

**A DISPROPORTIONATE POLICY PERSPECTIVE ON THE POLITICS OF CRISIS
MANAGEMENT***

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ABSTRACT

Disproportionate policy response—which is comprised of two core concepts, namely policy over- and underreaction—is typically understood to be a lack of ‘fit’ or balance between the costs of a public policy and the benefits deriving from this policy and/or between a policy’s ends and means. Drawing on the newly emergent *disproportionate policy perspective*, this chapter explores the disproportionate policy motivations and alternatives that help political executives gain leverage in the political game in times of crisis. It does so by outlining the conceptual foundation of deliberate disproportionate policy; describing the repertoire of policy over- and underreaction at the rhetorical and doctrinal levels as well as “on the ground” while illustrating their implications during crises; elaborating on the backlash costs of policy overreactions, the accumulation of which may lead to the discontinuation of such policies; and introducing a methodological toolbox that offers practical benchmarking strategies, such as perturbations in stock prices, legal proportionality, and comparative assessment of average responses to the crisis at hand. Its main contribution is theoretical in nature, highlighting an emerging angle for the study of elite decision-making in times of crisis. This angle sheds light on issues and tendencies relating to the challenges which policymakers encounter in times of global and domestic threats, in the face of publics that are relatively skeptical about politicians and political institutions and on the background of increasing negativity and populism in democratic politics.

Disproportionate response, overreaction, underreaction, strategic crisis management, disasters, elite decision-making

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INTRODUCTION

Policy sciences tend to advance “horizontally,” using newer theories, models, approaches, and perspectives to explain aspects of policy responses and outcomes that were previously unaddressed, rather than “vertically,” replacing older and inferior ones with new, improved versions. Scholars of public policy are therefore not limited to using *the* model of, for example, the policy process or the policy change but can select a theory or approach from the existing range. A recent addition to the collection of current approaches is the *disproportionate policy perspective*. Disproportionate policy response—which is comprised of two core concepts, namely policy over- and underreaction—is typically understood to be “a lack of ‘fit’ or balance between the costs of a public policy and the benefits that are derived from this policy, and/or between a policy’s ends and means” (Maor 2017a, 384). The disproportionate policy perspective represents a conceptual turn whereby the aforementioned concepts are reentering the policy lexicon as types of *intentional* policy responses that are largely undertaken when political executives are vulnerable to voters (Maor 2017a; 2019a; 2019b; 2019c; Maor, Tosun, and Jordan 2017).

Drawing on this perspective, the present chapter argues that in times of crisis, disproportionate policy responses may be intentionally designed, meticulously debated, implemented as planned, and sometimes successful in achieving policy goals and in delivering the political benefits sought by the political executives who design them. The premise underlying this argument is that crises vary in many respects, some of which may incentivize a deliberate crisis response by political executives which is excessive, or is lacking. For example, when crises occur at times of electoral vulnerability, the relevancy of policy instruments’ visibility, theatricality, spectacularity, and popularity may dominate the calculus of crisis management

decisions (e.g., 't Hart 1993; Edelman 1964; 1988; Coombs 2009; Moffitt 2015; Foley 2013). The same applies in cases where strong negative emotions emerge, and subsequently, political executives may opt to overwhelm hysterical populations cognitively and emotionally, trying to convince them that the policy system is viable. Critically, providing a “better” response in terms of effectiveness and political legitimacy (Boin, 't Hart, Stern and Sundelius 2016) hinges on determining what constitutes crisis management success. During a crisis, political executives are well aware that questions regarding whether the threat has been eliminated, and especially how this was achieved, will dominate the post-crisis agenda, as will assessments of whether losses affect those that deserve to be on the losing side rather than innocent individuals and organizations. These evaluative judgments in defining the success of crisis management create a larger solution-space within which, for example, certain policy instruments may initially be calibrated to perform in high intensity mode “whatever the costs” in order to “restore confidence” swiftly. After panic subsides and normalcy is restored—preferably not the “old normal” that created the conditions for the emergence of the crisis in the first place (Boin and 't Hart 2003; Boin, 't Hart and McConnell 2009)—political executives can try to recalibrate their crisis policy by exploring the extent to which they can minimize the intensity of the policy instrument.

This chapter therefore focuses on the symbolic and political dimensions of strategic crisis management (e.g., Edelman 1977; 't Hart 1993), exploring disproportionate policy motivations and alternatives that help political executives gain leverage in the political game in times of crisis. It does so by outlining the conceptual foundation of deliberate disproportionate response; describing the repertoire of policy over- and underreaction at the rhetorical and doctrinal levels as well as “on the ground” while illustrating their implications during crisis; elaborating the

backlash costs of policy overreaction—the accumulation of which may lead to the discontinuation of such policies; and introducing a methodological toolbox that offers practical benchmarking strategies, such as perturbations in stock prices, legal proportionality, historical performance of a policy, and comparative assessment of average responses to the crisis at hand. Its main contribution is therefore theoretical in nature: it highlights an emerging angle for the study of elite decision-making during crises that sheds light on key issues and tendencies in terms of challenges that policymakers encounter in times of global and domestic threats, in the face of publics that are relatively skeptical about politicians and political institutions and on the background of increasing negativity and populism in democratic politics.

