

---

## Editorial: Advancing the study of the concepts of policy risk and malignancy

---

### Michael Howlett\*

Department of Political Science,  
Simon Fraser University,  
8888 University Way, Burnaby BC, V5A-1S6, Canada  
Email: michaelpatrickhowlett@gmail.com  
\*Corresponding author

### Tim Legrand

Department of Politics and International Relations,  
School of Social Sciences,  
Faculty of Arts, Business, Law and Economics (FABLE),  
The University of Adelaide,  
North Terrace, Adelaide 5005, Australia  
Email: tim.legrand@adelaide.edu.au

**Biographical notes:** Michael Howlett is a Burnaby Mountain Professor and Canada Research Chair (Tier 1) in the Department of Political Science at Simon Fraser University in Vancouver BC, Canada. He specialises in public policy analysis, political economy and resource and environmental policy. His most recent books are the *Dictionary of Public Policy* (2022), *Policy Consultancy in Comparative Perspective* (2020), *Designing Public Policies* (2019), and *Policy Design Primer* (2019).

Tim Legrand is an Associate Professor of International Security at the University of Adelaide, Australia. His research is concerned with national and international dimensions of global security decision-making, particularly in transnational networks and institutions, and has been published. His recent work includes *The Architecture of Policy Transfer: The Power of Ideas, Institutions and Networks in Transnational Policymaking* (Palgrave Macmillan) and with Lee Jarvis, *Banning Them, Securing Us? The Politics of Proscription* (Manchester University Press).

---

## 1 Introduction: advancing the study of the concepts of policy risk and malignancy

Is all for the best, in the best of all possible political systems? Voltaire's (2021) satirical work *Candide*; or *The Optimist*, tells the story of the eponymous hero, and his mentor Professor Pangloss who is always prone to see even the worst possible circumstance as part of God's beneficial plan for humanity. *Candide* is taught in his early years living in a garden of paradise the Leibnizian philosophy that, "all is for the best in the best of all possible worlds." The story follows *Candide* as leaves his garden idyll and encounters the

outside world, and despite seeing a world of apparent violence, tragedy and suffering, tries to maintain his unflinching, but ludicrous, optimism in the face of the realities of a very uncertain and unhelpful world.

Voltaire's novel is deliberately satirical, but for contemporary policy studies there are instructive parallels. Not so long ago, a widespread view about the nature of the world in the post-Cold War period, for example, held that liberal democracy represented a kind of ideological gravity well that peoples of the world would be inevitably drawn towards as the best of all possible worlds unfolded in the absence of a totalitarian threat. Francis Fukuyama's teleological 'end of history' analysis was the apotheosis of this view, averring liberal democracy's ideological supremacy and inevitability. For much of the world, he argued, "there is now no ideology with pretensions to universality that is in a position to challenge liberal democracy, and no universal principle of legitimacy other than the sovereignty of the people", thus anticipating a gradual, but still fairly rapid, movement towards utopia (Fukuyama, 2006).

Subsequent events such as 9/11, wars and continuing poor government and governance, of course, have revealed that we are not at the end of history, and there is mounting evidence of a continued malaise in liberal systems across the world which remain under attack from populism and trends or the realities of authoritarianism – such as those scrutinised by some of our contributors in Myanmar and elsewhere. This malaise stems from many sources, but one is certainly the apparently plummeting capacity of many state managers to deliver on the public interest in a complex, globalising world (Howlett, 2021; Legrand, 2020).

Cousins (2018) has identified the emergent volatility, uncertainty, complexity and ambiguity ('VUCA') of this world as the central characteristics of the contemporary policy environment and began the process of drawing out its consequences for public policy-making. It is reasonable to ask if the policy science developed in an earlier era of more proactive, and apparently competent, government remains capable of dealing with the 'new reality' of not only interwoven and ambiguous policy problems but also to what extent contemporary thinking about policy-making is able to deal with the decidedly non-Panglossian reality of world affairs.

