# Behavioural governance in the policy process: Introduction to the special issue

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**Abstract**

Research adopting an interdisciplinary, behavioural perspective on Public Policy and Public Administration is booming. Yet there has been little integration into mainstream public policy scholarship. Behavioural public administration (BPA) and behavioural public policy (BPP) have emerged largely as two disconnected subfields. We propose the overarching term "behavioural governance" to refer to the cognitive and decision processes through which decision-makers, implementing actors and target populations shape and react to public policies and to each other, as well as the impacts of these processes on individual and group behaviour. To allow an integrative perspective, this introductory essay discusses how a behavioural perspective can deepen understanding of different phases of the policy process. We connect insights from a long established public policy and administration scholarship which has not always been self-defined as 'behavioural' with more recent studies adopting a more explicitly behavioural perspective, including those in this Special Issue from varied national contexts.

**Keywords**

Behavioural governance, behavioural insights, behavioural public administration, behavioural public policy, comparative public policy, policy process

# 1    Introduction: Why study behavioural governance in the policy process?

The past ten years have witnessed a remarkable increase in behaviourally-oriented research in both public policy and public administration (e.g. Battaglio et al. 2018; Bhanot and Lynos 2020; Grimmelikhuijsen et al 2017; John 2018; Moseley 2020; Oliver 2014; Sunstein et al 2019; Thaler and Sunstein 2009; Tummers 2017, 2019b; Weaver 2014, 2015). Specialist journals have emerged (e.g. *Behavioural Public Policy* and *Journal of Behavioural Public Administration*), and Nobel Prizes have been awarded to behavioural public policy researchers (Richard Thaler, Esther Duflo, Abhijit Banerjee & Michael Kremer). Although a "behavioural turn" inspired by behavioural economics and psychology has been observed both in public policy and in public administration, the subfields of "behavioural public policy" (BPP) and "behavioural public administration" (BPA) rarely speak directly to each other (Ewert et al. 2020) and remain somewhat separated from more mainstream approaches to public policy. In this introduction and across the Special Issue we seek to remedy this, drawing together concepts from BPP and BPA to develop the concept of 'behavioural governance'.

Such research has enormous potential to make two sorts of contributions to the study and practice of public policy and public administration. The first is to *increase understanding of the psychological causal mechanisms that influence the development of public policies and link those policies to implementation and to actual behaviours at the micro-level (see table 1 below)*. The second is to incorporate behavioural insights to *improve policy choices, policy delivery and policy evaluation* (e.g. Battaglio et al. 2019; Banerjee and John 2020; Grimmelikhuijsen et al. 2017; Jilke 2018; Jones et al. 2013), by suggesting conditions under which different types of policy tools, such

as nudges or mandates, are most likely to achieve government policy objectives, and by identifying how policies and information should be communicated to the public and other policy target populations.

Much of the extant *BPP* scholarship focuses on the use of policy instruments designed based on 'behavioural insights' (BIT 2016; 2017; Delaney 2018; John 2018; Oliver 2017), including the use of 'nudging' within public policy (Thaler and Sunstein 2008). Such work includes a focus on the empirical effects of these instruments, especially the outcomes for policy target populations (usually the public), often using a randomized controlled trial methodology. Ethical issues surrounding the use of behavioural insights (Selinger and Whyte 2011; Sunstein 2016b; Oliver 2019), and public attitudes toward behavioural public policy instruments, particularly nudges (Diepeveen et al. 2013; Evers et al. 2018; Hagman et al. 2015; Sunstein 2016a; Sunstein and Reisch 2019) have also been a major concern within this literature, as well as the categorisation of behavioural policy instruments, and their integration with more "traditional" instruments (Howlett 2018; Loewenstein and Chater 2017; Oliver 2017). Studies of compliance with policy more generally (May 2004; Winter and May 2001; Weaver 2014) can also be said to fit within the subfield of behavioural public policy. Recent work has begun to explore how behavioural policy instruments, and nudges in particular, can be made more transparent (Loewenstein et al. 2015; John 2018; Banerjee and John 2020), as well as uncovering potential unintended consequences of nudges (e.g. Button 2018; Hagmann et al. 2019).

*BPA* research explores cognitive and decision biases amongst bureaucrats, as well as interactions between bureaucrats and citizens, highlighting issues such as policy alienation, coping, and the processing of performance information by both bureaucrats and citizens (see for

example Baekgaard et al. 2019; Baviskar and Winter 2017; Borelli and Lindberg 2018; Hallsworth et al. 2018; Harrits 2019; James and Van Ryzin 2017; Loyens 2015; Thomann et al. 2018; Tummers 2017). Work in the BPA tradition also explores bureaucratic stereotyping (Harrits 2019; Moseley and Thomann 2020), discrimination (Hardin and Banaji 2013; Akram 2018; Olsen et al 2020), and the psychological effects of public service failure. New research is also emerging on how to mitigate cognitive and decision biases amongst actors in the bureaucracy including civil servants and public managers (Brest 2013; Bellé and Cantarelli 2017; Cantarelli et al. 2018; Hallsworth et al. 2018).