The chapter is structured as follows. First, it elaborates on the conceptual lacuna, emphasizing the possible reasons that policy process scholars devote little attention to strategic crisis management. Second, it briefly presents the definitional ground. Third, it describes the contours of the disproportionate policy perspective. Fourth, it outlines the conceptual foundation of strategic explanations, as well as their conceptual reach. Subsequently, the fifth and sixth sections describe some of the repertoire of policy over- and underreaction, respectively, while illustrating their implications in times of crisis. The seventh section brings to the fore policy backlash costs. The eighth section presents relevant methodologies for assessing disproportionate policy responses, and the final section outlines avenues for future research.

CRISIS AND POLICY PROCESS RESEARCH

Examining the policy landscape using a certain theory of the policy process, one can discern punctuations, streams, garbage cans, feedback, advocacy coalitions, narratives, institutional arrangements, networks, and other phenomena. This small-scale theorizing (i.e., as opposed to Marx's macro-level theory of stratification), especially when it brings to the fore contextual

thinking, reflects the strength of policy science in explaining policy reality. However, when seeking to explain crisis policy-making, many policy scholars remain silent regarding how the policy process—and especially the interplay between the policy game and the political game (Boin, ‘t Hart and McConnell 2009)—is affected by crisis situations, which are characterized by complexity, uncertainty, ambiguity, and urgency (Wenzelburger, König, and Wolf 2019). At the outset, *crisis* refers to “a threat that is perceived to be existential in one way or another (Boin, ‘t Hart, and Kuipers 2018, 24; see also Rosenthal, Boin, and Comfort 2001); *crisis management* refers to “the set of efforts aimed at minimizing the impact of an urgent threat” (Boin, ‘t Hart, and Kuipers 2018); and *strategic crisis management* refers to “setting the general parameters of a crisis response, [and] making the critical decisions that shape [a] society’s future commitments” (Bartenberger 2017, 8). *Threat* includes here challenges to individuals’ survival as well as to a society’s core values, norms, and beliefs (e.g., Boin, ‘t Hart, and Kuipers 2018; Bartenberger 2017). These definitions capture cases in which political executives decide to “invent” crises (Körösényi, Illés, and Metz 2016); exploit crises by engaging in framing contests to interpret events, their causes, and the responsibilities and lessons in ways that suit their political interests (‘t Hart 1993; Boin, ‘t Hart, and McConnell 2009; see also Edelman 1988; Coombs 1998, 2004, 2007, 2009; Klein 2007); and construct urgency discourse (van Wijk and Fischhendler 2016) in an attempt to assert their (and their state’s) power more forcefully.

Specifically, the two fundamental issues that policy scholars tend to overlook are (i) how crises affect policy sectors, in terms of destabilizing the effectiveness and legitimacy of the hitherto dominant policy paradigm, structure, value sets, and practices; and (ii) how, given the aforementioned destabilizing effects, policy actors who are confronted with crises perceive them and act upon them (for post crisis politics, see Boin, ‘t Hart, and McConnell 2009). This neglect

is rather surprising given that crises are a frequent phenomenon in many policy sectors (Kuipers and Welsh 2017). For example, before the panic of 2007, the U.S. financial sector experienced financial crises that were accompanied by panics in 1797, 1814, 1819, 1825, 1833, 1837, 1857, 1861, 1864, 1873, 1884, 1890, 1893, 1907, 1914, and 1929–33 (Gorton and Tallman 2018, 1).¹ Yet, standard theories regarding the policy process perceive crises as exceptional rather than closer to commonplace. The increasing need to improve our understanding of crises and strategic crisis management has so far not resulted in policy process scholars playing a prominent role in mainstream crisis research.²

Current policy theories are constructed to account for regularly observed phenomena. Therefore, by design, their direct implications are consistent with reality. However, when trying to explain a policy process in the context of crisis, they often founder. In cases of severe crisis, for example, Jones and Baumgartner's (2005, 147) idea that "[p]olitical institutions impose costs on policy action in direct proportion to how far a policy proposal has proceeded in the law making process," may be less applicable if policymakers' immediate response is not undertaken via a legislative process. Furthermore, even if it is, during extended periods of high threat and great uncertainty, the balance between order and other values (such as freedom) shifts considerably in favor of order—that is, the government's ability to deal with threats to national well-being (Gross 2011) and to "bring things back to normal" (Boin and 't Hart 2003, 3). Consequently, a legislative process may incur relatively little cost for policy action due to swift legislative moves supported by both government and opposition.

Furthermore, crises are extreme departures from the ordinary. They often involve the public losing confidence in a government's ability to resolve the crisis and consequently require quick, decisive, and forceful action. Each policy process theory adopts a certain point of view,

thus tending to sometimes miss the most important process. For example, the network approach views a policy system as a web of connections and therefore models systemic risk by tracing a domino effect of one player/institution on the rest. Thus it is unable to explain a tsunami-like crisis (e.g., a systemic financial crisis) that sweeps away everything in its path (Borio 2014). In addition, alongside systemic shocks, in some instances local or minor shocks may have significant political consequences (e.g., Lodge and Hood 2002) and may even cause a policy system to break down. This is particularly evident when considering the cascading consequences of, for example, weather and climate crises, natural hazards, public health crises, and technological crises across social, economic, and environmental systems (e.g., Galaz, Moberg, Olsson et al. 2011).

