

عنوان جزوه: Public Policy Making

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THE STUDY OF PUBLIC POLICY

In the course of their daily lives people are affected, directly and indirectly, obviously and subtly, by an extensive array of public policies. Take, for example, automobile owners. If an automobile was purchased on time, the Truth in Lending Act required provision of accurate information by the lender on the cost of credit. The vehicle features safety equipment, such as a padded dash and seat belts, required by the National Highway Traffic Safety Administration and a catalytic converter to reduce tailpipe emissions necessitated by Environmental protection Agency rules. Out on the highway, financed jointly by the state and national governments, our driver needs to be aware of state and local traffic regulations, or risk direct contact with law enforcement officials. State policy requires that the automobile be insured and that both it and the driver be licensed. The price of the gasoline it consumes is indirectly affected by national energy policies and directly increased by national and state excise taxes. The vehicle's gas mileage must meet the national corporate average fuel economy (CAFE) standard, and so on.

Public policies in a modern, complex society are indeed ubiquitous. They confer advantages and disadvantages, cause pleasure, irritation, and pain, and collectively have important consequences for our well-being and happiness. They constitute a significant portion of our environment. This being so, we should know something about public policies, including how they are formed, budgeted, implemented, and evaluated. There are also scientific, professional, and political reasons for studying public policies and policymaking.

Scientifically the systematic and rigorous study of the origins, development, and implementation of public policies will enhance our knowledge of political behavior and governance, as well as of public policy per se. How, we may ask, is policymaking affected by federalism and the separation of powers? Were pressure groups or public opinion or the media influential in the

adoption of a policy? Why did government cease to be concerned with a problem? Concern with questions of this sort are what I designate as policy study.

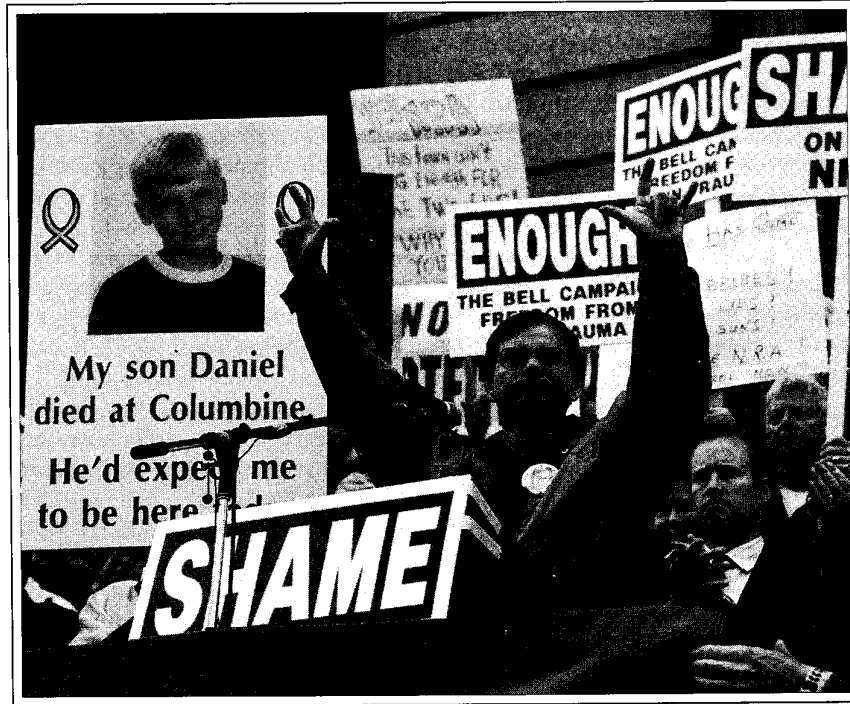
Professionally, a person may pursue a career as a policy analyst or evaluator. Practitioners of *policy analysis*, which draws heavily upon economic theory and statistical and mathematical analytical techniques, have been growing in number in recent decades.¹ Policy analysis has an applied orientation and seeks to identify the most efficient alternative (i.e., the one that will yield the largest net social benefit) for dealing with a current problem, such as the control of air pollution or the disposal of household garbage. A variant of policy analysis is evaluation research, which assesses how well policies attain their goals and the other societal effects that they may have.

politically, many people want to engage in policy advocacy, using knowledge of public policy to formulate and promote "good" public policies that will have the "right" goals, that is, goals which serve their purposes. They may think of themselves as liberals, conservatives, libertarians, communitarians, or socialists and disagree greatly in their notions of what is good or just. The research efforts of policy advocates are frequently skewed by their wish to generate data and analysis in line with their preferences. In contrast, policy study is motivated by the intent to be impartial.

In this book, I draw on the scientific policy studies approach to develop a basic understanding of the policymaking process, which is here viewed as an inherently political process involving conflict and struggle among people (public officials and private citizens) with conflicting interests, values, and desires on policy issues. In describing and analyzing the policymaking process, the scientific policy studies approach has three basic aims.² First, its primary goal is to explain the adoption of a policy rather than to identify or prescribe "good" or proper policy. Analysis, rather than advocacy, is its style. Second, it rigorously searches for the causes and consequences of public policies by applying social-scientific methodology, which is not restricted to the use of quantitative data and methodology. At a minimum, it does require that one should strive to be rational, empirical, and objective. Third, this approach aims to develop reliable theories and explanations about public policies and their politics. Thus policy studies can be both theoretical and somewhat relevant to the more practical aspects of policymaking. It has been said that nothing is as practical as a good theory.

WHAT IS PUBLIC POLICY?

In general usage, the term policy designates the behavior of some actor or set of actors, such as an official, a governmental agency, or a legislature, in an



Public demonstrations are used to advance policy objectives. Following the massacre in Littleton, Colorado, protesters criticized National Rifle Association gun control policies.

area of activity such as public transportation or consumer protection. Public policy also may be viewed as whatever governments choose to do or not to do. Such definitions may be adequate for ordinary discourse, but because we set out in this book to do a systematic analysis of public policy, a more precise definition or concept is needed to structure our thinking and to facilitate effective communication with one another.

The literature of political science contains many definitions of public policy. Sooner or later, it seems, almost everyone who writes about public policy yields to the urge to offer a definition, and does so with greater or less success in the eyes of critics. I will note a few such definitions here and remark upon their utility for analysis. To be really useful and to facilitate communication and understanding, an operational definition or concept (I use these two words somewhat interchangeably) should indicate the essential characteristics or features of the matter being defined or conceptualized.

