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# Policy formulation redesigned: A new understanding of policy design and its implications for instruction

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## Abstract

Despite the fact that our knowledge on how policies are designed has substantially improved during the last two decades, prescriptive literature on policy formulation remains largely disconnected from these new findings. The article examines five major assumptions upon which policy formulation is still predominantly based: (a) there is one way policies are and should be formulated; (b) effective formulation of policies is more about the right application of methods than of the substance of a policy domain; (c) policy formulation is about choosing from mutually exclusive alternatives; (d) problem definition has priority over problem solution; (e) there is a clear distinction between policy formulation, adoption and implementation. This article shows why these assumptions are outdated and that they lead to many practical problems in the teaching of policy analysis. It is argued that policy formulation guidelines and training in policy formulation should be based on current policy design scholarship that stresses, for instance, the importance of local knowledge, deep understanding of actors' perspectives and the need to formulate policy packages. The article concludes with preliminary recommendations on how to move forward, illustrated with concrete examples from practice.

## Keywords

Policy design, policy analysis, policy work, public policy practice, instruction, policy formulation

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## Introduction

Policy formulation is one of the key roles of public administration (Page and Jenkins, 2005). The preparation of public officials to design policies takes different forms, but most often it is part of policy analysis (Dunn, 2016). Policy analysis typically consists of problem analysis and solution analysis. Yet, as observed by Weimer (1992: 370), the emphasis within policy analysis has always been on problem analysis and 'we have few general prescriptions about how to design alternatives'. Weimer (1993) advocated a practical treatment of policy design that would be useful to practitioners and teachers of policy analysis, yet he found very few examples of specific techniques relevant for policy design.

Policy design scholarship has come a long way since Weimer's observation. Howlett and others have argued that we have witnessed 'a rebirth of policy design' (Howlett, 2014). Indeed, the literature on new policy design so abounds that we could perhaps even speak of a 'design turn' in public policy. We now have a more solid empirical knowledge on how policies are designed as well as a much more nuanced theoretical understanding of actual policy design processes (Howlett and Mukherjee, 2017).

Nevertheless, policy design scholarship remains largely disconnected from the practice of policy formulation. Consequently, the guidelines on how policies should be formulated are still few and rather general. Even more importantly, as argued in this paper, policy formulation guidelines are often based upon outdated assumptions challenged by current policy design scholarship. Several attempts have recently been made to incorporate design thinking into policy formulation (Considine, 2012; Mintrom and Luetjens, 2016). It has been argued that design principles can help those who formulate policies ''to think outside the box'', to be more creative and more original. It has also been argued that policy designers should be more open to different perspectives and more comfortable with uncertainty.

Although I agree with that, my stance is more radical. In my view, the 'policy design turn' has much stronger and more severe consequences for policy formulation and, at least in some respects, it is incompatible with the traditional approach to policy analysis and with how it is taught. It is in line with a critique of an observed disconnect between (a) 'rational' policy analysis based on an ideal-type policy process and (b) actual studies of the policy process that show how such analysis would fail (Cairney and Weible, 2017). This critique claims that old approaches have not kept pace with new models of human choice and theories of the policy process. Consequently, it challenges emphasis on rational techniques such as cost-benefit analysis and stresses the importance of creativity and critical thinking.

In this article, I go beyond general and abstract critique, I challenge several of the concrete assumptions upon which traditional policy formulation has been constructed. I show some practical implications of this misfit and discuss the concrete problems that we face when preparing those who formulate public policies. I argue that these practical problems might often be explained with the help of current policy design literature, and that if we change our assumptions, we may better incorporate policy design scholarship into practice.

The goal of this paper is to connect two strands of scholarship that have so far been largely disconnected, i.e. practical recommendations on policy formulation and policy design. More specifically, the basic aims of this paper are to: (a) summarize and systematize key misfits between practical guidelines on policy formulation and current knowledge of policy design; (b) uncover the assumptions of the traditional approach within policy formulation that is challenged by current policy design scholarship; (c) describe the implications of this misfit for policy formulation using examples from the practical experience of the author.

I do not claim to add a new theoretical perspective on policy design literature itself, but I do believe I have contributed to knowledge on how to effectively prepare current and future policy formulators. The article is thus written mainly with practitioners and teachers in mind. I have realized that many of us are puzzled by some of the requirements embedded in the traditional approach and are looking for more working guidelines. Nevertheless, I also hope to contribute to a more theoretical understanding of policy learning. If it is true that 'formal instruction plays a relatively small part in policy learning' (Adams et al., 2015: 106), then the inevitable question is why? I believe that without deep theoretical and empirical understanding of how policies are designed, we can never formulate working guidelines for policy formulation.

In this paper I draw upon theoretical and empirical literature on policy design. I also reflect upon my personal, almost 15-years-long, experience in teaching policy analysis and policy design (both inside and outside university) as well as my experience as a policy analyst and policy advisor. I have also benefited from informal interviews with other policy analysis and policy design instructors and also from the literature on the topic. Although my experience might be specific and bound to my cultural and political context (Central Europe), I believe that the arguments in this paper are largely generalizable to other contexts as well.