Perhaps because most standard policy theories are built on verbal arguments that ignore non-obvious but potentially important processes and institutions, they do not convincingly capture political executives' need to shake the policy system hard in order to cope with the fundamental nonlinearity and associated feedback effects at the core of the dynamics of distress, be this human, economic, financial, and so on. For example, standard policy process theories do not give credence to *mythical institutions*, which refer to institutions that enjoy a mythical position in public perception due to the very high level of symbolic capital they are able to captivate independent of any other objective attributes (e.g., size, location, sector of operation, and others).³⁴ These institutions play a social function by interpreting and constructing reality for laymen and professional communities which may, in turn, shape expectations and values as well as direct social action. The failure of a mythical institution—such as the collapse of the investment bank Lehman Brothers on September 15, 2008—communicates a negative signal about the rest of the institutions in that particular sector. This therefore constitutes the first *visible*

manifestation that events are spiraling out of control, affecting the entire policy system and generating a systemic crisis which disrupts the governing balance that exists in non-crisis times between rules and discretion. Policy theories do not capture the phenomenon of these mythical institutions and their role in the interplay between the political game and the policy game.

Because the ordinary is embedded in mainstream theories, and because standard theories of the policy process are inadequate for understanding the expectations and beliefs of people and organizations (e.g., firms, interest groups) regarding government response, we are left with all-encompassing, intellectually elegant approaches whose expectations of policy responses to crises that impact people and infrastructure and/or environmental assets of social values are often overwhelmed by reality. Putting aside the problem of counterfactuals and the effects of counterfactuals on expectations, and the derived fact that political executives can never demonstrate that the crisis would have been worse had they not acted, we still lack an analytical framework which can explain and predict government response under such circumstances. The 9/11 terror attack as well as the 2007–2008 financial crisis, for example, were extreme departures from the ordinary. The failure of political and policy scientists to foresee the policy responses to these crises provides “food for thought” for those underestimating the political benefits that elected executives may reap from implementing disproportionate policy response.

CONCEPTS DEFINED

Disproportionate policy response is comprised of two core concepts: policy overreaction and policy underreaction (Maor 2017b). *Policy overreaction* is a policy that “impose[s] objective and/or perceived social costs without producing offsetting objective and/or perceived benefits” (Maor 2012, 232). *Policy underreaction* refers to “systematically slow and/or insufficient response by policymakers to increased risk or opportunity, or no response at all” (Maor 2014,

426). This implies that it is “a policy whose actual net utility [...] is smaller than a counterfactual net utility” (Maor 2014, 428). Because policy problems and solutions are often loaded with ideational and symbolic elements (e.g., Conlan, Posner, and Beam 2014; Schneider, Ingram, and de Leon 2014), different individuals and groups may perceive disproportionate policy response somewhat differently, and perceptions at one point may differ later as the magnitude of a crisis or policy problem becomes more apparent. Both concepts are therefore objective facts and, at the same time, matters of interpretation.

This duality constitutes a crucial point in theorizing about crisis politics and crisis policy (e.g., Boin, ‘t Hart and Kuipers 2009), especially in the area of disproportionate policy response. Global and domestic threats, coupled with publics that are relatively skeptical about politicians and political institutions as well as rising negativity and populism in democratic politics, imply that policy overshooting is increasingly required in order for the public to perceive policy action as sufficient and politicians as competent, at least in the short term. Not only has disproportionate policy response been a focal point for political actors seeking decisive and swift policy change in times of real or manufactured crisis, but such action has repeatedly also exerted a dramatic impact upon the direction and the character of policy and politics. A classic example is the U.S. response to 9/11, which entailed military interventions in Afghanistan and Iraq and drone strikes in Pakistan, Yemen, and Somalia; ethnic profiling; heightened restrictions on immigration; and increased surveillance and preventive detentions.

The objective dimension of policy over- and underreaction is determined predominantly by cost-benefit analysis (i.e., by economics, statistics, and science). One manifestation of policy overreaction relevant here is the concept of *policy overinvestment*, which occurs “when government invests in a single policy instrument beyond its instrumental value in achieving a

policy goal.” A manifestation of policy underreaction relevant here is *policy underinvestment*, which occurs when a government’s investment in a single policy instrument is below that instrument’s value in achieving a policy goal (adapted from Jones, Thomas, and Wolfe 2014, 149). Whereas the definitions of policy over- and underreaction appeal to considerations of public interest, broadly defined, including, for example, economic efficiency, social welfare, social justice, sustainability, and individual well-being, the definitions of policy over- and underinvestment, although easily measurable and tractable, often appeal to narrow economic considerations.

Although research examining disproportionate policy remains at an early stage, it is largely developing along three paths: psychological, institutional, and strategic explanations. A detailed review of the current state of research can be found elsewhere (Maor 2019a). Attention now turns to the *disproportionate policy perspective*, which articulates the main features of strategic explanations.

