternative arrangements potentially capable of resolving or addressing some aspect of a policy problem, one or more of which is ultimately put into practice—as well as a procedural component—a set of activities related to securing some level of agreement among those charged with formulating, deciding on, and administering that alternative. It thus

overlaps and straddles policy formulation and policy implementation, and involves actors, ideas, and interests present at both these stages of the policy process (Howlett, Ramesh, & Perl, 2009; Linder & Peters, 1990a).

This relationship between output and process is a significant one for studies of policy design because the exact processes by which policy decisions are taken vary greatly by jurisdiction and sector and reflect great differences between and within different forms of government—from military regimes to liberal democracies—as well as the particular configuration of issues, actors, and problems found in particular areas or sectors of activity—such as health, education, energy and transportation, social policy, and many others (Howlett et al., 2009; Ingraham, 1987). In some circumstances, policy decisions will be more highly contingent and “irrational”—that is, driven by situational logics and opportunism rather than careful deliberation and assessment—than others (Cohen, March, & Olsen, 1979; Dryzek, 1983; Eijlander, 2005; Franchino & Hoyland, 2009; Kingdon, 1984).

This high level of contingency in decision making militates against planning and rationality, and led some critics to suggest that policies cannot be “designed” in the sense that a house or a piece of furniture can be (Dryzek & Ripley, 1988). However, other scholars disagreed with this assessment and argued that process and output could be analytically separated to make the design problematic less intractable. Stephen H. Linder and B. Guy Peters, for example, argued in a series of articles in the late 1980s and early 1990s that the actual public decision-making process can be divorced from the abstract concept of policy design, in the same way that an architecture can be divorced conceptually, if not in practice, from its engineering. Policy designs in this sense can be thought of as “ideal types,” that is, as ideal configurations of sets of policy elements that can reasonably be expected to deliver a specific outcome, and “policy designing” as the process by which these ideal types are identified and refined. Whether all the aspects of such configurations are actually adopted in practice is more or less incidental to the design, except insofar as such variations suggest the expected outcome may be less stable or reliable than the original design would augur. As Linder and Peters (1988) argued,

Design then, is not synonymous with instrumental reasoning but certainly relies greatly on that form of reasoning. Moreover, the invention or fashioning of policy options is not designing itself and may not even call on any design. While somewhat at odds with conventional (miss) usage, our treatment focuses attention on the conceptual underpinnings of policy rather than its content, on the antecedent intellectual scheme rather than the manifest arrangement of elements. As a result, the study

of design is properly “meta-oriented” and, therefore, one step removed from the study of policy and policy-making. (p. 744)

In short, policy studies are aided to the extent that we can be more precise and inclusive in our understanding of the practice and scope of design. However, significantly, just as the policy design literature of the 1990s made these important conceptual and methodological advances, academic studies of policy design declined precipitously, and further advances into our understanding of the factors that led to designs being adopted and the actual content of those designs were much slower in forthcoming.

In the discussion that follows, we will chart the rise of policy design research and, then, trace its demise to the emergence of seemingly (but, as we will argue, not actually) contrary notions in policy research, namely, *governance* and *globalization*. Reinventing or, more properly, “rediscovering” policy design, we argue, is necessary for policy studies to advance beyond some of the strictures placed in its way by the reification and overemphasis placed by studies of these two subjects in recent years on only a few of the many possible kinds of policy designs.

## **The Origins and Rise of Policy Design Studies As an Academic Field**

The roots of policy design lie in the origins of the policy sciences. In his early pathbreaking works on public policy making, for example, Harold Lasswell began integrating aspects of policy formulation and implementation, not only pointing to the various stages of the policy process and emphasizing the importance of context but also focusing on the instruments of policy available and refined through this process (Lasswell, 1954; Torgerson, 1985, 1990). This orientation primed other policy scholars to begin studying the multiple means by which governments could effect policy, and by the 1970s, there arose a more explicit focus on the evaluation of the impact of specific kinds of implementation-related tools, primarily economic ones such as subsidies and taxes (Mayntz, 1983; Sterner, 2003; Woodside, 1986).

