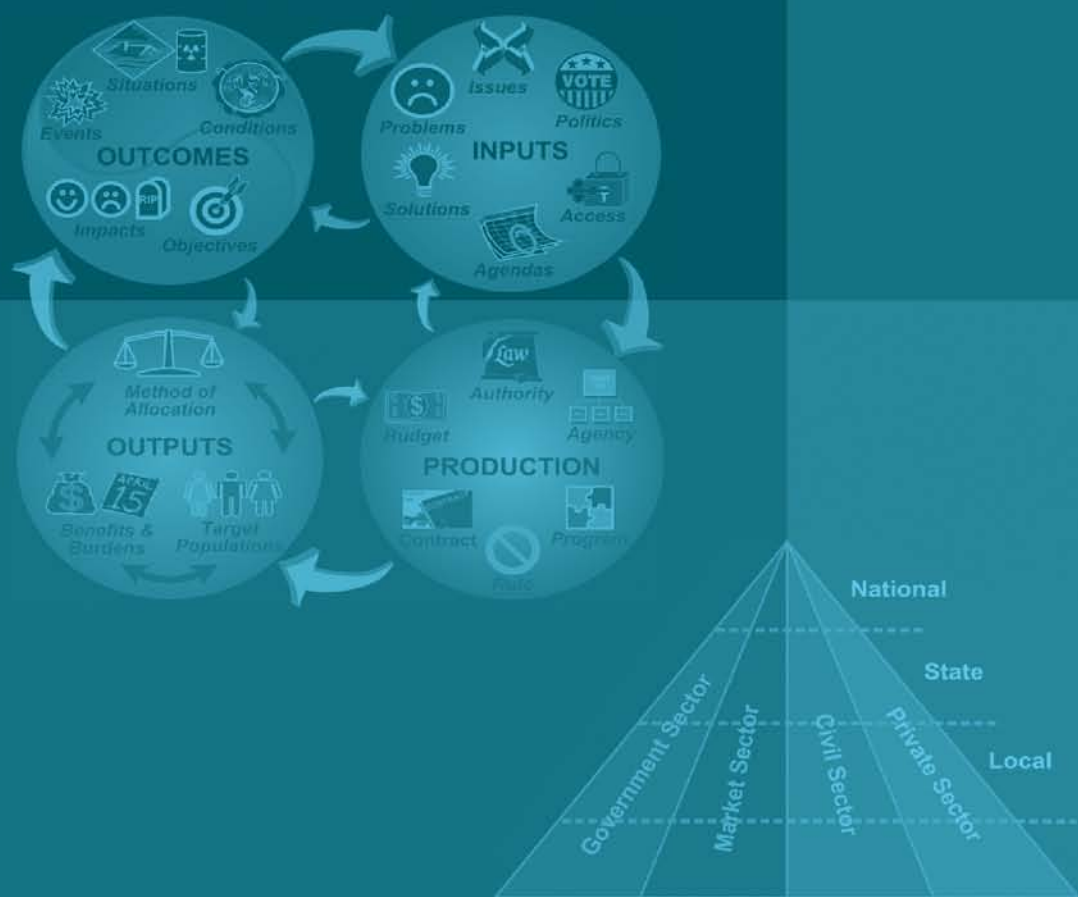


# *The* PRACTICE of AMERICAN PUBLIC POLICYMAKING



SELDEN BIGGS • LELIA B. HELMS

*The* PRACTICE *of*  

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*The* PRACTICE *of*  
AMERICAN PUBLIC  
POLICYMAKING

SELDEN BIGGS • LELIA B. HELMS

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*To Warren and Grace Biggs*

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The second stream of experience came from the practical world of government contracting and consulting. From this vantage point, the practice of public policymaking looks far different from models of policy analysis learned in graduate school. Nearly two decades of experience in the trenches taught us that making public policy is a complex sequence of tasks that demands skill, effort, resources, coordination, patience, and more than a little humility. So the challenge in writing this text was to merge the two worlds of teaching and practice, that is, to give future policy analysts and public managers a comprehensive overview of policymaking as actually practiced. Our goal, in short, is to help prepare future practitioners for their first day on the job.

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# *PART I*

## Foundations

Part I introduces the reader to the study of American public policymaking.

Chapter 1 establishes the scope and guiding assumptions of the text.

Chapter 2 defines the basic terms, surveys the evolution of policy studies as an academic discipline, and sketches the themes that will guide the reader through the following pages.

Chapter 3 describes our approach to the study of public policymaking and offers a detailed preview of the remainder of the text.

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# CHAPTER 1

## Introduction

*The Practice of American Public Policymaking* is an introductory survey of public policymaking in the United States. By policymaking we mean the activities, actors, institutions, practices, and technologies that combine to “deliver the goods” to the American people. Six strategies guide our approach.

First, this is a text about *American* public policymaking. We focus on public policymaking as it is conceived and practiced in the United States. To be sure, other nations and international organizations make public policy. The production of policies outside of the borders of the United States bears a strong family resemblance to that performed within. Much of what we talk about will be familiar to students of policymaking in Europe, Asia, Latin America, and Africa. However, there are differences; these differences matter, and they demand serious attention. Given the breadth of our subject matter and the length of our text, we will not expand the scope of our attention beyond the shores of the United States.

Second, we take a holistic view of the meaning and scope of public policymaking. Public policy is the art and science of producing results. Policymaking is about public action in the broadest sense. Most textbooks on public policymaking devote a large majority of their pages to the formation and formulation of policy commitments—that is, legislation, executive orders, and the like—and leave policy implementation and evaluation to brief concluding chapters. Their focus is on how policy commitments are made and not on how those commitments are transformed into deeds. For the latter, students must consult texts on public management. We believe that the de facto segregation of public policy and public management is a mistake, especially for students preparing to enter the worlds of public advocacy or public management. There is no policy without implementation. The sins of legislators, executives, and judges are soon visited on program managers, and vice versa. All policy advocates and public officials are engaged in a continuous and never-ending process of policy design and delivery. The walls separating lobbyists, legislators, executives, judges, program managers, and contractors are crumbling inexorably. They must all work together to survive and thrive. All participants must understand the process as a whole and the contribution of each to the success of the entire enterprise. Therefore, we dedicate a major portion of this text to the art and science of public management. Public management is not an afterthought; it is the point of the entire process. As a result, our text is designed to introduce future practitioners to the entire spectrum of policymaking activities, from problem creation through outcome evaluation.

Third, we focus on the work that policymakers do rather than on the calculus of public decision making. This is not a text on policy *analysis*. Policy analysis is the art and science of choosing among alternative solutions to a problem. Policy analysis asks what should or can be done. What is the solution to the problem? In contrast, public *policymaking* focuses on how—How do things get done? Policy analysis looks to the quality of decisions while policymaking is concerned with the quality of results. The difference between the two perspectives is profound. Good decisions may



lead to bad results and good things may happen despite flawed decisions. We argue that both the practice and perception of public policymaking experienced a “paradigm shift” at the end of the twentieth century. Policymakers are increasingly held accountable for the quality of results rather than the quality of their decisions. The public, as citizens and voters, cares about what happens. This public focuses on decision methods, only to assign blame when things turn out badly. Hence, we concentrate on the Who, Where, and How of public policymaking and not on the values and beliefs that inform the analysis of policy problems and the evaluation of policy solutions.

Fourth, we highlight the *technologies* and *practices* that participants use to make public policy. Here we mean both “hard” technologies such as television, computers, and information networks as well as “soft” technologies like rules, projects, and budgets. Though much has been written about the effects of inventions like the telegraph, typewriter, and the Internet on public life, we tend to overlook the critical role of such twentieth-century innovations as budgeting, contracting, and project management. Technologies—both hard and soft—not only help us solve old problems, they generate new ones at a rapid rate. Indeed, many of the most contentious issues of the twenty-first century—for example, discrimination, privacy, and abortion—are the by-products of technological innovation. Technology is both the cause and instrument of public policymaking and we shall pay close attention to the technologies and practices that policy actors use to do their jobs.

Fifth, our approach is *institutional* and *historical*. We treat the actors, activities, technologies, and practices of American public policymaking as works-in-progress. The game of American public policymaking is constantly changing. Today’s players and plays are far different from those of a century ago and they will inevitably seem archaic a century into the future. New plays and players emerge, evolve, and sometimes even disappear. Change is the only constant and we should never assume that the institutions of American public policymaking will long endure in their current form. Moreover, an institutional and historical approach inevitably leads to an appreciation of the role of path dependence in the narrative of American public policies. Policy technologies like budgeting and project management and entire sectors of society like commercial enterprises and civic associations are forever stamped by their places of origin and accidents of history. Institutional arrangements are “sticky.” They resist change and encourage imitation and reproduction. Future choices are constrained by past decisions. Therefore, we begin the examination of each institution of American public policymaking with a brief history of its origins and evolution. This helps remind us that both the statistical and behavioral “laws” of public policymaking are mutable and circumstantial. The best guide to the future of American public policymaking is the past.