THE DISPROPORTIONATE POLICY PERSPECTIVE

The *disproportionate policy perspective* (Maor 2017a) suggests that, under certain conditions, policymakers may face incentives to design and implement disproportionate policy which on occasion may be successful in achieving policy and political goals. Among the fundamental strategies of this perspective are the prioritization of policy effectiveness over policy costs (e.g., attaining a policy goal “at-all-costs”), leading to the formulation and implementation of *policy overreaction* options and/or cost-consciousness over effectiveness, subsequently resulting in the formulation and implementation of *policy underreaction* options. If the emotional context of the policy (e.g., hysteria) is equally, if not more, important than the substantive nature of the problem at hand (e.g., the spread of a suspected contagious disease), policy overreaction will be

pronounced. Moreover, disproportionate policy options may be planned as signaling devices or context-setters (e.g., resolving issues concerning the fragmentation of decision-making).

The disproportionate policy perspective represents a conceptual turn whereby the concepts of policy over- and underreaction are reentering the policy lexicon as types of *intentional* policy responses that are undertaken at times when political executives are vulnerable to voters (Maor 2017a; 2019a; 2019b; 2019c). More specifically, intentional overreactions derive from the desire of political executives to pander to voters' opinions or signal extremity by overreacting to these opinions in domains that are susceptible to manipulation for credit-claiming purposes. Intentional underreactions are motivated by political executives' attempts to avoid blame and may subsequently lead to deliberate overreaction (Maor 2019c). This conceptual turn forces scholars to recognize the political benefits that elected executives may reap from deliberately implementing disproportionate policies, and that such policies can at times be effective (Maor 2019c).

Analytically, this conceptual turn is achieved by striking a balance between context and agency, embedding boundedly-rational leaders within a bigger context. The perspective also allows us to form expectations regarding how leaders and government behave in times of crisis, and, at the rhetorical and doctrinal levels, this can also be applied to political candidates and lower-level policymakers who might assume the same positions in the future. It implies that, at times, deliberate disproportionate policy response is not necessarily episodic in nature; that strategic considerations can enter into the very essence of disproportionate policy response; that emotional entrepreneurs (Maor and Gross 2015; Maor 2017d) may play a critical role throughout the disproportionate response cycle; and that although disproportionate policy response may

intuitively carry a negative value-laden meaning, in certain cases it may be perfectly legitimate and justified.

The disproportionate policy perspective shares a number of views with the crisis approach (Boin, 't Hart, and Kuipers 2018). Namely, that crisis management is a strategic process rather than a defensive or protective operation and tactical one (e.g., 't Hart 1993; Boin 2009; Boin, McConnell, and 't Hart 2008; Boin, 't Hart, Stern, and Sundelius 2016); perceptions of the threat constitute a significant factor; crises are political in nature and are therefore vulnerable to exploitation by politicians; and crises contain an opportunity dimension (e.g., Boin, 't Hart and Kuipers 2018; Boin, 't Hart, Stern and Sundelius 2016; Birkland 2004; 't Hart and Boin 2001; Kamkhaji and Radaelli 2017). Yet, inasmuch as the perceptions of a threat matter for categorizing an event as a crisis (Boin, 't Hart, and McConnell 2018, 2), so do the perceptions of the effectiveness and legitimacy of strategic crisis management according to which political executives are judged (e.g., Borraz and Cabane 2017). Crisis characteristics are therefore constructed and manipulated by a variety of political and policy actors (Rosenthal, 't Hart, and Kouzmin 1991). Building on this perceptive dimension, the disproportionate policy perspective complements the crisis approach by (i) highlighting the emotional dimension of a crisis—especially political executives' need to quell distress, panics, and public fears, and to convince people that the policy system is viable by cognitively and emotionally overwhelming the target populations; and (ii) emphasizing the strategic use of binary policy commitments, such as zero-tolerance policies (e.g., zero-tolerance crime policy), on the one hand, and unlimited policies (e.g., open border immigration policies; blanket guarantees), on the other.

IMPLICATIONS OF DELIBERATE POLICY OVERREACTION IN TIMES OF CRISIS

The implications of disproportionate policy motivations are distinct from those of proportionate policy response. In cases of deliberate policy overreaction during systemic crises involving panic and public fear, the implications often include a policy response that cognitively and emotionally overwhelms the target population, thereby decisively and speedily reducing the uncertainty driving the panic. Overwhelming power is understood as credibly committing a large amount of available resources for use with discretion during a crisis (Gorton 2015). Such power is often employed in order to convince target populations that government backing is unquestionably sufficient to solve the crisis. Recent research into the response of central banks to the 2007–2008 financial crisis focused on the decision taken in the U.S., the Euro-zone, and Britain to follow Walter Bagehot’s (1873) rule: to end a financial crisis, the central bank should lend freely [that is, with no limit], at a high rate, and on good collateral (Bernanke 2014a, 2014b; Draghi 2013; King 2010). The overreaction which occurred in this systemic crisis partially stemmed from ambiguity concerning when the crisis began, what constitutes “good collateral” and a “high rate” (Gorton 2012, 196), and the urgent need to convince people that government backing was indisputably sufficient to solve the crisis. Its manifestation brought to the fore the notion that providing “unlimited liquidity, no matter what happens,” is necessary to stop a bank run and consequently stabilize the financial markets. This was achieved when the U.S. Congress allocated \$700 billion in the framework of the Troubled Asset Relief Program. This move—combined with secrecy surrounding the borrowing banks’ identities in order to hide weak banks (Gorton and Tallman 2018)—succeeded in reducing the banking panic; subsequently, the Dodd–Frank Wall Street Reform and Consumer Protection Act reduced the amount available to address the crisis to \$475 billion. In other words, a policy instrument—operating in a mix with other policy tools—was initially calibrated to perform in high intensity mode in order to cognitively

