

CHAPTER 44

REFLECTIONS ON
POLICY ANALYSIS:
PUTTING IT TOGETHER
AGAIN

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THE attempt to pin down a chameleon concept like ‘public policy’ tends all too often to become an exercise in anatomy rather than physiology. The bones are there, right down to joints of the little finger. They can even be put together, rather like an exhibit in a natural history museum. But the creature itself, the sense of what drives it and shapes its actions, remains elusive: a victim of the academic drive to taxonomize everything in sight. To make this point is not to criticize the editors. Their strategy accurately reflects the state of the field and the end product mirrors its diversity. As Robert Goodin has put it, in a different context, ‘theorists are inveterate product-differentiators’ (Goodin 2000, 523). Different disciplines, and different sects within disciplines, have fought over the body of public policy, all seeking to impose their own definitions of the subject and to patent their own analytic methodology. To set out these varied and competing perspectives is, in itself, a valuable pedagogic exercise but risks analyzing the subject out of existence.

In what follows we shall argue for a theoretically less ambitious but (in our view) practically more useful strategy. We define public policy quite simply. It is what governments do and neglect to do. It is about politics, resolving (or at least attenuating) conflicts about resources, rights, and morals. We sideline the issue of whether

policy analysis is about understanding or prescribing by claiming that no prescription is worth the paper it is written on if it is not based on an understanding of the world of policy making. If prescription (or advice to policy makers) is not based on such a foundation of understanding, it will either mislead or fall on deaf ears. In turn, understanding depends not just on seeing policy making as a strange form of theater—with the analyst in the first row of the stalls—but on trying to capture the intentions of the authors of the drama, the techniques of the actors, and the workings of the stage machinery. Empathy, in the sense of capturing what drives policy actors and entering into their assumptive worlds, is crucial. In adopting this view we place ourselves unapologetically in the tradition of those who see policy analysis as an art and craft, not as a science (to use Wildavsky's, 1979, terminology)

By assumptive worlds (Vickers 1965) we mean the 'mental models' that 'provide both an interpretation of the environment and a prescription as to how that environment should be structured' (Denzau and North 1994, 4). Policy actors have theories about the causes of the problems that confront them. They have theories about the appropriate solutions. To take an obvious example: poverty can be seen as reflecting social factors outside the control of individuals or the result of individual failings, and very different policy responses follow depending on the initial diagnosis made. There is, additionally and importantly, a normative component to such mental models. What counts as a problem depends once again on assumptions about the nature of society and the proper role of government. Problems, as the constructivists are the latest to remind us, are not givens but the product of social and political perceptions. If AIDS is seen as a judgement of God punishing sinful behavior, then governments will see this as a matter for the preacher, not for the politician. When such mental model or assumptive worlds are tightly organized, and internally consistent, then traditionally we tend to call them ideologies.

What other fundamental tools of understanding do we need to make sense of what governments do? Parsimoniously, we would suggest only two. First, we need an analysis of the institutions within which governments operate. In contrast to much of the literature, we define 'institutions' narrowly: the constitutional arrangements within which governments operate, the rules of the game, and the bureaucratic machinery at their disposal. Self-evidently the process of producing public policy will be very different in a country with a Westminster-type constitution and one with a US-type constitution with its multiple veto points. Second, we need an analysis of the interests operating in the political arena: interests which may be structured around either economic or social concerns (which may be either self or other-regarding) and serve both to organize and articulate demands on governments and to resist measures which are seen to be inimical by those interests.

In what follows, we develop these notions. The first section's starting point is the uncontentious proposition that what (democratic) governments do—that is, the policies they advance and implement—reflect their larger concerns about gaining (and maintaining) office and doing so legitimately. Uncontentious, even banal, though this proposition may appear to be, it is much ignored in the more rationalistic conceptions of policy analysis. The second section argues that individual policy

outputs need to be interpreted in the context of the overall policy portfolio. That is, governments are almost always engaged in a complex balancing act, given that the demands for policy action usually exceed the supply of the administrative, financial, and political resources required to meet them. The third section explores the importance of taking the historical dimension into account when analysing public policy. The fourth section examines the promise and perils of cross-national analysis, and its role as a check on overdetermined national explanations of why governments do what they do. As a final coda, we briefly restate the case for eclecticism in public policy analysis.

Throughout we illustrate our arguments with examples drawn from history. And even those examples which were contemporary with the writing of this chapter, in 2004, will have become history by the time this chapter is read. Accordingly, where appropriate, footnotes provide the necessary background information about the events concerned.

1. THE DOUBLE IMPERATIVE

To define public policy as what governments do may seem a rather simple-minded opening gambit. In fact, much follows from it. It suggests that before analyzing the genesis and life cycle of specific policies—the focus of most of the public policy literature—we should first consider some of the larger concerns of governments: the context in which specific policy decisions are taken and which helps to shape those decisions. Two such concerns, we would suggest, underlie the actions of all governments (at least in western-style liberal democracies.) The first is to gain office and, having done so, to maintain their own authority and the legitimacy of the political system within which they operate. The second is to stay in office. We explore each of these points in turn.

The authority of governments, and the legitimacy of political systems, tends to be taken for granted in the public policy literature. The centuries-old debate among political philosophers about the nature of, and justification for, the exercise of political power is left to another branch of the academic industry. And even the more recent political science literature expressing worries about the decline of active support for democratic regimes and engagement in civic participation (Putnam 2001)—as shown, for example, by the fall in voter turnout at election times—has taken a long time to percolate into the academic analysis of public policies, particularly the economic variety, with some notable exceptions.

Do they, however, figure in the concerns of policy makers? It would be absurd to suggest that presidents and prime ministers spend sleepless nights worrying explicitly about how to maintain their authority and the legitimacy of the political system, though occasionally there are spasms of interest in such notions as social capital.