Finally, our approach is specifically designed for the *case study method* of teaching public policymaking. We provide a technique called “policy mapping” that facilitates the comparative analysis of individual policy initiatives in a classroom setting. This is a textbook on the *practice* of public policymaking, not the *theory*. Our target audience consists of those interested in how American public policymaking works and those considering a career in policy advocacy or public management across the many fields of practice. Case studies help put students into the shoes of individual policy practitioners, both past and future. Case studies help students understand the choices policy actors make and the consequences of those choices. They help span the gulf between analysis and practice.

## CHAPTER 2

# Foundations

### PREVIEW

Chapter 2 introduces the field of American public policymaking in the twenty-first century. As you read this chapter, keep in mind these key questions.

- What is public policy?
- What is the difference between politics and policymaking?
- How has the practice of American public policymaking changed over the past century?
- What factors are transforming public policymaking in the present?

In this chapter we build the foundations for the rest of the text. First, we define some of the basic terms that will be used throughout. Second, we survey the brief history of public policy as a field of academic study. Like every introductory text, the pages that follow offer an overview of a field of research in continuous motion. To understand the state of public policymaking in the first decade of the twenty-first century we need to know something about the past. Third, we outline some of the characteristic traits of American public policymaking that the remainder of the text will explore in depth.

### 2.1 DEFINITIONS

In this section we begin at the beginning. In other words, we define the subject matter of our text.

#### 2.1.1 Policy

What is **policy**? The term policy has a long and checkered career. In the sixteenth and seventeenth centuries, writers like Niccolò Machiavelli, William Shakespeare, and Francis Bacon used the term to refer to the “cunning of reason”—that is, to the artful application of knowledge to further the ends of the prince or the state. “Machiavelli was fascinated by power and outcome, with the use of policy to obtain whatever were the objectives of power-holders. . . . The effective politician (prince) is one who can make best use of the times and circumstances. Machiavelli believed that there was a kind of knowledge which could facilitate knowledgeable governance.”<sup>1</sup>

For Machiavelli, policy was informed statecraft. This idea lies at the root of our contemporary notions of policy as effective action. “Policy analysis and the analysis of policy in the twentieth century emerged for similar kinds of Machiavellian reasons: the desire to understand what actually happens in government and how governmental performance measures up to its promises. Success, performance, and getting results are ultimately the criteria by which we have come to judge those

in government. Policy is the strategy by which goals are reached.”<sup>2</sup> In the sixteenth century, as now, the word policy refers to actions guided by objectives and measured by performance. Policy is all about getting things done.

However, it is important to understand the relationship between strategy and action, word and deed. Policymaking is strategic action, or action according to a plan; therefore, promises must precede performance. In the public realm, promises are codified and published in the form of laws, orders, directives, rulings, and the like. These public documents contain the commitments against which government performance will be measured. Moreover, promises are mere words and rarely, if ever, produce the intended effect without subsequent action. Yes, symbolic acts do have consequences, but symbols do not protect us from criminals, pave our streets, or rescue us from rising floodwaters. Laws must be enforced, services must be provided, and benefits must be delivered. Something must be done before performance can be measured. Thus, making policy typically involves generating the three objects or products shown in Figure 2.1.

First, an authoritative promise is issued; second, public benefits are delivered or burdens are

Figure 2.1 **Making Policy: The Basics**



imposed; and third, the consequences or outcomes of policy are assessed. To make policy is to produce promises, benefits or burdens, and, ultimately, outcomes.

Nevertheless, in everyday language we often talk about promises as if they were policies. We separate the words from the deeds that follow. Politicians perpetuate this impression by talking about the laws they have passed or the orders they have issued, as if the words alone are all it takes to make policy. They take credit for the words or promises as if they were deeds.

Moreover, the notion that promises without deeds are policies is reinforced by discussions of the policymaking process that distinguish *policy formulation*, or promise making, from *policy implementation*, or policy action. If policy has been formed before it is implemented, then formulating policy is logically separate from implementing it. Policy—in this view—precedes action. This logical conundrum was noted more than two decades ago. “Implementation, to us, means just what Webster and Roget say it does: to carry out, accomplish, fulfill, produce, compete. But what is it that is being implemented? A policy, naturally. . . . But policies normally contain both goals and the means for achieving them. How, then, do we distinguish between a policy and its implementation?”<sup>3</sup>

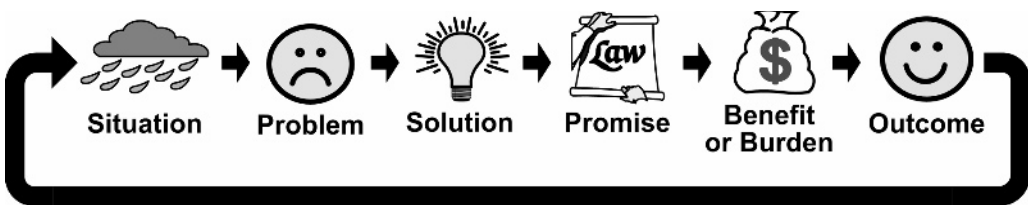
We propose a holistic approach to the study of public policymaking that eliminates the need to make logical distinctions between policy and implementation. Making public policy is making promises *and* implementing them. What is being formulated is not policy, but merely a promise or policy commitment. Thus, we avoid the logical confusion that arises with the use of the term policy formulation.<sup>4</sup>

We view words or promises as merely the stepping stones to the actions and consequences

that follow. What some call implementation is not simply an afterthought; it is the heart and soul of the policymaking process. Making policy is making plans and promises happen. Most Americans view public policymaking through the prism of results and not through the lens of promises made or broken. They care about deeds done and changes made. If good things happen, they care little about the reasons and promises that preceded them. If democracy blossoms in Iraq and U.S. troops suffer limited casualties, then few worry about missing weapons of mass destruction or terrorist links. Success is success, regardless of failed plans and broken promises. Americans hold their public officials accountable for results, not consistency. They care less about principle and celebrate leaders who mold principles to the dictates of circumstance. Indeed, if the results don't match the promises then public officials often change the promises to fit the results. They tailor promises to performance, not vice versa.

Therefore, the distinction between policy as promise and implementation as deed bears little relationship to the reality of public policymaking. Making policy is making good things happen, and public commitments are but markers on the road to getting results. In Figure 2.2 we offer a highly simplified preview of how policy is made.

Figure 2.2 **Making Public Policy: A Preview**



Policy begins with a situation that people see as a problem. Rivers flood, terrorists strike, people fall ill, and steelworkers lose jobs. Next, policy advocates or entrepreneurs propose solutions to the problem and persuade government officials to commit to their solutions in the form of laws, orders, regulations, and the like. Then, other government officials or their agents translate these promises into benefits or burdens for the public. Dams are built, airport security is strengthened, prescription drugs are subsidized for seniors, and tariffs are raised on imported steel. Finally, the situation is changed, people are pleased or displeased with policy outcomes, and the cycle starts all over again.

Making policy, therefore, includes everything that happens, from the original situation to the eventual outcome of public action. What some texts discuss as implementation is an integral part of our policymaking process. Words without deeds and deeds without words do not constitute policies. Policy is both the plan and the ensuing course of action. This approach, we believe, honors the mindset that most citizens unconsciously bring to their views of—and participation in—public policymaking.

### 2.1.2 Public

Why **public** policymaking? What makes public policymaking different from policymaking in general or nonpublic policymaking in particular? After all, corporations and even software application programs today have policies. What makes public policy special?

The concepts of *public*, and its polar opposite, *private*, are of relatively recent vintage. Although the roots of these two terms can be traced back to ancient Greece, the modern meanings emerged

only in the nineteenth century. At that time, philosophers, governments, and even ordinary people began to distinguish two separate spheres or modes of behavior—public and private. Although much ink and no little blood have been spilled over the meanings of these two antipodal terms, the early twentieth-century philosopher John Dewey offered a characteristically American gloss on the meaning of public and private.

We take then our point of departure from the objective fact that human acts have consequences upon others. . . . [These] consequences are of two kinds, those which affect the persons directly engaged in a transaction, and those which affect others beyond those immediately concerned. In this distinction we find the germ of the distinction between the private and the public. When indirect consequences are recognized and there is effort to regulate them, something having the traits of a state comes into existence. When the consequences of an action are confined, or are thought to be confined, mainly to the persons directly engaged in it, the transaction is a private one.

The public consists of all those who are affected by the indirect consequences of transactions to such an extent that it is deemed necessary to have those consequences systematically cared for. Officials are those who look out for and take care of the interests thus affected.<sup>5</sup>

The distinction between public and private is based on the perceptions of the participants and not upon any abstract definition or theory. When the consequences of a situation get out of hand and affect outsiders, the problem becomes public. Government, in all its forms, is the means by which the public is organized and its interests are cared for.

We adopt Dewey's concept of public as our own for two reasons. First, it mirrors the pragmatic, typically American view of what belongs—and does not belong—in the public realm as the subject of government action. It is the scale and scope of the consequences that matter, not the nature of the problem. It's the situation, not the theory, which governs.