and emotionally overwhelm target populations and “restore confidence.” After panic subsided and normalcy restored, crisis policy has been recalibrated. Overall, it seems that the aforementioned policy mix was “successful in avoiding another depression” (Gorton and Tallman 2018, 7).

It is also possible to draw a useful distinction between selective and nonselective use of overwhelming government force with regard to the design of policy overreaction options (Maor 2017b, 2017c, 2019c). The balance between these two modes is a major concern for policymakers. *Non-selective mechanisms* enable governments to allocate resources to all individuals and institutions seeking assistance, among them also free-rides. This approach is generally adopted in times of natural disasters and other catastrophic events. *Selective mechanisms*, such as stress tests for banks, identify the individuals or institutions in most dire need, in turn enabling policymakers to apply overwhelming power in a selective fashion. The former option intentionally disregards the heterogeneity of the target audience during a crisis. The latter, in contrast, is often founded upon a mechanism which involves a relatively large safety margin; thus, all those in need, even borderline cases, will receive assistance. A government that wishes to increase the perceived credibility of selective mechanisms will be disinclined to publicize the threshold or any individual- or institution-specific information.

Evidence of deliberate policy overreaction may also be found in cases of policy responses to manufactured policy problems (i.e., when there is no need for government action) as well as policy responses that violate fundamental precepts of the rule of law (e.g., acting with no legal basis). Regarding policy responses to manufactured problems, suffice it to mention the 1942 internment of all American citizens of Japanese ancestry in camps, even though there was no evidence that Japanese Americans were involved in any clandestine activity at that time (Alford

2017, 35), or the cull of all pigs in Egypt during the swine flu crisis of 2009, when not a single case of this disease, among either humans or pigs, had been reported in that country. Numerous actions by the U.S. executive branch, which violated fundamental precepts of the rule of law during the Cold War and the Nixon Presidency, have been discussed elsewhere (Alford 2017, 33–55).

In crisis bargaining that involves vital interests, policy overreaction may be employed to promote an image of toughness and strength in order to compel the other side into submission (e.g., Schelling 1960; 1966; Snyder and Diesing 1977; George and Smoke 1974), or, irrespective of the material stakes involved, cultivate a reputation for resolve (Yarhi-Milo 2018). To signal such images, key choices in the repertoire of deliberate policy overreaction are rhetoric and doctrine. A *policy overreaction doctrine* refers to “a coherent set of policy principles which presents an “all or nothing” policy commitment in pursuit of a policy goal no matter what the costs are” (Maor 2018, 51). These principles guide the government when using overwhelming force in order to achieve a decisive and quick policy outcome. Policy overreaction becomes a predictable event, for example, once a crisis occurs and a policy overreaction doctrine is in place. An example of policy overreaction doctrine is the Cold War era’s MAD (Mutually Assured Destruction) — an all-or-nothing extreme of mutual destruction—that kept the two sides from taking the conflict to the nuclear level. *Policy overreaction rhetoric*, “a subset of policy overreaction doctrine, refers to arguments that policymakers employ to reach and persuade the target populations of their “all or nothing” policy commitment to achieve their policy goal, no matter what the costs are” (Maor 2018, 52). Although the view advanced here focuses on rhetoric as instrumental (i.e., in terms of its effect on public opinion), many scholars consider the constitutive aspect of rhetoric important, suggesting that “political reality is partly or wholly

created from and sustained in rhetoric” (Stuckey and Antczak 1998, 406). An example of policy overreaction rhetoric is Boris Johnson’s “do or die” pledge to lead Britain out of the EU on October 31, 2019, which was delivered on the eve of his victory in the race to lead the Conservative Party.

The rationale of using emotional public policy, such as rhetoric containing emotionally-loaded messages during crises (e.g., Maor 2017c; Crigler and Haveron 2017), was expounded by Zbigniew Brzezinski, U.S. President Jimmy Carter’s National Security Advisor, in a memo addressed to the President:

I suspect that an impression has developed that the Administration (and you personally) operates very cerebrally, quite unemotionally. In most instances this is an advantage; however, occasionally emotion and even a touch of irrationality can be an asset. Those who wish to take advantage of us ought to fear that, at some point, we might act unpredictably, in anger, and decisively. If they do not feel this way, they will calculate that simply pressing, probing, or delaying will serve their ends. I see this quite clearly in Begin’s behavior, and I suspect that Brezhnev is beginning to act similarly [Weekly Report no. 45, February 27, 1978, quoted at Yarhi-Milo 2018, 141].