One definition holds that public policy, "broadly defined," is "the relationship of a governmental unit to its environment."³ Such a definition is so broad

as to leave most students uncertain of its meaning; it could encompass almost anything. Another states that "public policy is whatever governments choose to do or not to do."⁴ Roughly accurate, this definition does not adequately recognize that what governments decide to do and what they actually do may diverge. Moreover, it could be taken to include such actions as routine personnel appointments or grants of driver's licenses, which are not usually thought of as policy matters. Professor Richard Rose suggests that policy be considered "a long series of more-or-less related activities" and their consequences for those concerned, rather than a discrete decision.⁵ Although somewhat ambiguous, his definition does embody the useful notion that policy is a course or pattern of activity and not simply a decision to do something. Finally, political scientist Carl J. Friedrich regards policy as

*a proposed course of action of a person, group, or government within a given environment providing obstacles and opportunities which the policy was proposed to utilize and overcome in an effort to reach a goal or realize an objective or a purpose.*⁶

To the notion of policy as a course of action, Friedrich adds the requirement that policy is directed toward accomplishing some purpose or goal. Although the purpose or goal of governmental actions may not always be easy to discern, the idea that policy involves purposive behavior seems a necessary part of its definition. Policy, however, should designate what is actually done rather than what is merely proposed in the way of action on some matter.

Taking into account the problems raised by these definitions, I offer this concept of policy: A relatively stable, purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern. This statement focuses on what is actually done instead of what is only proposed or intended, and it differentiates a policy from a decision, which is essentially a specific choice among alternatives.

Public policies are those developed by governmental bodies and officials. (Nongovernmental actors and factors may of course influence public-policy development.) The special characteristics of public policies stem from their being formulated by what political scientist David Easton has called the "authorities" in a political system, namely, "elders, paramount chiefs, executives, legislators, judges, administrators, councilors, monarchs, and the like." These are, he says, the persons who "engage in the daily affairs of a political system," are "recognized by most members of the system as having responsibility for these matters," and take actions that are "accepted as binding most of the time by most of the members so long as they act within the limits of their roles."⁷ In short, public policies are those produced by government officials and agencies.

I now turn to some of the implications of my concept of public policy as a relatively stable, purposive course of action followed by government in

dealing with some problem or matter of concern. First, the definition links policy to purposive or goal-oriented action rather than to random behavior or chance occurrences. Public policies in modern political systems do not, by and large, just happen. They are instead designed to accomplish specified goals or produce definite results, although these are not always achieved. Proposed policies may be usefully thought of as hypotheses suggesting that specific actions be taken to achieve particular goals. Thus, to increase farm income, the national government utilizes income subsidies and production controls. These programs have indeed enhanced the incomes of many farmers, but not all.

The goals of a policy may be somewhat loosely stated and cloudy in content, thus providing general direction rather than precise targets for its implementation. Those who want action on a problem may differ both as to what should be done and how it should be done. Ambiguity in language then can become a means for reducing conflict, at least for the moment. Compromise to secure agreement and build support may consequently yield general phrasing and lack of clarity in the statement of policy goals.

Second, policies consist of courses or patterns of action taken over time by governmental officials rather than their separate, discrete decisions. It is difficult to think of such actions as a presidential decision to honor a movie actor or a Social Security Administration decision to award disability benefits to Joe Doaks as public policies. A policy includes not only the decision to adopt a law or make a rule on some topic but also the subsequent decisions that are intended to enforce or implement the law or rule. Industrial health and safety policy, for example, is shaped not only by the Occupational Safety and Health Act of 1970 but also by a stream of administrative rules and judicial decisions interpreting, elaborating, and applying (or not applying) the act to particular situations.

Third, public policies emerge in response to policy demands, or those claims for action or inaction on some public issue made by other actors—private citizens, group representatives, or legislators and other public officials—upon government officials and agencies. Such demands may range from general insistence that a municipal government "do something" about traffic congestion to a specific call for the national government to prohibit theft of pet dogs and cats for sale to medical and scientific research organizations. In short, some demands simply call for action; others also specify the action desired.

In response to policy demands, public officials make decisions that give content and direction to public policy. These decisions may enact statutes, issue executive orders or edicts, promulgate administrative rules, or make judicial interpretations of laws. Thus the decision by Congress to enact the Sherman Antitrust Act in 1890 was a policy decision; another was the 1911 Supreme Court ruling that the act prohibited only unreasonable restraints of trade rather than all restraints of trade. Each was of major importance in

shaping that course of action called *antitrust policy*. (The Sherman Act also prohibits monopolization and attempts to monopolize.) Such decisions may be contrasted with the innumerable relatively routine decisions that officials make in the day-to-day application of public policy. The Department of Veterans Affairs, for example, makes hundreds of thousands of decisions every year on veterans' benefits; most, however, fall within the bounds of settled policy and can be categorized as routine decisions.

policy statements in turn usually are formal expressions or articulations of public policy. Among these are legislative statutes, executive orders and decrees, administrative rules and regulations, and court opinions, as well as statements and speeches by public officials indicating the government's intentions and goals and what will be done to realize them. Policy statements are sometimes notably ambiguous. Witness the conflicts that arise over the meaning of statutory provisions or judicial holdings, or the time and effort expended analyzing and trying to divine the meaning of policy statements by national political leaders, such as the president of the United States or the chair of the Federal Reserve Board. Different levels, branches, or units of government may also issue conflicting policy statements, as on such matters as environmental pollution or liability for consumer products.

Fourth, policy involves what governments actually do, not just what they intend to do or what officials say they are going to do. If a legislature enacts a law requiring employers to pay no less than a stated minimum wage but nothing is done to enforce the law, and subsequently little change occurs in economic behavior, it seems reasonable to contend that public policy actually takes the form of nonregulation of wages.

Relevant here is the concept of *policy output*, or the action actually taken in pursuance of policy decisions and statements. This concept focuses our attention on such matters as amounts of taxes collected, miles of highway built, welfare benefits paid, restraints of trade eliminated, traffic fines collected, and foreign-aid projects undertaken. These can usually be enumerated with little difficulty. Examining policy outputs, we may find that a policy differs somewhat or even greatly from what policy statements indicate it should be. Policy outputs should be distinguished from policy outcomes, which focus on a policy's societal consequences. For example, do longer prison terms reduce crime rates? Do air pollution control programs improve public health?

Fifth, a public policy may be either positive or negative. Some form of overt governmental action may deal with a problem on which action is demanded (positive), or governmental officials may decide to do nothing on some matter on which government involvement was sought (negative). In other words, governments can follow a policy of *laissez faire*, or hands off, either generally or on some aspects of economic activity. Such inaction may have major consequences for a society or some groups, as in the late 1970s, when the national government decided to cease regulating commercial airline rates and routes.

Inaction becomes a public policy when officials decline to act on a problem—that is, when they decide an issue negatively. This choice differs from nonaction on a matter that has not become a public issue, has not been brought to official attention, and has not been considered or debated. A slightly ludicrous example is the lack of governmental action on the taking of earthworms—the activity has no seasons and no bag limits. Is this a public policy? The answer is no, because it is not an issue and no decisions have been made.

Finally, public policy, at least in its positive form, is based on law and is authoritative. Members of a society usually accept as legitimate the facts that taxes must be paid, import controls must be obeyed, and highway speed limits must be complied with, unless one wants to run the risk of fines, jail sentences, or other legally imposed sanctions or disabilities. Thus public policy has an authoritative, legally coercive quality that the policies of private organizations do not have. Indeed, a major characteristic distinguishing government from private organizations is the monopoly over the legitimate use of coercion. Governments can legally incarcerate people; private organizations cannot.