Indeed it can be argued that it may be in their self-interest to gain short-term advantages for themselves—by deception or concealment—at the price of undermining confidence in the system in the long term. Nevertheless, balancing such incentives, concerns about legitimacy and authority are woven into the fabric of policy making. If they are largely invisible, it is precisely because they are so much part of normal routine. Before governments decide to act, they must first determine whether they are ‘entitled’ to do so: whether a particular course of action conforms to what governments are supposed to do. The fact that their interpretation may be contestable does not detract from the importance of this policy filter. And when they decide to act, they must establish that they are doing so in the right way: whether the proposed policy conforms to contemporary understandings of the requirements of the constitution and the law and whether their implementation has followed the appropriate processes of consultation and legislation.

In short, policy making takes place in a framework of established conventions and normative rules. Governments may at times attempt to stretch those conventions and to sidestep those rules. But governments which are judged to act in an arbitrary fashion, or which threaten the private sphere of the citizen, are rightly seen as undermining the basis of their authority—whose maintenance depends on its exercise conforming to the established rules and conventions. The point is obvious enough. It is emphasized here only because it is so often forgotten—because taken as ‘read’—in the public policy literature.

There is a further point to note. The legitimacy of any political system depends on its ability to ensure the stability of the social order, as Hobbes (among many others) observed a long time ago. Not only must governments, if they are to justify their authority, be able to defend the state against external enemies. They must also be able to maintain social cohesion at least in the minimal sense of maintaining law and order and protecting the vulnerable. How best to maintain law and order is, of course, another matter, involving disputes about the criteria to be used in framing and judging policies (to which we return later). For example, does it simply require efficient policing and capacious prisons, or does it mean social engineering designed to deal with the sources of crime, disorder, or disaffection? Governments with different assumptive worlds will give different answers to such questions. But, however interpreted, the maintenance of social cohesion is surely a fundamental concern of all governments which not only shapes individual policies but also the priorities within any list of candidate policies. And, what is more, the apparent responsiveness to these concerns is electorally important in all liberal democracies. Governments face evaluation not only for what they in fact deliver, but whether they do so in ways various publics regard as legitimate.

The other obvious concern of governments, once in office, is to keep themselves there: to secure their own re-election. From this perspective, the production of public policy can be seen as an exercise in maximizing their chances of winning office (Downs 1957). This raises both analytical and normative issues. Normatively, the notion that politicians design their policies (and, more often still, the presentation of those policies) in order to win votes prompts criticism. It is often seen as an abuse of

politics: a misuse of political authority/power. It can suggest bad faith, manipulative cynicism, and the deceptive use of power (Goodin 1980). Far be it for us to suggest that politicians do not engage in manipulation: there is no shortage of examples of 'spin,' of misrepresentation of the evidence, and of the selective use of data by governments. There are few better examples in recent history than the case made in 2003 by the United States and British governments for invading Iraq: Subsequently no evidence was found to justify the claim that Iraq had the capacity to use weapons of mass destruction (Butler 2004; Woodward 2004). It also provides a warning: whatever the motives that drove Bush and Blair, their policies were not simple exercises in vote maximization (and, if so, they turned out to be a massive miscalculation). But, if we change the wording—if, instead of talking about vote chasing, we substitute the assertion that in a democracy politicians should be sensitive and responsive to public concerns—we will get approving nods. Politicians are not necessarily or exclusively vote maximizers. They may, for example, be *maximizers of moral rectitude* (or history book reputation).

Moving one step further, let us take a slightly weaker but more realistic definition of the political imperative from which somewhat different normative conclusions follow. If we assume that one of the tests applied to the production of public policies by governments is their acceptability, then we may conclude that this is a perfectly legitimate concern. Not only are governments that produce policies unacceptable to the public less likely to be re-elected. They will also be condemned as foolish or authoritarian, on the grounds that unacceptable policies will also be either not implementable or in breach of the conventions that delineate the proper role of government (or both). The introduction in the 1980s of the poll tax by Mrs Thatcher's government in Britain would be one example of producing an unacceptable policy that was roundly (and plausibly) condemned and subsequently abandoned¹; the US example of the repeal of catastrophic coverage for Medicare in the late 1980s is more complicated. It was in fact a perfectly sensible policy that was widely misunderstood as unfair (Oberlander 2003).²

¹ After decades of discussion about reforming Britain's system for funding local government—a mixture of property taxes and central government grants—the government of Mrs Thatcher decided to replace the former by a poll tax, as from 1988. The decision was widely criticized, led to sometimes violent demonstrations, and prompted widespread evasion. While 8 million people gained as a result of the switch from property taxes to the poll tax, 27 million lost. As one of Mrs Thatcher's ministers subsequently commented: 'It was fundamentally flawed and politically incredible. I guess it was the single most unpopular policy any government has introduced since the War' (quoted in the classic account of this episode: Butler, Adonis, and Travers 1994, 1). The poll tax fiasco greatly weakened Mrs Thatcher's position and contributed to her subsequent downfall, and her successor's government promptly dropped the poll tax.