Military crisis situations provide ample examples of political executives’ war rhetoric, employing messages that infuse fear. One example is Israel’s *Dahiyah Doctrine*: its main tenets revolve around using disproportionate air power and artillery against non-state terrorist and guerilla organizations [principle 1], on targets that include villages from which rockets are fired, and which are the political, social, or religious strongholds of the Resistance Network, or the civilian infrastructure of the political entity within which the Resistance Network operates [principle 2], in an attempt to punitively destroy the entire area from which rockets are fired

[principle 3]. The aim of this doctrine is that the destruction, or the threat thereof, will convince the local population to stop cooperating with the Resistance Network. An example of overreaction rhetoric is the following statement made by then-Prime Minister Ehud Olmert (2009) regarding the aforementioned doctrine: “The government’s position was from the outset that if there is shooting at the residents of the south, there will be a harsh Israeli response that will be *disproportionate*” (Olmert, 2009, italics added). This is a classic example of parsimonious, direct, and cognitively simple rhetoric.

IMPLICATIONS OF DELIBERATE POLICY UNDERREACTION IN TIMES OF CRISIS

We can infer cases of deliberate policy underreaction within a risky environment wherein policymakers accurately estimate increased risk yet view the policy under question as primarily subject to extra-organizational constraints, such as the expected response from other dominant players in the relevant system (Maor 2014). One example was Israel’s decision not to launch a preemptive attack before the 1973 Yom Kippur War—despite knowing that war was imminent six hours prior to the outbreak of hostilities (Bar-Joseph 2005). This was motivated by anxiety regarding how the U.S. would respond to such a move, including fears that in such circumstances the U.S. would refuse to offer Israel military and diplomatic support. Consequently, rather than launch a pre-emptive strike, the government called up the reserve forces. Prime Minister Golda Meir’s assessment of the U.S. response proved to be correct. Indeed, Henry Kissinger, then-US Secretary of State, subsequently clarified that had Israel launched a preemptive attack, the U.S. would not have given Israel “so much as a nail” (Meir 1975).

We can also infer deliberate policy underreaction in a risky environment on the basis of the response time needed for a policy actor to acclimatize to an increase in risk. This can be

deduced from a calculated decision to refrain from taking action or, alternatively, allocating a relatively low amount of committed resources to a public policy, when allocations in both cases can be altered in the space of hours or days after the risk materializes with relatively minor or bearable ramifications, as perceived by policymakers. The methodology behind the five-year plan of the Israel Defence Forces (IDF), which encompasses all battle forces—air, sea, and land—constitutes a perfect example. According to Major General (ret.) Giora Eiland (2018), former Head of the IDF’s Operations Division, Planning Division, and the Israeli National Security Council during the period 1996–2006, “We will intentionally provide a severely lacking response to the first topic [—preparedness and the current security situation—], a partially lacking response to the second [—readiness for war—], a response to the third topic [—size of the fighting force—] which lacks almost nothing, and a response which lacks nothing whatsoever to the fourth topic—building future capacities (Eiland 2018, 302–304, my translation). Further, “on this [—fourth—] topic we are prepared from the outset to “waste” more resources because we cannot accurately anticipate what the top priorities will be in ten to twelve years’ time” (Eiland 2018, 304, my translation).

Rhetoric and doctrine are among the other options in the repertoire of deliberate policy underreaction. *Policy underreaction doctrine* refers to “a coherent set of policy principles which presents a conditional commitment for achieving a policy goal based primarily on policy costs considerations” (Maor 2018, 52). One example, in a context of increased risk (e.g., a slow-moving crisis), is the “no regrets” doctrine. According to this doctrine, measures that are ostensibly applied in response to uncertainty must attain other objectives. Indeed, the UK Department for Environment, Food, and Rural Affairs notes with regard to climate change that “most current adaptations are justified on co-benefits and/or are ‘no regret’ options” (DEFRA

2005, 8). While the government frames such endeavors as proportionate (DEFRA, 2005, 8), they are not designed to perform optimally in all scenarios of climate change. This applies, for example, to flood preparedness: “[u]nder-investment in these defenses is storing up costs and risks for the future” (Committee on Climate Change, 2014, 8).⁵

Policy underreaction rhetoric, “a subset of policy underreaction doctrine, refers to arguments employed by policymakers to reach and persuade the target populations of the former’s conditional commitment to respond to a policy problem based primarily on policy costs considerations” (Maor 2018, 53). An example is Australian climate change policy during 2013–2015, which was based on former Prime Minister Tony Abbott’s vision that “for the foreseeable future coal is the foundation of our prosperity. Coal is the foundation of the way we live because you can’t have a modern lifestyle without energy” (quoted in *The Guardian* 4.11.14). Thus, policy instruments are not designed in a way that contributes to achieving policy effectiveness but rather in order to avoid an adverse impact on other policy sectors.