Some public policies may be widely violated even though they are authoritative, such as national prohibition in the 1920s and the 55-mile-an-hour speed limit under the Maximum Speed Law. Moreover, enforcement may be limited, piecemeal, or sporadic. Are these still public policies? The answer is yes, because they were on the statute books and enforcement was provided for. Whether such policies are effective or wise is another matter. Authoritativeness is a necessary but not a sufficient condition for effective public policy.

CATEGORIES OF PUBLIC POLICIES

Governments at all levels in the United States—national, state, and local have been increasingly active in developing public policies. Every year a large volume of laws and ordinances flows from the nation's national, state, and local legislative bodies. That volume of laws in turn is greatly exceeded by the quantity of rules and regulations produced by administrative agencies acting on the basis of legislative authorizations. This proliferation of public policies has occurred in such traditional areas of governmental action as foreign policy, transportation, education, welfare, law enforcement, business and labor regulation, and international trade. Much activity has also come in areas that received little attention until the last two or three decades: economic stability, environmental protection, equality of opportunity, medical care, nuclear energy, and consumer protection.

During a typical two-year term of Congress 300 to 400 public laws will be

enacted. Though the legislative process was disrupted by bitter partisan conflict over the possible impeachment of President Bill Clinton, Congress still managed in 1998 to adopt several important pieces of legislation. These dealt with such matters as an overhaul of public housing, higher education, vocational education, charter schools, Head Start, Internal Revenue Service reform, surface transportation, veterans' benefits, chemical weapons, and International Monetary Fund financing. Involving mostly changes or additions to current policies, all of the laws incorporate biases that benefit some groups and disadvantage other groups, which is indeed an intrinsic feature of public policies. Rarely does a public policy make everyone better off.

Given the large number and complexity of public policies in the United States, the task of trying to make sense of them is enormous. I summarize in this section a number of general typologies that political scientists and others have developed for categorizing public policies. These typologies will prove much more useful in distinguishing among and generalizing about policies than some of the more traditional and widely used categorization schemes, such as by issue area (labor, welfare, civil rights, and foreign affairs), institution (legislative policies, judicial policies, and departmental policies), and time (New Deal era, post-World War II, and late nineteenth century). Although these categories are convenient for designating various sets of policies and organizing discussions about them, they are not helpful in developing generalizations, because they do not reflect the basic characteristics and content of policies. The discussion of typologies will also provide the reader with a notion of the scope, diversity, and different purposes of public policies.

Substantive and Procedural Policies

First, policies may be classified as either substantive or procedural. Substantive policies involve what government is going to do, such as constructing highways, paying welfare benefits, acquiring bombers, or prohibiting the retail sale of liquor. Substantive policies directly allocate advantages and disadvantages, benefits and costs, to people. Procedural policies, in contrast, pertain to how something is going to be done or who is going to take action. So defined, procedural policies include laws providing for the creation of administrative agencies, determining the matters over which they have jurisdiction, specifying the processes and techniques that they can use in carrying out their programs, and providing for presidential, judicial, and other controls over their operations.

A procedural policy of great importance is the federal Administrative Procedure Act (APA) of 1946. This statute, a response to the growth of administrative agency discretion in the twentieth century, prescribes procedures to be used by agencies in notice and comment or informal rule-making.

For example, APA requires notice of the proposed rule-making, opportunity for interested persons to participate in the proceeding through oral or written submissions, publication of a proposed rule at least thirty days before it becomes effective, and opportunity for interested persons to petition for issuance, amendment, or repeal of a rule. The act's requirements for adjudication are much more detailed, but in both instances it is intended to ensure fairness in agency decision-making. Another example of a procedural policy is the requirement that an environmental impact statement be prepared by federal agencies proposing major actions affecting the environment by the National Environmental Policy Act (NEPA). Its purpose is to cause agencies to give consideration to environmental effects before making their decisions. In itself NEPA adds nothing to the substance of policy; it neither prohibits nor requires particular agency actions toward the environment.

Procedural policies may have important substantive consequences. That is, how something is done or who takes the action may help determine what is actually done. See Chapter 6 for a number of propositions on the possible influence of organizational decisions on substantive policy. Frequently, efforts are made to use procedural issues to delay or prevent adoption of substantive decisions and policies. An agency's action may be challenged on the ground that improper procedures were followed, as under APA, when it is really the substance of the action that is being resisted. Some Washington lawyers have become highly skilled in manipulating procedural rules to delay agency action. Thus, because of procedural delays and complications (most of them produced by the maneuverings of the defendant company), it took the Federal Trade Commission thirteen years to complete a case compelling the manufacturer to remove the word "liver" from a product named "Carter's Little Liver Pills." (The product has no effect on one's liver)

Distributive, Regulatory, Self-Regulatory, and Redistributive Policies

This typology differentiates policies by their effect on society and the relationships among those involved in policy formation.⁸

Distributive policies involve allocation of services or benefits to particular segments of the population—individuals, groups, corporations, and communities. Some distributive policies may provide benefits to one or a few beneficiaries, as in the Chrysler loan guarantee of the late 1970s, which kept the company from bankruptcy, and the subsidies for the operation of American merchant ships. Others may provide benefits for vast numbers of persons, as is true for agricultural income-support programs, tax deductions for home

mortgage interest payments, free public school education, and job-training programs.

Distributive policies typically involve using public funds to assist particular groups, communities, or industries. Those who seek benefits usually do not compete directly with one another, although in some instances they do, as in the selection of the site for the Superconducting Super Collider, where there could be only one winner. Nor do their benefits represent a direct cost to any specific group; rather, the costs are assessed to the public treasury, which is to say all taxpayers. Thus, distributive policies appear to create only winners and no specific losers, although obviously someone does pay their financial cost.

The standard example of distributive policy has been rivers and harbors improvement and flood control legislation (water projects), carried out by the Army Corps of Engineers. In recent years it has been surpassed as an example of pork-barrel legislation (or simply, "pork") by transportation legislation. The 1998 surface transportation law, entitled the Transportation Equity Act for the 21st Century, provides for \$218 billion in spending over a six-year period. In addition to its general provisions the act contains authorization for many hundreds of special highway, mass transit, and bus projects requested by members of Congress from both parties. The cost of these pork projects was estimated to be more than \$20 billion. Most states and congressional districts shared in the bacon.

These projects are scattered all around the country and have little connection with one another, which supports Professor Theodore J. Lowi's contention that distributive policies "are virtually not policies at all but are highly individualized decisions that only by accumulation can be called a policy."⁹ Each locality and its supporters seek authorization and funding for their own project without challenging the right of others to do likewise. Most projects consequently have some friends and no enemies in Congress, and presidents usually leave them alone. President Jimmy Carter upset the apple cart in 1977, when he successfully eliminated some water projects on the ground that they were wasteful and unnecessary. Many members of Congress were antagonized by this action, either because they favored the targeted projects or resented presidential intervention in an area long under congressional domination. A few of the projects later were restored.

Regulatory policies impose restrictions or limitations on the behavior of individuals and groups. That is, they reduce the freedom or discretion to act of the regulated, whether bankers, utility companies, meat-packers, or saloon-keepers. In this sense they clearly differ from distributive policies, which increase the freedom or discretion of the persons or groups affected.

