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Social Construction and Policy Design

Big picture Q: Why does democratic politics cause 'degenerative' policy?

Social Construction and Policy Design (SCPD) describes the US political system's failure to solve major problems including poverty, crime, racism, sexism, and unequal access to healthcare and education. Although its electoral system is democratic, three practices undermine democracy by alienating many citizens:

1. Powerful political actors demonise or otherwise exclude powerless groups

High profile issues are dominated by actors, such as politicians, telling stories to make value judgements about who should be rewarded or punished by government. They exploit stereotypes of social groups, or make emotional and superficial judgements, backed up with selective use of facts. Low profile issues are dominated by bureaucrats, who often alienate citizens receiving services, and experts called upon to produce 'evidence based' policy.

2. This action has a 'feed-forward' effect on policy designs

These judgements are reproduced in the regulations, resources, institutions and practices devoted to turning policy intent into outcomes. Such 'policy designs' can endure for decades because the distribution of rewards and sanctions is cumulative and often taken for granted.

3. Policy design has an impact on target populations

People participate more or less in politics according to how they are characterised by government. Some feel rewarded and they engage to protect those rewards. Others feel excluded, knowing that they will be treated badly and their engagement will be unrewarding.

Some groups have the power to challenge or exploit the way they are described by policymakers, to receive benefits. Others feel powerless and unable to engage in the democratic process:

	Described positively	Described negatively
High power	*advantaged*, treated positively in public and receiving benefits publicly	*contenders*, treated negatively in public but negotiating benefits privately
Low power	*dependents*, treated positively in public but unable to mobilise to negotiate benefits	*deviants*, treated negatively in public and punished by policy

Although applied mostly to US politics, some comparative SCPD studies find similar dynamics in other countries: it is common to find the social construction of target populations reflected in policy design, a feed-forward effect, an impact on democratic engagement, and an unequal ability of groups to respond. However, the US' 'degenerative' politics may be less apparent in consensus or multi-party democracies.

Policymakers describe and use their value judgements to make fundamental choices about which social groups should be treated positively or negatively by government bodies. When addressing highly politicised issues, they seek to reward 'good' groups with government support and punish 'bad' groups with sanctions (Schneider et al, 2014).

In studies of psychology, this kind of 'moral reasoning' (Haidt, 2001) is often described as 'fast thinking' (Kahneman, 2012: 20), unconscious and out of awareness (Arnaud, 2012), or irrational: 'Reason is emotion's slave and exists to rationalize experience' (Bion, 1970). This focus on *policymaker psychology* is now a key feature of SCPD studies. Policymakers make quick, biased, emotional judgements, then back up their actions with selective facts to pursue their understanding of a policy problem and its solution:

> Likes and dislikes are not the result of individual or collective reason and deliberation but mainly the product of emotion and heuristics … judgments begin with emotional reactions … and reason is used mainly to justify initial emotion responses (Schneider et al, 2014).

Yet, social constructions can also be based on *conscious* bias and the *strategic* exploitation of other people's emotions and stereotypes for political gain. This was the initial focus of SCPD. Policies reflect the goal-driven use of constructions, 'strategically manipulated for political gain … to create political opportunities and avoid political risks' or, at least, an anxiety by politicians 'not to be caught in opposition to prevailing values' if it affects their performance in election (Schneider and Ingram, 1997: 6; 192). They aim to receive support from the populations they describe as 'deserving', as well as a wider public satisfied with describing others as 'undeserving' (1997: 6).

These judgements can have an enduring 'feed-forward' effect (Ingram et al, 2007: 112). Choices based on values are reproduced in 'policy designs', as the 'content or substance of public policy':

> Policy designs are observable phenomena found in statutes, administrative guidelines, court decrees, programs, and even the practices and procedures of street level bureaucrats … [they] contain specific observable elements such as *target populations* (the recipients of policy benefits or burdens), *goals or problems to be solved* (the values to be distributed), *rules* (that guide or constrain action), *rationales* (that explain or legitimate the policy), and *assumptions* (logical connections that tie the other elements together) (Schneider and Ingram, 1997: 2).