The malaise facing policy-makers and takers, however, is more than simply a capacity challenge. As they write in this issue, for example, Howlett and Leong suggest that only some of the problems encountered by policy-makers and policy thinkers in the present era are due to changes in the external environmental, proposing rather that some problems have always been with us but have tended to be ignored by policy science; and can no longer be. They argue that there are certain *inherent vices* or risks to public policy – including uncertainty in policy-making; malice in policy-makers; and non-compliance in policy-takers – which together challenge many aspects of contemporary policy theory developed in earlier periods when these vices or risks were largely ignored in the pursuit of the holy grail of better (meaning not just more effective but optimal) policies and policy-making. These risks to policy-making can be framed as sources of *policy volatility* or the likelihood/propensity of any policy design to fail and Howlett and Leong argue policy designs must deal with them head-on rather than assume all will work out well in the best of all possible worlds (Howlett and Leong, this issue, and 2022).

And, as Legrand (2022) argues in his contribution to the issue – 'The malign system in policy studies: strategies of structural and agential political exclusion', published separately in *Int. J. Public Policy*, Vol. 16, Nos. 2/3/4, 2022 – some current problems in policy theory and practice are also the product of a crisis in the core values of liberal

democracy which previously defined the *telos* of ‘the good state’ towards which all policies were thought to be oriented or at least should be oriented towards.

This crisis has been brought about by events such as the wars on terror in the wake of 9-11, which, among other things, ushered into liberal democratic regimes many aspects of the surveillance state which are incompatible with many liberal freedoms; the financial collapse of 2007–2008 which ushered in rapid income inequality, undermining belief in equality of opportunity; and the challenges posed to nation states by immigration and refugee flows in the Post-Arab Spring era in the middle east and Europe which de-stabilised moves towards open borders and the free movements of goods and people.

Many of these trends only promise to increase as wars and climate change impacts increase in a highly interconnected world and are only loosely related to, or encompassed by, thinking about the origins and consequences of a VUCA world. Globally, as a result, democracies are experiencing problems linked to an erosion of the rule of law; declining trust in institutions; extensive regulatory capture, especially by powerful energy firms; the normalisation of policy goals that transgress human rights; and deliberate obfuscation of the policy process by its core players in many countries who lambast the media and engage in corrupt and venal practices in government.

This is the ‘dark side’ of policy-making, that citizens and policy-makers both must be alert to – the world of officials, companies and citizens, who mispromote ‘client’ interests, game rules and regulations, maliciously penalise or punish, (mis)use to enrich, and manipulate policy processes (for electoral or personal gain) (Howlett, 2020; Taylor et al., this issue).

While these flaws and vices have been with us for some time, they flourish in volatile policy environments, and amidst the ‘dark’ misalignment of the public interest and policy settings which has accompanied the crisis of liberal democracy, it must be asked what are the prospects for policy studies to help resolve global challenges such as climate change, resource scarcity, displaced peoples, COVID-19, and state fragility in such contexts?

The articles in this special issue address this challenge and the role that policies can play both in exacerbating change and also ameliorating it. They look closely at activities from cyber-security to the application of artificial intelligence to policy-making and stress the need to face the inherent vices and dark sides of policy-making head-on if any hope of creating effective and legitimate public policies is to be retained.

### *1.1 Panglossian visions of contemporary liberal democracy*

Our contention with this special issue is that the policy sciences needs to take the ‘dark side’ at least as seriously as the ‘brightside’<sup>1</sup> and think more about, and move polices forward in this direction. That is, despite the growing threats to the basis of modern democracy, contemporary policy studies often holds onto a Panglossian (Howlett, 2020) view of the health of the democratic system which, as with Voltaire’s hero, leads to actions and plans which fail in the face of change and adverse behaviour. Just as *Candide* critiques the naivety of philosophers who saw the world as one of a ‘pre-established harmony’, policy designs that take democratic expression as given, a *fait accompli* in which policy-makers and policy-takers are assumed to operate in good faith to advance the public interest, are problematic. Any work that is confined to only sharpening policy delivery – producing cost efficient and effective goal fulfilment – while remaining blind or reckless to the normative questions of whether policy goals align with precepts of

liberal democracy, or are misappropriated to serve marginal interests, or malevolently exploited is equally so. It is imperative to question whether policy-makers and policy-takers do, in fact, operate in good faith or when and why this occurs has never been more pressing, nor more central to our discipline.