When we think of regulatory policies we usually focus on business regulatory policies, such as those pertaining to control of pollution or regulation of transportation industries. Among others, these sorts of policies were the focus of the movement for deregulation. The most extensive variety of regulatory

policies, however, is that which deals with criminal behavior against persons and property. What are called social regulatory policies deal with such topics as affirmative action, school prayer, gun control, and abortion, and involve the regulation of personal behavior.

The formation of regulatory policy usually features conflict between two groups or coalitions of groups, with one side seeking to impose some sort of control on the other side, which customarily resists, arguing either that control is unnecessary or that the wrong kind of control is being proposed. Amid this opposition, regulatory decisions involve clear winners and losers, although the winners usually get less than they initially sought. (When the winners are public interest groups, they may not gain direct material benefits from policies which, like the Clean Air Act, provide broad social benefits.) It is often difficult, however, to identify all the purposes and consequences of regulatory policies. Let us consider how regulatory policies vary.

Some regulatory policies set forth general rules of behavior, directing that actions be taken or commanding that others not be taken. The Sherman Act in effect tells businesses, "Thou shalt not monopolize or attempt to monopolize or act to restrain trade." These prohibitions are enforced by actions brought in the federal courts against violators. In contrast, public-utility regulation handled by state governments involves detailed control of entry into the business, standards of service, financial practices, and rates charged by electric, telephone, and other utility companies. Comparatively, antitrust regulation entails much less restriction of business discretion than does public-utility regulation.

Consumer-protection policies illustrate other variations in regulatory policies. Some statutes, such as the Pure Food and Drug Act of 1906 and the Drug Amendments of 1962, set standards for quality that drug manufacturers must comply with. Thus, before new drugs can be put on the market, they must be shown to meet the standards for safety in use and efficacy for the purposes intended. Other consumer legislation, such as the Consumer Credit Protection Act, requires creditors to provide borrowers with accurate information on interest and other financing costs for credit purchases. The first sort of policy is intended to prevent products that do not meet designated standards from entering the marketplace; the second type is meant to provide consumers with enough information to make informed decisions.

Some regulatory policies, such as those which restrict entry into a business such as television broadcasting or electric power distribution, are implemented by decisions that confer benefits on some and deny them to others. Of the several applicants for a television broadcast license for a city that may be before the Federal Communications Commission, only one can be propitiated. These can be called competitive regulatory policies because they limit the number of providers of specific goods and services. They also may regulate the quality of services that can be provided to consumers. 11

Self-regulatory policies are similar to competitive regulatory policies in

that they involve restricting or controlling some matter or group. Unlike competitive regulatory policies, however, self-regulatory policies are usually more controlled by the regulated group as a means of protecting or promoting the interests of its members. Several hundred professions and occupations, ranging from tree surgeons and auctioneers to lawyers and physicians, are licensed in one or more states; about sixty are licensed in a majority of states. Commonly licensed health professionals include chiropractors, dentists, dental hygienists, emergency medical technicians, optometrists, pharmacists, physicians, podiatrists, practical and registered nurses, psychologists, sanitarians, and social workers. 12

The usual policymaking pattern here is for a professional or occupational group acting on its own to seek licensing legislation from the state legislature. Outside the ranks of the interested group, interest in the matter usually is slight. The result is enactment of a licensing law, whose implementation is delegated to a board dominated by members from the licensed group. In time, entry into the licensed occupation or profession may be restricted and the prices charged for its specialized services may increase. It is unclear to what extent licensing improves the quality of services available to the public. 13

Supervised self-regulation may also occur. Under the Agricultural Marketing Agreement Act of 1937, the producers and handlers of fruits, vegetables, and specialty crops such as almonds sold on the fresh market collectively act to obtain marketing orders from the Agricultural Marketing Service (AMS). Put into effect with the approval of two-thirds of the producers of a commodity, these orders are binding on all producers and may authorize research and promotional programs, set standards for quality, and control movement of such products as oranges and grapefruit to market so as to ensure "orderly marketing." Marketing orders, which are managed by producer-dominated administrative committees and are subject to AMS supervision, are intended to improve the economic situation of producers.14

Redistributive policies involve deliberate efforts by the government to shift the allocation of wealth, income, property, or rights among broad classes or groups of the population, such as haves and have-nots, proletariat and bourgeoisie. "The aim involved is not use of property but property itself, not equal treatment but equal possession, not behavior but being." 15 In American society redistributive policies ultimately involve disagreements between liberals (pro) and conservatives (con) and tend to be highly productive of conflict.

The usual pattern in redistributive policy shifts resources from haves to have-nots. It is possible, however, for the flow to reverse. Farm subsidy payments under the agricultural price-support programs go mostly to large commercial farmers; small-scale farmers derive few benefits, yet everyone who pays taxes contributes to financing of the programs. Typically, however, such instances are not debated as redistributive,16 perhaps because of reluctance to acknowledge that sometimes the haves benefit at the expense of the have-nots.

Redistributive policies are difficult to enact because they involve the reallocation of money, rights, or power. Those who possess money or power rarely yield them willingly, regardless of how strenuously some may discourse upon the "burdens" and heavy responsibility attending their possession. Because money and power are good coinage in the political realm, those who possess them have ample means to resist their diminution.

Policies that have (or have had) some redistributive influence include the graduated income tax, Medicare and Medicaid, the War on Poverty, the Voting Rights Act, and legislative reapportionment. The Johnson administration's War on Poverty represented an effort to shift wealth and other resources to blacks and poor people. Encountering much resistance from conservatives and lacking strong presidential support, it was gradually dispersed and dismantled. Although most of the individual antipoverty programs (such as Head Start and the community action or service programs) still function, they have lost much of their redistributive quality. The Voting Rights Act, which on the whole has been enforced with considerable strength by the Justice Department, has helped to produce a substantial increase in black voter registration, voting, and state and local office holding in the South.

The graduated income tax, which is based on the principle of ability to pay (those who have more income can fairly be expected to pay at progressively higher rates) has now lost much of its redistributive potential. The top marginal rate once was as high as 91 percent. In the early 1980s the rates ranged from 14 to 50 percent over a dozen income brackets, which still held out the possibility of considerable redistribution. The Tax Reform Act of 1986, enacted by Congress with strong support from President Reagan, who believed that high marginal tax rates both infringed on individual liberty and discouraged economic growth, provided for only two tax brackets at 15 and 28 percent. Brackets of 31, 36, and 39.6 percent were added in the 1990s, however. Whether rates will stay at these levels will depend partly upon the government's future revenue needs.¹⁷ Low marginal tax rates do, however, have much political appeal.

Redistributive policies are not only difficult to obtain, they are also hard to retain, as my discussion of the income tax indicates. Equality of result or condition (that is, equality in income or standard of living) is not overly appealing to most Americans, whatever they think about equality of opportunity.

Material and Symbolic Policies

Public policies may also be described as either material or symbolic, depending upon the kind of benefits they allocate. ¹⁸ Material policies actually either provide tangible resources or substantive power to their beneficiaries, or

impose real disadvantages on those who are adversely affected. Legislation requiring employers to pay a prescribed minimum wage, appropriating money for a public-housing program, or providing income-support payments to farmers is material in content and effect.