Examples of feed-forward effects include policy designs that: signal that 'elderly citizens are worthy of respect and deserving of the funds they receive', prompt 'a level of political participation rivaled by no other group'; introduce convoluted rules to diminish participation; signal to welfare recipients that they have themselves to blame and deserve minimal support; and, restricting voting rights directly (Schneider and Sidney, 2009: 110-11)

Policy designs based on moral choices often become routine and questioned rarely in government because they are 'automatic rather than thought through' (Schneider et al, 2014). Emotional assignments of 'deservingness' act as important 'decision heuristics' because this process is 'easy to use and recall and hard to change' (2014). In this respect, SCPD builds on classic discussions of power in which actors exercise power to reinforce or challenge

policymaker and social attitudes (Gramsci, 1971; Bachrach and Baratz, 1970; Lukes, 2005). Policy designs are difficult to overcome, because a sequence of previous policies, based on a particular framing of target populations, helps produce 'hegemony': the public, media and/ or policymakers take this set of values for granted, as normal or natural, and rarely question them when engaging in politics (Pierce et al, 2014).

For example, if most people assume that people in poverty deserve little government help, because they are largely responsible for their own fate, policymakers have little incentive to intervene. In such cases, power and powerlessness relates to the inability of disadvantaged groups to persuade the public, media and/ or government that there is a reason to make policy or a problem to be solved. Or, people may take for granted that criminals should be punished because they engage in deviant behaviour.

Policy design sends a signal to the recipients of benefits or punishments, who participate more or less according to how they are characterised by government (Schneider and Ingram, 1993: 334). To challenge policy designs, groups often have to challenge fundamental public assumptions, reinforced by government policy, regarding what constitutes normal and deviant behaviour. Yet, only some groups have the resources to mobilise and challenge or reinforce the way they are perceived by policymakers (Schneider and Ingram, 1997: 21-4; 2005: 444; Pierce et al, 2014), or to persuade the public, media and/ or government that there is a reason to make policy on their behalf.

Some groups can be categorized differently over time, but this is a non-routine outcome, at least in the absence of long term change in social attitudes, even though social constructions are – in theory – 'inherently unstable' (Ingram and Schneider, 2005a: 10). For example, it can follow a major external event such as an economic crisis or game-changing election, exploited by 'entrepreneurs' to change the way that policymakers view particular groups (Ingram and Schneider, 2005a: 10-11). Or, it can be prompted by policy design which, for example, is modified to suit powerful populations with spillover effects for the powerless. For example, a shift to drug treatment as an alternative to incarceration could be designed for powerful populations and benefit others unintentionally (Schneider and Ingram, 2005a: 639).

Ingram et al (2007: 102) depict this dynamic with a table in which there are two spectrums. One describes the positive or negative ways in which groups are portrayed by policymakers. The other describes the resources available to groups to challenge or reinforce that image. There are four categories of target population.

	Described positively	Described negatively
High power	*advantaged*	*contenders*
Low power	*dependents*	*deviants*

- The powerful and positively constructed are 'advantaged', treated positively in public and receiving benefits publicly.
- The powerful and negatively constructed are 'contenders', treated negatively in public but able to negotiate benefits or minimise punishments privately.
- The powerless and positively constructed are 'dependents', receiving symbolically positive treatment in public but unable to mobilise on their own behalf to negotiate benefits.

- The powerless and negatively constructed are 'deviants', treated negatively in public and punished by policy design.

Most issues are not high salience and politicised in this way, because people can only pay attention to a small number of issues. *Yet, low salience can **exacerbate** problems of citizen exclusion*. Policies dominated by bureaucratic interests often alienate citizens receiving services (1997: 79). Or, experts dominate policies, and many government agencies, when there is high scientific agreement and wide acceptance that the 'public interest' is served largely through the production and use of evidence. The process does not include ordinary citizens routinely. Rather, 'experts with scientific credentials aid and abet the disappearance of the public sphere' (1997: 153). This is a problem when issues 'with important social value implications' transform into 'a matter of elite scientific and professional concern', such as when official calculations of economic activity override personal experiences (1997: 153; 167).