It was not always thus. Lasswell's vision of a liberal policy sciences 75 years ago was forged in response to the abhorrent 'dark side' of policy-making that had manifested itself so clearly in 1930s and 1940s Europe against the Panglossian Wilsonian thinking of the era. He and his contemporaries deplored the malign consequences of a ruthlessly efficient bureaucratic machinery, and the apparent ease with which democratic states had acquiesced to the malign values of Nazi and fascist regimes. For the early generation of policy scientists, the challenge was to resurrect the brightside, in a more pragmatic way, and prove that governments, and liberal democracies could function at least as well, if not much better, than their authoritarian and totalitarian counterparts. In the wake of a hard-fought victory over authoritarian and totalising governments in Europe and Asia, harnessing an axiomatic belief in the supremacy of the liberal democratic tradition was thought to be the means to achieve 'congruence between the preferences of citizens and the actions of policy-makers' throughout the world as a new cold war got underway (Huber and Powell, 1994).

This made a great deal of sense in the epoch and educating a new cadre of scholars, expected to be the 'policy scientists of democracy' (Lasswell, 1951), was rightfully seen as a means through which these cadres could act as the architects and engineers of the democratic system, building institutions that could withstand any further attempt to establish 'garrison states' bent to the whims of a narrow ideological elites.

In the current situation, however, such imperatives have waned and the misalignment of democracy and policy goals reverses the onus of this vision of the policy sciences. And continuing to work as if the current world only needs more democracy or participation in order to undo would-be tyrants is dangerous. This is amply illustrated by the 1990s blockbuster, *Jurassic Park*, which tells a morality tale akin to Voltaire's idyll-turned-cataclysm. The story, of course, centres on a theme park set in an island paradise repopulated by dinosaurs from the benign *Brachiosaurus* to the dangerous *Tyrannosaurus Rex*, all made possible by the remarkable scientific feat of creating genetic clones of dinosaurs drawn from their ancient DNA preserved in amber. In a terse exchange on the dangers of this project with the park's billionaire creator, the realist Dr. Ian Malcom remarks: "Yeah, yeah, but your scientists were so preoccupied with whether they could, they didn't stop to think if they should." The ensuing catastrophic failure of the park's security has disastrous consequences for all, which the park's Panglossian creators are helpless to contain. An unleashed *T. Rex* – literally, 'King of the Tyrant Lizards' – wreaks untold destruction before the story's heroes manage their escape. There is little ambiguity in the movie's morality caution of the consequences of the pursuit of actions without a clear sense of the context and consequences of what could go wrong and the risks of not only known but unknown consequences of these pursuits.

Much like *Jurassic Park's* scientists, the absence of ethical restraint – such as the need to act in *a priori* service of the higher values of liberal democracy – in the policy world is a dangerous thing in the presence of malevolent beings.

This is not the first time this critique has been made, of course. In 1985, Mead, for example, spoke of how policy sciences' adherence to economics – a discipline that 'tended to serve interests indiscriminately' – had outweighed its political or ethical considerations. Unlike the legal or medical profession, he lamented, policy analysts "need

not adhere to any ethic that might limit the political ends they will serve” (Mead, 1985). And as with *Jurassic Park*’s catastrophic conclusion, such ethics-free policy sciences can give rise to, and serve, dangerous forces just as easily as just or benign ones.

Others shared similar concerns. Thus, Dryzek (1989) criticised the mainstream of policy sciences as ‘consistent with an albeit subtle policy science of tyranny’. For Dryzek (1989), policy sciences had looked past the fundamental purpose of public policy, and instead become caught up in the ‘tyranny’ that was ‘any elite-controlled policy process that overrules the desires and aspirations of ordinary people’. For DeLeon (1994, p.82), the malaise in the policy sciences stemmed from: “an over reliance on instrumental rationality (in general, the effects of positivism, in particular, the influence of neo-classic economics), the complexity of the problem contexts, and an increasingly technocratic, undemocratic orientation.”