² The legislation to add catastrophic health insurance and outpatient prescription drug coverage to Medicare in 1987–8 was and is regarded as a debacle. The legislation, repealed within a year, addressed two serious problems, but was financed exclusively by increased premiums on beneficiaries, which in turn was neither explained nor justified well by the Reagan administration and the reform's defenders in Congress. In a memorable incident, the then chairman of the House Ways and Means Committee, Congressman Dan Rostenkowski, was pelted with tomatoes by older constituents in Chicago who were outraged by this unorthodox form of financing a social insurance program. The obvious truth was that while the program had merit, the financing means were genuinely a surprise, not well defended, and

There is a fine border line between, on the one hand, the investment of political capital and the use of rhetoric in persuading the public of the necessity and desirability of policies—in rallying support and making them acceptable, in other words—and, on the other hand, manipulative cynicism in their presentation. We praise the former as political leadership—only consider Churchill’s use of rhetoric in rallying the British people in the dark days of 1940 or Roosevelt’s defense of the Lend-Lease policy—while condemning the latter. Modeling governments as prudential, self-regarding actors does not, therefore, capture the complexity of the real world of public policy. It leaves unexplained, for example, why governments take policy decisions that will only benefit their successors. It also creates a puzzle: why do governments address moral or ethical issues which at best are neutral in their impact on voting behavior or at worst may turn out to be stirring up an angry hornet’s nest of opposition?

The case of pension policy in the opening years of the twenty-first century illustrates the first point. Across most OECD countries governments were anxiously addressing the problem of ageing populations and the expected (and often exaggerated) burden of meeting the consequent pensions’ bill. In doing so, they were looking twenty and more years ahead. Why did they do so when, on the face of it, they had little to gain by such a strategy? After all, no government in office in 2000 would have to answer to the electorate of 2030. One reason may of course be that they were using the future as a pretext for pursuing present reform proposals (such as further pension privatization) which otherwise might be regarded as unacceptable.³ Ideology is there for sure but so is serving their friends in the finance community. This is a fully defensible interpretation of the Bush administration’s embrace of social security pension reform as required by the feared insolvency that population ageing foreshadows. The argumentative structure and rhetoric is familiar: actuarial forecasts project increasing pension claims and, assuming no change in benefits or contributions, ‘bankruptcy’ at some future date is a mathematical certainty. The fact that ‘trust fund’ language originally was meant to communicate political commitment is lost. Instead, the analogy to private trust funds, which can go broke, becomes a contemporary source of public fearfulness (Marmor 2004).

However, even conceding this explanation, invoking the interests of yet to be born voters can be seen (like hypocrisy) as the tribute paid by vice to virtue. Governments rightly presume that they are expected to take a long-term view and the fact that policy makers feel obliged to invoke this justification for their policies illustrates the extent to which public policy is shaped by such normative considerations. Which is not to argue, of course, that governments invariably (or even usually) examine the long-term implications of their policies: witness, for example, the problem of nuclear

especially vulnerable to the claim that they had not been legitimized by broad public discussion and understanding.

³ There is no question that President Bush was hesitant about direct criticism of the US social insurance pension programs. The use of spectres of an ageing America was a vehicle for prompting present adjustments in the name of necessity. The change he proposed—using social insurance contributions for investments in individual risk-bearing accounts—was deeply controversial within the policy analytic community, but amplified rather than ridiculed by the media.

waste that will remain radioactive for generations. Rhetorical long-sightedness can sit alongside policy myopia.

Again, the self-image of policy actors—who want to be seen to be following certain ideal types of behavior—seems to be at least as important as their narrow self-interest when it comes to ethical and moral issues. Only consider President Clinton's ill-fated decision at the very outset of his presidency about how to treat homosexuality in the American armed services. In February 1993, his very first presidential decision on defense matters was to propose that the US military change its long-standing objections to having homosexuals in the services. The presidential suggestion provoked sharp criticism within the military, enthusiastic support from the organized homosexual community, and derision among the chattering classes for its timing, content, and presumed insensitivity to military norms. In terms of self-seeking political behavior this made no sense, as quickly became apparent. But it did make sense in terms of the President's sense of what was right and appropriate in terms of his self-image as a progressive liberal. (It also made Clinton the recipient of substantial financial support from the gay community, which is comparatively rich, ready to spend, and politically active.⁴)

The same point could be made about many other governmental 'policy outputs.' In the case of the UK, for example, successive governments have resisted attempts to restore capital punishment, even though survey evidence suggests that bringing back the hangman would earn them applause from a majority of the population and the tabloids. However, not only would such a move bring them condemnation from the liberal establishment and the broadsheets. For many legislators opposition to the death penalty is a core value which they are prepared to put before majoritarianism. The 2003 controversy over the religious symbolism of attire in French schools—with the state forbidding the wearing of headscarves—obviously involved ideals of secular republicanism as well as prejudice against Islamic fundamentalism. In short, policy actors have moral constituencies, as well as constituencies of material interest, and follow moral imperatives. It is not unknown for policy actors to congratulate themselves on pursuing unpopular policies for what they consider right. Invoking considerations of moral rectitude earns points in this world as well as (possibly) the next. And any convincing analysis of their assumptive worlds must take this into account.

2. THE POLICY PORTFOLIO

Analyzing the genesis, development, and implementation of individual policies is misleading to the extent that it misses out on an important characteristic of public

⁴ The Clinton suggestion ended up with what came to be known as the 'don't ask, don't tell' policy. While not what President Clinton called for, this operational policy has no doubt changed military norms substantially.

policy making. This is that demands for public action tend to exceed any government's capacity to supply policy responses. The portfolio of policies that eventually emerges therefore is the product of a complex process of bargaining, negotiation, and political calculation. On the one hand, there is competition between and among interest groups and departments pressing for action on their concerns. Governments are not unitary actors, although for convenience we refer to them as a collectivity in the text (Allison 1971; Allison and Zelikow 1999). Cabinet ministers with different and sometimes conflicting priorities jostle for space in the legislative program. On the one hand, there are judgements about where the investment of administrative capacity and political capital will yield the largest returns—judgements which are filtered through the lenses of the 'mental models' of the policy actors whose interests will be affected. In short, the launch of a policy may reflect as much the desire to have a 'balanced portfolio' (whether in terms of maintaining the legitimacy of the government or in terms of political expediency) as factors intrinsic to the specific policy arena.