The paper is structured as follows. First, I briefly summarize five traditional assumptions embedded in policy formulation guidelines that are incompatible with current scholarship. Then I provide a brief overview of current scholarship on policy design. The core of the article forms five subsections, each detailing a 'lesson', in which I counterpose the traditional assumptions with current knowledge of policy design and show the practical problems that stem from it. I also suggest how policy formulation could be based upon more solid knowledge and more realistic assumptions. I conclude with some preliminary implications for policy formulation instruction, using examples from my personal experience.

## Traditional guidelines on policy formulation

As already noted, the most well-articulated guidelines on how public policies should be formulated are to be found in policy analysis. A recent review has revealed that policy analysis is still predominantly positivist (He et al., 2016), and the core textbooks include those by Weimer and Vining (2016), Bardach and Patashnik (2015), Dunn (2016) and Patton et al. (2016)[1]. The traditional textbooks mentioned above have been revised many times, and some efforts have been made to make them fit more in accordance with

current developments. However, all these textbooks inevitably remain deeply rooted in the time of their origin and have been substantially criticized. This led to a heated debate on positivist versus post-positivist policy analysis that raged within academia during the 1990s (Foster et al., 2010)[2].

Post-positive policy analysis provided a sophisticated and relevant critique of traditional policy analysis. At the same time, however, many authors have argued that post-positivism needs 'to become more practical so it could play a daily role in governance' and that what is needed is a middle-way method that is 'primarily driven by the desire to build a practical (not ideological) foundation for policy analysis' (Foster et al., 2010: 519–520). In this paper, I follow this perspective. My critique of the traditional approach to policy formulation is *not* based upon epistemological or ontological arguments. I argue that in many respects the traditional approach is not *practical*, because it is based upon widely shared – but wrong – assumptions about how polices are and should be formulated[3]. These assumptions are as follows:

*Assumption 1*: There is one way how policies are and should be formulated.
*Assumption 2*: Effective formulation of policies is more about the right application of methods than of the substance of policy domain.
*Assumption 3*: Policy formulation is about choosing from mutually exclusive alternatives.
*Assumption 4*: Problem definition has priority over problem solution.
*Assumption 5*:There is a clear distinction between policy formulation, adoption and implementation.

Each of these assumptions leads to particular and very real problems in practice. For instance, the assumption that policy formulation means choosing *one alternative* – the cornerstone of traditional policy analysis – forces practitioners into artificial decision-making situations because, when tackling policy problems, *several* measures often must be realized simultaneously. The fact that various tools are often combined into 'policy packages' is well known not only to practitioners, but is now also well documented in new policy design literature (Howlett, 2014). Despite this fact, however, prescriptive policy formulation literature is silent on this point.

## Policy design turn and a new understanding of policy formulation

Policy design is one of the most central public policy concepts. At the same time, however, it is 'ubiquitous, necessary and difficult' (Bobrow, 2006). The scholarship on policy design has had a chequered history (Howlett, 2014). The promising beginning in the 1970s and 1980s has been replaced by diminished interest in the 1990s and 2000s. However, starting from the mid 2000s, the literature on policy design (and topics closely related to it) started to grow very fast.

The review of policy design literature is beyond the scope and aim of the paper (see May, 2003, Bobrow, 2006). Nevertheless, a very brief overview of the literature might be

useful here. With a little simplification, the literature on policy design can be divided into at least five streams (Veselý, 2018): (a) *classical works* (Alexander, 1979; Dryzek 1983); (b) a *practically oriented design thinking stream* (Kimbell, 2010); (c) *policy instruments literature* (Linder and Peters, 1989; Bemelmans-Videc et al., 1998; Salamon, 2002); (d) the *second wave of policy design* (Howlett and Lejano, 2012; Howlett, 2014); and (e) a *post-positivist critique of policy design* (Colebatch, 2018). Although policy design is sometimes considered to be a straightforward concept, various authors define it differently. For instance, in classical works on the topics, policy design is usually understood as conscious and purposeful plan-making (Rittel, 1987), while design thinking authors stress 'thinking through doing' in partnership with users (Bason, 2010). Different normative interpretations of 'design' are sometimes partially (or even fully) incompatible.

We do not aim to compare these various approaches. Here we follow a more pragmatic and practical approach. We draw on empirically founded insights that are relevant for policy formulation guidelines. Despite the fact that policy design scholarship suffers from internal inconsistency, it provides very valuable insights that can (and should be) incorporated into policy analysis instruction. These include (but are not limited to) a new understanding of how various policy designs interact in policy mixes and packages (Givoni et al., 2013), new knowledge on how policy design evolves over time (Howlett and Rayner, 2013), the discovery of new behavioural mechanisms of effective policy design (Thaler and Sunstein, 2008), new approaches towards the effective provision of public services (Bason, 2017) and new empirical findings on people who design policies (Howlett and Wellstead, 2011). The most relevant here seems to be the current wave of policy design (Howlett and Lejano, 2012; Howlett, 2014) and a practically oriented design thinking stream (Kimbell, 2010).