This orientation is problematic for several reasons. One is the Panglossian view that policy science, like the public administration system of old, is a neutral technocratic exercise in marshalling evidence about ‘what works, when’ and should have little or no role to play in the setting of policy goals (cf. Wilson, 1886). Goals, in this view, are defined as ‘political’ and beyond the purview of analysts whose normative aim should only be to improve the efficiency of goal implementation.

This is a problem of ‘commission’. But there are also problems of ‘omission’, a concern which is more analytical in nature as in the process of exacting generalisable insights, positivist policy sciences are often said to be confined to looking at the system in aggregate: the goal, indeed, is to model processes in which individuals – policy-makers and policy-takers – are assumed to play by the rules, that is, to live in the Panglossian world highlighted above, rather than examine all policy behaviour as it is, which is the true expectation of a real policy science.

The contributors to this special issue share the view that policy design is fundamentally flawed when, first, it does not align with the ethical premises of liberal democracy; and second, when it assumes, and perhaps depends on for its success, the goodwill of the policy-maker and/or policy-taker. Rather, to preserve a robust liberal democracy the role of policy science is to find ways to design institutions and processes – a functioning democratic political system – that enables the transparent articulation of public interests irrespective of – indeed, in *anticipation* of – the (lack-of) goodwill and commitment to those values on the part of policy-makers and -takers (Hirschman, 1977).

## **2 A fundamental task for the contemporary policy sciences: understanding the origins of policy volatility**

How is policy ‘malign’? As stated above, it is axiomatic to liberal democracy that policy-making should align with liberal democratic principles. Policy goals are thus expected to be produced through open mechanisms and participatory procedures through which the public can articulate its preferences to policy-makers and policy-makers are expected to listen to what has been said in determining their governments’ courses of action. The ethical basis of public policy is thus *its alignment with liberal democratic principles*.

The ‘dark side’ outlined above is metaphorical in two senses: it refers to the opacity of decision-making process, and also to the malign motives of those responsible. This

manifests in this special issue in several ways. First, malign policy is often opaque and moves in this direction are often telltale signs of non-Panglossian intent. Democracy demands that the public can properly evaluate government's performance and reward or punish them in elections, and they require information in order to do this, which is largely provided by a free, untrammelled press corps. Hallsworth (2010) make this point succinctly: "The more that this process is illusory, the more democracy is undermined."

Second, malign policy is non-inclusive. The exclusion of the public, selectively or blanket, from participation in a policy is another non-Panglossian 'tell': structural and agential strategies to shape how policy is made (exclude, occlude, preclude and ostracise) are giveaways that objectives other than liberal democratic ones are being pursued (Legrand and Jarvis, 2014).

Both these trends are exacerbated by the nature of the contemporary scholar-practitioner relationship where scholarship follows the funding set out for it by non-disinterested governments, NGOs, foundations and private companies. Increasingly, the scholar-practitioner relationship is one in which government agencies act as agenda-setters and research-takers. Perhaps unintentionally, the discipline has flirted with regulatory capture whereby the scope of policy research is determined and its validity rubber-stamped (or not) by the subjects of the research itself – usually government (Howlett and Jarvis, 2021). This would only be possible, however, in the Panglossian circumstance where the putatively shared goal of the policy scientist and the policy-maker is to serve and secure the public interest rather than, for example, their own electoral or career interests.

The question of how policy scholars should engage with normative democratic principles continues to divide the policy sciences [see Wagle (2000) for an excellent exposition]. Although a distinct wave of 'post-positivist', critical and/or interpretivist scholarship emerged in the last two decades of the 20th century engaging with the role of values and beliefs – that is, politics – in decision-making, the larger thrust of research remains firmly oriented towards the production of modelling and generalisable insights that accrues from a dispassionate, scientific engagement with policy-making as a process that can, and should, be made more efficient in delivering government goals (see Farr et al., 2006; Durnová and Weible, 2020).