The heterogeneity of such a policy portfolio is illustrated by both the British data in Appendix 44.1 and the American counterpart in Appendix 44.2. The first summarizes the Queen's speech delivered to the UK Parliament in November 2003, outlining the British government's legislative program for the next year. The US example summarizes the State of the Union speech given by President Bush to the Congress in January 2004. Both examples should be seen as illustrative, not representative. The contents of these two speeches are time specific. Under different governments, at different stages in the life cycle of any administration and in a different global environment, they could have been very different. Our concern here, however, is not so much with the details of the policies involved—which are only discussed to the extent that they need to be comprehensible to the reader—but with the overall style and shape of such policy portfolios at one particular historical moment.

Even the long laundry list that is the 2003 Queen's speech greatly understates the extent and variety of British public policy 'outputs' in any given year. Most importantly, it excludes fiscal policies: decisions by the Chancellor of the Exchequer about the level of spending on specific programs and the design of the system of taxes and benefits. And it cannot include, by definition, government policies—whether administrative, legislative, or judicial—prompted by the outbreak of an epidemic, a natural disaster, or an external threat.

Immediately striking is the prominence in this particular portfolio of what might be called social stability concerns. These included: tightening up the appeal system in asylum cases, working towards the introduction of national identity cards, and modernizing the law and system for protecting women and children. All three examples can be understood as public policy in the responsive mode, reacting to external events and, perhaps even more importantly, to public perceptions of those events. The tightening up of the appeals system and the incremental development of identity cards can both be seen as part of a strategy for reassuring the public that the government was acting to stop the UK from being flooded by fraudulent asylum seekers and illegal

immigrants. These were concerns with high political salience that had attracted much attention in the media in the UK, as in many other European countries. The improvement of services for protecting children was again a response to an issue with a high public and media profile: a series of appalling cases of child abuse had revealed great shortcomings in the existing system of surveillance and protection.

All three examples also, however, underline the importance of distinguishing between *why* a particular issue makes it onto the agenda for action and *how* it is then translated into a specific public policy measure. In all three cases, the government's decision to respond to public worries could be interpreted either as (three cheers) a demonstration of its sensitivity to public concerns or (boos) as a cynical political maneuver designed to prevent the opposition from exploiting these issues. But all three cases had long histories. The UK system for processing asylum seekers had long been recognized as a shambles (not least because of the hardships inflicted on genuine cases). What is more, previous attempts to improve it had produced meager results. The introduction of identity cards had been debated since at least the 1960s, though the debate was given new impetus after 2000 by both developments in technology and increasing concern (whether justified or not) about illegal immigration. Child protection had been an ongoing worry, with recurring scandals despite a succession of attempts to improve the system, for at least as long. As this historical example shows, a raised sensitivity to public concerns (or, pejoratively, political expediency) opened the window for the various government agencies who had long been working on these problems to get their ideas onto the agenda for action (Kingdon 1995). The specific measures that eventually emerged reflect as much bureaucratic bargaining and negotiation, organizational routines, and notions of administrative feasibility, as political-electoral considerations. The factors that influence the timing of public policy do not necessarily determine the contents.

There are some other points to note about this particular British policy portfolio. First, little of the proposed legislation involved classic pressure group activity. Like the three examples already discussed, most of the initiatives represented a response to diffuse public concerns rather than to demands from organized interest groups (though in the case of pension reform the government was involved in tough negotiations with employers, the insurance industry, and the trade unions when it came to the details of the legislation). Second, much of it represented the incremental processes of government rather than policy innovation: for example, the proposals to make the planning system faster and to improve traffic flows—a reminder that public policy is as much drudgery as drama, a constant process of tinkering and repairing. The small print of public policy (we all care about traffic flows) matters if governments want to demonstrate their competence in dealing with the day-to-day concerns of their citizens. Most of public policy is as boring as darning old socks. Third, policy may represent a moral commitment, which has little or nothing to do with political expediency. The proposed legislation to allow the registration of civil partnerships between same-sex couples is a case in point. This was symbolism not as a substitute for action but as a signal that the government's heart was in the right place: that it was a liberal, progressive administration. In this sense, it was an

important part of a balanced portfolio, a rebuttal of the charges of authoritarianism prompted by some of the Blair government's law and order policies.

Quite different in kind was one of the most contentious measures in the 2004 Queen's speech: reform of the House of Lords. Here the fissures were as much within the governing Labour Party as between the Labour Party and the Conservative opposition. In the case of the House of Lords, there was cross-party agreement that the hereditary element should be eliminated. But divisions existed within all parties about how the new composition of the second chamber should be determined, whether by election or nomination: a series of votes in the House of Commons on various options had failed to produce a consensus about the composition. This, then, can be seen as an example of a government being able to exploit confusion and disagreement to impose its own preferred option: a second chamber appointed by an independent Commission, its party composition reflecting voting patterns. It was an unusual and rare form of public policy making worth noting, however, for demonstrating the difficulty of classifying and anatomizing the variety of activities that go under that label.

The State of the Union speech, given 20 January 2004, set out President Bush's legislative aims for 2004 and beyond. The contents of the list range from announcing broad policy aims to proposing legislative action: It is the breadth of the range—and the loose connection to likely legislative action—that most sharply distinguishes the American practice from that of parliamentary leaders like Blair.