Symbolic policies, in contrast, have little real material impact on people. They do not deliver what they appear to deliver; they allocate no tangible advantages and disadvantages. Rather, they appeal to people's cherished values, such as peace, patriotism, and social justice. A prime example of a symbolic policy is the Kellogg-Briand Pact of 1928, by which the United States and fourteen other countries agreed to outlaw war. Comment on its impact seems unnecessary.

Burning of the United States flag as a symbolic form of political protest has agitated members of Congress for several years. In 1989 the Flag Protection Act provided criminal penalties for any person who "knowingly mutilates, defaces, physically defiles, burns, maintains on the floor or ground, or tramples upon any flag of the United States." Quickly challenged, the act was declared unconstitutional by the U.S. Supreme Court as an infringement on the freedom of expression protected by the first amendment. The Court's ruling touched off a public and political furor. An effort in the early 1990s to amend the Constitution to prohibit desecration of the flag failed. However, in 1995, the House, stimulated by the new Republican majority, approved (312 to 120) an amendment authorizing the national and state governments to ban "physical desecration of the flag of the United States."¹⁹ It failed to win approval in the Senate. There is much symbolism at stake in this continuing struggle.

Occasionally a policy that appears to be mostly symbolic may turn out to have important consequences. The Endangered Species Act of 1973, which is intended to help ensure the survival of rare animals and plants, initially appeared to be a statement of good intentions with few costs. Little opposition attended its enactment. As implemented, however, the act has had important effects, sometimes being used to block construction projects, timber cutting, and other activities that would threaten or destroy the habitats of endangered species, such as spotted owls and California gnatcatchers.

Most policies are neither entirely symbolic nor wholly material. The symbolic and material categories should instead be viewed as the poles of a continuum, with most policies being ranged along the continuum depending upon how symbolic or material they are in practice. The Sherman Act, as an instrument for "trust busting," for breaking up large monopolistic companies, has long been symbolic. With the exception of AT&T, no trusts have been broken up since the Progressive Era. On the other hand, beginning with the Carter administration and continuing on into the Clinton administration, the Sherman Act has been applied with some vigor against collusive behavior such as price fixing, bid rigging, and market allocation. Here it has had substantial material impact.

Policies that are ostensibly material as labeled by legislative language may be rendered essentially symbolic by administrative action or by the legislature's failure to provide adequate funds for their implementation. The public housing goals of the Housing Act of 1949 and later laws were made substantially symbolic by the subsequent failure of Congress to provide the authorized level of funding for housing construction.²⁰ On the other hand, policies may move from the more symbolic to the more material category. Professor Bruce I. Oppenheimer argues that policy for controlling oil pollution was largely symbolic during the years 1947 to 1966.²¹ Legislation was on the books but little was done to enforce it. After 1966, the control of oil pollution became much more effective as a consequence of growing public concern about pollution, increased enforcement activity, and additional congressional legislation, such as the 1986 Oil Pollution Act.

The material-symbolic typology is especially useful to keep in mind when analyzing effects of policy because it directs our attention beyond formal policy statements. It also alerts us to the important role of symbols in political behavior.

Policies Involving Collective Goods or Private Goods

Public policies may also involve the provision of either collective (indivisible) goods or private (divisible) goods.²² The nature of collective goods is such that if they are provided for one person, they must be provided for all. Moreover, one person's consumption of a collective good does not deny it to others. A standard example is national defense: there is no effective way to provide it for some citizens and exclude others from its benefit, enjoyment, or other consequences, nor to calculate that some citizens benefit more from it than others. Thus an economically rational person would never voluntarily pay for national defense, choosing rather to be a free rider and let others stand the costs. Hence defense must be provided, if we want it, by government and financed by taxation. Other examples of collective goods are clean air, public safety, traffic control, and mosquito abatement.

Private goods, in contrast, may be broken into units and purchased or charged by the individual user or beneficiary, and are available in the marketplace. Others may be excluded from their use. Various social goods provided by government (garbage collection, postal service, medical care, museums, G public housing, and national parks) have some characteristics of private goods. Charges and fees are sometimes, but not always, levied on users. Whether such goods, which conceivably could be provided by the market economy, will be provided by the government is a function of political

decisions influenced by tradition (parks), notions of the proper functions of government (the post office), the desire of users or beneficiaries to shift some of their costs to others (federal crop insurance), and the like.

Some might still argue that only collective goods should be the subject of public policy. The tendency, however, has been more and more to convert private goods into social goods by government action. Many consider ill health, unemployment, environmental pollution, industrial accidents and disease, and misrepresentation in the marketplace to be collective rather than individual problems-matters affecting the entire population, hence involving public goods for which the entire society should pay. Generally, the more something is thought to have the qualities of a public good, the more likely people are to accept its provision by government. If it seems clear that some benefit more directly than others, there may also be a desire to levy charges, fees, or taxes on the direct beneficiaries to cover part of the cost. Thus we encounter user fees at national parks, tuition at public colleges, rent in public-housing projects, and tolls for some bridges and highways.

The privatization movement, encouraged in the 1980s by the Reagan administration, represented a counterforce to the long-run tendency to expand the scope of social goods. Based on free-market economic theory, privatization supports transferring many government assets or programs to the private sector and contracting with private companies to handle many public services, whether the collection of garbage or the operation of prisons. "The private sector, it is argued, will perform these functions more efficiently

and economically than the public sector."²³

The results of the privatization movement at the national level are mixed. A successful example is the sale of Conrail, which operated several railroads in the Northeast and Midwest, to a private corporation. Nothing, however, came out of proposals by the Reagan administration and others to sell public lands in the western states to private buyers.²⁴ Even western ranchers and other supporters of the "sagebrush rebellion," which promoted transferring ownership of public lands to state and local governments, lost interest in privatization. Their access to public grazing lands with low lease rates would have been jeopardized by privatization. Congress was also quite skeptical about the sale of public lands.

APPROACHES TO POLICY STUDY

Political and social scientists have developed many models, theories, approaches, concepts, and schemes for analyzing policymaking and its related component, decision-making. Indeed, political scientists have often displayed more facility and zeal for theorizing about public policymaking

than for actually studying policy and the policymaking process. Nonetheless, theories and concepts are needed to guide the study of public policy, to facilitate communication, and to suggest possible explanations for policy actions. Those who aspire to systematically study the policymaking process need some guidelines and criteria of relevance to focus their effort and to prevent aimless meandering through the fields of political data. What we find when we engage in research depends partly upon what we are looking for. Policy concepts, models, and theories give direction and structure to our inquiry.

