The growth of policies, rules, and regulations: A review of the literature and research agenda

Markus Hinterleitner [ID], Christoph Knill [ID]

Geschwister Scholl Institute of Political Science, LMU Munich, Munich, Germany

Yves Steinebach [ID]

Department of Political Science, University of Oslo, Oslo, Norway

Abstract

This article reviews the vibrant literature on policy growth in political science and adjacent disciplines, thus offering a conceptual framework for situating past and future research efforts and facilitating the engagement between them. The first part presents important concepts that capture policy growth or aspects of it (rule growth, policy layering, policy mixes, policy accumulation, policyscapes, the policy state) and dominant measurement approaches. The second part provides an overview of the main drivers of policy growth in advanced democracies, discussing the role of societal demands, political competition, institutional fragmentation, and bureaucratic processes. The third part outlines the multi-faceted and far-reaching consequences of policy growth for policy, politics, and the polity. While policy growth is often portrayed as the price to pay for upholding the democratic capitalist order in constantly modernizing and diversifying societies, the existing research also points to the negative consequences emanating from increased state activity. Policy growth not only threatens to overburden bureaucracies and thereby undermine policy effectiveness; it may also transform the institutional structure of the democratic state and make its politics more complicated and conflictual.

Keywords: bureaucracy, democracy, policy growth, policy state, regulatory growth, rule growth.

1. Introduction

Barack Obama, the 44th president of the United States of America (US), once remarked that the job of the government is to "get stuff done" (Time Magazine, 2014). Getting stuff done basically means that governments formulate and implement policies to address specific goals, from the reduction of poverty to the regulation of cryptocurrencies to the mitigation of climate change. More and more research suggests that this job has become more comprehensive and demanding over the last decades (e.g., Adam et al., 2019; Baumgartner & Jones, 2015; Benish & Levi-Faur, 2020; Hurka et al., 2022; Jones et al., 2019; Orren & Skowronek, 2017; Pierson, 2007b). There has been a consistent increase in the number of policies, laws, rules, and regulations that democratic governments adopt. "Policy growth," as we call this phenomenon, captures the observation that governments steadily broaden and deepen their reach into society, that is, they become involved in more and more areas and their involvement in them becomes more pervasive.

Policy growth has attracted increased attention beyond that of political scientists working in different subfields such as public policy, regulatory studies, public administration, public management, or American political development; it has also attracted the attention of sociologists, economists, and legal scholars (e.g., Gratton et al., 2021; Jennings et al., 2005; Kaufmann & van Witteloostuijn, 2018; Schuck, 1992). The existing research base indicates that policy growth is a very widespread and consequential political development whose close study reveals rich (although still often neglected) insights into democratic change and challenge. While policy growth is often portrayed as the price to pay for upholding the democratic capitalist order in constantly modernizing and diversifying societies, the existing research also points to the negative consequences emanating from increased

state activity. Policy growth not only threatens to overburden bureaucracies, and thereby undermine policy effectiveness, it may also transform the institutional structure of the democratic state and make its politics more complicated and conflictual. Moreover, policy growth may undermine citizens' belief in the effectiveness and fairness of government.

This review canvasses the literature on policy growth to provide scholars with a succinct overview of this important phenomenon and its implications for political science and adjacent disciplines. The article consists of three main parts that together form a conceptual framework that situates past and future research efforts and facilitates the engagement between them. The first part presents the various concepts that scholars from various scientific backgrounds have developed to capture (aspects of) the phenomenon of policy growth and presents the three dominant measurement approaches in the literature. The second part provides an overview of the political, institutional, and bureaucratic causes of policy growth and highlights the various dynamics that prompt democratic governments to regularly adopt more policies than they abolish. The third part outlines the multi-faceted and far-reaching consequences of policy growth for policy, politics, and the democratic polity. The conclusion sketches avenues for future research on policy growth.

2. Policy growth: Concepts and measurements

Scholars working in various subfields of political science and adjacent disciplines, such as sociology, economics, and legal studies, have developed concepts that seek to capture (aspects of) the phenomenon of policy growth. The most important concepts are "rule growth," "policy layering," "policy mixes," "policy accumulation," "policyscapes," and the "policy state." Some of these concepts are descriptive, and they seek to capture the broadening and/or deepening of state activity over time. Others are more explanatory, and they seek to make sense of why governments assume ever more tasks in ever more areas. Still others (especially policyscapes and the policy state) seek to capture some of the broader political, institutional, and democratic implications of policy growth. Despite these differences, they all observe that governments continuously adopt more policies than they abolish. Moreover, all these concepts adopt a rather "macroscopic" or "aggregate" perspective on state activity, which leaves issues such as the actual content of rules or the distribution of resources out of the analysis. The following is not a systematic review of contributions working with a particular concept but rather an attempt to bring distant strands of literature together and show that they are essentially concerned with the same phenomenon. We thus focus on works that allow us to exemplify each strand's contribution to the study of policy growth.

2.1. Relevant concepts

As Bardach (1976, p. 123) already remarked, while policy termination is often contemplated, "it is not often attempted and it rarely succeeds." The termination or "dismantling"[1] of policies that are outdated or have lost their purpose is unattractive for politicians because, over time, policies create layers of support that make their abolishment increasingly politically costly (Jordan et al., 2013; Pierson, 1994). Policies act as focal points for organized activity because they provide interest groups with resources and incentives to organize (Pierson, 2014). Accordingly, the literature on policy termination provides many examples of situations where termination attempts were unsuccessful (Geva-May, 2004). Most research on policy growth therefore focuses on the fact that governments constantly adopt additional policies, while (implicitly) assuming that the existing ones are rarely abolished—a constellation that, over time, results in a growing number of policies in a policy sector or country.

Literature on *rule growth*, for example, suggests that rule stocks have increased substantially at the supranational, country, and organizational levels across developed countries (Jennings et al., 2005; Kaufmann & van Witteloostuijn, 2018; March et al., 2000; van Witteloostuijn & de Jong, 2008, 2010). For instance, Jakobsen and Mortensen (2015) document the steady growth of Danish primary legislation and administrative rules from 1989 to 2011 across various domains. An important observation that can be found in the literature on rule growth is that many rules added to rule stocks constitute "red tape," that is, superfluous rules that are not really needed to govern a particular social or political situation (Kaufmann & van Witteloostuijn, 2018). However, distinguishing between superfluous and "necessary" rules is hard to do from an aggregate perspective, thus begging the question of how many rules in a rule stock could theoretically be abolished without distorting existing governance

arrangements. In this context, DeHart-Davis (2009, 362) argues that rule stocks not only consist of "red tape" but also of "green tape," that is, effective rules that bolster an organization's functioning.[2] Therefore, the advice to cut rules "without theory or evidence as to the functions of rule attributes throws the proverbial baby out with the bathwater and ignores evidence that rules have positive social psychological effects (…)."

While the concept of rule growth describes changes in the number of laws or regulations over time, the concept of *policy layering* focuses on the interactions that develop when new policies are added to existing ones (Hacker, 2004; Thelen, 2004). Theories of institutional change conceptualize layering as a process of institutional evolution where new elements are attached to existing institutions and thereby gradually change their status and structure. Layering occurs "when new rules are attached to existing ones, thereby changing the ways in which the original rules structure behavior" (Mahoney & Thelen, 2010, p. 16). The existing literature usually analyzes instances of layering in specific historical situations. However, it also suggests that layering is a process that can be observed in whole policy domains as new elements and innovations are regularly added to existing policy structures (Schickler, 2001; Van der Heijden, 2011).

While research on policy layering usually focuses on individual policies or institutional domains, that is, particular instances where one or several policy elements are added to an existing policy and thereby change its functioning, the concept of *policy mixes* adopts a more aggregate focus on the policies that can be found within a specific policy sector. As policy scholars have observed, policy-makers often mix and match tools to reach particular goals. Howlett and Rayner (2007, 2013) propose a basic taxonomy of policy mixes, which distinguishes them at the horizontal level according to the number of goals, policies, and instruments in place. This horizontal perspective is combined with a vertical perspective, which captures the extent to which multiple instruments and goals exist across sectors and governments. Applying this taxonomy to specific countries and policy sectors usually reveals that policy mixes have become more multifarious over time, that is, policy-makers pursue a greater number of goals and employ an increasing range of instruments to a broader set of targets to achieve them.

Like policy mixes, the concept of *policy accumulation* adopts an aggregate focus on sectoral policy developments over time. Adam et al. (2019) define policy accumulation "as the end result of a continuous addition of new policy elements to existing policy portfolios without the compensatory reduction of already existing policy elements." Any policy is typically composed of two dimensions: policy targets and policy instruments. While policy targets are all of the issues addressed by the government (and hence capture the "breadth" of state activity), policy instruments are the means that governments have at their disposal to address policy targets. Policy instruments include informational instruments, economic incentives (subsidies, grants, etc.), and hierarchical forms of governing (obligatory standards, prescriptions, etc.) (and hence capture the degree or "depth" of state intervention in society). The differentiation between policy targets and instruments creates a two-dimensional portfolio space within which policy accumulation, that is, the addition of new targets and/or instruments to the portfolio space, takes place (Fernández-i-Marín et al., 2021). Adam et al. (2017, 2019) use this approach to identify strong policy accumulation in environmental, social, and morality policies for 21 OECD countries from the 1970s until the early 2020s.