Yet, the similarities of the two forms are striking. The Bush speech offered to its audience just the kind of 'balanced portfolio' presented to the Commons. In other words, within the heterogeneous legislative proposals and public policy concerns there were a parallel mix of appeals. For example, all of the funding proposals were incremental, with flourishes about 'doubling' efforts to encourage sexual abstinence and to make the world safer for democracy, free markets, and free speech. Evident as well were the responses to what we have characterized as diffuse concerns about social stability. So, we find aspirational gestures towards such difficult subjects as how to control medical inflation with policies as weakly connected to the purpose as tax subsidies for catastrophic plans. Likewise, there was top billing for concerns about terrorism, however uncertain the connection between means and ends. And, finally, the speech appealed for support of two very controversial legislative actions: the re-enactment of the Patriot Act (and its attendant conflict with civil liberties) as well as the proposal for a temporary workers program (which excites the ire of the labor movement). Very few of the American proposals looked like simple responses to classic pressure group demands. Or, put another way, the language suggested responsiveness to diffuse rather than concentrated organizational concerns.

Institutional structures and the policy context of the moment explain much of the remaining differences between our two illustrations. The most obvious feature of the Bush laundry list is its aspirational character, not its predictive accuracy. In the US system of government, the general rule is that administration proposes, but the Congress disposes. And what the Congress does is not usually decided by general elections, as it is in parliamentary regimes. There is no necessary policy majority in

the Congress even when controlled by one party, as it was in 2004. As a result, no one could have said with any certainty in January of 2004 whether any of the actions President Bush proposed would become law that year. In the event, the worsening circumstances in Iraq during the spring and summer of 2004 rendered the President's influence in the Congress less decisive. The electoral context increasingly made the Democrats unwilling to cooperate and fissures within the Republican congressional majority made legislative majorities harder to construct.

This brings us back to the most general conclusion of this section: namely, that it is very difficult to classify (or anatomize) public policy. What counts as an issue, or what similar 'issues' evoke, depends, as we have argued, on context, which in turn is filtered through the mental models of actors and audiences. So, for instance, the salience of immigration reform in the UK is not reflected in the modest reference by the Bush administration to a temporary worker program. In 2004, immigration had priority on the policy agendas of the EU generally, reflecting domestic conflict over amnesty programs, EU worker mobility policies, and claims of foreigner 'misuse' of welfare state programs. Nothing of that kind is evident in the US document, and the reason is largely institutional rather than ideological. American federalism shapes welfare state disputes in the USA so that conflicts over access to medical care programs (like Medicaid) or educational expenses of newcomers (local and state funding issues) are channeled away from national debates. The same range of sentiments that excited debate in the UK during the first years of the twenty-first century did appear in the USA, but not, during those years, on the national agenda. California enacted measures limiting the access to social programs by foreign, largely Mexican workers; Texas confronted cross-border concerns in state legislation. And, at the national level, the federal Immigration and Naturalization Service increasingly used helicopters to interdict workers crossing deserts and rivers to enter the southwest. But the 'face' of immigration policy looked different across the Atlantic, which illustrates our classificatory caution.

3. THE HISTORICAL DIMENSION

Much is made in the literature of path dependency, variously defined. At one level this is simply another way of describing the incremental, adaptive nature of much policy making: that (as we have seen in our case study) public policy consists to a large extent of patching and repairing, building on and learning from experience (Hecklo 1974). Again, the fact that policy makers faced with a new problem tend to draw on an established repertory of tools reinforces the bias of public policy against radical innovation, as does dependence on existing organizations for delivery. Initial policy reactions to AIDS were a case in point (Fox, Day, and Klein 1989). More narrowly and rigorously, path dependency is seen as flowing from the structure of

interests created by policy (Tuohy 1999; Hacker 2002). Decisions taken at point A in time entrench—sometimes indeed create—interests that come to constrain decisions at point B. Either way, what is interesting and appears to call for explanation is the rare occasions when public policy takes a new turn, whether successfully or not, rather than the sock-darning dimension of public policy.

So history matters. But, we would suggest, it matters in a more profound sense still. Not only are policy makers obliged to work within the context of inherited institutions—constitutional arrangements and conventions and the administrative machinery of government—as well as the structure of interests created by previous policies, as noted. But their world of ideas is also the product of history. This is so in a double sense. On the one hand, their notions are likely to be shaped by early experience and the culture of their time, as with all of us. On the other hand, they are likely to use history (or rather their own interpretation of it) as a quarry for policy exemplars or warnings.

From this wider perspective, history can be used to explain change and divergence from existing paths as well as continuity. Consider, for example, the generation of politicians who grew to maturity in the years of slump and mass unemployment of the 1920s and 1930s. The experience persuaded even those in the middle of the political spectrum (Roosevelt in the USA; Macmillan in the UK) to adopt radical social and economic policies. And, to underline the importance of ideas, they could draw on Keynesian theory to justify their policies. In short, there was not only a change in what was considered politically important but also in what was considered to be possible in practice. The converse applies to the next generation, who grew up in a period of unprecedented economic growth and full employment. They proved, when in power, less sensitive to unemployment statistics. And, again, they could turn for justification to the new economic paradigm (Hall 1993) which challenged Keynesian notions by arguing that there was a natural rate of unemployment about which governments could do little and only at the risk of fueling inflation.