To enable cross-fertilization between these two subfields, we combine the insights of BPP and BPA into the more comprehensive category of *behavioural governance*. Behavioural governance research concerns *the cognitive and decision processes through which decision-makers, implementing actors and target populations both shape and react to public policies and to each other, as well as the impacts of these processes on individual and group behaviour.* Behavioural governance therefore particularly emphasizes bounded rationality: in the face of information that is either intractable or incomplete, policy actors tend to make decisions that are adequate rather than optimal while relying on heuristics and cognitive biases (Battaglio et al. 2019; Simon 1978; Moseley and Thomann 2020). Biases in policymaking such as satisficing, stereotyping, and resistance behaviour reflect general biases in the ways individuals acquire, weight and sort information (e.g., loss aversion, use of heuristics and confirmation bias) that cause them to behave based on their perceptions of reality, rather than on the basis of reality itself (Rittel and Webber 1973; Thomann et al. 2018; Tversky and Kahneman 1992). A behavioural perspective also addresses biases in collective decision-making, for example 'groupthink'

(Hallsworth et al. 2018).

The boundaries of what constitutes behavioural governance are imprecise. A narrow boundary-setting draws principally on core precepts associated with behavioural economics (e.g., bounded rationality, cognitive limitations, loss aversion, bounded willpower, present bias) while a broader definition, which we follow here, includes a variety of other psychologically oriented processes such as stereotyping, groupthink and motivated reasoning that can affect policy choices, outputs and outcomes (see Grimmelkhuisen et al, 2017; Galizzi, 2017). In addition, a narrow definition of behavioural governance policy instruments focuses on non-coercive "nudges", but many proponents of behavioural analysis incorporate message-framing and other tools (Thomann 2018), including those who study the framing effects of performance information on citizens and other actors in the policy process (e.g. Belardinelli et al 2018; de Boer et al. 2018; James and Van Ryzin 2017).

Criticisms about the potential impact of behavioural research on policy design and implementation have also emerged, for example, about the effectiveness of setting defaults in real world conditions and the conditions for lasting and democratic behavioural change (Mols et al. 2015; Strassheim 2019; Strassheim and Beck 2019; Weimer 2019; Willis 2013). Studies of the magnitude of "nudge" interventions have noted that their effects are often very small, especially those carried out at scale by governmental "Nudge Units" (Hummel and Maedshe 2019; DellaVigna and Linos 2020). In addition, questions remain about how impactful behavioural insights can be on societies' most complex and "wicked" problems (Moynihan 2018).

There are also limitations with current approaches to the use of behavioural insights in

mainstream policy research. Current research on behavioural public policy and administration is typically characterized by a focus on (a) a single country; (b) a narrow range of policy instruments; (c) a single type of actor (e.g. street level bureaucrats or citizens); (d) one specific behavioural response of these actors; ; (e) a focus on individual behaviour and little attention to group behaviour; (f) identifying the influence of specific cognitive biases and heuristics; and (g) the use of experimental methods to assess these (Aleksova et al. 2019; Battaglio et al. 2018; Borrelli and Lindberg 2018; Grimmelikhuijsen et al. 2017; James et al. 2017; Moseley and Stoker 2015; Moynihan et al. 2015; Thomann et al. 2018; Tummers 2018, 2019b). At the same time, there has been little integration and cross-fertilization with more mainstream public policy scholarship (but see Jones and Thomas 2017).

In this special issue, we seek to address these weaknesses in behavioural governance research. To this end, the articles in this special issue apply a behavioural perspective across major phases of the policy process, including some of the more neglected stages. They also seek to link the micro-level with specific contexts of governance and the policy process. We address important research gaps, such as: What biases influence citizens' tendency to support specific policy ideas in public consultations (Cohen-Blankshtain & Suliteanu-Kenan)? What role do institutions (e.g. the European Commission) play in facilitating the diffusion of behavioural approaches (Baggio et al.)? How can critical soft tools such as training impact on street level bureaucrats' policy formulation role (Frisch Aviram et al.)? How does discrimination vary between citizens and public administrators and what role does accountability play in mitigating this (Adam et al.)? How can the behavioural perspective help us understand more about the human factors connecting street level bureaucrats and clients (De Boer and Ropes)? What biases influence