While rule growth, policy layering, policy mixes, and policy accumulation are primarily descriptive concepts that capture policy growth in individual cases (i.e., policies) or in reference to a policy sector, the concepts of policyscapes and the policy state focus more on the broader implications of governments' adoption of ever more policies. *Policyscapes* refer to constellations where policies created in the past have become institutions that currently shape governing operations, political behavior, the policy agenda, and the relationship between state and society (Mettler, 2016). An important insight from research on policyscapes is that adopted policies often develop in unintended and unforeseen ways. This is especially true in dense policyscapes where policies are likely to produce lateral effects, that is, they compete with other policies for funding or attention and interfere with their functioning. Therefore, in areas characterized by strong policy growth, the upkeep and maintenance of existing policies turns into an increasingly central task for policy-makers.

The concept of the *policy state*, also referred to as the "activist state" or "activist government," seeks to capture the broader political, institutional, and democratic implications of policy growth. The policy state describes the organization of a state in which policy has become the preferred problem-solving tool of the government (Orren & Skowronek, 2017). In the policy state, governments set down "prohibitions and requirements for everything from hiring practices to the design of entryways for private buildings to the kinds of wordings prohibited

or required on consumer packaging" (Pierson, 2007a, pp. 114–115). As governments undertake more over a broader range of issues, policy infrastructure thickens and permeates almost all areas of social, political, and economic life.

2.2. Measurement approaches

In line with the development of analytical concepts to capture the phenomenon of policy growth, there have been pronounced efforts to develop measurement schemes that allow for a more aggregate and comparative perspective on state activities. Initial approaches primarily focused on measuring how public expenditure developed in a given policy sector. Yet such measures struggle to capture growth in terms of rules, laws, regulations, or policies. Knowing, for instance, that the welfare spending of a country increased or decreased over time provides little information about the configuration of the underlying policy portfolio. It is even conceivable that a decrease in spending could be associated with an increase in the number of policies in the portfolio and vice versa (Benish & Levi-Faur, 2020; Levi-Faur, 2014). In response to this challenge, scholars have striven to develop more accurate measurement approaches for the aggregate amount of governmental activity or policy outputs within and across sectors. This section presents three such approaches.

The first approach seeks to comprehensively capture "what governments actually do" by identifying changes across different dimensions of governmental activity: public spending, rule-making, the granting of rights, and tax subsidies. The idea here is that the *combined* assessment of these "instruments of political authority" provides a richer sense of the breadth of state activity and its penetration into society than focusing on just one instrument (such as public spending). Pierson (2007b) uses this approach to document a marked increase in state activity in the case of the US. During the second half of the 20th century, the federal state substantially increased nondefense spending as a share of GDP, devised ever more federal regulations and increased their scope, guaranteed ever more social rights, and subsidized an increasing number of private activities, such as housebuilding or retirement planning through the tax code. Figure 1, for instance, presents increases in nondefense state spending and in regulatory spending over time. It shows that federal nondefense spending (as a percentage of GDP) almost doubled between the 1960s and 2000. State and local spending, in turn, has even increased threefold. Likewise, we see an increase in regulatory economic and social spending. While economic regulatory spending increased modestly, social regulatory spending has grown about 10-fold.

The second approach for measuring policy growth focuses on the formal features of laws. It assumes that the more laws are adopted and the longer these laws are, the more rules regulate society (Kaufmann & van Witteloostuijn, 2018; Knill et al., 2012). Word counts, the number of lines or the number of paragraphs therefore
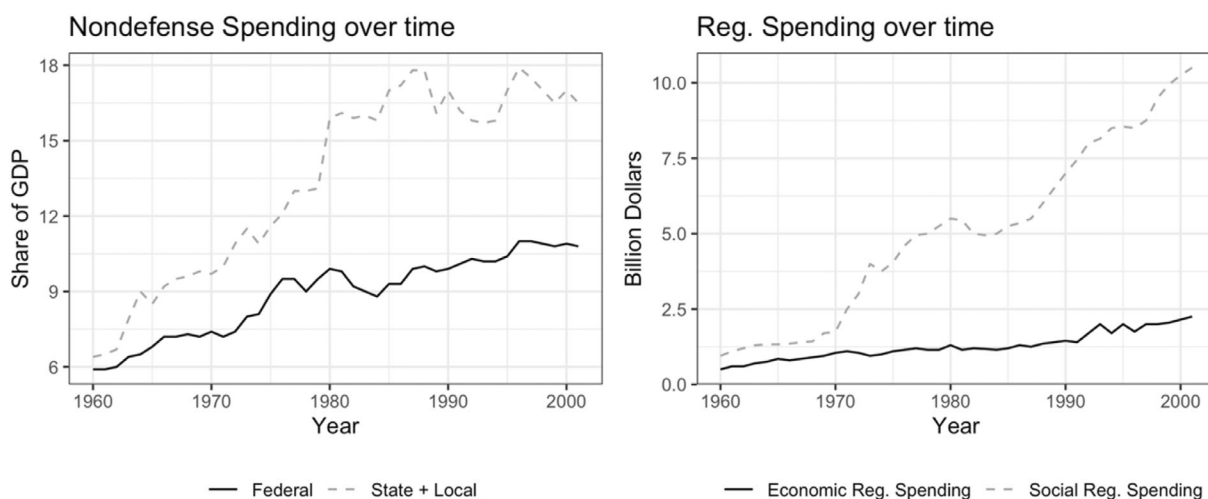

FIGURE 1   Federal, state, and local nondefense spending as percentage of GDP, and regulatory spending in billions of dollars, 1960–2003. The data are taken from Pierson (2007b).

serve as proxies for capturing the extent of policy growth (see, e.g., Jennings et al., 2005; Kosti & Levi-Faur, 2019; March et al., 2000; van Witteloostuijn & de Jong, 2007, 2008, 2010). Scholars have since proposed refinements and additions to this basic approach. For example, Jakobsen and Mortensen (2015) filter out non-constraining sentences such as mere rhetorical changes in preambles so as not to overestimate policy growth. Moreover, Gratton et al. (2021) perform algorithm-based semantic analyses of legal texts to go beyond capturing the number of rules adopted to also analyzing their quality by assuming that longer and more complex sentences usually indicate lower legislative quality. Hurka et al. (2022) use a comparable method to demonstrate that European Union (EU) policies have become more "complex" over time, that is, legal texts are not only getting longer but are also characterized by an increasing number of internal and external cross-references. Figure 2 presents the development of EU legislation with regard to the (1) average word count and (2) the number of structural elements (recitals, paragraphs, points, and indents) per legal document over time. The figure reveals that the average number of structural elements in newly proposed legislation grew more than twofold from 25 in the early 1990s to more than 75 in 2021. This trend is even more pronounced when analyzing the average word count, which skyrocketed from about 1000 to more than 4000 words in the same period.

The third approach relies on the previously described two-dimensional policy space consisting of instruments and targets to systematically measure policy growth within and across policy sectors.[3] Adam et al. (2017, 2019) identify the number of policy targets and instruments based on a content analysis of laws and regulations. Sectoral policy accumulation can be measured using a predefined benchmark of a maximum number of policy targets and policy instruments for a specific policy sector under study. Based on this portfolio space, it is possible to calculate a standardized measure of the sectoral portfolio size that can range from 0 (no policy instrument for any of the targets) to 1 (all policy instruments for all the targets). Figure 3 exemplifies this approach for the Italian environmental policy portfolio at two points in time (1976 and 2018). It shows how Italy's environmental policy portfolio increased from 5% of the total space occupied in 1976 to 37% in 2018. The gray boxes represent the new environmental policy instruments added to the portfolio.