Let us demonstrate the practical usefulness of current policy design scholarship in one example. The fact that the policy world is often packed with possible solutions has been already observed decades ago (Kingdon, 1984). However, only very recently have policy design scholars explicitly stated that policy solutions often have a life of their own and that deliberations on policy tools 'can and do proceed in the absence of any specific problem and often are linked up to specific problems later' (Béland and Howlett, 2016: 404). The policymaking process is often activated with the 'invention' of solutions instead of problems. Problems are sometimes (or perhaps relatively often) found ex post to proposed solutions.

Policy design scholars have just started to propose possible explanations as to why solutions chase problems. It might be because various policy instrument constituencies (i.e. groups of people that adhere particular instrument) are formed that prefer certain types of instrument (Simons and Voß, 2017). The explanation, however, might also lie in the nature of the policy work. Politicians and public officials are assumed to do something, to be agile. They are in favour of proposing solutions that are relatively easy to introduce and that are highly visible (such as introducing or changing legislation). Thus, policy analysts are more often confronted with the question of introducing or not introducing a particular policy than trying to solve a specific complex problem. As Adams et al. (2015: 103) found, 'For our respondents, policy work was not so much about solving an identified problem but discovering the practices open to them and

finding an appropriate response'. Whatever explanation is more valid, the fact that policy work is often led more by solutions than by problem is well-known to practitioners. Yet, despite its significance for practice, it is entirely unnoticed in policy formulation textbooks. Current policy design provides many more similar and useful insights, some of which are discussed below.

## Lesson 1: Policy formulation is a diverse practice with contradictory claims

The first assumption of the traditional approach that will be discussed is that there is one way that policies are and should be formulated. The formulation of policies is often depicted as a clinical professional field, similar to medicine, psychology or law (Geva-May, 2005). This perspective stresses that solving policy problems is more than a technical activity. Although the formulation of policies presupposes some knowledge, it should always be adapted to political and social realities. It is argued that what is needed is a 'clinical reasoning process'. As one learns to 'think like a lawyer or doctor', we should prepare students to 'think like a policy analyst'.

As argued by Geva-May and others, lawyers, doctors and also policy analysts are facing 'clinical situations'. It is acknowledged that these situations are always partly unique and idiosyncratic, but also include 'meta-characteristics' that are generally shared in the professional community. This implies common 'tricks of the trade' and tacit knowledge that is shared. For instance, not only do doctors have an extensive understanding of how the human body functions, they also rely on different diagnostic guidelines (e.g. what is and what is not a dangerous level of cholesterol). They can also share their experiences with other doctors and discuss the effectiveness of treatments.

There have been many attempts to build policy formulation along 'clinical' principles and to formulate some generally accepted guidelines (Romero, 2001). However, these attempts have failed, and we can now see more divergence than convergence (Howlett and Mukherjee, 2017). The dream of there being one 'policy analysis profession' seems to be over. Current empirical findings on policy workers are in sharp contrast to assumptions that policy analysis has 'come of age' as a profession (Radin, 2000, 2013) and that entry to this profession is gained through the completion of a graduate course including a unit on 'policy analysis'.

In the last decade, a number of quantitative and qualitative studies have researched what policy analysts actually do in practice (Colebatch et al., 2010; Howlett and Walker, 2012). These studies were partly motivated by a felt dissatisfaction at the fact policy analysis is not used by policymakers to make better policy decisions (Shulock, 1999). The research has convincingly demonstrated that the reality is far from what is suggested in policy analysis textbooks. It was found that the work of policy analysts includes much more than rational analysis. Consequently, the word 'policy worker' instead of 'policy analyst' has started to be used (Kohoutek et al., 2018). The research revealed that policy work is even more heterogeneous and varied previously imagined. While some policy workers do use 'rational' analytical techniques, much of their daily work is about communication, coordination and 'making sense together' (Hoppe, 1999). These

different types of activities are often combined in unexpected and idiosyncratic ways, leading to the fact that most policy workers are 'multi-taskers' (Veselý, 2014).

The heterogeneity of policy work can be found at the individual, organizational and country levels. Policy workers face hugely diverse circumstances and situations. This is not only because of cultural diversity, but also because the policymaking process takes place in different locations simultaneously (Cairney and Weible, 2017). A policy worker rarely faces unoccupied terrain. More often they enter a terrain packed with different interpretations of problems as well as possible solutions. Moreover, they enter at different points of time in the policy process. Sometimes the space for solutions is quite constrained (e.g. the task is to consider the pros and cons of a particular and concrete measure, such as the introduction of a new regulation). Sometimes the scope for design is more open. Nevertheless, it is rarely possible to completely redefine the issue at hand. Policies are often 'patched', i.e. designers attempt to restructure existing policy elements rather than propose completely new measures (Howlett and Rayner, 2013).

Consequently, there is no such thing as *typical* policy work. Even the same people in the same department report different activities over time, depending upon political circumstances and the current head of the department. Their role changes and so do the expectations of them. Sometimes they are asked for 'fire-fighting' solutions and sometimes they are supposed to give more strategic advice. At times, more technical analysis is required (such as economic analysis of the trade-offs of different options), while sometimes more creative and out-of-the-box thinking is expected.