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citizens' willingness to comply with requests for personal information (Belle et al.)? What role can policy instruments such as pledges and fines play in influencing the behavioural regulation of honesty (Pe'er and Feldman)? Reflecting the interdisciplinary background of behavioural governance, the special issue gathers diverse contributions influenced by Political Science, Policy Studies, Public Administration, Economics, and policy analysts working at the European Commission. Methodologically, the articles of the special issue include the experimental method most commonly associated with behavioural public policy and administration, although a variety of types of experiments are used – conjoint, survey, online and field experiments. Other contributions include a survey and documentary analysis, thus illustrating how diverse methodological approaches can address important questions with behavioural relevance. The contributions stem from a variety of international contexts, including Israel, UK, USA, the Netherlands, Germany and Italy, as well as the European Commission, and include studies focusing on citizens, bureaucrats at different levels of governance, and public service professionals (e.g. nurses and social workers).

Our introduction aims to outline the state of the art of behavioural governance adopting the above mentioned integrative, forward-looking perspective on the entire policy process. The following section situates the potential contribution of a behavioural perspective throughout the policy process and identifies prominently posited causal mechanisms as well as important research questions, including those which have been neglected to date. A summary of the contributions made by the articles in this special issue is incorporated in this section. Next, the concluding section identifies emerging frontiers for integrating a behavioural perspective into the broader study of public policy processes.

## 2  Behavioural Governance in the Policy Process

For behavioural perspectives to inform the study of public policy and governance in a more integrated manner, it is important to incorporate a behavioural perspective across the phases of the policy process: how issues get onto the agenda and are shaped and reshaped during policy formulation and adoption, how policies are implemented on the ground by implementing agents, how the implementation of policies affect behaviour and outcomes for varied target populations, and how policies are evaluated. At each of these phases, a behavioural approach asks specific research questions focused on the micro-level of the cognitive and decision processes and behaviours of the policy actors involved, and suggests ways to improve the policymaking process. We use the stages model of the policy process (or, as we prefer, 'phases') not as "a causal model of the policy process with clearly defined dependent and independent variables", but rather as a heuristic or organizing device (Jann and Wegrich 2007: 57). Some of most commonly cited mechanisms identified as impacting on policy processes in the literature on behavioural governance are listed and briefly explicated in Table 1. While this list is not exhaustive, it does convey many of the key causal mechanisms associated with a behavioural perspective.

TABLE 1. MAJOR CAUSAL MECHANISMS IN BEHAVIOURAL GOVERNANCE

| BEHAVIOUR | CAUSAL MECHANISM AND EFFECTS | POLICY PROCESS STAGES WHERE MOST COMMONLY APPLIED |
|---|---|---|
| Loss aversion, status quo bias and regret aversion | Individuals overvalue losses relative to comparable gains, and are likely to be risk averse except where they are in the "domain of losses" where some loss is unavoidable | All stages<br>Agenda setting and problem definition |
| Endowment effects | Individuals value things they already have relative to potential alternatives | Problem definition<br>Target behaviour |
| Opportunity cost neglect | Inattention to payoffs of policy alternatives that are not explicitly presented or highlighted | Policy adoption<br>Target behaviour |
| Heuristic-guided Behaviour | Simplified causal reasoning that lowers costs and effort of making a decision | Target behaviour |
| Anchoring and Framing Effects | Cognitive biases that influence decision-making based on initial magnitude (anchoring) or positive or negative attributes (framing) associated with an option | Target behaviour |
| Cognitive dissonance, confirmation bias, and motivated reasoning | Psychological stress resulting from holding contradictory belies, which individuals seek to resolve in part by seeking out and giving higher credence to information that confirms their most highly deeply entrenched and highly-valued beliefs | All stages |
| Time inconsistent preferences and Myopia | Individuals value positive and negative payoffs more than those received in the future, especially in the distant future | Target behaviour |
| Procrastination | Delays in costly or difficult actions resulting from presentist | Target behaviour |

| | bias | |
|---|---|---|
| Habitual behavior | Behavior that is repeated because it is perceived as easy and comfortable, usually as a result of repetition | Target behaviour |
| Fatalism | Belief that an individual's actions will not have a substantial impact on outcomes in ways that can positively affect their welfare | Target behaviour |
| Satisficing | Individuals settle for solutions that produce satisfactory outcomes rather than continuing to search for optimal ones | Target behaviour |
| Groupthink in decision-making | Insufficient consideration and weighting of alternatives in order to maintain group cohesion or unanimity | Alternative formulation Policy Adoption |
| Following descriptive norms | Individuals follow the predominant pattern of behavior rather than what they believe to be the ethically proper behaviour | Target behaviour |
| Stereotyping | Relatively fixed and overly-generalized perceptions of a class of people that are applied to all people in that group | Implementation Target behaviour |
| Fatigue effects | Increased stress and reduced compliance from extended exposure to a set of aversive consequences | Target behaviour |
| Contagion effects | Tendency of individuals to copy the behavior of others in their vicinity, especially if they have close ties | Target behaviour |
| Resistance behavior | Refusal to comply with a policy because of opposition to the authority imposing it | Target behaviour |

As Table 1 illustrates, the behavioural approach *does* posit causal arguments and mechanisms, and our interest is in assessing evidence on how those mechanisms operate within and across particular phases of the policy process.