What matters in all this, of course, is not history as written in academic textbooks but the interpretations put on it by policy makers: the lessons they choose to draw from the past (Neustadt and May 1988). So, for example, the nebulous Third Way as espoused by Clinton and Blair in the 1990s—the latest in a long line of attempts to find a middle way (Macmillan 1938)—cannot be understood without taking into account their diagnosis of the mistakes made by their predecessors as party leaders. The interpretation of history need not be correct. Some disastrous policy decisions have flown from the misapplication of supposed historical lessons, largely as a result of mis-specifying the similarity between past and present situations. The conclusion that it never pays to appease dictators drawn from the abject surrender of the western powers to Hitler at Munich in 1938, plus the equation of Nasser with Hitler, was used to justify Britain's disastrous Suez adventure in 1956. And Bush's initiation of the 2003 Iraq War may, also, in part at least, have reflected a misreading of history. Bush's Iraq policy appeared to some a reaction against his father's 'failure' to topple Saddam. Whatever the President's motives, the justifications offered—that weapons of mass destruction in the hands of a dictator will

be used and therefore must be 'taken out' preventively—relied on historical claims. In another sense, the Iraq policy was an earlier conviction searching for an occasion, a commitment to get rid of Saddam by officials from Bush I's presidency acted upon in Bush II's administration (Woodward 2002, 2004; Dean 2004).

Particular readings of history may also persuade policy makers to diverge from the trodden path. Policy change is not only the result of windows of opportunity suddenly opening as the result of some upheaval in the economic or political environment. Policy change itself may open such windows by demonstrating that the previously unthinkable has become doable. A case in point is the repudiation in the 1980s by Mrs Thatcher of the assumption shaping the policies of all post-1945 British governments that they needed the cooperation of the trade union movement to manage the economy. Instead, she was prepared to confront and fight the unions (Young 1989). The skies did not fall in. And Tony Blair, as Labour Prime Minister, shaped his policies accordingly, largely sidelining the unions when he took office in 1997 and making a political virtue of his independence of them.

The Bush II 2004 administration's approach to old-age and retirement policy illustrated similar risk taking. By suggesting that what Americans call social security retirement pensions should be partially privatized, President Bush repeatedly risked identification as an enemy of a public policy 'sacred cow.' The cliché has been that 'social security is the third rail of American politics, electrocuting all those who touch it.' Yet, throughout his administration's first term, Bush called for private, individual pension accounts funded by a proportion of the compulsory 'contributions' that all Americans pay. This innovation, the President claimed, was the right response to the fiscal strains the ageing American society faces. Leaving aside the merits of this view—which are few if any—this bold rhetoric in presidential speeches and proposals did not provoke the public condemnation pundits anticipated on the basis of social security's status as a supposed 'sacred cow.' In turn, the rhetoric emboldened the interest groups who would gain financially if the American government required some share of social insurance taxes to be invested in the stock and bond markets. As a result, the presidential election of 2004 was replete with references to the differences between the traditional defense of social insurance (largely by Democrats) and the call for private individual accounts (largely by Republicans).

Innovation occurs, but not as commonly as appeals to its possibility (Baumgartner and Jones 1993, 2002). Nonetheless, without history there can therefore be no understanding of public policy. And without history there can also be no realistic evaluation of public policy. For if evaluation does not take into account what policy makers were trying to achieve, if the criteria used in judging the success or otherwise of policies are those of the evaluator rather than those of the originator, the result will at best yield a very partial, perhaps anachronistic verdict. By this we do not claim a historical monopoly on either the understandings or the evaluation of public policy. But we do connect our insistence on the explanatory importance of the assumptive world of policy actors with the truism that all our assumptions incorporate historical understandings, both biographical and cultural.

4. THE COMPARATIVE DIMENSION

This essay has so far emphasized the importance of context—institutional, ideological, and historical—in the understanding of policy making in modern polities. Here we turn to another important way to understand and to evaluate policy making: namely, the use of cross-national policy studies. There is little doubt such work has mushroomed in recent decades, partly, no doubt, because of technological innovations that have speeded up the transfer of information about what is happening abroad. Indeed, none of us can escape the ‘bombardment of information about what is happening in other countries’ (Klein 1995). The pressing question, however, is whether this informational dispersion is a help or a hindrance to understanding what governments do and why.

There are at least three obvious ways in which policy analysis might be improved by cross-national understanding. One is simply to define more clearly what is on the policy agenda by reference to quite similar or quite different formulations elsewhere. The more similar the problems or policy responses the more likely one can portray the nuanced formulations of any particular country. The more dissimilar, the more striking the contrast with what one takes for granted in one’s own policy setting. This is the gift of perspective, which may or may not bring with it explanatory insight or lesson drawing. A second approach is to use cross-national enquiry to check on the adequacy of nation-specific accounts. Let’s call that a defense against explanatory provincialism. What precedes policy making in country A includes many things—from legacies of past policy to institutional and temporal features that ‘seem’ decisive. How is one to know how decisive as opposed to simply present? One answer is to look for similar outcomes elsewhere where some of those factors are missing or configured differently. Another is to look for a similar configuration of precedents without a comparable outcome. A third and still different approach is to treat cross-national experience as quasi-experiments. Here one hopes to draw lessons about why some policies seem promising and doable, promising and impossible, or doable but not promising. All of these approaches appear in the comparative literature. And, with the growth of such writing, one senses an optimism about the possible improvement of comparative learning and lesson drawing. But, is the optimism justified? That question is what interests us here.

The interest, however, is not in addressing the broad topic of the promise and perils of cross-national policy studies (Klein 1991; Marmor, Okma, and Freeman forthcoming 2005). Rather, it is to offer some illustrations of how comparative understanding can advance the art and craft of policy analysis. This requires some examples of each of these approaches, positive or negative. A useful starting point would be to take a misleading cross-national generalization that, upon reflection, helps to clarify differences in how policy problems are in fact posed. A 1995 article on European health reform claimed that ‘countries everywhere are reforming their health systems.’ It went on to assert that ‘what is remarkable about this global

movement is that both the diagnosis of the problems and the prescription for them are virtually the same in all health care systems' (Hunter 1995). These globalist claims, it turns out, were mistaken (Jacobs 1998; Marmor 1999). But the process of specifying exactly what counts as health care problems—whether of cost control, of poor quality, or of fragmented organization of services—is helpful. The comparative approach first refutes the generalization, but it also enriches what any one analyst portrays as national 'problems.' So, for instance, the British health policy researcher coming to investigate Oregon's experiment in rationing would have soon discovered that it was neither restrictive in practice nor a major cost control remedy in the decade 1990–2000 (Jacobs, Marmor, and Oberlander 1999).