Assessing changes in the size of sectoral policy portfolios not only allows one to specifically analyze both changes in the breadth (policy targets) and depth (policy instruments) of state activity; it also comes with distinct advantages over counting the number of laws and assessing their length. First, this approach can account for constellations where new laws do not introduce any additional measures, for example, where a new law repeals or only amends existing legislation. Second, this approach also adequately captures situations where a single "landmark" law introduces a multitude of new policy targets and policy instruments. And finally, by using standardized measures to capture sectoral policy growth, this approach allows researchers to engage in cross-country comparisons. Comparisons across countries based on document amounts and lengths are often misleading, given
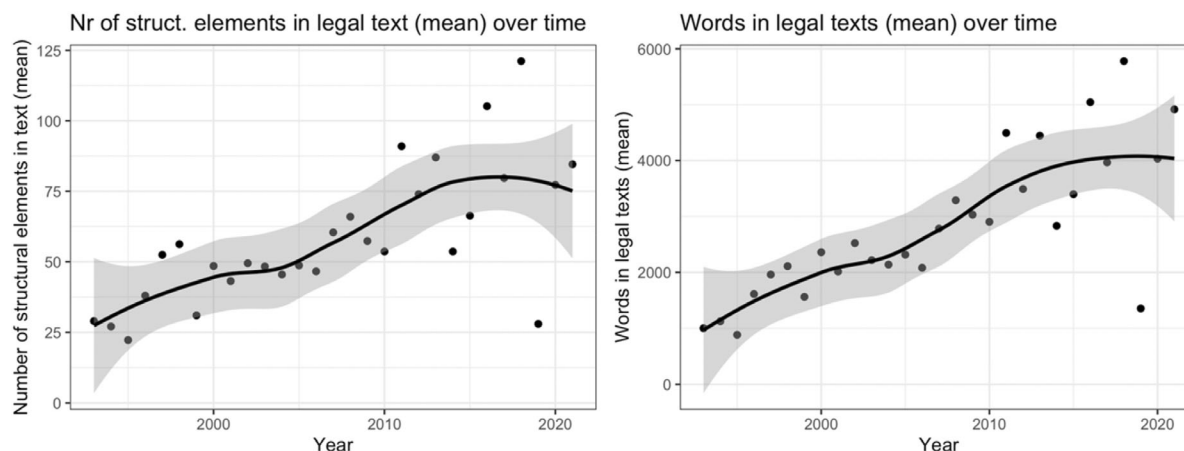

FIGURE 2 Formal features of EU legislation, 1993–2021. The points indicate the annual mean and the solid line represents the smoothed estimates. The data capture the length and the number of structural elements of policy proposals from the European Commission, which typically mark the starting point of the legislative process in the EU. The data are taken from Hurka et al. (2022).
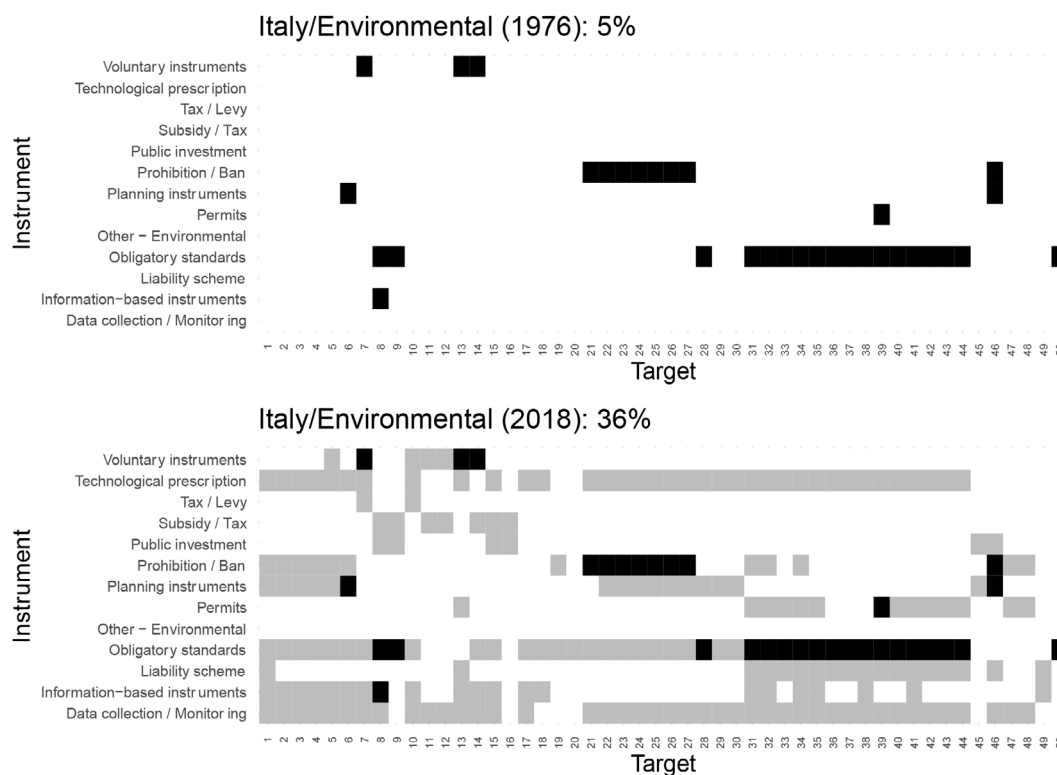
FIGURE 3 The Italian Environmental Policy Portfolio in 1976 and in 2018. The graphs show Italy's environmental policy portfolio at two points in time (1976 and 2018). The gray "boxes" were added during the examination period. The data are taken from Adam et al. (2019).

that countries substantially differ in their legal traditions and hence in the number (and length) of the laws they adopt. Cooter and Ginsburg (2003), for instance, have shown that the exact same EU provision results in different lengths of statute and judicial opinions in member states and that both aspects are positively associated with a large lawyer population.

While Adam et al. (2019) have developed their approach to capture dynamics of sectoral policy growth, there is a complementary approach developed in the context of the *Comparative Agendas Project* that measures the diversification of policy agendas over time and hence goes beyond a mere sectoral focus (Baumgartner et al., 2019). The insights gained from this research correspond to the sectoral perspective by showing that the diversity of issues that governments address has increased considerably over time (e.g., Alexandrova et al., 2012). However, contrary to the sectoral portfolio approach, this measurement approach primarily captures changes in the breadth of state activity (i.e., issues addressed).

This review of different measurement approaches reveals that the literature assesses policy growth in different ways. However, all these approaches attest that governments are "doing more" over time. The following section discusses the causes of this ubiquitous trend.

3. Causes of policy growth

The existing literature clearly suggests that policy growth is a widespread phenomenon. It also discusses the factors that lead to more or less policy growth in specific countries or policy sectors. Recent experimental insights into human behavior suggest that people systematically overlook subtractive change options in decision-making situations (Adams et al., 2021). People systematically default to searching for additive transformations, and consequently overlook subtractive transformations, even in situations where subtraction would be advantageous for goal attainment. People's predisposition to search for additive changes may be one reason why they struggle to mitigate overburdened schedules and institutional red tape (Sunstein, 2013). While this predisposition at the

micro-level may constitute an important general source of policy growth, politics in modern democracies encompasses a range of dynamics that have been argued to cause policy growth beyond micro-level factors. The literature identifies four principal drivers of policy growth in democracies: societal demands, political supply, institutions, and bureaucratic processes.

3.1. Societal demands

Modernization processes offer one explanation for policy accumulation in societies. Modern societies experience a steady stream of economic, demographic, technological, and value changes. While these changes yield many positive effects, such as greater affluence, health, comfort, and opportunities, they also come with an increased range of challenges and threats. For example, while the invention of the automobile increased people's mobility, it also raised the issue of road safety. While the rise of the internet increased people's communication possibilities and provided them with dating platforms and shopping opportunities, it also came with the threat of cyberattacks and the poisoning of political communication.

There is ample evidence that citizens want governments to address these challenges: they articulate their demands by voting in elections, through social media or by forming and supporting social movements (Jones et al., 2019). As Teles (2013, p. 105) argues, "[o]ne of the clearest findings in the study of American public opinion is that Americans are ideological conservatives and operational liberals. That is, they want to believe in the myth of small government while demanding that government address public needs and wants regarding everything from poverty and retirement security to environmental protection and social mobility." This finding has also been replicated in other OECD countries. While many citizens report that they are generally against big government, they also demand that their governments address specific issues such as the reduction of income differences or the provision of health care (Adam et al., 2019, pp. 34–35). One reason for these demands is that citizens have come to appreciate higher levels of social protection (Béland, 2007). Citizens have become used to the fact that governments protect them from all kinds of harms, hazards, threats, and risks (Ansell, 2019).[4]

However, it is not only ordinary citizens who demand action from their government; interest groups do so as well. Political scientists have consistently argued and shown that interest groups have a significant influence on public policy (e.g., Bawn et al., 2012; Gilens & Page, 2014; Hacker & Pierson, 2014). By their very nature, interest groups care strongly about specific issues. They are also usually much better organized and informed than ordinary voters. Informational and organizational resources, in turn, allow them to closely survey the actions of politicians and parties, voice their demands in coherent and effective ways, and attract like-minded politicians through financial and/or organizational support (Hacker & Pierson, 2014). All these factors turn interest groups into strong policy demanders.

Societal demands usually result in policy growth because governments address them through policy interventions. Policies are governments' number one problem-solving tool because they allow them to deal "with issues and problems as they arise" (Orren & Skowronek, 2017, p. 3). Unlike the design of institutions, which structure political processes, policies can be relatively easily adapted to newly emerging problems. Moreover, it has also proven very difficult for modern governments to create structures that partly relieve them from the job of responding to societal demands through policy interventions. Historically, many societal demands that could have potentially been brought to the government and subjected to the purview of policy were still bracketed out of politics and handled by other means, notably by local self-government and voluntary associations (Lipset, 1960). In modern societies, a more restrained governmental role is increasingly difficult to maintain for at least three reasons.