In this section I will survey several theoretical approaches to the study of public policy. But first we must distinguish between policymaking and decision-making, a distinction students of public policy do not always make with clarity, if at all. Decision-making, which will be treated in Chapter 4, involves making a discrete choice from among two or more alternatives, such as whether or not to read further in this book. Theories of decision-making deal with the criteria and processes used in making such choices. A policy, as I defined it earlier, is "a relatively stable, purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern." Policymaking thus typically encompasses a flow and pattern of action that extends over time and includes many decisions, some routine and some not so routine. Rarely will a policy be synonymous with a single decision. Here is a mundane illustration: it would not be accurate for a person to state that it was his policy to bathe on Saturday nights, if in fact he did so infrequently, however elegant and thoughtful the decision-making process that led to his doing so on a rare Saturday. It is the course of action, the pattern or regularity, that defines policy, not an isolated event. In the example, the policy is best thought of as going dirty.

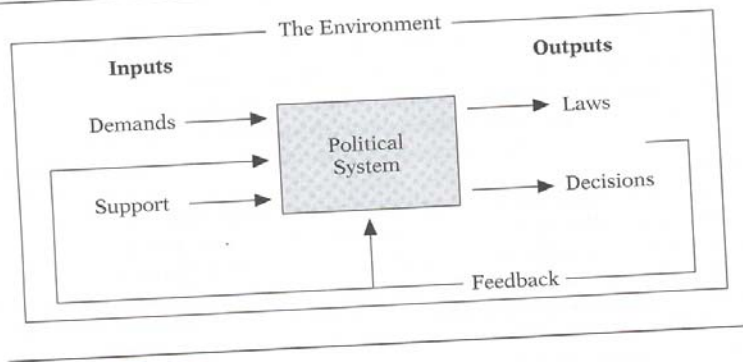
The theoretical approaches discussed here include political systems theory, group theory, elite theory, institutionalism, and rational-choice theory.

Although most of these approaches were not developed specifically for analyzing policy formation, they can readily be bent to that purpose. They are useful to the extent that they direct our attention to important political phenomena, help clarify and organize our thinking, and suggest explanations for political activity or, in our case, public policies. Limitations and criticisms are mentioned as the discussion proceeds.

Political Systems Theory

Public policy may be viewed as a political system's response to demands arising from its environment. The political system, as Easton defines it, comprises those identifiable and interrelated institutions and activities (what we usually think of as governmental institutions and political processes) in a

FIGURE 1.1 A Model of the Political System



society that make authoritative allocations of values (decisions) that are binding on society. The environment consists of all phenomena—the social system, the economic system, the biological setting—that are external to the boundaries of the political system. Thus at least analytically one can separate the political system from all the other components of a society. Inputs into the political system from the environment consist of demands and supports. Demands are the claims for action that individuals and groups make to satisfy their interests and values. Support is rendered when groups and individuals abide by election results, pay taxes, obey laws, and otherwise accept the decisions and actions undertaken by the political system in response to demands. The amount of support for a political system indicates the extent to which it is regarded as legitimate, or as authoritative and binding on its citizens.

Outputs of the political system include laws, rules, judicial decisions, and the like. Regarded as the authoritative allocations of values, they constitute public policy. The concept of feedback indicates that public policies (or outputs) made at a given time may subsequently alter the environment and the demands arising there from, as well as the character of the political system itself. Policy outputs may produce new demands, which lead to further outputs, and so on in a never-ending flow of public policy (see Figure 1.1).

The usefulness of systems theory in studying public policy is limited by its highly general and abstract nature. It does not, moreover, say much about the procedures and processes by which decisions are made and policy is developed within the "black box" called the political system. Indeed, systems theory depicts government as simply responding to demands made upon it, and its results are sometimes characterized as "input-output studies." (For an illustration, see the discussion on pp. 49-52).

Nonetheless, this approach can be helpful in organizing inquiry into policy formation. It also alerts us to some important facets of the political process, such as these: How do inputs from the environment affect the content of public policy and the operation of the political system? How in turn does public policy affect the environment and subsequent demands for policy action? How well is the political system able to convert demands into public policy and preserve itself over time?

Group Theory

According to the group theory of politics, public policy is the product of the group struggle. One writer states, "What may be called public policy is the equilibrium reached in this [group] struggle at any given moment, and it represents a balance which the contending factions or groups constantly strive to weight in their favor."²⁶ Many public policies do reflect the activities of groups. Examples include the AFL-CIO and minimum-wage legislation, farm groups and agricultural subsidies, the National Rifle Association and gun-control policies, and the National Education Association and federal aid to public schools.

Group theory rests on the contention that interaction and struggle among groups are the central facts of political life. A group is a collection of individuals that may, on the basis of shared attitudes or interests, make claims upon other groups in society. It becomes a political interest group "when it makes a claim through or upon any of the institutions of government."²⁷ And many groups do just that. The individual is significant in politics only as a participant in or a representative of groups. It is through groups that individuals seek to secure their political preferences.

A main concept in group theory is that of access. To have influence and to be able to help shape governmental decisions, a group must have access, or the opportunity to express its viewpoints to decision-makers.²⁸ Obviously, if a group is unable to communicate with decision-makers, if no one in government will listen, its chances of affecting policymaking are slim. Access may result from the group's being organized, from its having status, good leadership, or resources such as money for campaign contributions. Social lobbying--the wining, dining, and entertaining of legislators and other public officials--can be understood as an effort to create access by engendering a feeling of obligation to the groups involved. Then, when a group wishes to discuss policy matters with an official, it will have an opportunity to present its case. Contributions to legislators by political action committees (PACs) are also often justified as a way of acquiring or maintaining access.

In the nature of things, some groups will have more access than others. Public policy at any given time will reflect the interests of those who are

dominant. As groups gain and lose power and influence, public policy will be altered in favor of the interests of those gaining influence against the interests of those losing it.

The role of government ("official groups") in policy formation is described by one proponent of group theory:

The legislature referees the group struggle, ratifies the victories of the successful coalitions, and records the terms of the surrenders, compromises, and conquests in the form of statutes. Every statute tends to represent compromises because the process of accommodating conflicts of group interests is one of deliberation and consent. The legislative vote on any issue tends to represent the composition of strength, *Le.*, the balance of power, among the contending groups at the moment of voting. . . . Administrative agencies of the regulatory kind are established to carry out the terms of the treaties that the legislators have negotiated and ratified. . . . The judiciary, like the civilian bureaucracy, is one of the instrumentalities for the administration of the agreed rules.²⁹

Group theory focuses on one of the major dynamic elements in policy formation, especially in pluralist societies such as the United States, but it seems both to overstate the importance of groups and to understate the independent and creative role that public officials can play in the policy process. Indeed, many groups have been generated by public policies. The American Farm Bureau Federation, which developed around the agricultural extension program, is a notable example, as is the National Welfare Rights Organization. Public officials also may acquire a stake in particular programs and act as an interest group supporting their continuance. In the United States some welfare-agency employees, including social workers, prefer current programs, with their emphasis on supervision and services (as well as benefits), to a guaranteed annual income, which would probably eliminate some of their jobs.

Another shortcoming of group theory is that in actuality many people (e.g., the poor and disadvantaged) and interests (such diffuse interests as natural beauty and social justice) are either not represented or only poorly represented in the group struggle. As Professor E. E. Schattschneider remarks about the under organization of the poor; "The flaw in the pluralist heaven is that the heavenly chorus sings with a strong upper-class accent."³⁰ Those who are not represented will have little voice in policymaking and thus their interests are likely to be slighted therein.