Second, Dewey's concept of public includes, but is not limited to, government action. Government is the instrument of the public, but the public can and does act through other means. The study of public policymaking is broader than the study of "what governments do, why they do it, and what difference it makes."<sup>6</sup> Businesses, nonprofit organizations, churches, associations and even individual families like the Kennedys or Rockefellers can and do play active roles in the policymaking process. Later in the text we will turn our attention to nongovernmental policymakers.

### 2.1.3 Politics and Policy

The word **politics** does not appear in the title of this text and that omission is not accidental. This is a textbook about policy, not politics. While we do not deny that American politics and policy are joined at the hip like Siamese twins, we argue that the relationship between these two is fractious at best and fratricidal on occasion.<sup>7</sup> Indeed, politics and policy have come to be seen as opposites, at least in public discourse. How did this situation come about?

Though Machiavelli examined statecraft or policymaking at length, his real focus of concern was on politics. That is, on the art and science of seeking, gaining, and maintaining power. By *power* we mean the ability to prevail on the battlefield, to win office, or even to win while in office. Politics focuses on Who shall exercise power—be it in government, the workplace, or the home. Policy, on the other hand, deals with the What—with the consequences of the exercise of power. The struggle for power does not necessarily involve disagreement over policy. Conversely, policy

disputes may not change the allocation of power. In practice, however, politics and policy are inseparable. Who gets to decide and what gets decided are inextricably linked. For Machiavelli, power was the dominant “twin.” Given the limitations of fifteenth-century technology, the ability to control the actions of superiors, subordinates, and peers was about all one could expect from life. In a world ruled by fate, the possibilities for changing and improving the world were limited. Man could control other men, but control over nature was beyond his or her grasp. Therefore, the fate of a medieval prince depended more on political skills than on the ability to deliver a better life to his people. Policy or “governance” took a back seat to politics.

Half a millennium after Machiavelli the tension between politics and policy remains, but public perceptions have changed. Twenty-first-century Americans have a different view of the relationship between politics and policy.

In the first place, Machiavellian politics has never enjoyed much currency in the United States. Americans have always loved political spectacles—the parades, banners, demonstrations, and, more recently, the political debates on television. Political conflict can be entertaining. However, distrust of political power lies deep at the heart of the American psyche. Americans fought a revolutionary war against the arbitrary exercise of power by the British and have been wary of the trappings of power ever since. Indeed, as we shall soon see, George Washington believed that politicking should be limited to elections and had no role to play in governing the young United States of America. “Playing politics” has never been a favored sport in America, and few public officials lay claim to the title of politician with pride. As General George S. Patton discovered in World War II, Americans may love a winner, but they recoil at the naked exercise of power by the strong over the weak.

In contrast, Americans put their faith in technology. They are optimistic about our ability to control the environment. Without such a faith the early American settlers would have never ventured across the Atlantic to tame the wilderness and build cities, skyscrapers, dams, bridges, and other monuments to human ingenuity. Whether the issue is global warming, genetic engineering, or racial profiling, the assumption in every case is that human—and most particularly, collective—intervention is possible. Problems can, should, and someday will be solved. This confidence both shapes and drives the policymaking process. Thus, faith in technology and reliance on public policy are but two sides of the same coin. As the technologies of social and environmental control expand and develop, so too do the possibilities, opportunities, and demands for public policymaking.

In the public realm, this faith in technology leads to the ceaseless invention and reinvention of public policy. Americans expect their elected representatives and government officials to get things done—to tackle issues, solve problems, and deliver results. They demand action. Political candidates, elected representatives, and public officials are all expected to act like latter-day Thomas Alva Edisons, ceaselessly tinkering with old and inventing new policy initiatives. Voters endure politicians to elect policymakers. They hold saints and sinners, ideologues and party bosses to the same standard—the bottom line. Americans may disagree vehemently over the content of public policies, but they are united in the belief that the primary purpose of government is to get things done.

Thus, many Americans view politics and policy as polar opposites and generally prefer the latter to the former. As long as America’s confidence in its ability to control its economic, social, and security environment continues, the scope of policymaking and the prestige of policy studies will continue to grow.

## 2.2 PUBLIC POLICY AS A FIELD OF STUDY

Although the concept of policy as informed statecraft has been around since the time of Machiavelli, public policy as an academic discipline is relatively young. The study of public policy is a recent



invention based on the idea that government could solve problems through the systematic application of a common set of methods. It was not until the post-World War II era that the study of what is effective—*policy science*—branched off from the study of how to get and wield power—*political science*. In the five plus decades since its beginnings, the field of policy studies has experienced radical changes in mission and content. This evolution may be roughly divided into three periods: the first characterized by the enthusiasm of its founders (1950s to 1960s); the second, by skepticism and even disillusionment (1970s to 1980s); and finally the current era marked by the renewal of efforts to improve the performance of policy institutions beginning in the 1990s.

### 2.2.1 Founders: 1950s–60s

Like all new ventures, the policy sciences were born of optimism. The achievements of Roosevelt's New Deal and the success of World War II forged a generation confident in the capacity of government to solve problems of peace and war. The Manhattan Project, the government's wartime endeavor to produce the first atomic bomb, became the model for policymakers and policy analysts across the spectrum. For the first time, scholars and engineers collaborated on a daily basis to turn theory into action. The federal government could successfully marshal the vast resources of many disciplines across the nation in the name of solving important problems.

By the early 1960s, policy analysis and policy analysts were in great demand. Science and empirical data could be combined to solve the ills of society. Optimism was rampant. A nation that could put a man on the moon could solve the mounting urban and environmental crises of the 1960s. Policy science and applied technology promised the dawn of a new "golden age" in American society.<sup>8</sup> The federal government needed policy scientists, so American universities stepped forward to establish new degree programs in public policy. The policy sciences became a new cottage industry—an integrated, multidisciplinary approach for bridging problems across the social sciences.

By the late 1960s the outlines of a field called policy studies were discernible. Regardless of applied area of specialization, policy analysts saw their mission as helping the government solve problems through systematic decision making. Those working in the field of public policy came from many academic and applied backgrounds. Academic programs in fields from education and public health to urban planning and social work began to devote resources to training specialists as policy activists. Graduates of these programs headed for jobs in government or prestigious policy research organizations like the RAND Corporation, the Urban Institute, and the Brookings Institution. The graduates of early policy studies programs followed their teachers to Washington to help build a better world at home and abroad through better decision making. The founders were policy engineers as well as policy analysts. Their work was grounded in practice as well as theory.

### 2.2.2 Reaction and Retrenchment: 1970s–80s

The golden age of technocratic public problem solving never materialized. The Great Society was overtaken by riots in the streets and burning ghettos. Both the press and the public declared defeat in the War on Poverty. Technology was fouling the air and water. And the Vietnam War vividly demonstrated the failings of social engineering in war and peace. Though faith in policy science as an instrument of governing lived on in the bowels of the Pentagon, the role of policy science in government waned.

The decades that followed saw a sharp reaction to the optimism of the founders about the capac-

ity of government to solve problems. A second generation of students rejected both the optimism and—in some cases—the personal involvement of their teachers. Many proponents of the power of policy analysis retreated to academe or to roles as professional researchers. The field of public policy divided into three separate streams of research.

In the first instance, policy analysis focused on the all-too-common failures rather than the less obvious successes of public policy.<sup>9</sup> The focus turned toward implementation and results, and the picture wasn't pretty. The gap between the promise of scientific decision making and the realities of performance was enormous. Unanticipated consequences foiled the best-laid plans of decision-makers, while organizational and individual opportunism made policy implementation an exercise in futility. If the founders were therapists on a quest for new ways of curing society's ills, the policy analysts of the 1970s and 1980s were pathologists in search of shattered dreams and intractable realities.

Second, theoretical studies focused on the limits of government and the superiority of free-market allocations of value in society. Skeptics who viewed public policy through the lens of economic rationality found government in general, and legislatures and bureaucracies in particular, wanting. Following Ronald Reagan, many policy analysts concluded that government was the problem and not the solution. The answer was to shift the delivery of public service to the private sector whenever possible. From this perspective, the pathologies of public policymaking were systematic, not technical, global, not local. This approach continues to influence policy analysis and policy design even in the wake of 9/11 and the resurgence of government-based solutions.

The third and final trend saw a rapid growth in the use of policy analysis in the political process. Applied policy analysis migrated to an ever-growing array of policy institutes and think tanks that played supporting roles in the political process. Many second-generation analysts became policy advocates or political actors, not policy engineers like their mentors. As the role of policy analysts increased in policy formation, it declined in policy implementation. Graduates of public policy programs flocked to think tanks and advocacy groups where the focus was on influencing decisions, not on delivering results.

### **2.2.3 Renewal: 1990s to the Present**

The third generation of policy analysts is a work in progress. However, the overall trend has seen a rebirth of interest in improving the performance of government institutions from within. Although most policy analysts still dwell in think tanks or academic centers and engage in policy advocacy, improving governance has become the lodestar of twenty-first-century policy studies.

In the first place, the popular bias against “government as the problem” motivated public officials to borrow methodologies and techniques from the private sector to improve the delivery of public services. Most of the corporate executives brought to Washington to shake up the government may have had little personal impact, but the ideas they carried with them lasted long after they returned to the boardrooms of New York and Dallas. By breaking down the barriers between private gain and public service, antigovernment ideologists reopened the channels of communication between government and industry.