Understanding the policy process through a behavioural lens involves enhancing our appreciation of how micro-level behaviours are conditioned by, and respond to, meso and macro level structures (Moseley and Thomann 2020). In doing this, we may overcome the 'schism' that has been argued (Moynihan (2018) to be in danger of emerging within public administration between those focused on micro level (i.e., behavioural) and those focused on macro level (i.e., institutional) issues. Moreover, political actors are influenced by those in other countries, via policy learning and diffusion. This moves the behavioural governance perspective beyond a concern with single cases and points toward the need for comparative approaches to help understand how behaviours amongst actors in the policy process are influenced by ideas, by processes as well as by individual and group behaviours in other domains and jurisdictions, and at different levels of governance.

**Problem definition and agenda-setting**

When policy problems are defined and then come onto the political agenda, policy researchers typically ask questions such as: How do policy ideas and narratives shape problem definition and agenda setting? Why and how do circumstances become defined as public problems? Why do perceptions and definitions of policy problems change over time and vary from country to country? How do actors influence the political agenda and the definition of problems? Why are certain problems ignored while others are placed on the agenda? (Dery 2000, 2018; Kingdon 1995; Knill and Tosun 2012: 10; Soroka 2002; Stone 2002; Thomann 2020)? At this phase of the policy process, a behavioural perspective focuses both on public opinion in the

population and on the perceptions of policy entrepreneurs and policymakers. Policy researchers have long asked behavioural questions (Grimmelikhuijsen et al. 2017) such as how social situations become "policy problems" (Wildavsky 1979; Dery 1984; Stone 1989) and the ways through which facts, beliefs and perceptions are organized as a "problem" (Dery 2018; Weiss 1989). How policy problems are perceived—in terms of their importance and adequate responses—varies across different social contexts (Peters 2005).

Existing literature on problem definition and agenda-setting draws on many behavioural concepts. Punctuated equilibrium theory links policy agenda change with the bounded rationality of individual decision-makers, their limited capacity to process information, and biases in what information is prioritized, along with institutional limitations on processing information and policy proposals; indeed Jones (2019) argues that "the connection between organizational agendas and human attention is based not on organizational limits but human ones." (Jones, 2019; see also Baumgartner and Jones 1993; Jones and Baumgartner 2005; Baumgartner et al. 2006). Social identity theory helps explain attitudes toward policies (e.g., Ferrera and Pellegata 2018), while narrative policy analysis allows a better understanding of the strategic nature of policy narratives (Stone 2002). The paper in this Special Issue by Baggio, Cirioloa and Marandola focuses on the institutionalization of behavioural analysis within the European Union (EU), clarifying the practices by which behavioural insights (BI) are gaining epistemic authority and contributing to EU policy instruments. The authors discuss the creation of a dedicated team, recently renamed the Competence Centre on Behavioural Insights (CCBI) as an institutional hub for behavioural analysis and explore the evolution of BI thinking inside the European Commission. Initially embraced by a small group of individuals across directorates-general, its relevance across policy

areas soon became evident, ensuing in a recognized Competence Centre. The paper proposes a simple model explaining how behavioural methodologies get on the agenda of the EC directorates-generals, and in what way the CCBI supports the formulation and adoption of behaviourally informed policies at different stages of the policy cycle. The paper also presents a selection of examples where BI were successfully applied to EU policy-making, including the 2009 EC adoption of a proposal for a Consumer Rights Directive explicitly recognising the power of defaults and limiting the use of pre-checked boxes in online consumer contracts. The paper ends with a discussion of future challenges and opportunities of mainstreaming BI at every level and stage of policy-making in the EU.

The public as well as institutions are involved in setting policy agendas. Anthony Downs' famous "issue attention cycle" offers the tantalizing suggestion that boredom and frustration may contribute to declining public resolve to address difficult issues—a suggestion supported by a small empirical literature on public "compassion fatigue" on issues that have received substantial media attention (Kinnick, Krugman and Cameron 1996).