POLICY BACKLASH COSTS

Policy overreaction may backfire. One example is the emergence of Western ISIS sympathizers among some immigrant populations living in various marginalized communities in the West following Western governments’ offensive strategies against ISIS. Thus, an overreaction to terrorist activities highlights the political executives’ dilemmas regarding whether or not to adopt a defensive policy (e.g., using technological barriers to deter terrorist operations) or a proactive one (e.g., employing direct military action), and whether or not to curtail freedom of speech and other fundamental rights and liberties in the wake of major terrorist attacks. The political incentives that lead to the implementation of aggressive counterterrorism policy are well documented: electoral pressures to respond to public demands for a forceful resolution of the

terrorist threat, and the need to insure political executives against the political and electoral costs deriving from further attacks occurring after they opposed aggressive anti-terrorist measures in times of crisis (e.g., Crenshaw 2010; Donohue 2008; Dragu 2017a, 2017b).

To understand why electoral pressures might induce democratic governments to choose ineffective security policies, one can highlight the limitations on the observability of counterterrorism activities (Dragu 2017b). In other words, electoral pressures to do more with regard to security, and to be seen doing more on that front, induce political executives to choose ineffective counterterrorism measures, such as highly observable repressive measures (ethnic profiling; increased restrictions on immigration; increased surveillance, and preventive detention) rather than counterterrorism actions that require secrecy. These visible measures are a classic example of policy overreaction, the suboptimal nature of which is reflected in the emergence of a backlash effect.

In policy settings, a *backlash effect* refers to government investment in policy becoming counterproductive at the mass attitude and/or policy levels. At the mass attitude level, a backlash effect is manifested by government investment that results in intensifying disapproval of the issue. This, in turn, reflects greater polarization in public opinion, deepening and widening the gap between policy supporters and opponents. An example is the backlash following the introduction of gay rights policies (e.g., Mucciaroni 2008). Policy development may therefore outrage people, energizing a base of potential opposition to the policy or encouraging recruitment of policy problem inciters through new grievances, thereby increasing the likelihood that the severity of the policy problem will increase.

At the policy level, a backlash effect is manifested by government investment that leads to net increases in the prevalence, incidence, or severity of the policy problem it is designed to

prevent, tackle, or resolve. The latter manifestation of policy backlash occurs when the benefits of engagement in what the government considers to be a policy problem (e.g., terrorism engagement) outweigh its objective and/or perceived costs. For example, in their study of Northern Ireland, LaFree, Dugan, and Korte (2009) found that three of the six military interventions in Northern Ireland increased the threat of a future terrorist attack. Dugan and Chenoweth (2012) also found that conciliatory and repressive actions by the Israeli government led to an increase in Palestinian terrorism. Likewise, Sandler (2014) concluded that proactive responses in the case of a terror threat may unleash a backlash if terrorist supporters view such actions as excessive, thereby attracting new recruits. If this occurs, the positive benefits deriving from proactive actions will be reduced by the backlash costs. Once political executives and the general public understand this tradeoff, such repressive policies may be terminated.

ASSESSING DISPROPORTIONALITY

Given that policy over- and underreaction are objective facts and at the same time matters of interpretation, we have at our disposal two identification methods: one which is based on subjective evaluations, and the other objective. The former can be gauged for any given (crisis) event and at any given time by surveys and interviews, as well as by analyses of the target audience's surprise following an unanticipated policy (Carpenter 2010, 582). Scholars might arrive at assessments of (dis)proportionality by analyzing data that encodes such surprises. Data may include opinion polls, which are conducted regularly in the relevant policy domain over decades, and/or perturbations in stock prices (e.g., in cases of economic policy which has financial implications for the firms whose shares are traded). Although such analyses are restricted to publicly traded firms, they can be extended to the reactions of the bond, foreign exchange, and crude oil markets, to macroeconomic policy announcements. Changes in stock

prices capture the attributed value of unanticipated policy changes; can be linked directly to actual changes in economic policy; and can be compared across target audiences (e.g., firms).

Assessing disproportionality is not only an act of interpretation or framing. Yet, choosing a viable method to objectively evaluate the proportionality of a crisis response is not an easy task. This is because strategic crisis response often includes a mix of policy tools, the policy-intensity measures of each of which may consist of policy objectives, scope, integration, budget, implementation, and monitoring (Schaffrin, Sewerin, and Seubert 2015). One way of selecting a benchmark for assessing disproportionality is by looking at historical performance of policy over decades vis-à-vis the severity of the policy problem. This method may be relevant in cases of recurring crises in a given policy domain. Another method may rely on simulation or “war-gaming” of economic shocks (e.g., Fenna and ‘t Hart 2019) as a tool for establishing benchmark measures of policy outcomes. Scholars may use the legal doctrine of proportionality (e.g., Lodge and Hood 2002, 7), or opt for a comparative test. An example of a comparative assessment of disproportionality is De Francesco and Maggetti’s (2018) study, which generated a series of indexes to measure policy over- and underreactions among the EU member states that experienced the 2007–2008 banking crisis. They measured the extent of disproportionality by comparing the distance of a certain country’s set of policy responses to the average response of the countries under investigation, while accounting for domestic-level variation in the severity of the crisis. The study’s main finding was that a significant majority of EU countries overreacted, employing public liability guarantees and budget commitments (De Francesco and Maggetti 2017). Because no benchmark is perfect, researchers can only choose a method to evaluate strategic crisis management that has the least amount of drawbacks for that crisis’ particular situation.

