The Notion of Malpractice in Public Policies

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# Introduction

In the field of public policy studies there are two major currents. The first, known as "Theory of public policy process" takes a scientific approach to explain the formation and implementation of public policies. The second current, called "Policy Analysis," also uses a scientific approach but often aims not just to understand public decisions but also to improve or make decisions more efficient. For this reason, this current discusses "good decisions" or "best practices." We will focus on an explanation of this second approach.

In medicine, it is common to talk about medical malpractice, which causes significant harm or unnecessary suffering to patients. Similarly, in governmental actions, there exists the concept of governmental or political malpractice, referring to negligent, incompetent, or corrupt decisions by politicians or public officials that harm society or democratic institutions. A government, whether progressive or conservative, can make decisions that are considered bad or harmful from a normative point of view. This article will focus on analyzing these governmental malpractices.

The most common causes of malpractice in politics found in the literature include:

* Incompetence and lack of training: Competence and adequate training are essential for public office. Lack of preparation can lead to erroneous or ill-informed decisions, negatively affecting governmental management.
* Poor understanding of the problem: Many politicians or political actors, and even a significant portion of public opinion, may have a flawed or superficial understanding of how a specific problem works. If our theories about a problem are incorrect, the decisions we make will undoubtedly be inadequate.
* Misinformation: Many public problems are extremely complex, making their simplified handling difficult. As a result, inappropriate solutions are often proposed for significant problems.
* Low-quality debates: Debates aimed at clarifying public issues often achieve the opposite effect, generating confusion or even creating unforeseen new problems.
* Corruption: When a topic is dominated by corruption, including bribery, nepotism, misappropriation of funds, and opaque or malicious information, public trust is undermined, and efficient government functioning is hindered.
* Lack of transparency: Transparency is a fundamental requirement in public decision-making, although it is not always the norm. Lack of transparency can lead to dishonest and harmful practices, weakening government integrity and citizen trust.
* Many societies face great difficulties in establishing consensus, which prevents forming solutions to their problems. When there is no "practice or social attitude" that promotes consensus, all decisions made will be affected by this weakness and, therefore, seen as an imposition, whether temporary or lasting. Without a common basis of understanding, adopted solutions lack long-term legitimacy and sustainability.

And as happens in all human activities, these causes can manifest jointly, individually, or mixed in varying proportions, depending on the historical context. By analogy, as Batman said in the 1960s TV series, "crime never rests"; in public policies, problems are constantly changing.

But if the causes are important, the consequences of malpractice in public policies are not a minor issue. Among the main effects, we can highlight:

* Impact on public trust: Scandals and malpractices erode citizens' trust in their representatives and the political system in general. This distrust can lead to increased political apathy, low voter turnout, and heightened skepticism towards democratic institutions. Consequently, government legitimacy is compromised, making governance and effective policy implementation more difficult.
* Inefficient government performance: Malpractice leads to the inefficient implementation of public policies, with significant resource wastage and failures in delivering essential services. For example, lack of competence and proper training can result in poorly planned and executed projects, causing cost overruns and delays. Furthermore, poor understanding of problems and deficient information can lead to inadequate solutions that fail to address underlying causes, perpetuating rather than resolving issues.
* Weakening of democratic institutions: Malpractice can weaken democratic institutions and jeopardize political and social stability. Corruption and lack of transparency foster an environment of impunity and inequality, undermining the rule of law.
* Loss of respect for democratic norms and institutions, encouraging authoritarian or populist behaviors. Without a solid institutional foundation, society's ability to peacefully and effectively resolve conflicts is severely compromised.

But if we analyze some examples of malpractice in public decisions, we can find the following list:

* Incompetence and lack of training: Erroneous decisions can lead to economic crises, such as the implementation of inadequate fiscal policies that worsen rather than alleviate recession.
* Poor understanding of the problem: Poorly designed labor market policies can increase unemployment instead of reducing it, by not addressing underlying causes such as poverty and lack of educational opportunities.
* Misinformation: The complexity of issues like climate change can be underestimated, resulting in insufficient policies that do not mitigate negative effects, worsening natural disasters.
* Low-quality debates: Polarized and misinformed debates can result in deep social divisions, hindering the necessary collaboration to address national challenges.
* Corruption: Funds allocated to education, health, or public housing can be diverted, leaving critical institutions without the necessary resources to function properly and affecting citizens' quality of life.
* Lack of transparency: Opacity in decision-making can trigger protest movements and social discontent, destabilizing public order and creating an atmosphere of uncertainty.

The repercussions of malpractice in public policies go beyond governmental effectiveness and inefficiency. These malpractices negatively impact socioeconomic development and social cohesion, generating a vicious cycle that perpetuates poor management and public distrust.

This vicious cycle begins with ineffective decision-making that fails to address root problems, perpetuating and exacerbating them. Inefficiency and lack of transparency breed distrust among citizens, eroding government legitimacy and hindering the implementation of new policies. This public distrust limits the government's ability to act effectively, leading to recurrent mismanagement that restarts the cycle.

To break this vicious cycle, it is necessary to address problems gradually and strategically. Using the analogy of "you don't eat an elephant in one bite; you do it slice by slice," large and complex problems must be divided into more manageable parts. In this process of "cutting" problems, politics plays a crucial role. Its ability to build consensus and set priorities is essential for effectively addressing challenges.

However, current trends in the "spectacularization of politics and public decisions" do not contribute to reducing malpractice. Instead, this approach distracts from real problems and complicates the search for lasting solutions. A gradual, evidence-based approach allows for a better understanding of complex issues and facilitates the implementation of effective solutions. This approach, along with responsible and transparent politics, is essential to break the cycle of malpractice and build a better future for society.

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