Opportunity cost neglect—the tendency to ignore the costs of foregone policy alternatives, including saving those resources for later usage—is another cognitive phenomenon discussed in the literature. Empirical studies of the phenomenon have been scarce, but existing experimental research suggests that this phenomenon may be more pronounced in public policy than in private consumption, because individuals are less aware of and attentive to those alternatives (see Persson and Tillhög 2020). The paper by Cohen-Blankshtain and Suliziano-Kenan in this volume on preferences for extension of rail services in Israel confirms this finding. It adds to the research by assessing the role of impact bias—that is, a tendency to overestimate the

relative impact and duration of the policy intervention on one's perceptions of personal welfare. In this study, the authors focus on a relatively under-studied part of the policy process within recent BPA and BPP research, notably the articulation of policy preferences by members of the public in order to inform policy. The study generates findings of relevance to questions related to bias and de-biasing when members of the public are involved in articulating policy preferences to influence problem definition and policy agendas.

**Policy formulation and adoption**

When policies are formulated and decided, researchers ask: How do policy decisions come about? Why are some options preferred over alternative options? How can policy outputs, the way(s) in which they change over time, and variation in outputs and their changes be explained (Knill and Tosun 2012; Thomann 2020)? A behavioural perspective on policy formulation and adoption suggests that the issues and alternatives that are considered (or rejected) by decision-makers are profoundly affected by limitations and biases in their attention, the sources of information that they draw on, how that information is framed, and the interpretations they put on the information they receive (see for example Baekgaard et al 2019). Policy change, for example, is influenced by core beliefs (Jenkins-Smith and Sabatier 1993) and by narratives (McBeth et al. 2007; Stone 2002). Policy change may be difficult because of "unwillingness of major power-holders to recognize the need for change because of commitment to ideology or group benefits" (Baumgartner, Green-Pedersen and Jones, 2006: 962). Moreover, stereotypes about specific policy target groups influence the specific design of policies and instruments

chosen (Schneider and Ingram 1993). These lines of research usually do not present themselves as explicitly "behavioural", although the recent emergence of "behavioural insights teams" in certain countries has shed a new light on the politics of expertise and the influence of experts on policy formulation and adoption (Ball and Feitsma 2020; Delaney 2018; Galizzi 2017; Gopalan and Pirog 2017). And while recent research has begun increasingly to explore the cognitive biases, use of heuristics and bounded rationality of policy makers themselves and consequent issues of de-biasing (Brest 2012; Hallsworth et al 2018; Vis 2019), the majority of behavioural public policy research examines the reactions of policy targets rather than policymakers to policy instruments. Similarly, consultation with stakeholders is an important component of the policy formulation process. It is widely accepted that national ministries consult external stakeholders, mostly because it increases the quality and legitimacy of policies but also because certain information cannot be produced by decision-makers themselves (Scharpf 1999; Rasmussen 2015; Eising et al. 2017). But consultation, and cognitive and decisional biases in the consultation process have not been studied substantially from a behavioural governance perspective.

Among the stakeholders who may be involved in formulating policy responses to social problems are street-level bureaucrats. Recent research underscores the importance of street-level bureaucrats in providing feedback on existing policies, helping in the detection of problems, and proposing possible solutions for the design of new policies, which is sometimes referred to as "policy entrepreneurship." Most research suggests that street-level bureaucrats' views are seldom offered or solicited, however. The paper by Frisch-Aviram, Beeri and Cohen tests how policy entrepreneurship training affects the entrepreneurial behaviour of street-level bureaucrats, contributing to an emerging body of work showing that training is a critical soft tool

that can be used by public managers to make policy more adapted to policy problems. The authors utilize findings from a randomized field experiment with 158 nurses in a community-based network of maternal and child healthcare clinics in Israel to suggest that policy entrepreneurship training has a significant positive effect on street-level policy entrepreneurship behaviour. They also find that it reduces the need for street level bureaucrats to have policy entrepreneurship self-efficacy in order to engage in policy entrepreneurship behaviour.

**Policy implementation**

Why do certain policies succeed at being carried out in practice and why do others fail? How do policies change when put into practice? Which factors account for variance in policy implementation? How do political, administrative and societal actors interact in policy implementation? And how do their biases and standard operating procedures affect policy outputs and outcomes? Beginning with the seminal work of Pressman and Wildavsky (1973), policy implementation, and in particular the behaviour of administrative actors who are frontline workers, has been an important stream of behaviourally-informed policy research, as well as the main focus of BPA to date (Battaglio et al. 2018; Bellé and Cantarelli 2017; Bhanot and Linos 2020; Grimmelikhuijsen et al. 2017; James et al. 2017; Tummers 2019). In general, this research challenges top-down views of policymaking that posit a sharp distinction between politics and administration. Instead, it focuses on the attitudes and perceptions that members of the public administration hold toward public policies and their implementation (e.g., Brodkin 2012; Gofen 2014; Loyens 2015; Thomann et al. 2018; Tummers 2017); the interaction of policy implementers

with target populations (Gofen et al. 2019; Moynihan et al. 2015) and specifically individual-level variation in motivations for, and "styles" of implementing and enforcing public policies and ways of holding public servants accountable (Aleksova et al. 2019; Brodkin 2007; Baviskar and Winter 2017; de Boer et al. 2018; Dörrenbächer 2017; Hall et al. 2017); and not least, the role of biases and heuristics in street-level policy implementation and resulting inequities and inefficiencies (Cantarelli et al 2018; Harrits 2019; Moseley and Thomann 2020).