Bardach (1980) and Salamon (1981), for example, argued in the early 1980s that policy studies had “gone wrong” right at the start by defining policy in terms of “problems,” “issues,” “areas,” or “fields” rather than in terms of “instruments.” As Salamon put it in 1981,

The major shortcoming of current implementation research is that it focuses on the wrong unit of analysis, and the most important theoretical

breakthrough would be to identify a more fruitful unit on which to focus analysis and research. In particular, rather than focusing on individual programs, as is now done, or even collections of programs grouped according to major "purpose," as is frequently proposed, the suggestion here is that we should concentrate instead on the generic tools of government action, on the "techniques" of social intervention. (p. 256)

Following these and similar injunctions, scholars in many countries interested in the links between implementation failures and policy success (Goggin, Bowman, Lester, & O'Toole, 1990; Mayntz, 1979; O'Toole 2000) in the 1980s and early 1990s turned their gaze directly on the subject of how implementation alternatives were crafted and formulated. Studies in economics and law that focused on the "ex post" evaluation of the impact of policy outputs (Bobrow, 1977; Hargrove, 1975; Stokey & Zeckhauser, 1978) joined with a growing interdisciplinary literature focused on policy and governmental processes in the 1980s and 1990s. Legal studies spoke to how laws and regulations mediated the delivery of goods and services, and how formal processes of legislation and rulemaking led to policy (Keyes, 1996). On another front, management and administrative studies provided insights into the links between administrative systems and implementation modes, among others (Lowi, 1966, 1972, 1985; Peters & Pierre, 1998).

This led to the birth of a specific literature on policy design in the mid-1980s. Scholarly attention at this time focused on the need to more precisely categorize types of policy instruments to better analyze the reasons for their use (Bressers & Honigh, 1986; Bressers & Klok, 1988; Hood, 1986; Salamon, 1981; Trebilcock & Hartle, 1982; Tupper & Doern, 1981). Careful examination of implementation instruments and instrument choices, it was argued, would improve policy designs and outcomes (Linder & Peters, 1984; Mayntz, 1983; Woodside, 1986).

During this period, researchers in Europe and North America shed a great deal of light on the construction and establishment of regulatory and other political and administrative agencies and enterprises, traditional financial inducements, and the "command-and-control" measures adopted by administrative agencies (Dunsire 1993a; Hood, 1986; Howlett, 1991; Landry, Varone, & Goggin, 1998; Tupper & Doern, 1981; Vedung, 1998). This new emphasis on the systematic study of policy instruments lent itself easily to emerging areas such as pollution prevention and professional regulation (Hippes, 1988; Trebilcock & Prichard, 1983). Researchers also began studying shifts in patterns of instrument choice associated with the waves of privatization and deregulation that characterized the period (Howlett & Ramesh, 1993).

Soon the field of instrument studies had advanced enough that Salamon (1989) could argue that the design or “tools approach” had indeed become a major approach to policy studies in its own right, bringing a unique perspective to the policy sciences with its focus on policy outputs.<sup>1</sup> He framed two important research questions to be addressed in future analyses of the tools of government action: “What consequences does the choice of tool of government action have for the effectiveness and operation of a government program?” and “What factors influence the choice of program tools?” (p. 265). These questions were taken up by the policy design literature in the 1990s, and subsequent scholarship expanded the number of preliminary questions that needed to be answered before Salamon’s queries could be addressed (Hood, 2007; Salamon, 1981, 2002b; Timmermans, Rothmayr, Serduelt, & Varone, 1998). These included the desire for more research into questions such as the following:

1. What potential tools does any government have?
2. How can these be classified?
3. How have these been chosen in the past?
4. Is there a pattern for this use?
5. If so, how can we explain this (or these) pattern(s)?
6. Whether we can improve on past patterns of use?

By the late 1990s, work on instrument selection had progressed to the point of beginning to systematically attempt to assess the potential for developing optimal policy mixes, moving away from the single instrument studies and design characteristics of earlier works (Grabosky, 1994; Gunningham & Young, 1997; Howlett, 2004). Studies such as Gunningham, Grabosky, and Sinclair’s (1998) work on “smart regulation” led to the development of efforts to identify complementarities and conflicts within instrument mixes or “portfolios” involved in more complex and sophisticated policy designs (C. K. Barnett & Shore, 2009; Blonz, Vajjhala, & Safirova, 2008; Buckman & Diesendorf, 2010; Roch, Pitts, & Navarro, 2010). For these studies, the key question was no longer “why do policy makers utilize a certain instrument?” but rather “why is a particular combination of procedural and substantive instruments utilized in a specific sector?”<sup>2</sup> (C. D. Clark & Russell, 2009; Cabbage, Harou, & Sills, 2007; Dunsire, 1993b; Gipperth, 2008; Gleirscher, 2008; Howlett, 2000; McGoldrick & Boonn, 2010; Salamon, 2002a; Taylor, 2008).