First, outsourcing "societal problem management" to non-state actors does not result in fewer policies because non-state actors need to be monitored and instructed. While outsourcing may create greater efficiency in actual policy delivery, it frequently comes with additional monitoring and coordination tasks (Cordelli, 2020). Second, outsourcing problem management to "markets" is also unlikely to curb policy growth. Counteracting the oligopolistic and monopolistic tendencies of markets requires governments to constantly interfere through regulations (Vogel, 1996). Hence, the "regulatory state," which assumes a less active role in terms of redistribution and macroeconomic stabilization and instead concentrates on making rules and correcting market failures, is not a state characterized by less policy growth but one that meets societal demands through other means (Benish & Levi-Faur, 2020; Levi-Faur, 2011; Majone, 1997). And third, while one could expect that liberalization processes

in the context of citizens' rights and morality policies (relating to issues such as gender and ethnic non-discrimination, LGBT rights, abortion or euthanasia) result in less governmental intervention, liberalization usually coincides with more rather than with fewer policies (Keiser et al., 2021; Schwartz & Tatalovich, 2018). For instance, once prostitution is no longer prohibited but instead treated as a regular service industry, it becomes subject to industry regulations similar to those of other sectors. Similarly, in many countries the decriminalization of abortions came with very detailed rule sets on the precise scope conditions under which abortions are legal (Knill et al., 2015).

3.2. Political supply

Societal demands can of course only result in policy growth if governments (more or less eagerly) "supply" them. In fact, policies' flexibility and forward-looking nature is one of the main reasons why, historically, governments developed strong incentives to use them to address the demands of their constituents. Theories of representative democracy thus consider policy adoption as a crucial "representation activity." Politicians and parties compete for citizens' votes by articulating their preferences and aggregating them into party programs. Through electoral competition, parties gain access to government power and subsequently transform citizens' preferences into public policies (Caramani, 2017; Powell, 2004).

Others have argued that policy growth not only occurs because policy-making is the quintessential representation activity in representative democracies but also because policy growth is a rather unintended side effect of political competition. This argument usually starts from the assumption that politicians are self-interested, mainly motivated by career and (re-)election concerns and that they have rather short political horizons (Downs, 1957; Mayhew, 1974). For politicians who primarily think about their performance in the next elections, policy adoption becomes a signal of political activism and commitment. When an election is looming, they propose and—if in power—seek to adopt new policies in the hope that citizens consider them to be skilled and committed lawmakers (Gratton et al., 2021). This often means that politicians adopt more policies than would be needed to address specific problems. According to this argument, political competition drives policy growth over and above societal demands.

Note that both arguments apply regardless of the political orientation of the party(ies) in power. In fact, the "politics matter" argument, which explains policy by referring to the ideological positions of the incumbent government, is overall not very prominent in research on policy growth and has even been challenged by recent contributions. As Jones et al. (2019) demonstrate, the classic hypothesis that left-wing governments want more state activity than right-wing governments cannot accurately account for the policy growth that has occurred in the US from the 1960s onwards. As soon as one looks across various policy domains, the expansion of state activity in the US appears to be a bipartisan effort. For example, while the Democratic party is the main driver of additional environmental policies, the Republican party is the main driver of criminal justice policies.

3.3. Institutions

Institutions, widely understood as the "rules of the game" that structure and regulate politics (North, 1990), figure prominently in explanations of policy growth. In democratic political systems, institutions such as federalism, the committee structure of parliaments, or the organization of the party landscape act as veto points that policy proposals need to pass before they can become reality (Tsebelis, 2002). While one could expect that veto points work against policy growth by exacerbating policy adoption, scholars argue that they actually have the opposite effect. Teles (2013) proposes conceptualizing veto points as "toll booths"—where the toll-taker has a vested interest in the status-quo and accordingly demands "a price in exchange for his willingness to allow legislation to keep moving." This "price" can come in various forms, including the demand for additional provisions or exceptions to policy proposals, and also explains why it is difficult for policy-makers to replace existing policies with more simplified solutions.[5] For example, Levi-Faur (2014) argues that social protection is less and less achieved through the relatively straightforward provision or redistribution of financial resources and benefits. Instead, social protection is provided through an ever-greater range of regulatory institutions, tools, and processes.

According to this literature, institutional fragmentation, that is, the distribution of policy-making power across various actors, is therefore conducive to producing complex, cobbled-together policies that consist of a

multitude of provisions, instruments, and exceptions that are supposed to appease opponents and secure legislative passage (Hurka, 2022). New policies are therefore very often "layered" onto existing ones. A pertinent example is the Affordable Care Act (ACA) passed by the Obama Administration in 2010. Facing an uphill battle before its successful passage, the Obama Administration pursued a strategy focused on compromise and pragmatism by accommodating critical stakeholders like the insurance industry and small businesses; a strategy that greatly increased the complexity of the ACA (Oberlander, 2010).

The relevance of institutional fragmentation for the extent of policy growth has also been studied from a different perspective. Knill et al. (2020a, 2020b) argue that a central factor that fuels policy growth is the high degree of functional and structural differentiation that characterizes modern political-administrative systems. Governmental functions are not only divided across policy sectors, they are also divided along the various stages of the policy process (e.g., policy formulation and implementation). Moreover, these functions are the purview of different levels of government (Arrow, 1974). This structural fragmentation allows those in charge of producing policies (mainly central politicians and ministries) to shift the costs of implementing them to other administrative bodies or levels of government. Moreover, structural fragmentation makes it more difficult for implementation bodies to communicate their policy experiences and needs from the bottom up to the policy-making level. How the two levels relate to each other—that is, their pattern of vertical policy-process integration (VPI)—shapes the extent (i) to which the policy producers must consider related implementation costs or can shift them to subordinate bodies (top-down integration) and the extent (ii) to which implementers can inject their knowledge and needs into the policy process (bottom-up integration). Knill et al. (2020a, 2020b) show that VPI not only varies by country, it also varies across policy sectors and can account for changes in the extent of policy growth.

3.4. Bureaucratic processes

The literature also contains arguments suggesting that policy growth is not primarily a development that originates from interactions between societal demands and political supply but rather a development that emerges from within bureaucracies. Arguments drawing on this logic often go back to a well-known observation already made by Weber (1978) that "rules breed rules" (e.g., Kaufmann & van Witteloostuijn, 2018; March et al., 2000; Schulz, 1998; van Witteloostuijn & de Jong, 2010). Newly adopted policies usually require additional specifications and guidelines for implementers, which often greatly add to the overall number of rules that exist in a policy sector. The example of the ACA also illustrates this dynamic. While the original law passed by Congress is 906 pages long, approximately 10,000 additional pages of regulations were added after the ACA's passage to specify its implementation.[6] Further policy growth can be expected after specifying the implementation of policies. This is because existing policies eventually need to be adapted to changing realities and constantly coordinated with an often complex and evolving policy landscape (Hacker, 2004; Mettler, 2016).

While the need to specify and maintain policies makes bureaucracies "complicit" in the growth of policies, scholars also argue that bureaucratic actors have an inherent incentive to constantly produce policies to legitimize their existence. This especially seems to be the case for supranational and international organizations. While governmental institutions can be legitimized through direct elections in the national context, supranational and international organizations traditionally earn their legitimacy through the collective benefits they produce for states and societies (Tallberg & Zürn, 2019). Scharpf (1999), for instance, who is generally pessimistic about the EU's ability to gain legitimacy through democratic procedures, emphasizes the need for the EU to gain its legitimacy through the production of effective and mutually beneficial policies. Recent research on other international organizations such as the United Nations, the World Trade Organization, and the International Monetary Fund confirms the finding that citizens' perceptions of international organizations' problem-solving capacities constitute a key determinant of their legitimacy (Dellmuth & Jonas Tallberg, 2015).

4. Consequences of policy growth

Research suggests that policy growth is relevant for democracies and their development over time. If one takes the continuing modernization and functional differentiation of societies for granted, policy growth seems to be the price to pay for upholding the democratic capitalist order. Ever more policies are needed to regulate denser

and more complicated social interactions and to keep a dynamic system "stable" (see, e.g., Adam et al., 2019; Rosa et al., 2017; Wagner, 1892). However, the existing research base also points to the various "costs" that result from increased state activity. To structure the far-reaching (and often interrelated) consequences that have been said to originate from policy growth, we draw on the fundamental trichotomy of policy, politics, and polity.

4.1. Consequences for policy

From a policy perspective, policy growth is not a problem *per se*. The production of additional public policies often means that problems are addressed, public demands are satisfied, and potentially conflictual situations are regulated. The steep rise in environmental policies that can be observed in many countries, for example, means significant progress in national and international attempts to deal with environmental challenges (Adam et al., 2019). At the same time, however, *ever-more policies threaten to overburden bureaucracies*. Additional policies usually come with additional implementation burdens for bureaucratic actors (Bozeman, 2000). For instance, governments that seek to better protect their countries from terrorist attacks cannot simply decree that airport security should be improved and suspicious internet activities should be monitored. For these measures to effectively reduce the likelihood of terrorist attacks, governments also need to provide resources for investment in new technologies (e.g., body scanners at airports, surveillance technology) and the employment and training of additional personnel.

While democratic governments have created expansive administrative structures and provided bureaucracies with additional implementation capacities over time, empirical figures suggest that their growth has not kept up with the accumulation of policies. Figure 4 illustrates this divergent relationship for the case of environmental policy in 21 OECD countries. As can be seen, strong policy growth (Fig. 4a) does not go hand in hand with expansions in implementation capacities (Fig. 4b). While implementation capacities remained more or less constant, the average size of sectoral policy portfolios increased fivefold between 1976 and 2020.