The paper by DeBoer and Ropes in this special issue focuses on two of these human factors, what they refer to as empathic concern and compassionate motivation, in frontline workers' relationships with clients. After developing a measurement scale for compassionate attitudes, they apply it in a survey of frontline workers at a Christian non-profit social work organization in the Netherlands. They find that strong compassionate attitudes on the part of these workers can have two partially offsetting effects: it may increase their work satisfaction and gratification which reduces job burnout, but it also makes them more likely to work overtime, which increases burnout.

The paper by Adam, James, Manatschal, Rapp and Thomann examines bureaucratic discrimination by national administrators applying EU law in the case of EU citizen mobility. This paper asks whether bureaucratic discrimination against mobile EU citizens reflects discriminatory attitudes and behaviour within the society at large and whether managerial accountability can minimize the risk of mobile EU citizens facing bureaucratic discrimination. The paper compares biases in frontline policy implementation in two policy areas – EU citizens' access to local elections and social benefits—in Germany employing a conjoint experiment both in a general population sample including a sub-sample of frontline bureaucrats and a targeted sample of frontline

bureaucrats, which facilitates assessment of whether discriminatory behaviour might be contingent on policy issues and whether targeted interventions work differently in different policy contexts. The authors find that bureaucrats' discriminatory preferences closely mirror those of the broader population in the host country, and that discrimination is stronger against immigrants with poor German language skills and who come from countries that are more culturally, socially and economically distinct from Germany. It is moreover, stronger regarding political rather than social rights, and is resistant to bureaucratic accountability mechanisms intended to suppress discrimination.

**Behaviour of Target Populations**

Understanding the causes of behaviour of the target populations of public policy, and developing policy instruments that produce higher levels of compliance with public policy, while minimizing costs to government, policy targets, and society at large, have been a core concern of behavioural public policy research. Many target populations have figured in this literature, ranging from broad groups of citizens (e.g., taxpayers) to population subgroups (e.g., minorities, recipients of government assistance) to firms and non-governmental organizations. Accumulated evidence indicates that the behaviour of target populations in response to policy is influenced by multiple, interacting motivations and barriers (May 2004; Weaver 2015), including varied cognitive aspects, attitudes and decisional strategies. Compliance of target populations is higher when it accords with social norms and consensus (Winter and May 2001). Compliance of target populations also correlates with targets' sense of legitimacy of both government and policy (Gofen et al. 2020; Montpetit 2008; Murphy et al. 2009; Tyler 2006) as well as with their

assessment of governmental effectiveness (Levi and Sacks 2009).

Shifting from a mandatory to a voluntary approach to compliance accords with the broader current tendency, at least to some extent, to design more voluntary and less intrusive or mandatory instruments/interventions, for example, codes of conduct by firms with labor standards and with environmental sustainability (e.g., Toffel, Short and Oullet 2015) and the well-documented notion of self-regulation (Black 2001).

As discussed above, policies that aim at altering the behaviour of target populations through less intrusive instruments often draw on behavioural insights. Much of the recent literature has focused on the actual and potential efficacy of choice architecture, including the setting of defaults. However, a much broader set of constraints on behaviour and policy instruments has figured in this literature, such as lack of information, poor enforcement, lack of resources, and peer effects.

Two of the papers in this special issue address the behaviour of the target populations of public policies, and in particular the conditions under which they are more or less likely to comply with those policies. Pe'er and Feldmann address the concerns of risk averse regulators, who do not readily confer trust in those they regulate. This often results in excessive requirements when applying for permits, licenses, etc. In contrast, the paradigm of Responsive Regulation adopts a dynamic and adaptive regulatory strategy, starting from softer regulatory means that could be supplemented by stricter ones according to the observed level of cooperation and compliance. Such softer regulatory means include ex-ante pledges – asking people to promise they would behave ethically– which were shown to reduce dishonesty and improved compliance. However,

their efficacy was never compared to other regulatory tools such as fines, which make it hard to understand how pledges might serve as coherent regulatory intervention in real life contexts. To fill this gap, the authors conducted two large-scale online studies involving participants from Israel, U.K. and U.S., testing whether is it more effective to use an ex-ante pledge of honesty vs. applying more traditional sanctions (in various levels of fines) on false reports. Their research shows that requiring a pledge ex-ante reduces cheating significantly, considerably and consistently over time. Pledges' effect size (a reduction of at least third of the cheating rate) was comparable to the effect of adding a full fine (losing all earnings if caught cheating), while combining the pledge with the fine reduced cheating even more. Based on these novel findings, the authors examine the conditions under which the potential of pledges could be superior to fines.