These studies advanced the understanding not only of possible designs but also about the implementation of those designs as well as their formulation.

In their 1990 studies of policy targets and their behavior, for example, Schneider and Ingram (1990a, 1990b) used constructionist and behavioral lenses in understanding the adoption of policy designs. Noting that policy making “almost always attempts to get people to do things that they might not otherwise do,” they argued,

If people are not taking actions needed to ameliorate social, economic or political problems, there are five reasons that can be addressed by policy: they may believe that law does not direct them or authorize them to take action; they may lack incentives or capacity to take the actions needed; they may disagree with the values implicit in the means or ends; or the situation may involve such high levels of uncertainty that the nature of the problem is not known, and it is unclear what people should do or how they might be motivated. (Schneider & Ingram, 1990a, pp. 513-514)

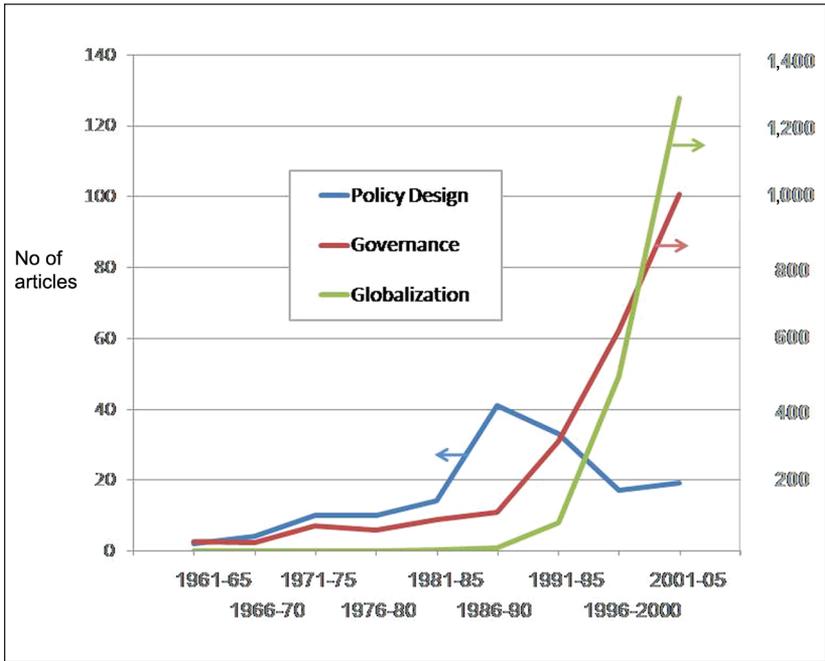
Subsequent work by these authors and others on the nature of target group behavior advanced discussion and understanding of the subject well beyond its early formulation in Laswell and Lowi’s pioneering works (Ingram & Schneider, 1990; Schneider & Ingram, 1990a, 1990b, 1994, 1997).

## **The Decline of Policy Design Studies**

Despite these advances, however, “policy design” as a subject of academic inquiry declined precipitously in the mid- to late 1990s. We will now chart the waning of policy design as an active site of research and trace this to other developments in the field.

Figure 1 shows part of the story. To construct this figure, we conducted a title keyword search, using JSTOR, of articles about policy design over the period 1961-2005. As a prelude to the arguments that follow, we also chart the emergence of two other fields of policy research, that of “governance” and “globalization.” The aim of the figure is not to make strong claims about correlation or causation but merely to provide a graphic description of the evolving state of policy research in these areas.