Under these conditions, *overburdened bureaucracies will find it difficult to effectively implement the policies up for implementation, and policy effectiveness is thus likely to suffer*. As bureaucracies have to implement additional policies, they need to redeploy existing resources for the implementation of those new policies; a development that ultimately leaves fewer resources for the implementation of existing policies. In such a scenario, further policies either remain largely ineffective or make things even worse when the overburdened bureaucracy opts to prioritize and only selectively implement policies that are easy to control but may not lead to substantive improvements (Tummers et al., 2015). In this context, Limberg et al. (2021) find that environmental policies only improve the state of the environment if implementation capacities keep up with the rise in policies and that
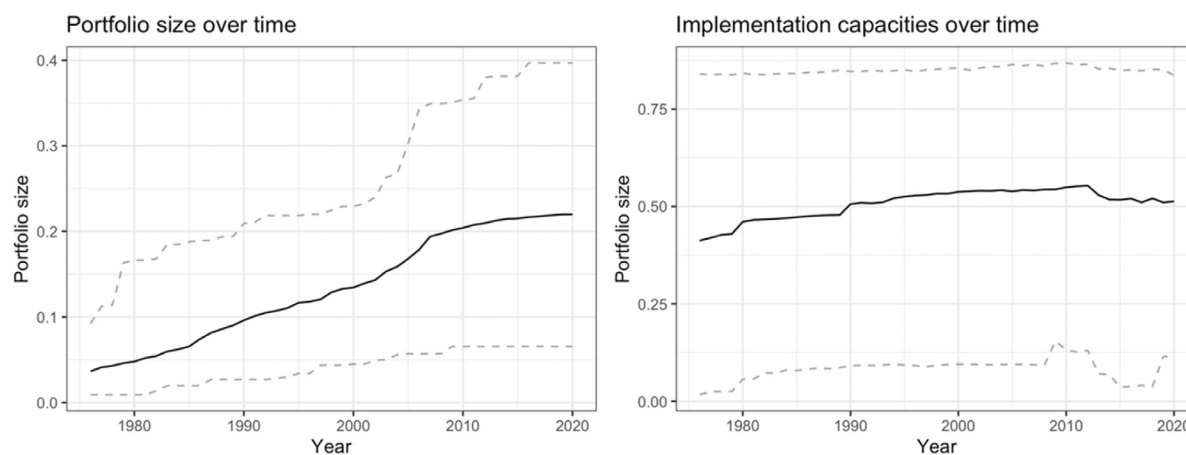

FIGURE 4 Sectoral policy accumulation and implementation capacities over time. The solid line indicates the sample average at a given point in time. The dashed lines represent the minimum and the maximum values. The country sample includes Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Spain, Greece, Italy, Japan, Portugal, the Netherlands, New Zealand, Norway, Sweden, Switzerland, the United Kingdom, and the United States of America. The data are taken from Fernández-i-Marín et al. (2022).

"uncompensated" policy growth even has the potential to exert a negative influence on the effectiveness of the existing policy stock.

While governments could theoretically opt to rebalance policies and capacities by investing in the expansion of the latter, this is unlikely in the era of "permanent austerity" (Pierson, 1998) and "New Public Management" (Hood, 1991), where governments face strong political pressures to do "more with less." Recent economics research also suggests that it is difficult for states to rebalance policies and capacities once capacities are already exhausted. Given that an overburdened bureaucracy is less likely to implement newly adopted policies, it is also less likely that the true quality and effectiveness of these new policies would be able to reveal themselves instantly. As Gratton et al. (2021) show, policy-makers who are not constrained by having to take the blame for low-quality legislation or deficient implementation are especially likely to engage in policy overproduction, that is, they freely propose new legislation to portray themselves as committed lawmakers while neglecting questions of implementation, thereby further exacerbating the mismatch between implementation burdens and capacities. Dasgupta and Kapur (2020) make a similar argument, showing that, in the case of India, the gap between the policies to be implemented and the administrative resources needed to do so is particularly pronounced in administrative units where the responsibility for policy success or failure is less clear overall.

Moreover, policy growth is not only likely to undermine policy effectiveness because it tends to exhaust bureaucratic capacities, but also because it leads to *greater policy complexity and thus more challenges for sound policy evaluation.* As individual policies are added to an increasingly dense web of already existing policy provisions, the potential interactions between them increase considerably. Considering and controlling for potential interaction effects is an increasingly challenging and time-consuming endeavor for policy-makers and evaluators trying to achieve complementary instrument mixes and seeking to avoid redundancies and counter-productive effects (Grabosky, 1995; Hou & Brewer, 2010; Kay, 2007; Van der Heijden, 2011). From this perspective, policy growth may also impede policy learning and diffusion dynamics due to the increasing uncertainty surrounding the appropriate choice of policy responses (Nicholson-Crotty, 2009). Mooney and Lee (1995), for instance, suggest that both policy learning and diffusion dynamics are directly related to the time it takes for policy-makers to gather information on a given policy and that more complex policies naturally demand more input and information.

Finally, some recent literature suggests that policy growth also *increases the duration of legislative negotiations* (Hurka & Haag, 2020). The more complex and populated a policy domain is, the more "preset" the interests of actors involved in policy-making in that domain are, and the longer it takes them to find a compromise.

4.2. Consequences for politics

Policy growth is likely to transform democratic politics for several reasons. The first reason directly flows from an overburdened bureaucracy, increased policy complexity, and lengthy negotiations. Democratic governments that make policy promises that remain unfulfilled because of their deficient implementation or unintended effects, or which do not come about in good time, risk *undermining public trust in the problem-solving power of the government*—a situation Adam et al. (2019) have called the "democratic responsiveness trap." Governments seek to adopt policies to demonstrate their responsiveness to societal demands. However, by doing so they trap themselves in a situation in which their responsiveness is increasingly difficult to maintain.

The second reason why policy growth can be expected to transform democratic politics is that it is likely to *make politics more conflictual.* Scholars propose several arguments in support of this idea. For one, they argue that policy growth increases both the number and intensity of political conflicts. Both Orren and Skowronek (2017, pp. 172–192) and Pierson (2014, pp. 286–289) point out that one of the reasons why contemporary American politics is particularly conflictual is that policy growth provides political actors with abundant opportunities for conflictual interactions. The expansion of state activity into new realms also encourages the politicization of an increasing range of issues which beforehand were largely excluded from democratic deliberation. These developments "opened policy making to wholly new influences, and vastly broadened the scope of political conflict over the state priorities" (Skowronek, 2012, p. 334). With more and more issues falling under the purview of the government and becoming politicized, political parties find more reasons and occasions to

quarrel (Hinterleitner, 2020). Moreover, policy growth may turn into an object of political struggle in itself, as demonstrated by Brexiteers' relentless criticism of the regulatory burden yielded by the EU.

Pierson (2014) points to another reason for why policy growth contributes to more conflictual politics. New policies act as focal points for organized activity because they provide social groups with resources and incentives to organize. This, in turn, often leads to counter-mobilization on the part of groups that hold an opposing view or fear experiencing losses because of the new policy arrangement. "New policies create new threats, leading previously dormant or under-organized groups to mobilize more energetically to fight back" (Pierson, 2014, p. 285). Importantly, these groups put strong demands on political parties, often pulling them away from the center, thereby contributing to the adoption of more polarized policy positions (Bawn et al., 2012).

Finally, policy growth threatens to *undermine public debate about policy priorities*. Adam et al. (2019) point to an increasing mismatch between policy debates in specialized venues and policy debates in the broader public and political arena. While specialized venues like expert communities are better equipped to keep up with the complexity inherent in dense and interrelated policy infrastructures, public and political debate formats like television shows or social media often struggle to do so. Public and political debates that are "debased" from their underlying policy substance often experience a form of moralization in which policy issues are framed in crude categories like right or wrong, just or unjust. Adam et al. (2019) suggest that this plays into the hands of populists who claim to have simple solutions for complex problems. Declining complexity in arguments, in turn, means a "growing mismatch between the simple solutions offered by political leaders and real problem complexity. This decline combines with post-truth politics and the displacement of facts and evidence by the felt truth of 'cultural cognition', in which social identity conditions opinion" (Dryzek et al., 2019, p. 1144). The work by Fesenfeld (2022) speaks to these insights by showing that in situations of high policy complexity, citizens tend to evaluate policy packages primarily on the basis of the most costly and thus presumably most controversial parts of the policy mix.

4.3. Consequences for the polity

Finally, policy growth is also likely to transform the democratic polities in which it occurs. Through its effect on the growth of administrative structures required for policy implementation, policy growth has been claimed to *blur the division of labor among the three branches of government*. As Skowronek (2012, p. 336) observes in the case of the US, policy-making is no longer confined to the legislature in modern democratic states. It is now common to "observe that contemporary judges are doing more to 'make' law than just to 'find' it; that contemporary presidents are not just executing the law but declaring it unilaterally; that modern bureaucrats do not just administer the law but give it content." With all branches involved in policy-making, administrative structures began to grow around and between them, thereby eroding the traditional structure of the US political system (Orren & Skowronek, 2017, pp. 105–123).