The paper by Belle et al. in this special issue adds important nuance to research findings on the public's willingness to comply with public policies. The authors used a survey experiment in Italy to assess citizens' willingness to share health data normally protected by privacy protections during a public health emergency. The authors find that citizens are more willing to share their data with public than private entities, and also if the data-sharing is time-limited. They also find statistically significant important differences in willingness-to-share across regions of Italy. As the authors note, their study also has important implications for the design and adoption of policies that depend on target compliance for their success.


**Policy evaluation**

How can policy effects (outcomes and impacts) be identified and improved? Under what conditions does the policy (not) achieve its goals? What are the effects of different policy measures? Which factors explain variation in policy effects? These are the questions that are asked by ex ante and ex post policy evaluation. Policy evaluation is at the heart of most behavioural governance scholarship, drawing closely on concepts from behavioural economics. As outlined earlier, this entails looking at the dynamics of individual behaviour change, compliance, how policy targets react to policy instruments and whether policies achieve their underlying objectives, as specified by policy designers (Banerjee and John 2020; Evers et al. 2018; Diepeveen et al. 2013; Strassheim and Beck 2019; Weaver 2015). Results from this work can then be fed back to design, refine and improve policies. Such an approach can be part of an experimental approach to public policy (John, 2018). A central concern in this regard is to design policy instruments (e.g. nudges) and more generally, create "choice architectures" (e.g. defaults) that lead to desired policy outcomes (Galizzi 2017; Gopalan and Pirog 2017; Jones et al. 2013; Loewenstein et al. 2015, 2017; Oliver 2015, 2017; Szaszi et al. 2018; Thaler and Sunstein 2009).

While this research has generated valuable *evaluations of behaviourally-informed public policies*, much less attention has been devoted to an explicit and systematic *behaviourally-informed analysis of policy evaluation*—that is, how and to what extent evaluations of *all* kinds of public policies are affected by the cognitive biases and decision processes outlined in Table 1 in their design (e.g., what kinds of evidence is collected and how), execution, reporting and incorporation into processes of policy revision. However, the existing literature on policy evaluation does offer a number of insights consistent with a behavioural lens. For example, Vaganay (2016) found that several forms of "Outcome-Reporting Bias" were common in a study

of 13 British social policy evaluations, and a number of scholars have argued that "evidence-based policymaking" can in practice sometimes degenerate into "policy-based [that is, preference-based] evidence gathering" (Sharman and Holmes 2010). But much work remains to be done on the causal mechanisms involved in behavioural influences on policy evaluation, including whether conscious or unconscious processes are at work.

## 3    Emerging Frontiers in Behavioural Governance Research

This special issue advances the behavioural governance research agenda by presenting and integrating innovative studies that expand and link behavioural perspectives across the entire policy process. In particular, the contributions enable us to learn about behavioural governance at early phases of the policy process (e.g., problem definition, formulation of alternatives and agenda-setting) to policy adoption, implementation and target response, and finally policy evaluation. The contributions also improve our knowledge of how behavioural policy agendas are permeating different levels of governance and the role of institutions in shaping the context for behavioural governance, and show that research on behavioural governance can draw on a variety of methodologies ranging from reflections by participants to surveys, documentary analysis, field experiments, survey experiments and online experiments.

The studies in this special issue also point to important emerging frontiers in behavioural governance research. In this concluding section, we point out some promising directions for future research both with regard to understanding the role of behavioural mechanisms in public policy and in using behavioural insights to improve public policy.

A first frontier is exploring how specific behavioural mechanisms outlined in Table 1 that have been explored more at some phases than others could be extended to additional policymaking phases (see Jones and Thomas 2017). For example, does stereotyping, which has been widely examined in the policy implementation phase also affect how policy problems are defined? Are "fatigue" effects visible as a factor in target responsiveness to interventions such as Covid 19 lockdowns also relevant to Downs' issue attention cycles and the cyclical politics of policymaker attention patterns noted by Baumgartner and Jones, for example?

A second important frontier is examining the degree to which efforts to incorporate behavioural governance into the policymaking process have been institutionalized—that is, norms that behavioural analysis should be incorporated into policymaking have been created and specialized units that focus on behavioural analysis have been established (on the latter, see Sanders, Snijders and Hallsworth, 2018; Straßheim, 2021). Diffusion of case studies of countries using behavioural insights is already occurring both within and beyond Europe through institutions like the OECD (OECD 2017). And the unique multi-level governance framework of the EU creates opportunities both for cross-national diffusion of behavioural insights and for institutional practices and potential clashes between bureaucratic structures at different levels of government employing different analytical perspectives and responding to different interests. As noted earlier, the paper in this Special Issue by Baggio, Cirioloa and Marandola addresses this issue with respect to the EU, and a closer integration of the literatures on policy learning and policy diffusion with literature on behavioural governance would facilitate advances in this area.