Second, the growing use of commercial and nonprofit organizations to deliver public services has transformed the nature of government work. Government officials have become managers, not producers, and policymakers everywhere had to learn to work together with private industry to get the job done. As the boundaries between public and private enterprise have become fuzzier, the flow of people and innovations across this frontier has increased. While public–private partnerships are not without their liabilities and risks, the practice of public policymaking has emerged from



the cocoon of public administration and now borrows heavily from the classrooms of business administration.

Third, and more recently, the events of 9/11, the global war against terrorism, and the hurricanes that flooded New Orleans and the Gulf Coast have dulled the rhetoric of “government as the problem” and re-energized the movement to make government work better. Since 9/11 the role of the federal government has expanded enormously, just as it did during the Cold War of the 1950s, when the field of policy science was born. As a result, the demand for policy analysis and policy analysts within—as well as without—government is bound to increase accordingly.

### 2.3 CONCLUSION: THE PRACTICE OF AMERICAN PUBLIC POLICYMAKING

From the foregoing, what can we say about American public policymaking as practiced today?

In the first instance, American public policymaking is experimental. Americans focus on solving the problem at hand and leave general principles and long-term consequences for others to worry about. Policymaking is not a science. It is not the application of abstract theories or principles to specific problems. Policymaking is invention. It is finding or making solutions to fit immediate needs. Thomas Edison summarized this attitude best when he wrote, “Anything that won’t sell, I don’t want to invent. Its sale is proof of utility, and utility is success.”<sup>10</sup> What people forget is that only a few inventions—and policy programs—succeed. New policy programs are experiments and most experiments—outside the classroom—fail to live up to expectations. When we celebrate inventors like Thomas Edison or the Wright brothers we tend to forget that much of their effort was consumed by ideas that never panned out or failed in the marketplace. Invention is a trial-and-error process with countless trials and nearly as many errors. The same holds true for public policies. Some policies never work. Others work sometimes and in some places. Still others cause more problems than they solve. Most undergo endless tinkering and periodic recycling. A select few endure and become integral parts of our daily lives. Nevertheless, all policies start out as experiments.

Second, invention is the process of engineering new solutions based on old ones. Invention is the creative use and reuse of old knowledge. Invention in most instances is really reinvention. Thus, the key to policymaking is the ability to find and manipulate past solutions. Policymaking is the reengineering of old solutions to fit the specific demands of new problems. In policymaking, as in most professions, there is no substitute for experience. Therefore, creative policymaking almost always depends on individuals with the background and experience to reshape past lessons into future solutions. Innovations in public policymaking often follow the paths of policy innovators as they move from one generation and job to another. Moreover, innovations in public policymaking tend to originate far away from the marble and granite buildings of Washington, D.C. They often arise in state and local governments, private enterprise, or even in social and religious institutions, and follow their creators to Washington. Policies and policy instruments have histories that weave across the length and breadth of American society.

Third, the technologies and practices used by policy entrepreneurs and policymakers are limited in number and slow to change, while the objects and objectives of policymaking are infinitely diverse. The scope of public policymaking is always expanding. A decade ago the Internet was largely a playground for “techies.” Today, Congress annually passes new laws regarding spam, viruses, privacy, and related Internet-based issues. The way Congress works, however, changes much more slowly. Policy issues may be infinite in number, but the practices

of public policymaking are scarce and valuable resources to be used over and over again. Thus, when a new technique is invented—as, for example, for making reparations to groups victimized by some trauma—it gets reused again and again in evermore remote contexts. That all policy entrepreneurs and policymakers share a common toolkit is—after all—what makes studying public policy worthwhile. Whatever the issue—be it bioterrorism, spam, or affirmative action—the methods of public action and skills needed to use them remain pretty much the same.

Finally, American public policymaking relies heavily on policy advocates and policymakers with one particular set of skills—lawyers. The importance of law and legal training in American public policymaking can be traced back to Colonial times, and has been noted and frequently lamented by commentators ever since. To the extent that the results of policymaking are written into law and legal documents, lawyers become a key resource in the invention and reinvention of public policy. Lawyers, however, are more than mere participants. They have helped reshape the contours of the policymaking process as a whole. American lawyers work from precedent, not principle. To resolve current issues they search for past solutions that can be tailored to present circumstances. Thus, the culture of American law has reinforced the innovator's imperative to recycle both policy solutions and policy tools.

## KEY TERMS

**policy**—both the plan for, and the ensuing course of, action.

**politics**—the processes of seeking, gaining, and maintaining power.

**public**—all those sufficiently affected by the consequences of transactions to such an extent that they seek to have those consequences systematically cared for.

## QUESTIONS FOR DISCUSSION

1. Evaluate this statement: Americans are both optimists and pragmatists in the sense that the majority believes that most problems can be solved, whether in the form of controlling the environment or modifying behaviors.
2. Evaluate this statement: The scope of public policymaking expands in tandem with our technological capacity to manage the physical and social environments in which we live.
3. Develop examples of problems that are private, as distinguished from public, in nature, and therefore not suited to public policymaking.

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## NOTES

1. Wayne Parsons, *Public Policy. An Introduction to the Theory and Practices of Policy Analysis* (Cheltenham, UK: Edward Elgar, 1995), p. 42.
2. Ibid.
3. Jeffrey L. Pressman and Aaron Wildavsky, *Implementation*, 3rd ed. (Berkeley, CA: University of California Press, 1984), p. xxi.
4. For a review of the logical issues in distinguishing “policy” from “implementation,” see Michael Hill and Peter Hupe, *Implementing Public Policy: Governance in Theory and Practice* (Thousand Oaks, CA: Sage Publications, 2002).
5. John Dewey, *The Public and Its Problems* (Athens, OH: Swallow Press, 1927), pp. 12–13, 15–16.
6. Thomas R. Dye, *Understanding Public Policy*, 7th ed. (New York: Prentice Hall, 1992), pp. 2–4.
7. We focus here on the American understanding of these terms. As several authors have noted, the English term *policy* does not travel well and is translated with some difficulty into such Western languages as French, Italian, and German.
8. Thomas P. Hughes, *Rescuing Prometheus* (New York: Vintage Books, 2000), p. 168.
9. Most notably, Pressman and Wildavsky, *Implementation*.
10. From [http://brainyquotes.com/quotes/authors/t/thomas\\_a\\_edison.html](http://brainyquotes.com/quotes/authors/t/thomas_a_edison.html).

# CHAPTER 3

## Preview

### PREVIEW

Chapter 3 introduces our model of the policymaking process and a technique for graphically mapping those processes. As you read this chapter, you should keep in mind the following questions.

- What are the components of the policymaking process?
- What is an input?
- What are the basic technologies of policy production?
- What distinguishes an output from an outcome?
- What are the contexts or environment in which policymaking unfolds?
- What are the distinctions between the four sectors of policy production?

In chapter 3 we introduce our conceptual framework, preview the remaining chapters, and then introduce the technique of policy mapping that we employ at key junctures in the text. Thus, the following pages will quickly survey a broad array of materials that will be examined in detail and at a more leisurely pace in parts II through V of the text.

### 3.1 FRAMEWORK

In this section we present a high-level overview of this conceptual framework. Our framework consists of five components:

1. The public policymaking *process* and its constituent *activities*
2. The *roles* of policy *actors*
3. The alternative *technologies* and *practices* used at each step in the process
4. The environment or *context* in which this process unfolds
5. The substantive *content* of policy issues

#### 3.1.1 Process and Activities

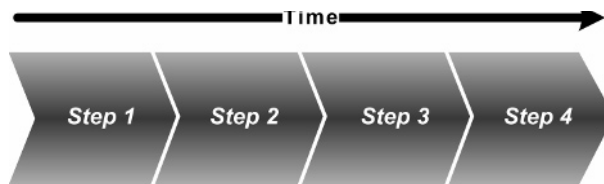
First, we start with **process**. This is, after all, a text on the American public policymaking process, so it is time to define what we mean by the term. Much has been written about the policymaking process, but rarely is the concept of process taken seriously. Here we will merely outline some of the basic features of a process.<sup>1</sup>

A process is a set of activities performed in sequence to reach a goal or objective. For

example, there is an “admissions process” within colleges and universities that begins when high school students become aware of a college or university and ends with the arrival of a freshman class on campus. Similarly, there is a “legislative process” that begins with the drafting of a bill and ends with either the bill’s failure or the creation of a new law. The term process is used to describe such sequences of activities that are repeated over and over again in a more or less standard fashion. Whether you realize it or not, much of your life is consumed by activities that are parts of processes managed by your school, employer, social organizations, or governments.