Overall, SCPD describes a political system with major potential to diminish democracy. Politicians politicise issues to reward or punish populations or depoliticise issues with reference to science and objectivity. Policy designs are not informed by routine citizen participation. Schneider and Ingram (1997: 3) argue that, although the (US) political system may 'meet some standard of fairness or openness', the *policies they produce* may not be 'conducive to democracy'. They describe an increasingly individualistic US system with declining rates of collective political participation (at least in elections), a tendency for actors to seek benefits for their own populations, and 'degenerative' policy which produces major inequalities along sex, race, and ethnicity lines (Ingram and Schneider, 2005a: 22-6). Public policies have failed to solve major problems – including inequality, poverty, crime, racism, sexism, and unequal access to effective healthcare and education – and policy failure contributes to the sense that the political process serves special interests at the expense of the general public (Schneider and Ingram, 1997: 4-7). Policy designs 'are strongly implicated in the current crisis of democracy' because they have failed, and they discourage many target populations (the 'undeserving', 'deviant', or 'demons') from public participation:

> These designs send messages, teach lessons, and allocate values that exacerbate injustice, trivialize citizenship, fail to solve problems, and undermine institutional cultures that might be more supportive of democratic designs (1997: 5-6; 192).

2. Draw lessons from case studies

SCPD has inspired over 100 empirical studies, mostly of US federal policymaking (Pierce et al, 2014; Cairney 2017a; 2017b). Most empirical studies are qualitative, identifying the social construction of target populations, analysing 'social welfare', health, crime, and immigration, and focusing on relatively powerless target populations. The most concerted and coherent attempt to apply SCPD is in Schneider and Ingram's (2005b) edited book *Deserving and Entitled*, emphas 7 key points:

1. *Many current policy designs were built on social constructions in the early 1800s*. Examples include benefits for veterans (Jensen, 2005) and the electoral franchise (Schriner, 2005).
2. *Successful challenges to the social construction of ethnic populations are rare*. Japanese Americans have some success if they live up to the 'model minority' image, but it is used against most people of colour (Dialto, 2005).

3. *Congress has challenged many policy designs, but with unintended consequences.* Legislative change on fair housing in 1968 suggested that only some black people 'deserved to escape the ghettos' (Sidney, 2005: 114-5). Policy change built on an amnesty for, or positive constructions of, *some* immigrants suggest that *others* are the 'wrong kinds of immigrants' (Newton, 2005: 166).

4. *Policy delivery organisations have discretion to reframe stories of target populations and modify policy designs.* Some discriminate against potential recipients of funding for entrepreneurship to escape poverty (Jurik and Cowgill, 2005),

5. *Few potentially demonised groups receive sustained negative policymaker attention.* 'Moral entrepreneurs' and 'policy champions' are necessary to translate specific social constructions into policy design (Nicholson-Crotty and Meier, 2005).

6. *Many well-intentioned policies reinforce problematic social constructions and fail to address major socio-economic inequalities.* The 'War on Poverty' in 1965 reinforced black stereotypes without solving poverty (Bensonsmith, 2005: 247).

7. *Social constructions of deservedness encourage participation, while constructions of unworthiness create alienation.* (Box 1).

Box 1: A two-tier US social welfare system

'Two-tier' systems reinforce the idea that only some groups deserve benefits and to participate in policymaking. The '*superior tier*' consists of depersonalised federal 'social security' programs, primarily for the 'elderly or disabled', pegged to inflation and previous earnings, and producing a positive signal to 'rights bearing' recipients (Soss, 2005: 294-5). The rules are stringent but recipients are encouraged and rewarded, to 'come away feeling that their claims are welcome' (2005: 297). Recipients often receive the financial security that allows them to participate in public life and feel that their participation efforts would have a tangible effect (2005: 308).