Conceived of as a process and outcome, policy design is very much situated in the “contextual” orientation that is characteristic of modern policy science (May, 2003; Torgerson, 1985). That is, it is an activity or set of activities that takes place within a specific historical and institutional context that largely determines its content (Clemens & Cook, 1999). Which alternatives can be imagined, and prove feasible or acceptable at any given point in time,



**Figure 1.** Chronology of Journal Articles on policy design, governance, and globalization (5-year increments)  
Source: <http://www.jstor.org>, accessed February 7 and 14, 2011.

change as conditions evolve and different sets of actors and ideas alter their calculations and ideas about the consequences and appropriateness of particular policy options or implemented designs (Goldmann, 2005; March & Olsen, 2004). In the earliest literature, from Laswell onward, the most central actor (or author) in policy design has been the state. We contend that the weakening of interest in policy design research was related to a broader decentering of policy studies away from the centrality of authority and state centeredness, as seen in the concurrent rise in the literature on collaborative governance and on the effects of globalization in undermining state capacities and capabilities.

*Governance* is an ambiguous term but refers generally to the broadening of the notion of “government” away from a state-centered concept toward more diffuse, often boundary-spanning, networks of governmental and non-governmental actors (Kooiman, 2003). Governing involves the establishment

of a basic set of relationships between governments and their citizens that can vary from highly structured and controlled to arrangements that are monitored only loosely and informally, if at all. In its broadest sense, “governance” is a term used to describe the *mode* of coordination exercised by state actors in their interactions with societal actors and organizations (de Bruijn & ten Heuvelhof, 1995; Klijn & Koppenjan, 2000; Kooiman, 1993, 2000; Rhodes, 1996). Governance is thus about establishing, promoting, and supporting a specific type of relationship between governmental and nongovernmental actors in the governing process.

Many commentators have argued that state practices are being transformed by improved information and communication technologies to become ever more complex networks of interorganizational actors (Castells, 1996; Mayntz, 1993). This increased “networkization” of society, it is argued, has meant that many functions and activities traditionally undertaken exclusively by governments increasingly involve ever-larger varieties of nongovernmental actors, themselves involved in increasingly complex relationships with other societal, and state, actors (Foster & Plowden, 1996).

In this literature, policy is typically seen as the outcome of decentralized, democratized or participatory processes involving the actions and interests of multiple public and private stakeholders. As a result of these processes, many commentators have suggested that implementation practices have become more participatory and consultative over the last several decades (Alshuwaikhat & Nkwenti, 2002; Arellano-Gault & Vera-Cortes, 2005) as networkization has increased and many countries now place an increasing emphasis on public information and other similar types of campaigns, replacing or supplementing more coercive forms of government activity (Doern & Wilks, 1998; Hawkins & Thomas, 1989; Hood, 1991; Howlett & Ramesh, 1993; J. A. Weiss & Tschirhart, 1994; Woodside, Atkinson, & Chandler, 1983). This movement toward the development of networked societies, it is often argued, has reduced government capacity for independent action and limited their design choices and alternatives (Dobuzinskis, 1987; Lehbruch, 1991).

This has had an effect on policy design research. Changes in governance modes entail alterations in the abilities of various state and nonstate actors to prevail in policy formulation disputes and decisions, as well as shifts in the choices of policy instruments used to implement public policy (March & Olson, 1996; Offe, 2006; Scharpf, 1991; Weaver & Rockman, 1993). Although networkization could simply have been seen as a new design challenge (Agranoff & McGuire, 1999; Hood, 2006), for many authors the weakening of the centrality of the state as an author of policy was accompanied by a waning

in interest in the authorship (or design) of policy. As Bevir and Rhodes (2007) wrote, “A decentred theory undercuts this idea of a set of tools we can use to manage networks. If networks are constructed differently, contingently, and continuously, we cannot have a tool kit for (constructing or) managing them” (p. 85).

Part of the view that has taken over in the governance literature is a distinction drawn between *policy* as an instrument of government and the *institutional framework* in which policies arise, and a perspectival shift toward the latter (Kooiman, 2003). Some describe this as a turn away from the managerialist state to a deliberative model (Durant & Legge, 2006). At least part of the demise of policy design research can be traced to the call for more participatory and less command-and-control tools proposed by adherents of the “government to governance” thesis (Barnett et al., 2009; Edelenbos, van Schie, & Gerrits, 2010; Esmark, 2009; Hardiman & Scott, 2010; Hysing, 2009; Koppenjan & Klijn, 2004; Schout, Jordan, & Twena, 2010). Although many early proponents of the idea of increased networkization simply expected governance arrangements to shift evenly away from sets of formal institutions, coercive power relations and substantive regulatory tools found in hierarchical systems toward more informal institutions, noncoercive relationships of power, and a marked preference for procedural instruments and soft law in more plurilateral systems (Dunsire, 1993b; Kooiman, 1993), in many realms and countries this did not happen (Howlett et al., 2009). Rather than presage a decline in attention to policy design, we would argue, the new institutional complexities revealed by the literature on governance call for a closer focus on it.