Moreover, policy growth causes policies to become an *increasingly important part of the institutional terrain of modern democratic states* (Hacker & Pierson, 2014). Due to their sticky nature, policies become institutions in their own right whose influences on politics have attracted increased interest from policy feedback scholars. Following in the footsteps of Lowi (1964), Schattschneider (1935), and others who argue that policies create their own politics, research on policy feedback finds that policies, from pension policies to health care policies to financial regulations, have resource and interpretive effects on political elites and mass publics (Anzia & Moe, 2017; Mettler & SoRelle, 2014; Patashnik & Zelizer, 2013; Pierson, 1993). For example, scholars have shown that the design and implementation of policies can undermine political participation among particular segments of the citizenry (Campbell, 2003; Soss, 1999). Moreover, policy feedback research demonstrates that policies can influence how positively or negatively citizens think of themselves and of the government (Mettler & Stonecash, 2008). With the number of policies increasing over time, these (and other) effects are likely to become more widespread and may reconfigure the relationship between the government and the governed; a development whose broader implications are still poorly understood (Hinterleitner & Sager, 2022). An interesting argument in this regard is made by Schuck (1992, p. 23), who—commenting on the downsides of "hyperlexis"[7]—argues that dense rule systems are never neutral in their effects and that once citizens start recognizing that "these advantages and disadvantages are unfairly, rather than randomly, distributed, and that this distribution is purposeful rather

than adventitious, they will come to view complexity in an altogether different, less tolerant light." In this context, Ray et al. (2023, p. 1), for example, show that the burdens resulting from "facially neutral rules" often disproportionately harm marginalized (racial) groups. Policy growth may therefore also change the ways the polity is perceived by its citizens.

5. Conclusion

Policy growth is a transformative development in modern democratic states that deserves continued attention from political science and adjacent disciplines. While research has made great strides in measuring policy growth and in diagnosing its causes and consequences, important issues remain to be addressed.

5.1. Future research on the causes of policy growth

Regarding causes, there is first the question of *the relative importance of the various drivers of policy growth and how they interrelate* to produce country- and sector specific growth patterns. While explanations focusing on societal demands, political supply, institutional fragmentation, and bureaucratic processes have their own separate logics, they are not usually considered together in the same analysis. Little is known about how they combine to produce various extents of policy growth in specific country contexts and policy sectors. For example, it is reasonable to expect that societal demands constitute the original impulse for increased state activity, with institutions and political competition then determining the country-specific extent of policy growth. However, it is also conceivable that political competition leads to policy growth irrespective of distinct public demands, as politicians manipulate citizens so they can win support for their policies and those of their supporters (Jacobs & Shapiro, 2002). Moreover, sector-specific particularities and influences on policy growth are especially undertheorized and underexplored. One might expect, for instance, that political competition primarily drives policy growth in sectors where citizens can quickly appreciate the beneficial effects of newly adopted policies, and that this effect is less pronounced in sectors where politicians cannot use policy adoption to readily signal their commitment to voters.

Second, there are evidently *other factors that may drive policy growth*, which the existing research base has not yet explicitly considered. In particular, the degree of bureaucratic autonomy, the role of the judicial system, or the basic structure of governance (e.g., federal vs. unitary systems) could account for differences in policy growth. For example, one might expect that autonomous bureaucratic actors contribute more to policy growth than less autonomous actors because they have more leeway for detailing policies and tailoring them to concrete cases and situations. One could further expect that judicial systems that assume an increasingly active part in law-making may become a driver of policy growth in their own right (Orren & Skowronek, 2017). With regard to the federal versus unitary distinction, one may expect that federal systems are less conducive to producing policy growth than unitary systems because much policy-making authority in federal systems occurs at lower levels where only local interests are involved and compromises are thus easier to find; a situation that is conducive to producing smart policies with little "excess baggage." However, it is also conceivable that the distribution of policy-making authority across federal levels produces policy redundancies that add to the overall policy stock.

Third, the *temporal dynamics of policy growth* are still poorly understood. While policy growth over long stretches of time is a relatively well documented phenomenon across countries and sectors (Adam et al., 2019), there currently is no clear understanding of whether policy growth occurs gradually or whether most additional policies are adopted during extraordinary times with plateaus, or even reversals, in between. Jones et al. (2019), for example, suggest that the great expansion of state activity in the US during the 1960s and 1970s was a historical event brought about by a peculiar constellation of factors—notably subsequent waves of social movements and the political and policy feedback processes they triggered—that do not always exist and do not occur in all countries. Knill and Steinebach (2022), for their part, have shown that the growth of German asylum policies mainly occurred during times of crisis because crises provide momentum for far-reaching policy reforms. While these are important insights, more research is needed to identify temporal patterns of policy growth across systems and sectors.

Finally, and related, there is still the question of *whether policy growth has really developed into a built-in feature of democracies* that has the potential to influence their development for years to come or whether policy growth may slow down at some point. While there may be factors that temporarily slow down policy growth (Jones et al., 2019), the outlined political and institutional drivers clearly point toward a democratic future characterized by incessant policy growth, at least if the modernization of societies continues and representative democracies remain in place to manage this process. Moreover, factors that are likely to really curb policy growth are few and far between. Policy dismantling is hard for politicians to achieve, and crises (as occasions for strong policy growth) occur on a regular basis. While institutional reforms, such as increased vertical policy-process integration, may slow policy growth, these reforms are difficult to implement.

5.2. Future research on the consequences of policy growth

Important questions also remain regarding the consequences of policy growth. A major complication for research on the implications of increased state activity is that many of the previously outlined consequences do not result from simple cause-effect relationships; instead, they involve *complicated causal chains, interrelations, and knock-on effects.* For example, policy growth only increases the likelihood of deficient policy delivery if public administrations are overburdened and thus struggle to effectively implement additional policies. Complex causal relationships present a challenge for research designs as they bring many additional factors into the analysis and open the door for a wide variety of alternative explanations. Consider, for example, the argument that policy growth negatively affects parties' incentives to compromise because increased state activity implies that parties have more opportunities for conflictual interaction (a situation that deepens divisions and makes it harder to find compromises). While plausible, the opposite is also conceivable: policy growth may provide political parties with greater and more versatile "bargaining chips" and thus more abundant opportunities for horse trading. Some of the arguments described above also suggest knock-on effects and self-reinforcing feedback loops that have not yet been explored empirically. For example, it is unclear how policy growth affects the likelihood that action in one policy domain will spill over into another, thus potentially disturbing existing interests or activating seemingly unrelated public cleavages. Likewise, if policy growth leads to a situation in which all branches of government are increasingly involved in policy-making (Orren & Skowronek, 2017), it may lead to a situation that further accelerates policy production.

As these examples demonstrate, systematic empirical research and carefully developed causal models are needed to better understand the consequences of policy growth. This is probably especially true when it comes to establishing *how policy growth and its concomitants shape public perceptions of government.* Several of the previously outlined consequences for policy, politics, and the polity are likely to have important impacts on public perceptions. For example, policy growth that leads to lower policy effectiveness because of overburdened bureaucracies likely influences citizens' perceptions of the problem-solving power of the government. Moreover, it is likely that citizens become more frustrated navigating and complying with ever denser rule systems (Adam et al., 2021; Graeber, 2015). These considerations and arguments yield the overarching expectation that policy growth undermines citizens' belief in the effectiveness and fairness of government and may thus constitute an important determinant of citizens' resentment of democratic institutions and political elites (Hay, 2007; Norris, 2011). One way to validate this expectation is to exploit cross-country variations in policy growth and to examine their impact on diverse indicators that seek to capture the quality of and satisfaction with democracy, such as democratic stability, performance, or trust in government.

Finally, there is the issue of *policy growth in non-democratic contexts.* Thus far, research on policy growth squarely focuses on democratic contexts, which is not surprising given that the transformation of societal demands into policy is an inherently democratic process. Nevertheless, rulers in autocratic regimes can also not afford to always ignore societal demands, and one might argue that the bureaucracies of autocratic regimes engage in rule-making to legitimize their existence (Knutsen & Rasmussen, 2018). It is therefore not unimaginable that autocratic regimes may also exhibit strong policy growth. Therefore, how democracies and autocracies cope with the implications of policy growth may even constitute a neglected aspect of the new "system competition" (Milanovic, 2019) between democracies and autocracies.

This review demonstrates that policy growth influences the future shape of democratic government in important ways. It is thus surely ironic that policy growth does not play a part in contemporary analyses of the "crisis"

(e.g., Przeworski, 2019), "death" (Levitsky & Ziblatt, 2018) or "end" (e.g., Runciman, 2018) of democracy. Creating more insights into policy growth and integrating them more systematically into research on the current state of politics thus promises to greatly enrich our understanding of the changes to and challenges for democracy.

Acknowledgment

Conflict of interest

The authors declare that there are no conflicts of interest.

Endnotes

[1] While "termination" usually describes the abrupt abolishment of governmental interventions, "dismantling" describes a more gradual process.

[2] This understanding of "green tape" is different from the term frequently used in the environmental policy literature where "green tape" denotes the environmental rules that businesses need to comply with.

[3] A focus on instruments and targets can also be found in the literature on policy mixes.