The practical implication of this diversity is that we are not preparing policy workers for one specific occupation and role, as it has been assumed in traditional policy analysis textbooks. Our current students will fulfil multiple tasks and roles. Sometimes I am asked by students to provide them with a 'typical policy analysis paper', which is, however, impossible because the requirements can be so diverse. What counts as a good and useful policy paper depends upon the particular problem and context. In my classroom, students choose the real policy problems they wish to work on. Each problem leads to different tools. Some problems include strong value disagreements, while others are more technical in nature. Sometimes, Q-methodology or the Delphi-method seem to be good options, sometimes more 'old-style' methods like cost-benefit analysis seem to be the best choice.

Consequently, policy formulators' toolbox must be very broad and perhaps structured according to some of the roles they will have, and the problems they will face. However, there must be some decision about what to include in the curriculum. Instruction time is severely limited, and the mastering of any particular technique often takes a lot of time. This is where the headache for us – teachers of future policy formulators – starts. What should and should not be included?

It is well known that 'it is tempting, if the only tool you have is a hammer, to treat everything as if it were a nail' (Maslow 1966: 15). Therefore, the choice of technique can influence the reality. This choice must fit the purpose of the given activity. Thus, policy work inevitably includes thinking about what technique is to be used in certain circumstances. In policy analysis textbooks, however, various tools are presented as generally applicable techniques, and students do not get any advice on how to assess the

relevance of a given tool. More concrete linkage between the technique and the policy work activity is needed, as well as reflexive treatment of the strengths and weaknesses of each technique – but first we have to abandon the assumption that all policy formulation *situations* are alike.

## Lesson 2: Policy formulation tools are inseparable from the substance of the policy area

There are many techniques that have been developed in policy analysis (and related fields) to assist in policy decision-making. The general aim was to make policymaking more rational: 'There was a great hope in the early years that these techniques would squeeze some if not all of the politics out of the decision-making—perhaps relegating it to higher-order value choices—and lead to improvements not only in the way that policies were made but of course in the results as well' (Pal, 2006: 378).

This hope never really materialized. The policy formulation toolbox includes a wide range of techniques, but few of them are 'scientific methods' in a strict sense, i.e. procedures that are systematic and purely objective and that lead to the same results regardless of who applies them. Though many tools (such as SWOT analysis, goal tree or scenario writing) are sometimes referred to as *methods*, they are, in fact, *heuristics*. In contrast to methods, heuristics are small, formalized procedures for problem solving and discovering new knowledge in the absence of strict rules. Different users of the same heuristic may achieve quite divergent results. Even if the procedure for using a heuristic is prescribed with maximum precision, another group will achieve different results under different conditions. This is because the application of a heuristic is always, to some extent, based on the subjective assessment of what are and what are not considered as facts as well as what is good and bad.

If we teach students, for example, linear regression analysis (which is a *method*), we teach the technique *as such*. Provided that all the assumptions are fulfilled, regression analysis might be used in any domain (e.g. education, health) without actually knowing the substance of the policy issue. In contrast, by definition, the application of heuristics is somewhat arbitrary, and their use depends upon critical thinking, and it is thus not enough to explain the *tool* itself[4]. Consequently, effective application of policy formulation heuristics requires a certain level of understanding of the topic. Knowledge of the tool itself is not sufficient.

Personal experience might illustrate this point. When I started to teach courses on policy analysis and policy design, I was focusing on the use of tools per se[5]. The general message to the students was that it was a *methodological* course, and that the proper use of tools is more important than detailed knowledge about the particular policy issue. Of course, the basic rationale of policy analysis, providing the client with useful advice, was still the major purpose of the final paper. Nevertheless, the proper application of tools had priority over the substance. Gradually, I have become aware that mastery of a particular tool is not necessarily associated with the overall result: clear and persuasive advice on what to do. Often it was on the contrary: I received technically excellent

analysis of different policy options, but when the result was presented to the experts in the field, they often judged the recommended policy as rather naïve and unrealistic.

As we now know, effective policy formulation is impossible without context-dependent knowledge and intimate knowledge of concrete reality (Yanow, 1999, Flyvbjerg, 2001). Consequently, I have started to be more and more involved in substantive debates. I have cut the number of techniques and have begun to spend more time discussing the actual substance of the issue when applying a particular heuristic. The students have thus been forced to understand 'real life' much more intimately, especially those towards whom the policy is targeted. The techniques started to work only after they had a good deal of understanding of the substance.

## Lesson 3: Complex problems require a design mix instead of one alternative

The traditional approach to policy formulation relies upon the clear formulation of alternatives and their careful systematic comparison vis-à-vis the formulated goals. According to Oxford Dictionary, an alternative is 'one of two or more available possibilities'[6]. Policy analysts are reminded that 'you should *ensure that alternatives are mutually exclusive*; they are, after all, *alternative* policies' (Weimer and Vining, 2005: 347, emphasis in the original). The basic element in many policy alternatives is 'an intervention strategy, such as regulatory enforcement *or* a subsidy *or* a tax incentive, that causes people or institutions to change their conduct in some way' (Bardach, 2000: 16, emphasis added). Bardach (2000: 17) gives an example of ways to decrease the prevalence of heroin, and he suggests three basic alternatives: methadone maintenance, law enforcement pressure and drug education.