Finally, from a methodological perspective, it is misleading and inefficient to try to explain politics and policymaking solely in terms of interests and the group struggle. This bias leads to neglect of many other factors, such as ideas and institutions, which abound and which independently affect the development of policy. The reductionism or uncausal explanation that results when

all political phenomena are crammed into the group concept should therefore be avoided.

Elite Theory

Approached from the perspective of elite theory, public policy can be regarded as reflecting the values and preferences of a governing elite. The essential argument of elite theory is that public policy is not determined by the demands and actions of the people or the "masses" but rather by a ruling elite whose preferences are carried into effect by public officials and agencies.

Professors Thomas Dye and Harmon Zeigler provide a summary of elite theory:

- 1 .Society is divided into the few who have power and the many who do not. [Only a small number of persons allocate values for society; the masses do not decide public policy.]
2. The few who govern are not typical of the masses who are governed. Elites are drawn disproportionately from the upper socioeconomic strata of society.
- 3 .The movement of non-elites to elite positions must be slow and continuous to maintain stability and avoid revolution. Only non-elites who have accepted the basic elite consensus can be admitted to governing circles.
- 4 .Elites share a consensus on the basic values of the social system and the preservation of the system. [In the United States, the elite consensus includes private enterprise, private property, limited government, and individual liberty.]
5. Public policy does not reflect demands of the masses but rather the prevailing values of the elite. Changes in public policy will be incremental rather than revolutionary. [Incremental changes permit responses to events that threaten a social system with a minimum of alteration or dislocation of the system.]
6. Elites may act out of narrow self-serving motives and risk undermining mass support, or they may initiate reforms, curb abuse, and undertake public-regarding programs to preserve the system and their place in it.
- 7 .Active elites are subject to relatively little direct influence from apathetic masses. Elites influence masses more than masses influence elites.³²

So stated, elite theory is a challenging theory of policy formation. Policy is the product of elites, reflecting their values and serving their ends, one of which may be a desire to provide in some way for the welfare of the masses. Dye argues that development of civil-rights policies in the United States during the 1960s can be suitably explained by elite theory. These policies were "a

response of a national elite to conditions affecting a small minority of Americans rather than a response of national leaders to majority sentiments." Thus, for example, the "elimination of legal discrimination and the guarantee of equality of opportunity in the Civil Rights Act of 1964 was achieved largely through the dramatic appeals of middle-class black leaders to the conscience of white elites."³³

This interpretation presents a narrow perspective on both who is affected by or interested in civil-rights policies and the explanation for adoption of the Civil Rights Act of 1964. Certainly leadership in Congress and the executive branch was very important, but so too were civil-rights protests and marches, public opinion, and support from an array of nonblack organizations. The civil-rights movement of the 1960s was far more than an effort by black leaders to appeal to the conscience of white elites.

Elite theory focuses our attention on the role of leadership in policy formation and on the reality that, in any political system, a few govern the many. Whether elites rule and determine policy, with little influence from the masses, is a difficult proposition to handle. It cannot be proved merely by assertions that the "establishment runs things," which has been a familiar plaint in recent years. Political scientist Robert Dahl argues that to defend the proposition successfully one must identify "a controlling group, less than a majority in size, that is not a pure artifact of democratic rules . . . a minority of individuals whose preferences regularly prevail in cases of differences of preferences on key political issues."³⁴ It may be that elite theory has more utility for analysis and explanation of policy formation in some political systems, such as developing or Eastern European countries, than in others, such as the pluralist democracies of the United States and Canada. Sociologist William Domhoff has long argued, however, that there is an American upper class, based on the ownership and control of large corporations, which is in fact a governing class.³⁵

Institutionalism

The study of government institutions (or organizations) is one of the oldest concerns of political science. This is not surprising, since political life generally revolves around governmental institutions such as legislatures, executives, courts, and political parties; public policy, moreover, is authoritatively determined and implemented initially by these institutions.

Traditionally, the institutional approach concentrated on describing the more formal and legal aspects of governmental institutions: their formal structure, legal powers, procedural rules, and functions or activities.

Formal relationships with other institutions might also be considered, such as legislative-executive relations. Usually little was done to explain how institutions actually operated as opposed to how they were supposed to operate, to analyze public policies produced by the institutions, or to discover the relationships between institutional structure and public policies.

Subsequently, political scientists turned their attention in teaching and research to the political processes within governmental or political institutions, concentrating on the behavior of participants in the process and on political realities rather than formalism. In the study of the legislatures, interest shifted from simply describing the legislature as an institution to analyzing and explaining its operation over time, from its static to its dynamic aspects. Thus in the academic curriculum the course on the legislature often came to be about the legislative process.

Institutionalism, with its emphasis on the formal or structural aspects of institutions, can nonetheless be usefully employed in policy analysis. An institution is, in part, a set of regularized patterns of human behavior that persist over time and perform some significant social function or activity. It is their differing patterns of behavior that really distinguish courts from legislatures, from administrative agencies, and so on. These regularized patterns of behavior, which we often call rules or structures, and the like, can affect decision-making and the content of public policy. Rules and structural arrangements are not neutral in their effects; rather, they tend to favor some interests in society over others and some policy results over others. It is contended that some of the Senate rules (and traditions, which often have the effect of rules), such as those relating to unlimited debate and action by unanimous consent, favor the interests of minorities over majorities. Many actions in the Senate, such as bringing bills up for consideration and closing off debate on them, are done by unanimous consent. Thus one senator, so inclined, can block action by the Senate.

In the American federal system, which allocates governmental power among the national and state governments, several arenas of action are created. Some groups may have more influence if policy is made at the national level, whereas others may benefit more from state policymaking.

Civil-rights groups, for example, have received a better response in Washington, D.C., than in the capitals of the southern states. Groups advocating adoption of English as the nation's official language, however, have fared better at the state level. Between 1983 and 1989, seventeen state legislatures enacted such laws, but the Congress was unsympathetic. Indeed, the Voting Rights Act provides that in some states ballots must be printed in foreign languages as well as English.

In summary, institutional structures, arrangements, and procedures often have important consequences for the adoption and content of public policies. They provide part of the context for policymaking, which must be considered along with the more dynamic aspects of politics, such as political parties, groups, and public opinion, in policy study. By itself, however, institutional theory can provide only partial explanations of policy.

Rational-Choice Theory

The rational-choice theory, which is sometimes called *social-choice*, *public choice*, or *formal theory*, originated with economists and involves applying the principles of microeconomic theory to the analysis and explanation of political behavior (or nonmarket decision-making). It has now gained quite a few adherents among political scientists.

Perhaps the earliest use of rational-choice theory to study the political process is Anthony Downs's *Economic Theory of Democracy*.³⁶ In this influential book, Downs assumes that voters and political parties act as rational decision-makers who seek to maximize attainment of their preferences. Parties formulated whatever policies would win them most votes, and voters sought to maximize the portion of their preferences that could be realized through government action. In attempting to win elections, political parties moved toward the center of the ideological spectrum to appeal to the greatest number of voters and maximize their voting support. Thus, rather than providing voters with "meaningful alternatives," parties will become as much alike as possible, thereby providing an "echo rather than a choice."