Offering new perspectives on problems and making factual adjustments in national portraits are not to be treated as trivial tasks. They are what apprentice policy craftsmen and -women might well spend a good deal of time perfecting. That is because all too many comparative studies are in fact caricatures rather than characterizations of policies in action. A striking illustration of that problem is the 2000 World Health Organization (WHO) report on how one might rank health systems across the globe. Not only was the ambition itself grandiose, but the execution of it would be best regarded as ridiculous (Williams 2001). The WHO posed five good questions about how health systems work: are they fair, responsive, efficient, and so on. But they answered those questions without the faintest attention to the difficulties of describing responsiveness or fairness or efficiency in some universalistic manner. What's more, they used as partial evidence the distant opinions of Geneva-based medical personnel to 'verify' what takes place in Australia, Oban, or Canada. With comparativists like that, one can easily understand why some funders of research regard comparative policy studies as excuses for boondoggles. But mistakes should not drive out the impulse for improvement.⁵

The most commonly cited advantage of comparative studies, however, is as an antidote to explanatory provincialism. Once again, a health policy example provides a good illustration of how and how not to proceed. There are those in North America who regard universal health insurance as incompatible with American values. They rest their case in part on the belief that Canada enacted health insurance and the USA has not because North American values are sharply different. In short, these comparativists attribute a different outcome to a different political culture in the USA. In

⁵ There are, of course, other interpretations of the WHO action, however unreliable the precise evaluations of national performance. One such interpretation, offered by one of the Handbook's editors, is that the ranking of countries on the basis of specious data surely would provoke local political interest in gathering and presenting more reliable data about health across the globe. In the case of Australia, for instance, the civil servant in charge of the federal health department did in fact challenge the WHO report; in other capitals outrage did lead to condemnation and the provision of counter-evidence. This was certainly one result of the exercise, and, there is reason to believe this aim was in the mind of the WHO study director, Murray. One of this essay's authors confronted Murray in London during the spring of 2001 at a conference with the inaccuracies and absurdities of this ranking. Murray responded by invoking the experience of national income accounts. No one, he said, thought GDP measured income perfectly or did so correctly at the outset. But, Murray went on to add, 'we would not want to go back on GDP measures, would we?' The notion that producing junk science energizes better science may have some empirical backing, but it is the weakest possible defense of any particular, flawed study.

fact, the values of Canada and the United States, while not identical, are quite similar. Canada's distribution of values is closer to that of the United States than any other modern, rich democracy. Like siblings, differences are there. In fact, the value similarities between British Columbia and Washington state are greater than those between either of those jurisdictions and, say, New Brunswick or New Hampshire along the North American East Coast. Similar values are compatible with different outcomes, which in turn draw one's attention to other institutional and strategic factors that distinguish Canadian from American experience with financing health care (Maioni 1998; White 1995). One can imagine multiplying examples of such cautionary lessons, but the important point is simply that the lessons are unavailable from national histories alone.

The third category of work is not so directly relevant to our enquiry. But it is worth noting that drawing lessons from the policy experience of other nations is what supports a good deal of the comparative analysis available. The international organizations have this as part of their rationale. WHO, as noted, is firmly in the business of selling 'best practices.' The OECD regularly produces extensive, hard to gather, statistical portraits of programs as diverse as disability and pensions, trade flows and the movement of professionals, educational levels, and health expenditures. No one can avoid using these efforts, if only because the task of discovering 'the facts' in a number of countries is daunting indeed. But the portraiture that emerges requires its own craft review. Does what Germany spends on spas count as health expenditures under public regulation or should it, as with the United States, be categorized differently? The same words do not mean the same things. And different words may denote similar phenomena. For now, it is enough to note that learning about the experience of other nations is a precondition for learning from them. A number of comparative studies fail on the first count and thus necessarily on the second. On the other hand, if one were to look for exemplary instances of cross-national learning, one would turn quite quickly to Japan, Taiwan, and Korea. All have sent first-rate civil servants abroad to find promising models, have worried about the barriers to transplantation, and have, when using these apparent models, worked carefully on issues of adaptation, transformation, and implementation.

5. THE CASE FOR ECLECTICISM

One reaction to our essay may well be to dismiss it as an exercise in trying to have it all ways: eclecticism as a substitute for intellectual rigor. However, we make no apology for this. In practice, no public policy analyst can use all the tools of the trade all the time: a rational choice analyst in the morning, a psycho-biographer in the afternoon, a historian in the evening, and a political theorist in the hours when sleep does not come. However, our contention throughout has been that the attempt to draw on all these disciplines is essential. Trying to understand and explain public policy as a

whole—making sense of what governments do, rather than analysing specific election results or policy outputs—has to be, in our view, an exercise in synthesis.

The point can be simply illustrated, bringing together many of the issues previously discussed. Central to most public policy analysis (including our own) is the notion of self-interest. We invoke the self-interest of politicians in getting elected and keeping in office. We invoke the self-interest of lobbies in pressing for their share of pork or in pursuit of some ideology. Yet as Thomas Macaulay (cited in Wildavsky 1994, 155) pointed out some 150 years ago in his critique of utilitarianism:

One man cuts his father's throat to get possession of his old clothes; another hazards his own life to save that of an enemy. One man volunteers on a forlorn hope; another is drummed out of a regiment for cowardice. Each of these men has no doubt acted from self-interest. But we gain nothing from knowing this, except the pleasure, if it be one, of multiplying useless words.