The '*lower tier*' consists of less generous public assistance 'that disproportionately serve disadvantaged groups such as people of color, women, and people who have lived in poverty' (2005: 295). They send negative signals, with recipients attached to state or local case workers and following convoluted and dispiriting rules to establish limited entitlement. Recipients become 'clients', vulnerable to bureaucratic rules, made to attend in person despite limited access to transport, and subject to 'unpleasant procedures' in offices that are 'authoritarian' in design and appearance. Many recipients are living in poverty and/or fleeing abusive relationships, with little choice but to accept these demoralising rules without complaint, and left with the felling that their feedback would not alter government staff behaviour (2005: 306-7; 310).

The wider US literature presents further insights that add nuance or new elements to SCPD:

8. *Target populations do not have to mobilize or speak for themselves to receive benefits.* Interest groups acting on behalf of the positively constructed can help them secure or maintain advantaged status. Examples include protected animals (Czech et al, 1998: 1104) and children with HIV (Donovan, 1993: 14).

9. *Events can shift the construction of target populations.* Film star Ruck Hudson's HIV status challenged two stereotypes: that AIDS was restricted to deviants and homosexuality was not masculine (Donovan 1993: 12; 23).

10. *Subnational comparative studies allow us to quantify variations in social construction and their effect on policy design.* Nicholson-Crotty and Nicholson-Crotty (2004: 255) use incarceration rates in 50 US states as a proxy for levels of negative social construction of deviant prison populations, finding a strong association between negative construction and programme failure. Garrow (2012: 1) identifies an inverse relationship between the proportions of African Americans in neighborhoods and the willingness of governments to fund non-profit organisations in neighborhoods.

SCPD began as a study of US politics, and directly comparable international applications are limited. Its abstract concepts have comparative relevance – social constructions inform policy designs which send signals to citizens - *but the US' 'degenerative' politics is often less apparent in countries with contrasting policy 'styles' or multi-party systems.*

For example, in the 'majoritarian' and relatively 'adversarial' two-party UK, we can find comparable processes. Hunter and Nixon's (1999: 166) study of UK housing policy identifies the same 'advantaged' status for homeowners as in the US, but without the same explicit racial element to the discourse around debtor tenants. Media, court judges, and politicians express sympathy for owner-occupiers affected by a system over which they had minimal control, but describe disadvantaged social housing tenants as feckless individuals. There is also a far large literature on the social construction of 'problem' families in the UK which has direct parallels with SCPD and its depiction of degenerative US politics (albeit without citing Schneider or Ingram). Politicians have long blamed individuals, parents, or an 'underclass' for family breakdown or dysfunction and its relationship to social problems such as school truancy, anti-social behaviour, crime, and low employability (Crossley, 2017).

In contrast, in their study of poverty policies in two provinces in Canada, Mondou and Montpetit (2010) argue that the worst excesses of degenerative politics are *associated primarily with adversarial contexts*, while consensual policy styles, associated with more proportional electoral systems and multi-party politics, may produce a lower propensity to reward advantaged and demonise deviant groups.

3. Think about the moral and ethical implications
The moral and normative implications of policy design are at the heart of SCPD. Schneider and Sidney (2009: 111-12; 116) identify the need to develop:

*the kind of knowledge that serves human society, justice, and quality of life … We need policy scholars to tackle the difficult question of a policymaking culture that has become increasingly negative, divisive, and more intent on "winning" and permanently damaging one's "enemies" than on solving problems or producing a more just societ*y.