The same can be argued of a second, related, movement in the policy literature of the late 1990s and first decade of this century, that on *globalization* and its effects. This literature has promoted a similar view of the “hollowing out” of the state and a decline in the need to pay close attention to state options and actions, this time due not so much to the increased power and influence of nonstate domestic actors as to the effects of international agreements and the mobility of industry, capital, and technology in the contemporary era (Cutler, Haufler, & Porter, 1999; Held, McGrew, Goldblatt, & Perraton, 1999). Like the governance literature, this literature has problematized the notion of the state and its ability to control events and thereby correctly anticipate policy problems and outcomes (Moran, 2002). Consistent with this view is the sentiment that inasmuch as the policy design literature emphasizes modalities and instruments available to the state, then this literature is perhaps now outdated. However, there are reasons to think otherwise.

Contrary to what is commonly believed and often advocated, for example, in our global era, the domestic state remains far from overwhelmed or bereft

of autonomous decision-making capacity (Braithwaite, 2008; Weiss, 2003). Even with globalization, the source of many changes in patterns of policy making and instrument choice most often still lies in the domestic rather than the international arena (Levi-Faur, 2009; Scott, 2004). Domestic states, be they national or subnational, do not only react to changes in their international environments but also are very much still involved in the formulation and implementation of policies expected to achieve their ends (Lynn, 1980; Vogel, 2005).

Admittedly, international political agreements, whether formal or informal, can also have a constraining direct effect on the choice of policies and policy tools. The European Union (EU) is an extreme case of the formal transfer of decision-making authority to a supra-national center, for example, which often severely limits what national governments can do and the instruments they can use to effect their decisions (Kassim & Le Galès, 2010). However, even here the restrictions on national governments' abilities to use regulatory and fiscal tools on their own are often less significant than often assumed (Halpern, 2010). Even when they are, national governments are often able to craft their own specific solutions to ongoing policy problems with little regard to EU policy through mechanisms such as "subsidiarity" or the "open method of coordination" that allow local states to determine and design their own policy responses to EU-level initiatives (Heidbreder, 2011; Lierse, 2010; Meuleman, 2009; Tholoniati, 2010).

Thus, although there is no doubt that the evolution of these kinds of international treaties and arrangements is an important development, in many sectors and areas of government activity, often they impose only very minimal or no constraints on the choice of policy tools utilized by governments, nowhere near those alleged by many proponents and opponents of globalization-led pro-market reforms (see especially Bernhagen, 2003; Clark, 1998; Palan, Abbott, & Deans, 2000; Weiss, 1999).<sup>3</sup>

In summary, we note two things: First, contrary to prevailing opinion, rumors of the demise of the state (and its capacity for policy design) are greatly exaggerated, and second, the more complex and networked character of public policy today has, in fact, *increased* the need to deepen our understanding of mechanisms and instruments that now characterize policy design, rather than reduce our need to examine it.

## **Conclusion: A Call for Renewal**

It has been argued in many circles that in response to the increased complexity of society and the international environment, governments in many countries

(particularly in Western Europe) have turned away from the use of a relatively limited number of traditional, often command-and-control-oriented, policy tools such as public enterprises, regulatory agencies, subsidies, and exhortation, and begun to increasingly use their organizational resources to support a different set of substantive and procedural tools (Klijn & Teisman, 1991; Majone, 1997; Peters, 1998). Policy designs invoking new tools such as government reorganizations, reviews and inquiries, government–nongovernmental organization partnerships, and stakeholder consultations that act to guide or steer policy processes in the direction government wishes through the manipulation of policy actors and their interrelationships are more frequent and common (Bingham, Nabatchi, & O’Leary, 2005). However, other trends exist in other sectors featuring other kinds of governance activities and preferences and continue to challenge public administrators, managers, and scholars (Knill, 1999; Peters, 1996; Peters & Pierre, 1998).