In order to explain why political executives act as they do, we need to understand what they think they are doing. Thus, we should combine elite interviews with content analysis of speeches, press releases, inquiries, hearings, and other documents. Scholars should process trace the crisis discourse and behavior, paying particular attention to the amount of committed resources; the level of the policy options' sensitivity to the heterogeneity of the target populations and/or the implementing agencies; and whether the decisions to design and execute disproportionate options were carefully thought out, judiciously developed, and meticulously debated. Process tracing should preferably be undertaken on the basis of (declassified) primary documents as well as personal diaries and be used, wherever possible, to examine alternative and other contextual explanations for leaders' decisions during crises. Regarding case selection, scholars should only treat a case as one of disproportionality when there is broadly-based agreement to this effect in the relevant policy sector as well as among a wide spectrum of observers and/or experts.

CONCLUSION

The disproportionate policy perspective presented here is an additional point of conceptual departure for the analysis of crisis policy-making, one which I regard as more in line with strategic crisis management in times of global and domestic threats in a media-saturated environment that is coupled with fragmented audiences, each audience consisting of like-minded individuals, and rising negativity and populism in democratic politics. It guides strategic explanations which blend sensitivity to political contexts and the underlying motivations which explain deliberate disproportionate behavior by political executives. The disproportionate policy perspective is refreshing because it is based on the richer paradigm of political costs and benefits which include concern over "image", overall "standing," and reputation, the realism of its

conclusions, and because it is anchored in solid theories of political science and political economy (Maor 2019a; 2019c). It is empirically sound because it is based on the concepts of policy over- and underreaction, the objective manifestations of which (in terms of policy costs and benefits) can be observed, and therefore it does not require additional assumptions, especially the canonical assumption that individuals are rational.

To move forward, I suggest three specific issues to which scholars of the policy process might productively turn their attention in coming years. The first relates to the idea that being richly descriptive need not be a sign of weakness in an area of research if scholars engage directly with theory. Policy scholars should therefore delve into the processes through which deliberate disproportionate policy responses are built, maintained, and calibrated in times of crisis. Work is necessary in order to fully understand how such types of policy response can be managed effectively, primarily through qualitative research which offers the benefits of thick description and inductive theorizing.

The second issue concerns the fact that the backlash effect in policy settings is a clear manifestation of policy overreaction. It highlights the need to gauge overreaction decision-making by, for example, comparing the cost-benefit calculation undertaken by political executives with the cost-benefit calculation undertaken by those engaged in creating the policy problem at hand. This is a classic rational choice perspective that could guide empirical quantitative work focusing on cases characterized by the extrajudicial nature of a policy; the moral vagueness or justification of the policy, and/or the discriminatory nature of the policy. Such a work should be aimed at gauging alternative mechanisms through which a backlash effect is created. However, scholars should not rule out alternative explanations. Actors generating the policy problem may ignore the risks associated with their actions, or alternatively an increase in

the prevalence, incidence, or severity of the policy problem may derive from increased media coverage of the policy problem. Agency-based models and simulations of the interaction between the policy problem and the policy response may also be used to investigate the role of excessive policies as one of the mechanisms that influence the growing incidence of the policy problem. The idea is to capture complex social and political dynamics whereby the threat of backlash may prevent the government from taking stringent action while taking into account the temporal dimension, because the credibility of the threat of backlash may depend on the level of policy maturity.

Finally, scholars must consider under what conditions governments are more likely to opt for rhetoric rather than doctrine (or vice versa), and the implications of such a strategic choice. They need to gauge under what conditions governments are more likely to adopt non-selective rather than selective policy overreaction (or vice versa), and the implications of such a strategic choice in times of crisis. These questions can be analyzed across national settings facing a similar crisis in order to assess how variance in external circumstances (for example, attitudes towards policymakers) shapes the formulation of disproportionate policy options. Addressing these questions, and generating many others, will ensure that the study of disproportionate policy response becomes an intellectually vital area.

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¹ Needless to say, what works in cases of recurring crises does not necessarily work in times of “unruly problems” (Ansell and Bartenberger 2016).

² There exists a rich literature concerning crisis preparedness and community resilience after crises and disasters (Kuipers, Grieken, Marjolein, and Asselt 2018). Following the 2007–2008 financial crisis, the literature has also examined whether crises change modes of governance (e.g., Boin 2009) or facilitate significant policy change (e.g., Casey 2012). However, systematic accounts of strategic decision-making during crises are relatively rare.

³ Selznick (1949) has used the term ‘myth’ —beliefs about organizational goals and the ways they are to be achieved by the organization—to denote the main resource employed by organizational leaders in times of uncertainty about their missions.

⁴ I thank Arjen Boin and Paul ‘t Hart for bringing this term to my attention.

⁵ This example is drawn from Maor (2018).