We propose the use of terms such as risk, policy volatility and policy malignancy in this special issue not as a new platform for research, but rather as a means to marshal the existing range of theoretical and conceptual viewpoints on these three aspects of contemporary policy-making and policy design as a shared research agenda for the policy sciences.

Specifically, we draw from recent work in policy studies that draws attention to these kinds of behaviours. On malign agents and their strategies in the policy process, McConnell's (2018) work is influential, in which he identifies practices such as the development of 'hidden agendas' in policy-making: policies with covert aims behind their ostensible purpose. Contributors to this special issue converge on this essential point. Plehwe and Günaydin in their article, for example, identify 'destructive policy' where fledgling self-interested actors occupy niche policy positions which allow them to control or influence many aspects of policy analysis, its content and application. They draw attention to the sabotage of process, the deliberate strategy of a 'production of ignorance' to deceive policy-makers/takers, for example, on the part of policy actors in the German energy system (Plehwe and Günaydin, *this issue*).

Legrand (2022) adopts a similar perspective in his article, showing how officials have manipulated the terms and structures of debates in Australia and elsewhere in order to diminish public scrutiny and exclude voices critical of security state initiatives from the political sphere. This is a topic of importance. Opacity in policy settings helps create uncertainty and insecurity – a subject Bächtold (*this issue*) examines in his work on the control of social media in Myanmar in the effort to damp down discontent with regime activity, from the Rohingya genocide to opposition to the recent military coup [cf. Howlett and Leong, (*this issue*), p.5]. Relatedly, Taylor et al. (*this issue*) in their article focus on ‘bureaucratic gaming’, drawing out policy-makers’ deliberate use of dubious behavioural practices in order to gain an advantage over one’s competitors, personal prestige and budget maximisation, among other non-Panglossian goals and ambitions [cf. ‘malice’ (Howlett and Leong, *this issue*)]. And Nduhura et al. (*this issue*) investigate the interplay between bureaucratic rules and stakeholder behaviour in their work examining a case in a developing country context.

In addition to simply emphasising these behaviours and outcomes, the articles in the special issue also wish to seek out correctives. Several of the articles in the issue, for example, highlight methodological means for assessing the risks of policy failure (Jensen, 2022), while others suggest possible correctives or solutions to the impasse of Panglossian policy advice in the face of a decidedly non-Panglossian VUCA world (Howlett et al., *this issue*; Lee and Moon, *this issue*).

### 3 Organisation of the issue

The articles in this thematic collection can be found in two issues of *IJPP*, this one and Vol. 16, Nos. 2–4 where the articles by Legrand (2022) and Jensen (2022) appear. The collection is organised into several sections in which some of the more common problems around policy risk, volatility and malignancy are addressed, as well as new variants of these problems.

Papers in the first section, including Legrand (2022) provide overviews of the literature in the policy sciences and elsewhere concerning the central problematics which motivate the issue, namely what is policy risk and what is policy malignancy and what can be done about them.

Papers in the second section examine older topics such as bureaucratic gaming of rules and regulations but also new problems associated with new techniques in government such as artificial intelligence (Graycar and Masters, *this issue*).

Then in the third section, the same is done for problems linked to the politics of policy-making, including studies of traditional topics such as business group lobbying in Germany but also dealing with new developments such as social media activity and regulation in Myanmar and perceptions of risks around climate change (Jensen, 2022). In the last section, two papers address possible solutions to these ‘inherent vices’ of policy-making, assessing government efforts in three prominent OECD countries to manage risks and in Korea to do the same. Taken together, these papers provide the first comprehensive overview of the subject and advance thinking and research work in this key area of policy studies.