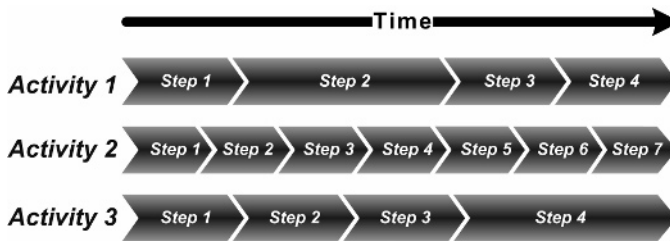
Figure 3.1 shows the simplest possible representation of a process as a sequence of activities or steps over time. The important point is that a process consumes resources (materials and effort), applies technologies to those resources, performs a variety of standardized practices, and produces outputs over time. For example, the legislative process usually takes months or years to come to a conclusion; demands enormous effort on the part of legislators, lobbyists, executives, and bureaucrats; consumes countless pages of documentation and hours of televised debate; and, in the end, generates a product or output called a law.

Figure 3.1 **Process: A Simplified View**



However, most processes are far more complicated than that shown in Figure 3.1. In the first instance, a process generally consists of multiple overlapping or concurrent *activities*, as shown in Figure 3.2.

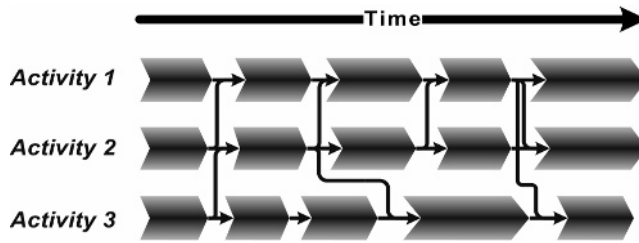
Figure 3.2 **Process: Concurrent Activities**



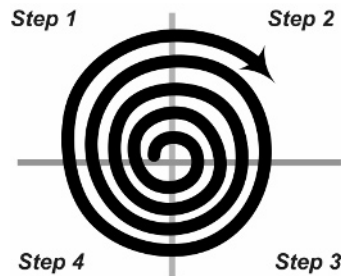
To get something done takes the combined activities of a number of participants over time. So, using Figure 3.2 as our prototype, passing legislation to create a policy requires separate action by both houses of Congress, with each following their own specialized procedures first to generate a separate version of a proposed law and then to negotiate a common version of that law. Added to this are a president’s roles, often in initiating the process by submitting a draft of that legislation to Congress and deciding after Congress completes its work whether to sign or veto the law.

More importantly, not only must these activities must be performed in the appropriate order, they must also be coordinated or linked if the process is to be completed successfully. Activities are interdependent, as shown in Figure 3.3 (facing page).

Activities must not only be performed sequentially and concurrently, they are also interdepen-

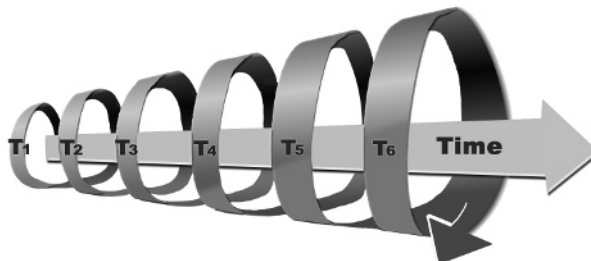
Figure 3.3 **Process: Interdependent Activities**

dent. The president must submit a budget before Congress can consider it. Both houses of Congress must approve appropriations bills before the president can sign or veto them. And agencies cannot spend money until an appropriation or continuing resolution has been approved and signed. The participants must coordinate their activities or the process fails. Finally, some processes are cyclical or iterative in form, as shown in Figure 3.4.

Figure 3.4 **Iterative or Cyclical Process**

In an iterative or cyclical process the same sequence of activities is performed over and over again during some time period. An employee goes to work day after day, a teacher teaches the same course year after year, the United States Census Bureau conducts a census every ten years. Congress operates on a two-year cycle, in contrast with the presidency, which is organized around a four-year cycle. Each repetition differs slightly from the previous one, but, by-and-large, the same activities are performed each time around.

Unfortunately, Figure 3.4 is a two-dimensional view of a three-dimensional process that unfolds in time. Figure 3.4 does not show the dimension of time. So, we offer the three-dimensional perspective shown in Figure 3.5. As we can see much more easily, the process repeats the activities as it “wraps” around the time axis.

Figure 3.5 **Iterative Process: A Three-Dimensional View**

Public policymaking is a classic example of an iterative or cyclical process. In many cases, public policies enacted into law must be renewed or reauthorized by Congress or state legislatures on a prescribed schedule. More broadly, Congress and state legislatures must decide on funding for policy programs, which forces the policymaking process to rewind and repeat on an annual or biennial basis. In American public policymaking, almost nothing is forever. Over the centuries the American people have instituted a system of government that requires both policy entrepreneurs and policymakers to revisit the same policies over and over again.

While Figure 3.5 represents a more realistic representation of the policymaking process, we will mostly use the two-dimensional representation of a process to make mapping the evolution of policy activities over time easier to visualize.

### 3.1.2 Actors and Roles

The second component of our model consists of the actors that participate in the process in specialized roles. By *actors* we mean the actual individuals and organizations that participate in the process. By *roles* we mean those types or groups of actors responsible for performing an activity. The distinction between actors and roles is important and often misunderstood. Roles are determined by activities—legislators legislate, judges judge, public officials administer, and executives execute. A role is a responsibility or assignment. Actors are “real” people or organizations that may play multiple roles. The same individual who administers an agency is also a lobbyist for agency interests before Congress and a political campaigner for the president. Lobbyists advocate policy solutions, but they also help write their solutions into law and profit—directly or indirectly—from the outcomes of public policymaking. As we shall see, **policy actors** play multiple roles and these multiple roles often lead them into legal and ethical thickets. When we talk about policy actors and the roles they play we should never forget that the same actors often wear multiple hats and that this incestuous relationship between actors and roles contributes greatly to the complexity, ambiguity, and politicization of the policymaking process.

### 3.1.3 Technologies and Practices

The third component of our model consists of the technologies and techniques that actors use to do their work. At each step of the policymaking process actors make use of a limited variety of technologies and practices needed to get the job done. We use the term *technology* to refer to the fundamental institutions of public action. We use the term *practice* to describe the various methods or procedures associated with the technologies of policymaking. We will explore our usage of both these terms in much greater detail in chapter 8.

For example, we define *authority* as a technology of **policy production**. Almost every policy initiative must be justified under the rubric of some existing or modified authority. In the public arena you must have authority to act. If you want to make public policy, you will have to learn how to find, use, create, and sometimes circumvent authority. However, as we shall see in chapter 9, there are several different kinds of public authority and many different practices associated with the use of authority in public policymaking. We examine the fundamental practices of authority with which every policymaker and policy advocate should be familiar.

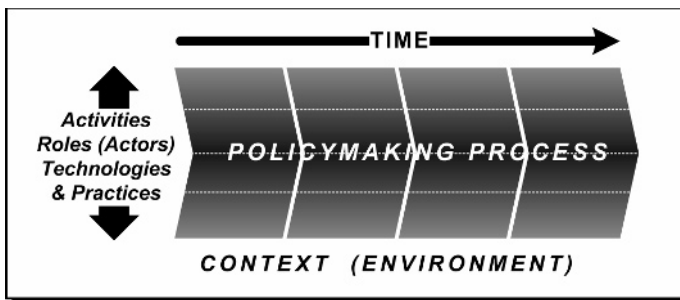
When actors perform their respective roles they employ a relatively limited set of technologies and practices to get the job done. Lobbyists meet with policymakers, feed press releases to the mass media, and give political contributions to elected officials. Legislators draft laws, hold hearings, and conduct investigations. Lobbyists and legislators do the same things day after day

and draw upon a relatively standardized repertoire of technologies, practices, and skills. Moreover, these practices vary relatively little from one issue area to another. Lobbyists lobby, legislators legislate, judges judge, and bureaucrats manage, regardless of whether the issue is health care, housing, or national security. Actors generally use the same technologies and practices for all kinds of policies.

### 3.1.4 Context or Environment

The fourth component of our policy model is the policy context or environment. The policymaking process unfolds in both time and space. There are more than 80,000 policymaking bodies or entities in the United States across the many levels of governance. And this does not include the several million more commercial or social organizations involved in influencing and delivering public policies. Although the core features of the policymaking process are the same everywhere, context does matter. What works in Washington often does not play well in a state capital or neighborhood association. Thus, we introduce the notion of the **policy environment**, or the time and place of the action. As we shall see in part V of this text, the Where of public policymaking makes a big difference. The rules of the game are different in Washington, D.C., Austin, Texas, or even in a neighborhood homeowners' association. However, we will introduce the dimensions of context only after describing the generic processes and practices that have universal applicability. Figure 3.6 illustrates the first four components of our process model.

Figure 3.6 **Process, Time, and Context**



### 3.1.5 Content or Domain

Finally, public policy is always about something. It has a subject matter; it has content. Policy analysts rarely talk about policymaking in general. More typically, they focus on health care policy or education policy or homeland security policy or national defense. As we shall see, the term commonly used for subject matter or content is **policy domain**. While we argue that the fundamental practices of American public policymaking are similar regardless of content, the subject matter does make an important difference. Most policy analysts and policy advocates tend to specialize in one or at most several policy domains. If you are an expert on public health care, you are unlikely to be consulted on issues of national defense. Nevertheless, the traditional boundaries of policy domains are constantly morphing, and new policy domains—like homeland security—can indeed emerge quite suddenly and fully grown.