[4] For example, Graeber (2015, 32) points to citizens' reliance on the police for regulating conflictual interactions: "We are now so used to the idea that we at least *could* call the police to resolve virtually any difficult circumstance that many of us find it difficult to even imagine what people would have done before this was possible."

[5] Ehrlich (2011) develops a comparable argument, which frames institutions as "access points." The more access points institutions provide to interest groups, the cheaper lobbying becomes and the more lobbying will actually occur, thus allowing interest groups to insert specific provisions into public policies.

[6] See https://www.washingtonpost.com/blogs/fact-checker/post/how-many-pages-of-regulations-for-obamacare/2013/05/14/61eec914-bcf9-11e2-9b09-1638acc3942e_blog.html (accessed 26 June 2022).

[7] Hyperlexis is a term found in legal studies describing the "pathological condition caused by an overactive law-making gland" (Manning, 1977).

References

Adam, C., Hurka, S., Knill, C., & Steinebach, Y. (2019). *Policy accumulation and the democratic responsiveness trap*. Cambridge University Press.

Adam, C., Hurka, S., Knill, C., & Steinebach, Y. (2021). On democratic intelligence and failure: The vice and virtue of incrementalism under political fragmentation and policy accumulation. *Governance*, 35, 525–543.

Adam, C., Knill, C., & Fernandez-i-Marín, X. (2017). Rule growth and government effectiveness: Why it takes the capacity to learn and coordinate to constrain rule growth. *Policy Sciences*, 50(2), 241–268.

Adams, G. S., Converse, B. A., Hales, A. H., & Klotz, L. E. (2021). People systematically overlook subtractive changes. *Nature*, 592, 268–261.

Alexandrova, P., Carammia, M., & Timmermans, A. (2012). Policy punctuations and issue diversity on the European Council agenda. *Policy Studies Journal*, 40(1), 69–88.

Ansell, C. K. (2019). *The protective state*. Cambridge University Press.

Anzia, S. F., & Moe, T. M. (2017). Polarization and policy: The politics of public-sector pensions. *Legislative Studies Quarterly*, 42(1), 33–62.

Arrow, K. J. (1974). *The limits of organization*. WW Norton & Company.

Bardach, E. (1976). Policy termination as a political process. *Policy Sciences*, 7(2), 123–131.

Baumgartner, F. R., Breunig, C., & Grossman, E. (Eds.). (2019). *Comparative policy agendas: Theory, tools, data*. Oxford University Press.

Baumgartner, F. R., & Jones, B. D. (2015). *The politics of information: problem definition and the course of public policy in America*. University of Chicago Press.

Bawn, K., Cohen, M., Karol, D., Masket, S., Noel, H., & Zaller, J. (2012). A theory of political parties: Groups, policy demands and nominations in American politics. *Perspectives on Politics*, 10(3), 571–597.

Béland, D. (2007). Insecurity and politics: A framework. *The Canadian Journal of Sociology*, 32(3), 317–340.

Benish, A., & Levi-Faur, D. (2020). The expansion of regulation in welfare governance. *The ANNALS of the American Academy of Political and Social Science*, 691(1), 17–29.

Bozeman, B. (2000). *Bureaucracy and red tape*. Prentice Hall.

Campbell, A. L. (2003). *How policies make citizens: Senior political activism and the American welfare state*. Princeton University Press.

Caramani, D. (2017). Will vs. reason: The populist and technocratic forms of political representation and their critique to party government. *American Political Science Review*, 111(1), 54–67.

Cooter, R. D., & Ginsburg, T. (2003). Leximetrics: Why the same laws are longer in some countries than others. *U Illinois Law & Economics Research Paper* No. LE03-012.

Cordelli, C. (2020). *The privatized state*. Princeton University Press.

Dasgupta, A., & Kapur, D. (2020). The political economy of bureaucratic overload: Evidence from rural development officials in India. *American Political Science Review*, 114(4), 1316–1334.

DeHart-Davis, L. (2009). Green Tape: A theory of effective organizational rules. *Journal of Public Administration Research and Theory*, 19(2), 361–384.

Dellmuth, L., & Jonas Tallberg, J. (2015). The social legitimacy of international organisations: Interest representation, institutional performance, and confidence extrapolation in the United Nations. *Review of International Studies*, 41(3), 451–475.

Downs, A. (1957). *An economic theory of democracy*. Harper.

Dryzek, J. S., Bächtiger, A., Chambers, S., Cohen, J., Druckman, J. N., Felicetti, A., Fishkin, J. S., Farrell, D. M., Fung, A., Gutmann, A., Landemore, H., Mansbridge, J., Marien, S., Neblo, M. A., Niemeyer, S., Setälä, M., Slothuus, R., Suiter, J., Thompson, D., & Warren, M. E. (2019). The crisis of democracy and the science of deliberation. *Science*, 363(6432), 1144–1146.

Ehrlich, S. D. (2011). *Access points: An institutional theory of policy bias and policy complexity*. Oxford University Press.

Fernández-i-Marín, X., Hinterleitner, M., Knill, C., & Steinebach, Y. (2022). Is the state we want the state we can have? Policy ambition and implementation capacities in the long run. Unpublished manuscript.

Fernández-i-Marín, X., Knill, C., & Steinebach, Y. (2021). Studying policy design quality in comparative perspective. *American Political Science Review*, 115(3), 931–947.

Fesenfeld, L. (2022). The effects of policy design complexity on public support for climate policy. *Behavioral Public Policy*, 1–26.

Geva-May, I. (2004). Riding the wave of opportunity: Termination in public policy. *Journal of Public Administration Research and Theory*, 14(3), 309–333.

Gilens, M., & Page, B. I. (2014). Testing theories of American politics: Elites, interest groups, and average citizens. *Perspectives on Politics*, 12(3), 564–581.

Grabosky, P. N. (1995). Counterproductive regulation. *International Journal of the Sociology of Law*, 23(4), 347–369.

Graeber, D. (2015). *The utopia of rules – On technology, stupidity, and the secret joys of bureaucracy*. Melville House.

Gratton, G., Guiso, L., Michelacci, C., & Morelli, M. (2021). From Weber to Kafka: Political instability and the overproduction of laws. *American Economic Review*, 111(9), 2964–3003.

Hacker, J. S. (2004). Privatizing risk without privatizing the welfare state. *American Political Science Review*, 98(2), 243–260.

Hacker, J. S., & Pierson, P. (2014). After the 'Master Theory': Downs, Schattschneider, and the rebirth of policy-focused analysis. *Perspectives on Politics*, 12(3), 643–662.

Hay, C. (2007). *Why we hate politics*. Polity Press.

Hinterleitner, M. (2020). *Policy controversies and political blame games*. Cambridge University Press.

Hinterleitner, M., & Sager, F. (2022). Policy's role in democratic conflict management. *Policy Sciences*, 55(2), 239–254.

Hood, C. (1991). A public management for all seasons? *Public Administration*, 69(1), 3–19.

Hou, Y., & Brewer, G. A. (2010). Substitution and supplementation between co-functional policy instruments: Evidence from state budget stabilization practices. *Public Administration Review*, 70(6), 914–924.

Howlett, M., & Rayner, J. (2007). Design principles for policy mixes. *Policy and Society*, 26(4), 1–18.

Howlett, M., & Rayner, J. (2013). Patching vs packaging in policy formulation: Assessing policy portfolio design. *Politics and Governance*, 1(2), 170–182.

Hurka, S. (2022). The institutional and political roots of complex policies: Evidence from the European Union. *European Journal of Political Research*, early view.

Hurka, S., & Haag, M. (2020). Policy complexity and legislative duration in the European Union. *European Union Politics*, 21(1), 87–108.

Hurka, S., Haag, M., & Kaplaner, C. (2022). Policy complexity in the European Union, 1993-today: Introducing the EUPLEX dataset. *Journal of European Public Policy*, 29(9), 1512–1527.

Jacobs, L. R., & Shapiro, R. Y. (2002). *Politicians don't pander – Political manipulation and the loss of democratic responsiveness*. Chigaco University Press.

Jakobsen, M. L. F., & Mortensen, P. B. (2015). How politics shapes the growth of rules. *Governance*, 28(4), 497–515.

Jennings, P. D., Schulz, M., Patient, D., Gravel, C., & Yuan, K. (2005). Weber and legal rule evolution: The closing of the iron cage? *Organization Studies*, 26(4), 621–653.

Jones, B. D., Theriault, S. M., & Whyman, M. S. (2019). *The great broadening – How the vast expansion of the policy-making agenda transformed American politics*. University of Chicago Press.

Jordan, A., Bauer, M. W., & Green-Pedersen, C. (2013). Policy dismantling. *Journal of European Public Policy*, 20(5), 795–805.

Kaufmann, W., & van Witteloostuijn, A. (2018). Do rules breed rules? Vertical rule-making cascades at the supranational, national, and organizational level. *International Public Management Journal*, 21(4), 650–676.

Kay, A. (2007). Tense layering and synthetic policy paradigms: The politics of health insurance in Australia. *Australian Journal of Political Science*, 42(4), 579–591.

Keiser, L. R., Haider-Markel, D. P., & Darolia, R. (2021). Race, representation, and policy attitudes in US public schools. *Policy Studies Journal*, 50, 823–848.