The problem is that in facing complex problems, the alternatives are rarely mutually exclusive. In Bardach's example above, the government can, and perhaps *should*, implement all of these 'alternatives'. They are not contradictory, but rather supplementary. It is not clear why we should choose just one 'alternative' when all of them are necessary for effective policy. Methadone maintenance (or a similar measure) is necessary for those already addicted, while any prevention is hardly conceivable without some kind of education. In general, considering alternatives might be a useful way of approaching policy problems but alternatives are usually specified only at a rather concrete and specific level. We usually face either/or questions only in discussing regulation, such as smoking in public places. It is clear that in this case there are in fact mutually exclusive alternatives: smoking can be allowed or banned – not both. But more often, we deal with complex problems that call for different types of interventions that are mutually related, but not disjunctive. When facing complex problems (and this is usually the case), distinguishing alternatives is not a useful approach.

The current policy design literature indicates awareness of the fact that different interventions often condition one another. In reality, policymakers usually face ill-structured and quite complex problems that require a package of different interventions (variously labelled as 'intervention packages', 'policy packages' or 'packages of measures'). In other words, in practice, interventions are usually bundled or combined

into 'policy portfolios' or 'policy mixes' to attain policy goals (Howlett and Rayner, 2013). It has been argued that some instruments are mutually reinforcing (Hou and Brewer 2010). Some interventions, however, might also counteract each other (Grabosky, 1995).

The traditional approach to policy formulation lacks methods or heuristics that would help the policy designer consider the mutual interdependence of different interventions. Instead, following the textbooks, the designer tries to find 'one best alternative'. The results are, in my experience, usually unsatisfactory and often highly irrelevant to practice. We need more knowledge on how different policy interventions might interact, and what to do about this. Some general guidelines on how the interventions should be *sequenced and structured* would also be useful.

The necessary first step is to be clear about the difference between structured and complex problems and to consider when a matrix for evaluation of alternatives is appropriate. My personal approach is that I advise students to proceed in several steps. First, they try to find out all possible interventions that might solve or mitigate the problem. Second, they consider the possible effects of these interventions both if they are realized separately or in combination. They also discuss the different nature of these interventions and their 'intervention logic'. This usually leads to different clusters of interventions (such as regulatory changes, changes in financing etc.). Generally, I do not recommend trying to distinguish which general cluster should be preferred. Instead, students are advised to look for concrete alternatives *inside* these general types of interventions.

## Lesson 4: Problem analysis does not have priority over problem solution

Although policy analysis textbooks differ in the number of proposed steps, it is generally accepted that policy analysis consists of 'problem analysis' and 'solution analysis' (Weimer and Vining, 2005: 328). Despite the fact that it is sometimes acknowledged that policy formulation is an iterative process, in practice, it is assumed that analysis of the problem should precede the formulation of what should be done. Problem definition has both chronological and factual priority over policy design: 'policy analysts fail more often because they formulate the wrong problem than because they choose the wrong solution' (Dunn, 1988: 720). Consequently, analysts are urged to avoid the pitfall of 'defining the solution into the problem' (Bardach, 2000: 5).

Nevertheless, such distinction between a problem and its solution is artificial because solvability is a necessary condition for any social condition to become a policy problem. As already noted by Wildavsky (1989: 42):

> difficulty is a problem only if something can be done about it . . . analysts, who are supposed to be helpful, understand problems only through tentative solutions . . . for analysts, problems do imply the real possibility of solution, for there would be no policy analysis if there were no action to recommend.

The formulation of problems deals with undesirable conditions and opportunities that are both solvable and worth solving. It involves searching, creating and initially examining ideas for solutions. Consequently, it is very hard to define a problem without actually knowing whether viable solutions exist. Consider, for instance, the low percentage of female CEOs. It is certainly something that is not acceptable for many citizens. But how should we structure such a problematic situation? Our definition will necessarily be determined by the solutions we find as appropriate and legitimate. Some kind of affirmative action (positive discrimination) is perfectly acceptable for some people, for others it is not. Thus, the problem is – or is not – activated by the availability of appropriate solutions.

As shown above, current policy design literature is quite aware of the fact that solutions often precede analysis, and that this has an effect on how we prepare policy formulators. The implication here is not that policy analysis solutions should have priority over problem definition, but that people's attitudes (including those of experts) towards particular policies are strongly influenced by their preferences for various possible tools, and this must be considered in quality analysis (Linder and Peters 1989). To propose viable and effective policy requires a sensitive understanding of people's assumptions about various tools. Consider again the example of the low percentage of female CEOs. If affirmative action is not a viable solution for most of the relevant actors, then what can be done about it? To tackle this problem we need to reformulate, or reframe, the problem according to viable tools. Perhaps there are other conditions that *are* amenable to acceptable public intervention.