Consider, for example, the domain of educational policymaking. Schooling is delivered locally to students and families in neighborhoods and towns by units of government called school districts,



historically creatures of state governments but locally organized, financed, and controlled. Today, approximately 14,000 school districts produce wildly varying results in terms of the education offered to students. As a consequence, over the past decades state governments have increasingly intervened both by supplying more funding and imposing minimum standards on local districts, all in the name of remedying perceived problems, most of which are related to glaring inequities. Finally, the federal government has joined the fray, adding its voice in recent decades, also in the name of remedying the great discrepancies in education delivered to students based on race, class, and location. This nationalization of policymaking in the education domain was the handiwork of a Republican Party that had advocated abolition of the federal Department of Education less than a decade before.

Now compare the education domain to national defense policymaking, where the president can act on his own initiative with little meddling from Congress and virtually no reliance on local or state governments for delivery. No wonder the president is tempted to use the practices of national defense policymaking in the domains of public health and disaster relief, where local authorities also do most of the delivery. While each policy domain employs the same technologies of policy formation, production, and delivery, each domain has its peculiar set of practices or rules of the game. Understanding these domain-specific rules of the game is the key to success for policy actors.

## 3.2 THE POLICYMAKING PROCESS

We will now proceed to preview how this framework is deployed in the remainder of the text.

### 3.2.1 Overview

We divide the policymaking process into four components:

- **Inputs**—the raw materials of the public policymaking process—for example, problems, solutions, politics, agendas, and the like—and how they are created, crafted, and introduced into the policy production process
- **Policy production**—how societal inputs are assembled, manipulated, and transformed into benefits and burdens for the American public
- **Outputs**—the products of public policymaking—that is, public benefits and burdens and how they are allocated to different groups in society
- **Outcomes**—the intended and unintended consequences of the policymaking process as well as the conditions and events that lead to the creation of new policy inputs

These four components represent the most basic elements of a system or process **model** of public policymaking. They also correspond to the key elements of the performance measurement model included in the *Government Performance and Results Act of 1993*—the fundamental framework for performance management in the federal government. We have simply taken the framework for evaluating the performance of public agencies and expanded it to include the entire policymaking process, from problem to promise to delivery to outcome.<sup>2</sup> We argue that the results-based performance model represents a fundamental shift in the way both practitioners and the public look at the policymaking process. Today, we all speak the language of results. We “talk the talk” even if policymakers don’t always “walk the walk.” Thus, we have extrapolated the model for performance management to the policymaking process as a whole. This new paradigm of public

management is not without its critics, but it is the language that policymakers and policy advocates speak today and will speak for the foreseeable future.

In the remainder of the text we will employ the graphic shown in Figure 3.7 to represent the four components of the policymaking process.

Figure 3.7 **Policymaking Process: Overview**

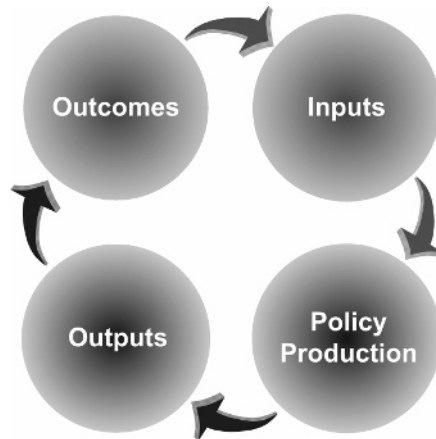
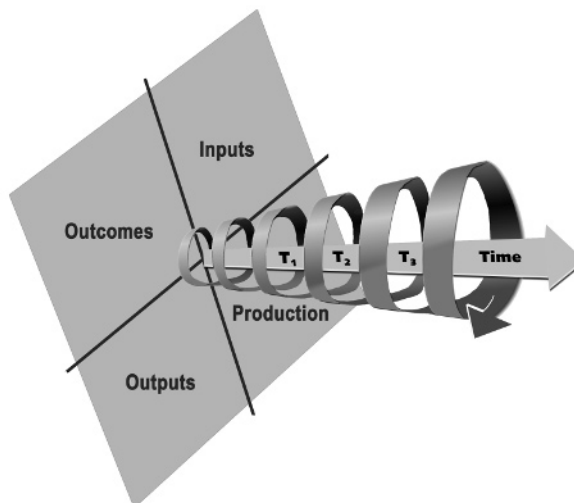


Figure 3.7 simply applies the generic model for all iterative processes to the case of public policymaking. It is the view of the policymaking process that we will return to throughout the text. In fact, Figure 3.6 represents the same iterative process model shown in Figure 3.3 in a different manner. Thus, we introduce Figure 3.8 to show a three-dimensional representation of Figure 3.7.

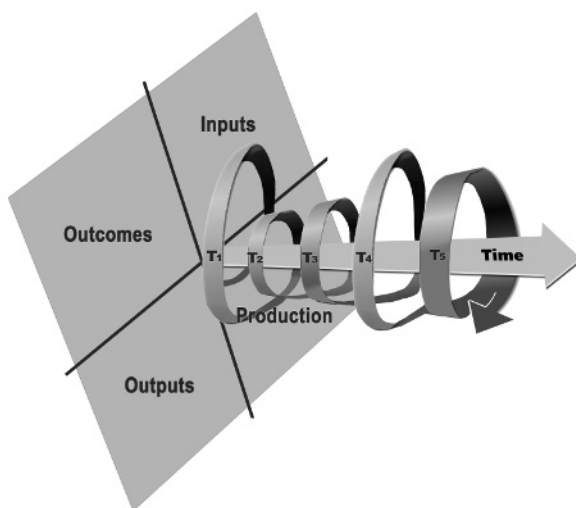
In Figure 3.8 we see that public policymaking is a “spiral” or iterative process that cycles repeatedly through inputs, production, outputs, and outcomes. As we shall see later, these iterations occur typically on an annual basis and correspond to the budget process, which allocates funds to policy programs.

Figure 3.8 **Public Policymaking: An Iterative Process**



Finally, Figure 3.8 shows an iterative process with each cycle of approximately the same size or incrementally increasing order of magnitude. This shows public policymaking as more or less a steady-state process, where each cycle is roughly the same as the last. In reality, however, few public policies evolve in the orderly fashion shown in Figure 3.8. While most policy cycles involve only incremental change, some cycles involve large-scale or qualitative changes to policy inputs, production, outputs, and outcomes. Policy change is irregular, with periods of relative quiescence interspersed with brief periods of major transformations. Frank Baumgartner and Bryan Jones have called this model of policy change “punctuated equilibrium,” after the model of change first advanced by evolutionary biologists.<sup>3</sup> Figure 3.9 illustrates the punctuated equilibrium model of policy change.

Figure 3.9 Policy Change as Punctuated Equilibrium



For example, the Medicare program grew slowly but steadily for decades until 2003, when Congress and the Bush administration added Part D, or prescription drug benefits, to the mix. Similarly, federal aid to K–12 education expanded slowly over the years until an unlikely coalition of liberal Democrats, conservative Republicans, and a Republican president passed the *No Child Left Behind Act of 2001*, legislation that radically expanded the federal role in public education. While some policies seem immune to the kind of perturbations shown in Figure 3.9, many or most would appear to follow the irregular path predicted by the theory of punctuated equilibrium.

### 3.2.2 Actors and Roles

For each of the four process components we define specific roles in the policymaking process, as shown in Figure 3.10 (see facing page). While we examine each of these four policy roles, we should remember that the same actors can—and often do—play multiple roles in the policymaking process.

#### 3.2.2.1 Policy Entrepreneurs

By **policy entrepreneurs** we mean the individuals, groups, or organizations that define policy problems and advocate policy solutions. “Policy entrepreneurs are people willing to invest their resources in return for future policies they favor. They are motivated by combinations of several things: their

Figure 3.10 Roles in the Policymaking Process



straightforward concern about certain problems, their pursuit of such self-serving benefits as protecting or expanding their bureaucracy's budget or claiming credit for accomplishment, their promotion of their policy values, and their simple pleasure in participating."<sup>4</sup> While we typically view policy entrepreneurs as being outsiders—that is, outside government or the policy production process—we should not forget that policy promises are co-produced by entrepreneurs and policymakers. Lobbyists are just as much a part of American public policymaking as the congressmen they wine and dine. “Government by the people” has always meant governance by policymakers *and* policy entrepreneurs. Moreover, we tend to forget that policymakers are also policy entrepreneurs. Policymakers are just as much lobbyists as the K Street lawyers in Washington. Finally, we must include as policy stakeholders all those policy entrepreneurs who actively oppose a policy initiative. For every policy issue, there are networks of policy entrepreneurs, both inside and outside government, that mobilize to advance, stall, kill, or divert policy initiatives. Just because a policy promise—in the form of legislation, executive order, or constitutional amendment—is promulgated, does not mean that these networks disappear or cease to help shape policy production, outputs, and outcomes. Policy entrepreneurs are there for the full cycle of the policymaking process, influencing production, hawking or belittling outputs, or interpreting outcomes.