Knill, C., Adam, C., & Hurka, S. (2015). *On the road to permissiveness? Change and convergence of moral regulation in Europe.* Oxford University Press.

Knill, C., Schulze, K., & Tosun, J. (2012). Regulatory policy outputs and impacts: Exploring a complex relationship. *Regulation & Governance*, 6(4), 427–444.

Knill, C., Steinbacher, C., & Steinebach, Y. (2020a). Balancing trade-offs between policy responsiveness and effectiveness: The impact of vertical policy process integration on policy accumulation. *Public Administration Review*, 81, 157–160.

Knill, C., Steinbacher, C., & Steinebach, Y. (2020b). Sustaining statehood: A comparative analysis of vertical policy-process integration in Denmark and Italy. *Public Administration*, 99(4), 758–774.

Knill, C., & Steinebach, Y. (2022). Crises as driver of policy accumulation: Regulatory change and ratcheting in German asylum policies between 1975 and 2019. *Regulation & Governance*, 16, 603–617.

Knutsen, C. H., & Rasmussen, M. (2018). The autocratic welfare state: Old-age pensions, credible commitments, and regime survival. *Comparative Political Studies*, 51(5), 659–695.

Kosti, N., & Levi-Faur, D. (2019). The coproduction of primary and secondary legislation: Israel as a case study of substitutive relationships. *Law & Policy*, 41, 432–445.

Levi-Faur, D. (2011). The odyssey of the regulatory state: Episode one: The rescue of the welfare state. *Jerusalem Papers in Regulation & Governance* Working Paper No. 39.

Levi-Faur, D. (2014). The welfare state: A regulatory perspective. *Public Administration*, 92(3), 599–614.

Levitsky, S., & Ziblatt, D. (2018). *How democracies die.* Crown Publishing.

Limberg, J., Steinebach, Y., Bayerlein, L., & Knill, C. (2021). The more the better? Rule growth and policy impact from a macro perspective. *European Journal of Political Research*, 60(2), 438–454.

Lipset, S. M. (1960). *Political man: The social bases of politics.* Doubleday.

Lowi, T. J. (1964). American business, public policy, case-studies, and political theory. *World Politics*, 16(4), 677–715.

Mahoney, J., & Thelen, K. A. (2010). A theory of gradual institutional change. In J. Mahoney & K. A. Thelen (Eds.), *Explaining institutional change. Ambiguity, agency, and power* (pp. 1–37). Cambridge University Press.

Majone, G. (1997). From the positive to the regulatory state. *Journal of Public Policy*, 17(2), 139–167.

Manning, B. (1977). Hyperlexis: Our national disease. *Northwestern University Law Review*, 71(6), 767.

March, J. G., Schulz, M., & Zhou, X. (2000). *The dynamics of rules: Change in written organizational codes.* Stanford University Press.

Mayhew, D. R. (1974). *Congress: The electoral connection.* Yale University Press.

Mettler, S. (2016). The Policyscape and the challenges of contemporary politics to policy maintenance. *Perspectives on Politics*, 14(2), 369–390.

Mettler, S., & SoRelle, M. (2014). Policy feedback theory. In P. A. Sabatier & C. M. Weible (Eds.), *Theories of the policy process* (pp. 151–182). Westview Press.

Mettler, S., & Stonecash, J. M. (2008). Government program usage and political voice. *Social Science Quarterly*, 89(2), 273–293.

Milanovic, B. (2019). *Capitalism, alone: The future of the system that rules the world.* Harvard University Press.

Mooney, C., & Lee, M. (1995). Legislative morality in the American states: The case of pre-roe abortion regulation reform. *American Journal of Political Science*, 39, 599–627.

Nicholson-Crotty, S. (2009). The politics of diffusion: Public policy in the American states. *The Journal of Politics*, 71(1), 192–120.

Norris, P. (2011). *Democratic deficit: Critical citizens revisited.* Cambridge University Press.

North, D. C. (1990). *Institutions, institutional change and economic performance.* Cambridge University Press.

Oberlander, J. (2010). Long time coming: Why health reform finally passed. *Health Affairs*, 29(6), 1112–1116.

Orren, K., & Skowronek, S. (2017). *The policy state.* Harvard University Press.

Patashnik, E. M., & Zelizer, J. E. (2013). The struggle to remake politics: Liberal reform and the limits of policy feedback in the contemporary American state. *Perspectives on Politics*, 11(4), 1071–1087.

Pierson, P. (1993). When effect becomes cause. *World Politics*, 45(4), 595–628.

Pierson, P. (1994). *Dismantling the welfare state? Cambridge studies in comparative politics.* Cambridge University Press.

Pierson, P. (1998). Irresistible forces, immovable objects: Post-industrial welfare states confront permanent austerity. *Journal of European Public Policy*, 5(4), 539–560.

Pierson, P. (2007a). Public policies as institutions. In I. Shapiro, S. Skowronek, & D. Galvin (Eds.), *Rethinking political Institutions.The art of the state* (pp. 114–131). New York University Press.

Pierson, P. (2007b). The rise and reconfiguration of activist government. In P. Pierson & T. Skocpol (Eds.), *The transformation of American politics. Activist government and the rise of conservatism* (pp. 19–38). Princeton University Press. Princeton Studies in American Politics.

Pierson, P. (2014). Conclusion: Madison upside down. In J. A. Jenkins & S. M. Milkis (Eds.), *The politics of major policy reform in postwar America* (pp. 282–301). Cambridge University Press.

Powell, G. B. (2004). The chain of responsiveness. *Journal of Democracy*, 15(4), 91–105.

Przeworski, A. (2019). *Crises of democracy.* Cambridge University Press.

Ray, V., Herd, P., & Moynihan, D. (2023). Racialized burdens: Applying racialized organization theory to the administrative state. *Journal of Public Administration Research and Theory*, 33(1), 139–152.

Rosa, H., Dörre, K., & Lessenich, S. (2017). Appropriation, activation and acceleration: The escalatory logics of capitalist modernity and the crises of dynamic stabilization. *Theory, Culture & Society*, 34(1), 53–73.

Runciman, D. (2018). *How democracy ends.* Profile Books Ltd.

Scharpf, F. W. (1999). *Governing in Europe: Effective and democratic?* Oxford University Press.

Schattschneider, E. E. (1935). *Politics, pressure and the tariff.* Prentice-Hall.

Schickler, E. (2001). *Disjointed pluralism: Institutional innovation and the development of the US congress*. Princeton University Press.

Schuck, P. H. (1992). Legal complexity: Some causes, consequences, and cures. *Duke Law Journal*, 42, 1.

Schulz, M. (1998). Limits to bureaucratic growth: The density dependence of organizational rule births. *Administrative Science Quarterly*, 43(4), 845–876. https://doi.org/10.2307/2393618

Schwartz, M. A., & Tatalovich, R. (2018). *The rise and fall of moral conflicts in the United States and Canada*. University of Toronto Press.

Skowronek, S. (2012). Taking stock. In L. R. Jacobs & D. King (Eds.), *The unsustainable American state* (pp. 330–338). Oxford University Press.

Soss, J. (1999). Lessons of welfare: Policy design, political learning, and political action. *American Political Science Review*, 93(2), 363–380.

Sunstein, C. R. (2013). *Simpler: The future of government*. Simon & Schuster.

Tallberg, J., & Zürn, M. (2019). The legitimacy and legitimation of international organizations: Introduction and framework. *Review of International Organizations*, 14, 581–606.

Teles, S. M. (2013). Kludgeocracy in America. *National Affairs*, 51, 97–114.

Thelen, K. (2004). *How institutions evolve: The political economy of skills in Germany, Britain, the United States, and Japan*. Cambridge University Press.

Time Magazine. (2014). Obama says he wants to 'Get Stuff Done'. http://time.com/3559459/obama-get-stuff-done-midterms-elections/

Tsebelis, G. (2002). *Veto players: How political institutions work*. Princeton University Press.

Tummers, L. L. G., Bekkers, V., Vink, E., & Musheno, M. (2015). Coping during public service delivery: A conceptualization and systematic review of the literature. *Journal of Public Administration Research and Theory*, 25(4), 1099–1126.

Van der Heijden, J. (2011). Institutional layering: A review of the use of the concept. *Politics*, 31(1), 9–18.

van Witteloostuijn, A., & de Jong, G. (2007). The evolution of higher education rules: Evidence for an ecology of law. *International Review of Administrative Sciences*, 73(2), 235–255.

van Witteloostuijn, A., & de Jong, G. (2008). Changing national rules: Theory and evidence from The Netherlands (1960–2004). *Public Administration*, 86(2), 499–522.

van Witteloostuijn, A., & de Jong, G. (2010). Ecology of national rule birth: A longitudinal study of Dutch higher education law, 1960–2004. *Journal of Public Administration Research and Theory*, 20(1), 187–213.

Vogel, S. K. (1996). *Freer markets, more rules*. Cornell University Press.

Wagner, A. (1892). *Grundlegung der politischen Ökonomie* (Vol. 1). CF Winter.

Weber, M. (1978). *Economy and society*. University of California Press.