In short, much of public policy analysis involves giving meaning to what, in the absence of background knowledge, is indeed an empty word. How people define their self-interest (their assumptive worlds) depends on culture and history. How people, in turn, act to further that self-interest will depend on the institutions within which they operate. And the definitions, and the way in which they are translated into practice, will vary and evolve over time as the intellectual, social, and economic environment changes. So, for example, no one can understand the evolving history of Britain's National Health Service (Klein 2001) without taking into account the changing environment in which it operates.

In summary, then, we have argued that no sensible understanding of what liberal democratic governments should do, have done, or will do is possible without attention to the realities of office seeking and office keeping, and how those realities are perceived by those involved. This theme—stunningly obvious in one sense—is nonetheless all too frequently ignored. The history of efforts to make the analysis of public policy more scientific, rigorous, and thereby more helpful for policy development is a fascinating (and controversial) one, but has not been our concern here. Rather our contribution is to insist that whatever technical improvements are possible—in polling accuracy, in economic modeling, the simulation of policy options, and so on—it remains essential to emphasize the centrality of the most basic features of governmental policy making in democratic polities. These, we have suggest, include the need to maintain regime legitimacy, the competitive struggle to achieve (and keep) office, and the search for a balanced policy portfolio.

Beyond that we have emphasized the importance of understanding the constellation of ideas, institutions, and interests that converge in any policy activity. Here the focus is, as argued above, on how historical evidence—and evidence about history—shapes the options available to policy makers, their understanding of the material (and other) interests at stake, and their interpretation of what contemporary audiences will make of their ideas. Throughout we have illustrated our claims about historical understanding by citing examples that appear to tell an apt illustrative story—in line with our contention that the analysis of public policy, like policy making itself, is an exercise in persuasion (Majone 1989). Hence the importance of

examining critically the rhetoric of persuasion used by both policy makers and public policy analysts.

The discussion of comparative policy emphasizes still another element in the art and craft of policy analysis. Comparing formulations of policy problems across national borders illustrated the degree to which the mental worlds of actors are shaped by their distinctive historical understandings and the ideas that stakeholders in particular settings take for granted, as well as being a protection against explanatory provincialism. Finally, we note the complexities of evaluating public policy making once the perspectives of policy makers are taken as central to understanding their options and choices. Put another way, an appreciation of what policy makers believe they are doing is a necessary—albeit far from sufficient—condition for understanding and evaluating their actions.

APPENDIX 44.1 THE QUEEN'S SPEECH, NOVEMBER 2004

THE UK GOVERNMENT'S LEGISLATIVE PROGRAMME

The Queen's speech announced the following planned legislation, for the 2004/5 session of Parliament. The bills announced would:

- Enable young people to benefit from higher education and abolish up-front tuition fees.
- Encourage employers to provide good-quality pensions and individuals to save for retirement, and set up a Pension Protection fund to protect people when companies becomes insolvent.
- Allow registration of civil partnerships between same-sex couples.
- Establish a single tier of appeal against asylum decisions.
- Take forward work on an incremental approach to a national identity cards scheme.
- Modernize the laws on domestic violence and improve services designed to protect children.
- Remove hereditary peers and set up an independent Appointments Commission.
- Enable a referendum on the single currency, subject to the government's five economic tests being met.
- Make the planning system faster and fairer with greater community participation.
- Improve traffic flows and manage road works more effectively.
- Modernize charity law and allow for the creation of Community Interest Companies.

APPENDIX 44.2 BUSH'S 2004 STATE OF THE UNION ADDRESS⁶

Summary of Contents

- Continue support for the War on Terror; a peaceful, stable, and democratic Iraq; and homeland security.
- Renew the Patriot Act, which is set to expire in 2005.
- Put pressure on regimes that support and harbor terrorists and seek to obtain weapons of mass destruction.
- Double the budget for the National Endowment for Democracy to help it develop free elections, free markets, free press, and free labor unions in the Middle East.
- Give students the skills they need to succeed in the workplace with Jobs for the Twenty-First Century, a series of measures that includes extra help for students falling behind in reading and math, greater access to AP programs in high schools, private sector math and science professionals teaching part-time in high schools, larger Pell grants for college students, and increased support for community colleges.
- Make the temporary tax cuts permanent to keep the economy going strong.
- Help small business owners and employees find relief from excessive federal regulation and frivolous lawsuits.
- Enact energy-related measures to modernize the electricity system, protect the environment, and make America less dependent on foreign oil.
- Create Social Security Personal Retirement Accounts.
- Cut the federal deficit in half over five years with a budget that limits growth in discretionary spending to 4 per cent.
- Reform immigration laws to create a temporary worker program allowing illegal immigrants to obtain temporary legal status.
- Control medical costs and expand access to care by letting small businesses collectively bargain with insurance companies, giving refundable tax credits to low-income Americans so they can buy their own health insurance, computerizing health records to improve quality and reduce cost, reforming medical malpractice law, and making the purchase of catastrophic health care coverage 100 per cent tax deductible.
- Increase funding to combat drug use through education, drug testing in schools, and asking children's role models to set a good example.
- Double federal funding for abstinence programs to reduce the incidence of sexually transmitted diseases.
- Prevent same-sex marriages, using the constitutional process if necessary.
- Codify into law the executive order allowing faith-based charities to compete for federal social service grants.
- Enact a prisoner re-entry program providing better job training and placement, transitional housing, and mentoring.

⁶ Adapted from G. W. Bush, *State of the Union Address*, www.whitehouse.gov/news/releases/2004/01/20040120-7.html (20 Jan. 2004).

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