The array of actors supporting the transformation of policy inputs is formidable. Policy entrepreneurship is big business in America and growing bigger. Research organizations, universities, law firms, public relations and polling companies, publishers, restaurants, resorts, and hotels all participate in and profit from policy advocacy. While some of these organizations are dedicated to specific policy arenas or issues, most are agnostic and simply doing business. We shall explore the role of policy entrepreneurs in much greater detail in chapter 5.

### 3.2.2.2 Policymakers

By **policymakers** we mean the individuals, groups, or organizations responsible for policy production and accountable for policy results. Responsible, in the sense that they work (more or less) within the legal framework of public authority. Accountable, because they can be, and often are, evaluated based on the consequences of their actions. Policymakers come in many shapes and sizes. There are authorities, agency executives, program directors, project managers, contract managers, rule makers, budget officers, and many more. While many policymakers are government officials, many are not. They are business enterprises, nonprofit associations, religious organizations, or private individuals who work on behalf of public authorities.

The universe of policymakers is much larger than the universe of public officials, be they elected or appointed. Most commercial businesses and many social organizations participate to some extent in the production of public policy. They compete for contracts to perform work for the 80,000 or so units of American government. Producing or delivering policy outputs is a source of revenue for most and profit for many. American government is big not because of the number of government employees, but rather because of the number of people who earn their livelihood off of policy production.

### 3.2.2.3 Target Populations

**Target populations** consist of the intended recipients of the benefits or burdens of a public policy. Put another way, target populations are the groups who are supposed to receive or pay for the outputs of policy production. We use the terms benefits and burdens broadly, to include any kind of gain or loss that governments can impose on a target population. Moreover, we emphasize the adjective *intended* because the people who are supposed to receive the benefits or pay the price often do not. There's a critical difference between belonging to a target population and actually winning or losing, as we shall see in chapter 16. However, target groups and their members can gain from public policymaking even when they don't receive their benefits or burdens. When policymakers designate a target population for benefits they are mirroring or changing the values of the society as a whole. If one group is rewarded, why not others? If we declare wars on poverty or drugs or terrorists, then we acknowledge that each of these groups is deserving of special treatment by the government. So, regardless of outcomes, target populations do indeed gain or lose standing in the society as a whole when they are singled out as deserving of government largesse or sanctions.

### 3.2.2.4 Winners and Losers

The final role is that of **winner or loser**. Who *actually* receives the benefits or suffers public sanctions? Who are the real winners and losers? Sometimes it takes significant time and effort to analyze who really does receive the benefits or burdens of a public policy. How many seniors will actually receive greater benefits under the new Medicare Part D prescription drug program than they would have otherwise? And do new roads actually make travel easier, or simply foster new development, more traffic and congestion, and more delays for residents? Moreover, time matters. Who wins or loses next week, next year, or in the next decade? The real winners and losers of public policies may not become apparent for several policy cycles. That is what makes public policy so contentious—it can be difficult to tell who wins and who loses.

However, in a broader sense, policy entrepreneurs, policymakers, and target populations all benefit from the process itself. They are stakeholders either actively or passively invested in the policymaking process. Making policy is what policymakers do for a living, and getting something—indeed, anything—done is usually career enhancing. Similarly, policy entrepreneurs benefit from policy decision making even when they find themselves on the losing side. They win by simply being there.

### 3.2.2.5 Conclusion

Policy actors participate in the policymaking process in one or more of four roles. Besides the specific calculus of benefits and losses as a result of specific policy initiatives, they are all stakeholders in the policymaking process. Since everybody pays the taxes that fund the process and

almost everybody obeys the laws that result from the process, everyone is both a winner and loser in the grand scheme of things. This, after all, is what makes public policymaking public.

### 3.2.3 The Policymaking Process: Detailed View

We introduce here the complete model as a preview of parts II, III, and IV of this text.

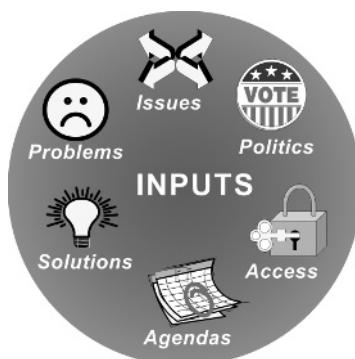
#### 3.2.3.1 Inputs (*Part II, Chapters 4–7*)

In our approach, inputs describe what happens before public officials get to make policy promises. Policy inputs are all about how problems are defined, how solutions are crafted and sold, how access is gained to policymakers, how politics shapes the policymaking process, and how the agendas of public institutions are set. In part II of this text we focus on the technologies and practices that policy entrepreneurs use to set the agenda of policy production. These technologies and practices include:

- *Problems*—representations of situations that can be remedied through concerted action
- *Solutions*—theories of problem solving that guide the policymaking process
- *Issues*—controversial problems that have public consequences and are deemed appropriate for resolution by public policymakers
- *Politics*—how the process of gaining, maintaining, or expanding power and position affects the policymaking process
- *Access*—how policy entrepreneurs communicate with policy producers
- *Agendas*—the schedules or institutional calendars that determine when and how policy entrepreneurs communicate with policy producers

Figure 3.11 shows these resources for shaping policy inputs in an expanded version of the inputs ball shown in Figure 3.7.

Figure 3.11 **Technologies for Policy Inputs**



#### 3.2.3.2 Policy Production (*Part III, Chapters 9–14*)

The situation is quite different, however, once policymakers begin to act. By policymakers we mean primarily, though not exclusively, the millions of public officials charged with making the

public promises and delivering the public goods and services we call public policy. In practice, policymakers are problem solvers with a limited repertoire of solutions to offer. Just as doctors have their diagnostic protocols, stethoscopes, and medications, policy producers have their own technologies and tools to solve, resolve, or absolve public problems. While it may be difficult to predict what issues policymakers may choose to do something about, what they do about it is another matter entirely. There may be an infinite variety of public problems and hundreds of thousands of organizations seeking solutions, but the means of policy production are relatively few in number.

We focus on six critical technologies of policy production. Most or all of these are involved in the production of every public policy, and the application of each tool involves a relatively limited range of choices. The six key technologies we focus on are:

- *Authority*—the ability to act or make decisions with the expectation that those affected will accept the action or decision as legitimate. In the context of policy production, authority is the institutionalized power to get things done. (chapter 9)
- *Agency*—the delegation of authority to act to another entity or agent. In the policy production process, agencies are the organizations that house policy production and to whom oversight authority for that production is given. (chapter 10)
- *Program*—a service or line of work performed by an agency a group of agencies. A program is an operational unit dedicated to accomplishing a specific mission or result. (chapter 11)
- *Rule*—an instruction or prescription for action. Rules are documented recipes for action that carry the weight of authority, whether formally or informally. Making policy almost always involves making and enforcing some form of rule. (chapter 12)
- *Contract*—a binding agreement between two or more parties that is enforceable by law. Much of the work of policy programs is accomplished through the many forms of agreements with the many parties involved in producing and delivering the benefits of public policy. (chapter 13)
- *Budget*—a plan for managing funds by setting levels of spending based on estimates of revenue available to finance that spending over a specified time period. (chapter 14)

Figure 3.12 (see facing page) displays these six technologies of governance in the standard format we will use throughout the text. While there are other technologies and practices of governance that may also be included as elements of policy production, the six we examine are critical and universal components in the design of nearly every public policy.

### 3.2.3.3 Outputs (Part IV, Chapter 15)

Policy outputs are the products—the goods, services, benefits, and burdens—that policymakers deliver to the public. Outputs are the immediate results of policy production—what policymakers do for or to members of the public. As shown in Figure 3.13 (see facing page), policy outputs consist of three components:

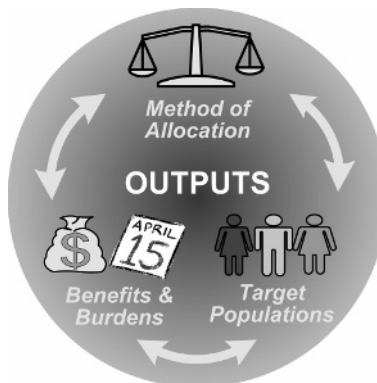
- The *target population* for whom the benefits or burdens are designed. To whom will the checks be written? Who will pay the taxes? Who will be liable if the tire tread comes apart and people are injured?

Figure 3.12 Technologies of Policy Production



- The *benefits or burdens* provided to the public.
- A *method of allocation*. How are benefits or burdens distributed to members of the target population? How do victims of the World Trade Center attack qualify for government loans? How are waiters taxed for the tips they receive? How are life-saving transplant organs allocated to patients with kidney disease?

Figure 3.13 Components of Policy Outputs



Though the products of public policymaking are often indistinguishable from those delivered by commercial enterprises, the context is markedly different. Public policymakers have the power to compel and coerce that private producers do not—at least in modern times—enjoy. This makes the nature of public policy products and the responsibilities of public policymakers quite different, as generations of corporate executives have found upon entry into public service.