If the general purpose of policy analysis is to provide a client with useful advice, reformulation of the conditions to an acceptable form might be more useful than systematic and transparent analysis about what should *not* be done. Unfortunately, the traditional approach provides little advice on reframing the initial conditions. The structuring of problems is based upon *decomposition* of the problem into small parts. But reframing usually assumes a completely new perspective, a more holistic view, and the ability to synthesize. As is clear from the very title of the discipline, policy analysis, analysis has primacy over synthesis.

## Lesson 5: The borders between formulation, adoption and implementation are blurred

Traditional policy analysis assumes that policy comes into being in three steps: formulation, adoption and implementation (Weimer and Vining, 2005: 261). Each step is associated with different actors. Formulation of policy is the domain of analysts, adoption of policy is the realm of bureaucrats and politicians and implementation the area of practitioners. To the credit of the 'classical' authors, it should be noted that they are aware that adoption and implementation are crucial to the realization of a policy. For instance, Patton et al. (2016: 288) warn us that 'Even a widely accepted policy may run into trouble while being implemented. A number of agencies, departments, and bureaucrats must interact to place even a small policy into operation, and often these details are ignored . . . during policy analysis'.

To avoid this, policy formulators are advised to anticipate adoption and implementation failure, and to use techniques such as political feasibility analysis, backward mapping or co-optation. The analyst is expected to *analyse* the motivations, beliefs and resources of the main actors upon which the implementation depends. Policy analysis textbooks encourage analysts to take the actors into consideration and sometimes even mention the importance of communication with them. Nevertheless, policy formulation is in fact predominantly taken as an expert activity. It is the analyst (advisor) who takes the lead during this phase and who is supposed to know best.

Current literature, however, provides a different view on the assumed division of labour. Policy designers are not only policy analysts in government agencies, legislators and their advisors, but also 'outsiders' that have some influence on policy design, although engaging in policy design is not their core area of activity (Mintrom and Luetjens 2017: 176). These include interest group representatives, party staffers, lobbyists, consultants, researchers etc. Inclusion of these actors in policy design differs profoundly across time and space, as well as within policy domains. Sometimes their role is crucial, sometimes negligible. But, in general, there is no doubt that there is an increasing demand to be heard by an ever-growing and wide range of actors. Although governments are often reluctant to widen participation, there has been a fundamental shift of focus from the role of government as a 'top-down director' to the task of building capacity for societal self-organization (Sanderson, 2009: 707).

While non-state actors enter into the realm of policy design previously occupied by policy analysts, policy analysts (now 'policy workers') increasingly step into the adoption and implementation of policies. This is because design thinking places the citizens or the users at its core (Durose and Richardson 2015: 11) and policy workers are supposed to follow the users. The new design thinking has weakened the distinction between formulation and implementation. In the current policy design literature, 'design' means both thinking and acting. It is assumed that you cannot advance and improve your thinking until you actually act. For instance, it is assumed that you cannot design policy and programmes for unemployed youths unless you are actually working with them on the problem. Policy design is seen here as an ongoing real activity involving experimentation and fine-tuning.

Rising complexity and uncertainty leads to the situation in which it is increasingly difficult to anticipate how the set of actors will react to the proposed policy. Detailed planning, if possible at all, is suitable for short-term and relatively small-scale interventions. It seems impossible to formulate a systemic change with detailed 'milestones' that are achieved step by step. Consequently, it seems inevitable to leave some space for manoeuvre for the people who actually realize the policy:

> while top-down implementation models might link success to simplicity, to one clear goal and a select number of officials to carry it out, complexity theory suggests that this process could not be separated and made immune from its wider context. Rather, implementing officials will have to adapt policy in response to this dynamic process. (Cairney 2012: 349)

Nevertheless, we know, at the same time, that the devil is in the details and that even very small changes might influence the effects of a given policy (there are many examples of this in behavioural economics). It is one thing to ask actors how they would hypothetically react to a proposed policy, and quite another thing to see how they would react to a policy actually implemented with all the details involved.

If we take the policy design scholarship seriously, then this cannot only be analysis, it should also be action. Preparation of policy formulators should ideally mean working on real ongoing policies in which they not only analyse, but also act. However, this is quite difficult in practical terms. In some programmes, policy analysis is taught through integrated client-based projects (Meltzer, 2013). Nevertheless, this leads to new problems and questions. First of all, the timing of education and policymaking might be quite different. It is not likely that policymakers would be willing to realize policies according to university terms and deadlines (imagine the requirement that 'this policy must be adopted by the end of fall semester'). Second, it poses the question of what the students can actually learn. It is likely that as novices they will be more *observers* of the process than active *designers*. In practice this is something that is unlikely to happen until a student holds a certain position and has demonstrated certain skills. Thus, perhaps students can learn more in an artificial setting in which they are not working on a proposal that is meant to actually be implemented. In this case they can *play at* being 'real' designers (e.g. they *themselves* can write a proposal for a change of legislation). Nevertheless, this is at the expense of learning by doing as the policy evolves.