Third, additional attention needs to be given to the heterogeneity of the key populations of interest in each phase of the policy process. For example, to what extent do stereotyping,

procrastination, fatalism and loss aversion vary across persons and groups in target responsiveness and in other policy stages? For example, existing research, mostly from laboratory experiments and surveys, suggests that both loss aversion and the endowment effect vary across cultures (see for examples Maddux et al 2010; Wang et al 2016). Developing a deeper understanding of within-country and cross-national variation can be helpful at all policy phases, but is likely to be particularly useful in understanding the impact of specific behavioural interventions where the target population is heterogeneous with respect to characteristics that are relevant to their receptivity to, and responsiveness to, those interventions. It may also prove useful in tailoring policy interventions to take such heterogeneity into account.

Fourth (and broadening the third point), a deeper understanding of the conditionality and scope conditions for specific behavioural mechanisms in policymaking would enrich current scholarship. Under what conditions are groupthink among decision-makers and fatalism among policy targets likely to emerge, for example? Are policymakers likely to be less risk averse when they are in the "realm of losses," where some level of loss is highly likely, as prospect theory suggests? And, is the finding that "[r]isks that are particularly vivid or salient are systematically overestimated" (Stein 2017) true for decision-makers—and if so, under what conditions?

A fifth important frontier is understanding the interactions of different behavioural mechanisms and the consequences of those interactions. For example, how and to what extent does stereotyping influence groupthinking? Can framing and anchoring help to overcome compliance fatigue by target populations?

Sixth, more attention needs to be devoted to integrating behavioural insights with -- both

informing and being informed by -- other policy literatures, especially literatures on the impact of political institutional arrangements on how policies are developed and implemented (see for example Jones, 2017). A substantial public policy literature exists on presentist bias and extreme time discounting in policy decisions, for example (see Jacobs, 2016 and Boston, 2016), but this literature tends to focus on institutional incentives for politicians subject to re-election rather than on cognitive and decisional biases. Well-resourced interest groups may be able to develop information and framings to counter opportunity cost neglect by changing the focus to specific alternatives (including the benefits of doing nothing), but there is little evidence on whether and when they do so. Interest groups or organized groups of citizens may use their own knowledge of behavioural science in the way they communicate with policy makers to increase their influence, but this has been little studied to date. A topic of particular concern for an integrated behavioural governance perspective is the well-established insight that the policy process is frequently multi-level. Actors at different levels of governance both vertically (supranational, national and local) and horizontally (governmental and non-governmental) permeate and influence the policy process at different stages (Hooghe and Marks 2001; Weaver 2020). There is much more to learn about how actors at different levels of governance seek to use behavioural insights to influence policy and indeed how they themselves are influenced by them.

Seventh, more needs to be done in applying an understanding of behavioural mechanisms to more complex policy phenomena such as reintegration of ex-offenders, dealing with climate change and responses to the Covid pandemic. These issues involve multiple policies, multiple implementing agencies, and multiple behaviours being sought over an extended period across very heterogeneous clienteles. Rather than focusing on one policy implemented for one target

population, future research should explore cognitive and decisional preferences in more real-life contexts, e.g., when implementing agents are required to carry out multiple policy directives or respond to wicked, cross-cutting policy issues. Do policy actors working on such policy problems find particular ways to satisfice in contexts of ambiguity, complexity and uncertainty?

A final frontier for behavioural governance research is perhaps the most challenging: establishing the external validity of research on behavioural mechanisms that has relied heavily on laboratory and survey experiments, as well as small-scale pilots using randomized control trials. To what extent are these findings mirrored in real world policy processes? As noted earlier, the magnitude of behavioural interventions on target responsiveness at scale has often been much smaller those under laboratory conditions and in pilots (DellaVigna and Linos, 2020). Building a firm and robust evidentiary base for the external validity of behavioural mechanisms and interventions will be even more difficult at other stages of the policy process where (1) neither lab experiments or RCTs are possible, and other techniques such as surveys of the key population being studied may not be seen as compelling evidence of validity because the causal mechanisms are not observed directly and controls are not possible; and (2) field experiments are likely to be perceived as "ethically problematic since they typically lack informed consent by participants, deceive participants through fake interactions, and use up scarce public resources" (Adam et al., this special issue; see also James et al. 2017). Exciting research opportunities exist on all of these research frontiers.

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**Acknowledgements**

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