The recognition of the continued vitality of the state in a globalized environment along with the existence of multiple sectoral modes of governance at the domestic level suggests a more subtle and nuanced account of policy design trends and influences is required than is found in the discussions that have flowed from the studies of globalization and network governance that have burgeoned since 1990 (Considine, 2012). Many existing debates about policy choices are embedded in discussions of these two processes, and as a result, much of the existing discussion of policy tools and policy designs is characterized by misinformation, ideological predilection, and unnecessarily polarized positions.

This is just as true for practitioners as it is for theorists and academics. As Evert Lindquist (1992) argued two decades ago, in the modern era, officials need

new analytical tools that will help them to diagnose and map the external environments of public agencies, to recognize the inherent tensions and dynamics in these environments as they pertain to policy development and consensus-building, and to develop new strategies for “working” these environments in the interests both of their political masters and those of the broader communities they serve. . . . If public servants are to learn from the experience of colleagues working in other sectors and levels of government, they will need a vocabulary to facilitate the dialogue. (pp. 128-129)

Thus, the real challenge for a new generation of design studies is to develop greater conceptual clarity and the methodological sophistication needed to sift

through the complexity of new policy regimes, policy mixes, alternative instruments for governance, and changing governance networks, and link these to a deeper theory of design (Eliadis, Hill, & Howlett, 2005; Howlett, 2011). The design process is complex, often internally orchestrated between bureaucrats and target groups, and usually much less accessible to public scrutiny than many other kinds of policy deliberations (Donovan, 2001; Kiviniemi, 1986). Rather than reinvent the wheel, however, students of the design and implementation of calibrated policy measures have an invaluable resource in the templates developed by Ingraham, Bobrow, May, Doern, Hood, Linder, and Peters; Schneider and Ingram; Salamon; and others in the mid-1980s and early 1990s that can help them to organize their thinking and focus discussion on the key design parameters already identified within this literature.

What has been lost with the present-day neglect of the existing corpus of studies on policy design? Let us suggest some possible perils. First, this may have fostered a tendency to forget the crucial link between policy instruments and outcomes, and to simply presume that broad institutional choices somehow suffice to solve wicked policy problems. Networks and participatory institutions become universal panaceas, forgetting the highly contextual nature of networks and participation and that these are also, in fact, contingent instruments of policy design. The second has been a greater vulnerability to political entrepreneurs' actions and efforts to turn deliberation over institutional form into simplistic ideological debates. In contrast, a renewed focus on policy design may perhaps impress on policy actors, yet again, that panaceas and ideologies do not deliver desired policy outcomes, and policies do not design themselves. Perhaps, just perhaps, if we had retained our focus on policy instruments and policy mixes and been more critical of the government to governance and globalization mantras, when it came time to decide whether to regulate risky Wall Street securities, for example, regulators and academics would not have been so willing to parrot the ideological cant of deregulation but would have engaged in a more sophisticated and informed, and more successful, modes of policy deliberation and design.

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## Notes

1. Salamon (1981) argued that this perspective had revealed that not only did, as traditional studies had maintained, “politics determine policy” but also the reverse (Landry, Varone, & Goggin, 1998). That is, via the feedback mechanism in the policy cycle (Pierson, 1992, 1993), tool choices led to the establishment of a “political economy” of a policy regime: A tool choice such as, for example, a decision to use tax incentives to accomplish some end created a constituency for continuation of that incentive (and sometimes one opposed to it), affecting future policy deliberations and decisions, including those related to instrument choices (Bobrow & Dryzek, 1987; Dryzek & Ripley, 1988; Linder & Peters, 1984). Most of these studies, however, focused exclusively on “substantive instruments,” that is, those that directly affect the production and delivery of goods and services in society. These early studies failed to adequately address procedural tools and consequently, until around the year 2000 had developed only a partial description of policy tools and an understanding of how instrument choices related to policy design.
2. Hence, for example, Robert Kagan identified the typical implementation style found in many U.S. policy sectors, which he dubbed “adversarial legalism”: composed of a preferred substantive instrument—regulation—and a characteristic procedural one—judicial review—based on wide-spread, easily accessible, legal procedures. See Kagan (1991).
3. To the extent that global factors have had an impact on domestic policy choices and governance practices, it is often through what can be termed more *indirect* and *opportunity* effects spilling over from trade and other activities, rather than from the *direct* effects advocates of regime changes typically cite in arguing that state behavior must change (Howlett & Ramesh, 2006).

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