## Some implications and preliminary recommendations

For decades, dissatisfaction with the traditional approach to policy formulation has been articulated and is associated with post-positivist critique and the 'argumentative turn' (Ascher, 1987; Fischer and Forester, 1993). Current policy design scholarship is in accordance with some of the post-positivist critique, but provides somewhat different perspectives as to why the traditional approach is in many respects inadequate. It also helps us to grasp some of the incorrect assumptions, and the practical problems that are associated with them. Unfortunately, policy design continues to be long on description and short on prescription, and we have not moved much since Weimer's call for incorporation of policy design scholarship into the practice of policy formulation.

Recently, new policy analysis textbooks that tried to overcome some of the problems of classical policy analysis have emerged (Scott and Baehler, 2010; Mintrom, 2011). They respond to some features of the post-positivist critique. For instance, they place much more emphasis upon communication and discussion and stress the importance of complex problems and the wider context in which the problems are rooted. They also emphasize the iterative nature of policy analysis. Some of them even include some current ideas of policy design and policy work literature. The argument of this paper is that while these new textbooks are moving the field in the right direction, they can be further improved by the explicit abandoning of several outdated assumptions.

It should be noted, however, that the concept of policy design is not uncontroversial (Colebatch, 2018). It has been criticized for relabelling previous discussions under a new name as well as the theoretical disagreements over what should be considered as 'design'. More importantly, current debate on policy design leads to the serious question as to what extent is policy designing possible? The fact, now widely accepted in current scholarship, that policy design is a very difficult, diverse, complex and uncertain activity might easily lead to relativism. In my view, it would be a wrong implication. The fact that policy designing differs from designing in architecture or engineering does not mean that it is wholly futile. After all, governments *do* design, irrespective of whether there are people capable of designing or not. The argument here is not that 'anything goes', but that we provide policy designers with assumptions that are not in accordance with what they face in practice. Why, for instance, it is still widely assumed that policy design is an unlimited process when, in fact, the policy design terrain is usually packed with previous solutions and severely constrained by the solution preferences of key actors? Based on my experience, I believe that the *probability* of successful designing might be improved if we abandon traditional assumptions, and replace them with more realistic ones. These assumptions might (and will) differ across contexts, as policy work is done differently.

Let me thus conclude with some recommendations, which I illustrate with concrete examples from our experience in our department, that might hopefully improve practice. First, the design scholarship teaches us that if the design is to be successful, it must fully incorporate the world of those that the policy targets. Ideally, the users and other stakeholders are included in designing the policy as active participants. Even if direct involvement is not possible for whatever reasons, the designer should always have profound knowledge of the issue. When I started to teach policy formulation, I assumed that the techniques such as problem trees, SWOT analysis, stakeholder analysis, scenario writing etc. might be taught rather abstractly. I tried to explain the logic of these tools in the best way I was able, but the results of students' application of these techniques were usually far from satisfactory. They followed the procedure, but they had too little knowledge of the subject to really apply the tools fruitfully.

Therefore, along with my colleagues, we have changed the strategy. Now, when the students decide on a topic (the metaproblem in Dunn's language, Dunn, 2004: 83), they are expected to go on the ground, and actually 'feel' the problem. This does not necessarily have to be an ethnographic study, but they observe and interview various actors. In addition, they do a systematic literature review on the problem, examine the policies currently in place or previously used, and sometimes also analyse social media or coverage in the mass media. They are not pressed to define the problem at this stage. Rather, they should understand various dimensions and aspects of the problem with special emphasis on the perspectives of the people involved. Of course, data gathering is covered in all policy analysis textbooks; but this is something quite different. Data are important (and part of analysis), but they cannot be equated with understanding of the substance of the problem.

In classical policy analysis textbooks, it is assumed that policy analysts can change subjects rather easily, and that analysis might be 'quick and dirty'. We do not think so, and, thus, the students spend the whole semester trying to deeply understand the

problem. Students invariably inform us how formative the effects of personal experience with 'real people in the real world' are for them. They are encouraged to observe, think, feel and try to understand while being discouraged to look for someone to be blamed.

Of course, this need for a deep understanding of a subject matter contradicts with requirement that policy analysis in practice should be quick. Nevertheless, we believe that it is important that students gain an experience with a proper use of the techniques, and this requires time and mastering of the subject matter. Once the subject matter and the use of techniques are mastered, they might be used much more effectively, and might need much less time. Discussion on to what extent policy analysis can be 'quick and dirty' in practice and still be valid and relevant is beyond the scope of this article. Nevertheless, our experience does not support the claim that policy techniques are generally applicable across policy domains, and can be applied without understanding the nature of the policy problems and policy solutions.

Only when the students have a rather complex understanding of the issue, do we introduce policy analysis. Although the meetings with students are structured similarly to the 'steps' in the classical approach, the students are advised that problem analysis and problem solutions are two sides of the same coin, and that policy design is an iterative, not linear, process. In practice, this means that problem definition is never final before the study is actually submitted. The analytical division between the 'goal' and 'measures' is always respected, and students are urged to reflect on what they see as the ultimate goal and what are the means to achieve that goal. However, it is accepted that problem solution is, in fact, one of the core aspects that helps to define the problem, and that it is very important to consider what measures are considered as legitimate and effective by actors.