Schneider and Ingram (1997: 7-44; 64) argue for 'distributive justice'. They draw on 'critical theory' to promote participatory politics in which citizens have a meaningful chance to mobilise. Participation requires 'communicative rationality' which includes moral and emotional sources of deliberation and action (1997: 54). To evaluate policymaking in a new way, they describe an ideal-type of consensus which is 'free from deception, self-deception, strategic behaviour and domination through the exercise of power' (Dryzek, 1990: 14 in Schneider and Ingram, 1997: 56). Their concern is that the US democratic system is supported by the idea that politics can be *pluralist*, or an open competition between many actors, and *efficient*, driven by evidence of the impact of solutions. This image placates the public. It gives

the sense of 'open, competitive, and accessible' politics, prompting us to accept that (a) some must win and others lose, but (b) victories and losses are distributed evenly. In contrast, if we assume the absence of consensus, we are more concerned that the distribution of victories is consistently unequal (Schneider and Ingram, 1997: 65). One of their solutions is 'grassroots' policy design, in which federal policymakers delegate key decisions as locally as possible, to foster 'consensus-building' in forums that allow service users and local policymakers to deliberate (Schneider and Ingram, 1997: 90-2).

There are two other key dilemmas raised by SCPD. *First, empirical applications do not produce a clear view on how to respond to negative social constructions*. For example, there is some disagreement on which frame is more appropriate to support public service support for people of colour. On the one hand, Bensonsmith (2005: 244-5) describes the *negative impact of the association between race and welfare* caused by the 'War on Poverty'. It was driven from 1965 by the 'Moynihan Report' which identified lower poverty in white and higher in black populations, arguing that the main cause was the 'disintegration of the African-American family', in which racism undermined the role of black men as breadwinners, contributing to family breakdown and deviant behaviour (2005: 246). One solution for black men was the 'masculine world' of military service (2005: 251). The impact was two-fold: social security was provided for widows of servicemen, not single mothers; and, the association between welfare and race, along with a greater focus on individual responsibility for a culture of dependency, helped cause victim blaming and program retrenchment (2005: 255-6).

On the other hand, Schram (2005: 261; 267-70) argues that the more recent *failure to recognise major 'racial disparities in the US economy'* – in which 'racial minorities' were 'more likely to be living in poverty and in need of public assistance at higher rates' - helped 'whitewash' them rather than asking the 'hard questions' in the pursuit of 'racial justice'. For example, a key frame in the 1990s focused on white, middle class, recently divorced mothers as 'job ready' and in transition from welfare to work, which helped produce insufficient public support for other groups (2005: 281). More generally, the choice for advocates is difficult, such as to: accentuate the high proportion of white people on welfare to ensure support for welfare provision, but often to portray whites as more deserving; or, accentuate the scandal of the high proportion of black people on welfare, but risk reducing support for welfare policies (Ingram and Schneider, 2005b: 221).

The second dilemma regards how groups should mobilise and engage in advocacy when they know that politicians want to exploit social stereotypes for electoral gain. Do they *challenge* frames on ethical grounds, facing the prospect of exclusion from inner circles of policy communities? Or, do they *adapt their frames* to political discourse or the biases of politicians, compromising their own views but with the chance to influence policy via regular inclusion in communities? We know from other chapters in this book that dominant frames change, but often after decades have passed (PET). We know that actors form coalitions which demonise their opponents, but not if it is more successful than compromise (ACF). We also know that political challenge can entrench ideological positions, but not how successful we would be if we engaged in more conciliatory strategies.

Overall, SCPD provides an unusually positive impetus to focus on the ethics of policy analysis and our moral choices, but policy theory cannot tell us how to make them. Rather, they give us the knowledge and analytical tools to help us understand them more clearly.

4. Remember the 'take home points'

There are five key points to think about, remember, and look for, when you read SCPD:

1. *Identify the framing of policy problems*
- In high salience issues, the social construction of target populations can be emotional or strategic. Politicians make quick and emotional moral judgements to describe groups as deserving of benefits or burdens. Or, 'policy champions' and 'moral entrepreneurs' exploit the 'national mood' to link social stereotypes to policy design.
- In low salience issues, bureaucratic politics and expert judgements often dominate discussions at the expense of citizen participation.