## References

- Cousins, B. (2018) 'Design thinking: organizational learning in VUCA environments', *Academy of Strategic Management Journal*, Vol. 17, No. 2, pp.1–18.
- DeLeon, P. (1994) 'Reinventing the policy sciences: three steps back to the future', *Policy Sciences*, Vol. 27, No. 1, pp.77–95.
- Douglas, S., Schillemans, T., 't Hart, P., Ansell, C., Bøgh Andersen, L., Flinders, M., Head, B., Moynihan, D., Nabatchi, T., O'Flynn, J. and Peters, B.G. (2021) 'Rising to Ostrom's challenge: an invitation to walk on the bright side of public governance and public service', *Policy Design and Practice*, Vol. 4, No. 4, pp.1–11.
- Dryzek, J.S. (1989) 'Policy sciences of democracy', *Polity*, Vol. 22, No. 1, pp.97–118.
- Durnová, A.P. and Weible, C.M. (2020) 'Tempest in a teapot? Toward new collaborations between mainstream policy process studies and interpretive policy studies', *Policy Sciences*, Vol. 53, No. 3, pp.571–588.
- Farr, J., Hacker, J.S. and Kazee, N. (2006) 'The policy scientist of democracy: the discipline of Harold D. Lasswell', *American Political Science Review*, Vol. 100, No. 4, pp.579–587.
- Fukuyama, F. (2006) *The End of History and the Last Man*, Simon and Schuster, New York.
- Hallsworth, M. (2011) 'Policy-making in the real world', *Political Insight*, Vol. 2, No. 1, pp.10–12.
- Hirschman, A.O. (1977) *The Passions and the Interests: Political Arguments for Capitalism Before its Triumph*, Princeton University Press, Princeton.
- Howlett, M. (2020) 'Dealing with the dark side of policy-making: managing behavioural risk and volatility in policy designs', *Journal of Comparative Policy Analysis: Research and Practice*, Vol. 22, No. 6, pp.612–625.
- Howlett, M. and Jarvis, D. (2021) 'Policy science beyond self-congratulatory virtue signalling: matching supply and demand in the scholarship, pedagogy and purpose of the policy enterprise', in Brik, A. and Pal, L. (Eds.): *The Future of the Policy Sciences*, pp.51–69, Edward Elgar Publishing, Cheltenham.
- Howlett, M. and Leong, C. (2022) 'The 'inherent vices' of policy design: uncertainty, maliciousness, and noncompliance', *Risk Analysis*, Vol. 42, No. 5, pp.920–930.
- Huber, J.D. and Powell, G.B. (1994) 'Congruence between citizens and policymakers in two visions of liberal democracy', *World Politics*, Vol. 46, No. 3, pp.291–326.
- Jensen, O. (2022) 'Climate risk perceptions and policy ambition', *International Journal of Public Policy*, January, Vol. 16, Nos. 2–4, pp.151–173 [online] <https://doi.org/10.1504/IJPP.2022.124777>.
- Lasswell, H. (1951) 'The immediate future of research policy and method in political science', *American Political Science Review*, March, Vol. 45, pp.133–134.
- Legrand, T. (2020) *The Architecture of Policy Transfer: Ideas, Institutions and Networks in Transnational Policymaking*, Palgrave Macmillan, Cham, Switzerland.
- Legrand, T. (2022) 'The malign system in policy studies: strategies of structural and agential political exclusion', *International Journal of Public Policy*, January, Vol. 16, Nos. 2–4, pp.88–105 [online] <https://doi.org/10.1504/IJPP.2022.124770>.
- Legrand, T. and Jarvis, L. (2014) 'Enemies of the state: proscription powers and their use in the United Kingdom', *British Politics*, 1 December, Vol. 9, No. 4, pp.450–471.
- McConnell, A. (2018) 'Hidden agendas: shining a light on the dark side of public policy', *Journal of European Public Policy*, Vol. 25, No. 12, pp.1739–1758.
- Mead, L.M. (1985) 'Policy studies and political science', *Policy Studies Review*, Vol. 5, No. 2, pp.319–335.
- Voltaire, F. (2021) *Candide, or Optimism*, Penguin, London UK.



- Wagle, U. (2000) 'The policy science of democracy: the issues of methodology and citizen participation', *Policy Sciences*, Vol. 33, No. 2, pp.207–223.
- Wilson, W. (1886) *The Study of Public Administration*, Vol. 744, No. 24, Public Affairs Press, Washington DC.

## **Notes**

- 1 We note, with no little appreciation, the body of work is continuing apace on the 'bright side' of policy design (Douglas et al., 2021).