#### 3.2.3.4 Outcomes (Part II, Chapter 4, and Part IV, Chapter 16)

Outcomes are both the end and the beginning of the policymaking process. Like Janus, the two-faced Roman god, every outcome looks both forward and backward.



Looking forward, from the policymaker's perspective, "outcomes are the events, occurrences, or changes in conditions, behavior, or attitudes" that result from the policymaking process.<sup>5</sup> Outcomes are the consequences and not the products of the policymaking process. The difference between outputs and outcomes is the difference between what gets done and what happens as a result. Outcomes are the ultimate measure of the effectiveness of the policymaking process.

Looking backward, from the policy entrepreneur's perspective, outcomes are the situations and events that constitute the raw material for public policymaking. When policy entrepreneurs look at the world around them they see problems or aspects of the world outside that can and should be changed by human intervention.

Outcomes, therefore, can be described in different ways.

- *Policy objectives* are the changes in the physical and social world that policymakers seek to produce.
- *Policy impacts* are what actually happens as a consequence of what policymakers do and deliver. Impacts rarely match objectives in the real world.
- *Events* are discrete "happenings" of a magnitude large enough to affect the policymaking process. Events may be natural—like a hurricane—or human—as with the attack on the World Trade Center—in origin, but they are typically unanticipated or unpredictable.
- *Situations* are our sensory experience of the world outside our heads. When people decide that a situation can and should be changed for the better, a policy problem is born.
- *Conditions* are situations that cannot be changed by human intervention. Thus, policymakers can treat the consequences of conditions, but they cannot change the conditions themselves.

Figure 3.14 shows these aspects or dimensions of outcomes.

Figure 3.14 **Components of Policy Outcomes**

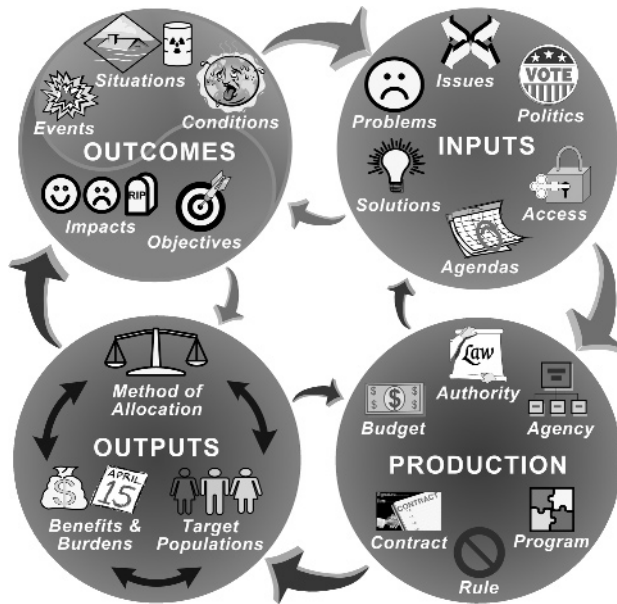


The discussion of outcomes will be split, as befitting their dual nature. The role of events, conditions, and situations will be examined in part II, chapter 4, as part of the discussion of how problems are born. They are, as we shall see, the precursors to the policymaking process. The results or outcomes of policymaking will be discussed in chapter 16.

### 3.2.3.5 Summary

It's time to put the four stages of the policymaking process back together again. Figure 3.15 shows our combined model of the policymaking process. However intimidating this may seem, parts II, III, and IV of the text will walk the reader step by step through the stages and tools of the policymaking process.

Figure 3.15 **Public Policymaking: Detailed Model**



### 3.2.4 Context (Part V)

In the previous section we outlined the policymaking process. People see problems and seek solutions; policymakers make promises, produce policies, and deliver results. Finally, something happens and the cycle repeats. Policymaking is a continuous cycle of problems, promises, production, products, and consequences.

However, American public policymaking does not take place in a vacuum. The cycles of inputs, production, outputs, and outcomes involve individuals, organizations, and institutions from every nook and cranny of American society. Policymaking is an integral part of American society. Everyone has a stake in the policymaking process and everybody is touched by the institutions and technologies described in the preceding chapters. What is missing so far is the context or environment of American public policymaking. We need to view public policymaking within the broader picture of American society and its evolution over time. So far we have focused on the policymaking process. Now it is time to turn our attention to the *public* part of American public policymaking.

In chapters 17 through 19 of part V we examine the context of American public policymaking in terms of two dimensions: level and sector.

### 3.2.4.1 Level

The first dimension is **level**, or the geopolitical organization of political, economic, and social institutions. We distinguish at least four levels of policymaking in the United States. They are:

- *National* (federal)
- *State*
- *Local*—city, county, municipal, and township governments
- *Neighborhood*—homeowners' associations and other residence-based forms of governance

In the American system of government there is one federal government, fifty (or more) state bodies, thousands of local institutions, and many more neighborhood bodies—all performing policymaking activities.

However, this simplistic picture of four levels of governance is complicated by a broad range of interlevel and intralevel government activities, as we shall see in subsequent chapters. There are innumerable regional governmental and quasi-governmental entities consisting of both state and local governments. In addition, there are many international bodies that play an ever-expanding role in the realm of global governance. We will briefly survey some of these organizations within the framework of horizontal or networked governance. That is because the authority and powers of regional and international governments are derived from the authority and powers of their member governments. Thus, we will treat such bodies as a technology or means of policy production rather than as a locus of production. Nevertheless, most of the practices we examine in the following pages can be observed in equal measure in both regional and international governments.

### 3.2.4.2 Sector

The second and less familiar dimension is **sector**. A sector is a relatively coherent set of social institutions sharing common norms, values, and legal status. Following Thomas Janoski,<sup>6</sup> we identify four distinct institutional sectors:

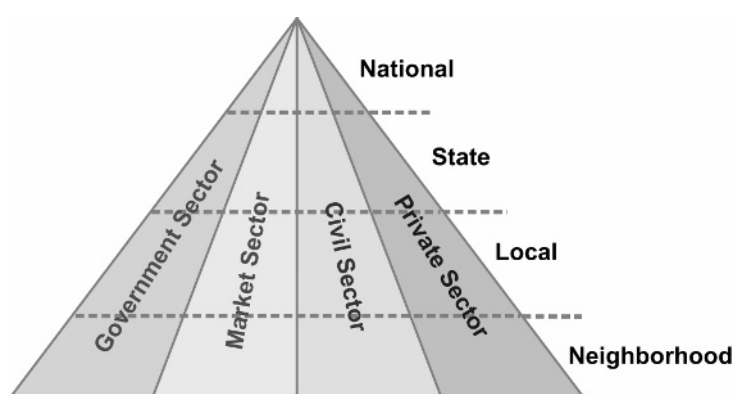
- *Government*—the institutions of society based on the monopoly of the legitimate use of physical force within a given territory<sup>7</sup>
- *Market*—commercial institutions and organizations “engaged in the instrumental creation of income and wealth through the production of goods and services.”<sup>8</sup> As we shall see, the market sector is primarily populated by for-profit corporations, but there are increasing numbers of nonprofits that are competing with for profits in the market economy
- *Civil*—encompassing a broad range of social organizations and voluntary associations dedicated to some commonly accepted public purpose or good and generally classified by the American legal system as not-for-profit
- *Private*—consisting of individuals, family life, networks of friends and acquaintances, and the disposition of private property<sup>9</sup>

The role of policy sectors has only recently come to the forefront of public and academic attention. The traditional approach to public policy is to limit the scope of interest to the activities of government officials at federal, state, and local levels. In this narrow view, public policymaking is what elected representatives, judges, and bureaucrats do—or ought to do—for a living. However, as students of

American politics from de Tocqueville onward have repeatedly emphasized, the United States is unique in the extent to which nongovernmental bodies such as commercial enterprises, voluntary associations, and even churches participate in the formation and delivery of public policy. To limit the study of public policymaking narrowly to governmental activities at the federal, state, and local levels is to omit the bulk of the action. Private corporations and nonprofit organizations not only participate in the generation of policy demands, they also serve as instruments of policy production. That government benefits are delivered via commercial and nonprofit institutions is the norm and not the exception in American society. Governance involves all sectors of American society.

Figure 3.16 shows a highly simplified picture of the relationship between policymaking levels and sectors.

Figure 3.16 **Policymaking Levels and Sectors**



The two dimensions shown in Figure 3.16 enable us to characterize the Where of public policymaking.

- At what levels and in which sectors do inputs emerge?
- At what levels and in which sectors does policy production take place?
- How are policy benefits and burdens distributed?
- How are policy impacts felt?

These questions are addressed in chapters 17–19 of part V of the text.

### 3.2.5 Content (Part V)

At the end of part V we change perspective from context to content in chapter 20. For most of this text we assume that the policymaking process is more or less similar for all issues. Everybody uses the same set of tools. In the next-to-last chapter we look through the opposite end of the telescope. We ask how does the nature of the problem—for example, health care, education, welfare, or national defense—shape the policymaking process? How does content affect process and context? While the institutions of public policymaking remain largely the same, the process can differ from one problem area to another.

In chapter 20 we examine the complex relationships between content, process, and context in terms of policy domains, networks, and jurisdictions.