2. *Identify how these judgements inform long term 'policy design'*
- Policy designs include statements of the nature of the problem and the resources and practices devoted to solving it.
- They have a cumulative 'feed-forward' effect that is difficult to challenge, particularly when the ideas underpinning them become 'hegemonic'.

3. *Identify the signals that policy designs send to citizens*
- Positive signals boost incentives to participate, to protect important benefits. Negative signals alienate citizens and diminish their incentive to engage in politics.
- Only some groups have the power to exploit their positive image or challenge negative stereotypes. Others are powerless and not engaged in political participation.

4. *Think about the moral and ethical implications*
- SCPD suggests that US politics is 'degenerative'. The electoral system is democratic, but the history of US politics displays unequal access to the electoral franchise.
- The policy process may undermine democracy by encouraging unequal participation.

5. *Examine the applicability of SCPD to politics outside the United States*
- Abstract elements of SCPD seem 'universally' applicable: actors make emotional or strategic judgements to assign benefits and burdens; these judgements inform policy designs with a feed-forward effect; design sends signals to citizens; and these signals can undermine democracy.
- However, the relative impact of these processes may be felt more in adversarial two-party systems and less in consensus multi-party politics.
- In some countries, these dynamics may relate as much to class and nationality as race and ethnicity.

Schneider and Ingram (1993; 1997) describe the theoretical side of SCPD, and Schneider et al (2014) take stock of key theoretical developments and empirical applications. Note that their strong focus on 'fast thinking' appears recently (and there are few empirical applications), while the initial theory focused on the strategic use of stereotypes. So, think about the effect of reading this literature in chronological or reverse order.

A key source of coordinated empirical applications is Schneider and Ingram's (2005b) edited book *Deserving and Entitled*, which focuses primarily on the social construction of disadvantaged target populations and its degenerative effect on US policy design. It also includes theory development, particularly on the 'moral entrepreneurs' who connect stereotypes to arguments and policy designs. See Schneider and Ingram's (2005a) defence of SCPD in response to DeLeon's (2005) review of their book.

The wider literature on US and non-US comparative applications is more scattered, particularly when neither Schneider nor Ingram are co-authors (although key scholars such as Sidney are immersed in the SCPD literature). Many applications are relatively superficial, and/ or scholars combine elements of many theories to produce a model to inform case studies. To navigate this literature, see Pierce et al's (2014) review, which lists SCPD's key assumptions and focus of case studies (according to the issue, target population, geography, and level of government, and the research method).

Then think about the connections to other theories by identifying their focus on the same dynamic or problem. Examples include:

1. *The use of psychological insights to understand policymakers* (Cairney and Kwiatkowski (2017). PET shows the effects of 'bounded rationality' on agenda setting: people can only pay attention to very few problems and a small number of ways to understand and solve them. The NPF focuses on how actors tell simple stories to manipulate the cognitive biases of their audience, identifying villains (the cause of the problem) and heroes (the source of the solution) to produce a moral (about the solution we should adopt). The ACF describes how actors form coalitions, often romanticising their own cause and demonising their competitors. *In each discussion of psychology, think about the driver for behaviour*: are studies describing people acting emotionally or thinking strategically about how to exploit the emotions of others?

2. *The feed-forward effect*. Other theories identify policy feed*back*, but feed-forward/back often mean the same thing. Policy feedback theory and historical institutionalism identify the cumulative, current, and future effect of institutions (key rules developed in the past). Past decisions have 'increasing returns' which make them more attractive than changing course (see Pierson, 2000). Path dependence is also a feature of complexity theory (Cairney, 2012a; 2012b).

3. *The implications for democracy and rational policymaking*. Schneider and Ingram's (1997) book has an extensive discussion of *democratic theory*, including theories of pluralism, and of the perils of making and evaluating policy through the lens of *comprehensive rationality*. Although most theories in this book focus less explicitly on democracy, think about how they articulate key issues such as the distribution of power and its use in politics. The theme of 'bounded rationality' (and policymaker psychology) is also contained in almost every chapter of this book.

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