In accordance with Schön (1987: 157), we believe that policy design is learnable, coachable but not teachable using traditional classroom methods. Our meetings with students thus increasingly take the form of a 'reflective practicum'. The students are introduced to the basic concepts and methods, but much of the time is spent trying to apply the tools to practical problems. Often this leads to very advanced and detailed discussion where strong substantive knowledge about the problem is needed. The instructor serves here as a coach who supports the students in asking questions and suggesting different viewpoints through which the problem can be seen. Instructors provide continuous feedback on the development, but not the definitive answers.

Given the amount of substantive knowledge needed for understanding, it cannot be assumed that the instructor (or rather 'coach') is familiar with all details of the issue. However, a sufficient level of knowledge is needed to be able to participate and provide useful feedback.[7] We do employ various 'classical' techniques such as the creation of problem trees or goal trees, but they are taken only as loose guides that help to focus the debate, which is always very concrete. Because students work on different topics, the role of the coach is not only to provide feedback, but also to help to find parallels (and differences) between different topics. The topics are not usually totally dissimilar (e.g. one group tries to find solutions for homeless women, another tries to mitigate unemployment among mentally ill people and still another works on the integration of socially

disadvantaged students). Consequently, it is possible to view the problem from different policy domain angles and find some innovative solutions.

Students are not predetermined by looking for *one* intervention and look for all possible means to help to solve the problems. Occasionally, variants of some concrete measure are evaluated, but the design usually has a form of mutually interlinked measures. Also, in contrast to classical policy analysis, we do not provide the students with a template of how the final document should look, but only with a review of the possible components that might be included. Students structure the final report on their own with respect to what they think is the best approach for actually solving the problem. The final product is then presented in front of real actors involved in the issue, which is the ultimate test of whether the designed policy has real potential for positive change.

It should be noted that our approach has developed through learning by doing, and we were led by a dissatisfaction with the traditional approach that simply has not worked. Only gradually did we start to recognize that some of the problems of the traditional approach might be explained by current policy design literature, which also provides some general (but still rather abstract) guidelines on how to proceed better. These include an imperative for being as close to real life as possible, recommending policy portfolios rather than one alternative, employing different sorts of knowledge, close interconnection between the problem and solution and so on.

Of course, I do not claim that our approach is altogether original. Regardless of the fact that 'classical' textbooks are still dominantly used, it is clear that many instructors experiment with approaches that substantially depart from the traditional canon. However, I am not as convinced as Foster et al. (2010: 519) that a 'new type of policy analysis, practical but based in theory, sophisticated yet eminently teachable' has been developed. In my view, new developments in policy formulation are fragmented and lack solid theoretical foundations. As I have argued in this paper, current policy design scholarship might provide such a base. Yet, even if policy design is better incorporated into policy formulation, many concrete questions remain to be answered. The questions that I have found most pressing, at least in my practice, include: how to cope with the diversity of situations in real policy work and how to choose the methods that are likely to be the most useful?; how to formulate effective and efficient policy packages?; how to realize the participation of the policy actors in the classroom?; how to navigate students between imposing too much rationality and structure and avoiding a feeling of relativity and chaos?; and how to cope with the need to provide informed feedback in different policy domains? These questions do not have easy answers. It is my hope that this article encourages practitioners and instructors to share their experience and approaches on how they cope with these questions. In my experience, the debate on policy formulation teaching guidelines is still scarce and fragmented.

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## Notes

1. The first three mentioned textbooks are now available in their 5th editions. Patton et al. (2016) has now been published in its 3rd edition.
2. As argued in the final section of this paper, recently, several interesting new policy analysis textbooks have been published. However, their influence and usage is still limited. At the same time, they do not explicitly break with the core assumptions of the classical text that are challenged in this paper.
3. To demonstrate these assumptions on concrete examples, I am using the most frequently cited and used policy analysis textbooks. The assumptions that I critique here, however, can be found in most policy analysis textbooks. I also acknowledge that authors like Dunn, Weimer, Vining or Bardach are among the most sensitive scholars regarding the problems of practice, and that they are occasionally aware of some of the problems I describe in this article.
4. The relation between the terms 'heuristic' and 'scientific method' should be understood as a continuum with very loose recommendations for independent thinking (heuristics), on the one side, and scientific methods with highly formalized procedures that have to be followed rigidly and guarantee that any analyst will reach the same result, on the other. Each policy formulation tool lies on a different spot on this continuum. For instance, cost-benefit analysis (which is still a heuristic in my view) is more orientated towards the 'scientific method' than, for instance, use of the problem tree.
5. Literally translated, these two courses are labelled as 'Methods of Analysing Policy' and 'Methods of Designing Policy'.
6. https://en.oxforddictionaries.com/definition/alternative
7. One of the crucial questions that arise from this is whether we should allow students to analyse only topics that we are sufficiently familiar with. My personal response to this challenge is that I have tried to widen the portfolio of topics of which I am able to make a reasoned judgment. We also started to have external opponents who are deeply knowledgeable about the substance of the particular policy problem.

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