Let us now look more closely at the major components of rational-choice theory. One of its basic axioms is that political actors, like economic actors, act rationally in pursuing their own self-interest. Thus economist James Buchanan, a leading proponent of rational-choice theory, contends that politicians are guided by their self-interest rather than an altruistic commitment to such goals as statesmanship or the national interest. "This should be no surprise," says Buchanan, "because governments are made up of individuals, and individuals operate from self-interest when they are engaged in a system of exchange, whether this is in the market economy or in politics."³⁷ Individuals who are engaged in decision-making exchanges or transactions, such as voting, also have preferences that vary from person to person. Being rational, individuals are able to comprehend and rank their preferences from most to least desired. In making decisions (whether economic or political), they are guided by these preferences and will seek to maximize the benefits they gain. In short, people are self-interested utility maximizers, not the uninformed, confused, or irrational choice-makers often depicted in analyses of political behavior.

A second basic axiom of rational-choice theory involves methodological individualism. The individual decision-maker is the primary unit of analysis and theory. The individual's preferences or values are assumed to be more important than other values--collective, organizational, or social. Conversely, rational-choice theorists argue that the actions of organizations and groups can be satisfactorily explained in terms of the behavior of a model individual. Nothing substantial will be lost by so doing in explaining the behavior of all persons.

For example, a rational-choice explanation of why Congress delegates discretionary power to administrative agencies begins with the assumption that the preference of members of Congress is to get reelected.³⁸ To this end, legislators delegate power to agencies, knowing that in exercising that power the agencies will create problems for their constituents. Legislators will then be called on by their constituents to assist them with their bureaucratic problems and, in return for assistance, the grateful constituents will vote to reelect the legislators. The pursuit of self-interest by the members of Congress thus explains the delegation of power and the growth of bureaucracy.

Some rational-choice theorists have begun to explore the effects of incomplete or imperfect information and uncertainty on policymaking.³⁹ Political decision-makers are said to be possessed of differing amounts of information (a condition called information asymmetry) and are uncertain about the outcomes or consequences of laws and policies when they are implemented. In Congress, legislative committee members, as policy specialists and the basic developers of legislation, are best informed about the relationship between a proposed policy and its likely consequences. In comparison, the rank-and-file members of Congress, who make the final decisions on the enactment of legislation, have only limited knowledge of the policy consequences relationships. Conceivably this information asymmetry would permit committee members to act strategically and secure the enactment of policies of benefit primarily to themselves (and their constituents). Various rules and practices in Congress, however, help ensure that legislators will have incentives both to specialize in analyzing public problems and crafting policies and to make information generally available to the members of Congress.

The problem is to identify the institutional arrangements that help reduce uncertainty. This "information-theories" variant of rational choice continues to assume that legislators are utility maximizers with differing interests. Their utility, however, is determined by policy outcomes rather than by policies per se. About outcomes, as we have seen, there is uncertainty.

Rational-choice studies of political behavior are often characterized by rigid and narrow assumptions, mathematical equations, abstractions, and remoteness from reality. Even William C. Mitchell, an early enlistee in the rational-choice movement, remarks that as it appears in textbooks, rational choice theory "hardly involves government, politicians, bureaucrats, and interest groups. Little of the exposition . . . has anything to do with the fiscal or regulatory lives of the community or state."⁴⁰ A more positive view holds that "in its pure form it is one, but only one, useful, partial explanation of politics."⁴¹

Rational-choice theory both alerts us to the importance of self-interest as a motivating force in politics and policymaking, and provides a better understanding of decision-making processes. Many contend, however, that politics is not as devoid of altruism and concern for the public interest as the rational choice theorists assume. The adoption of "good public policy," for example, is

frequently a goal of members of Congress.⁴² And public-interest groups, such as the National Wildlife Federation, are motivated by more than immediate self-interest.⁴³

Commentary

Although individual political scientists often manifest strong preference for one or another of these theoretical approaches (or others, such as incrementalism, which is presented as a decision-making theory in Chapter 4), I cannot authoritatively state which is the "best" or the most satisfactory. Each approach focuses one's attention on different aspects of policymaking and politics, and thus seems more useful for understanding some situations or events than others.

Group theory and elite theory are mutually exclusive explanations of how the policy process operates and, most important, of who controls or dominates and benefits from it. Or, succinctly: Who rules? Sharp intellectual struggles have been waged between group (or pluralist) theorists and elite theorists about who controls decision-making on public policy in American communities. Much heat if not light was generated by this controversy, which has quieted down without the issue having been fully resolved.⁴⁴

Systems theory and institutionalism both focus on the process of policymaking, albeit in different ways, and are not incompatible. Institutionalism can be used to help explain what goes on within the "black box" (the political system), which is neglected by systems theory. Because neither theory directly confronts the question of who rules, either group or elite theory could be combined with them to some degree. Rational-choice theory, because of its narrow focus, must stand pretty much by itself. Institutions appear as the individual writ large; little attention is given to the policy environment, how issues are brought to the attention of government, or how policy preferences are developed. Like institutionalism, however; rational-choice theory does show much interest in how rules and structures help determine the outcomes of decision-making. Rational-choice scholars often occupy themselves with demonstrating how the manipulation of rules could produce preferred decisions.

On the question of who rules, rational-choice theory asserts that democratically elected officials will promote their own interest rather than the people's. This conviction frequently leads to the normative (and conservative) conclusion that less government is better government. Group theorists feel that the interests of dominant groups (however determined) prevail, and for elite theorists the few (a ruling class) govern in their own interest, perhaps with some concern for the condition of the masses.

The various theories thus raise some controversial questions about politics and the policymaking process. They also tend to skew research findings.

Not surprisingly, pluralists find groups in control, elite theorists detect dominance by an elite, and rational-choice theorists find that self-interest dominates. These theories are therefore not merely neutral alternatives for guiding analysis. What one finds in policy research depends in important part on what one is looking for, just as those who go about town "looking for trouble" are more apt to find it than are more peaceful citizens.

It seems wise not to be bound too dogmatically or rigidly to one model or approach. A good rule for the policy student is to be eclectic and flexible, and to draw from theories or concepts that seem most useful for the satisfactory and fair-minded description and explanation of political events and policies. The objective explanation of political behavior rather than the validation of one's preferred theoretical approach should be the goal of political inquiry. Each of the theories discussed, if drawn upon skillfully and selectively, can contribute to a better understanding of policymaking.

METHODOLOGICAL DIFFICULTIES IN STUDYING PUBLIC POLICY

Methodological problems afflict all research, although social scientists appear both more self-conscious about their methodology and more intellectually inclined to batter themselves for methodological infirmities than do natural and physical scientists. Policy research, especially given the complexity of its subject matter, has its full share of methodological problems. Such problems may impede or limit policy research, and may make it more than a little frustrating at times, but they neither prevent it nor negate the need for it. An awareness of some of these problems, however, may help prevent wasted efforts, needless errors, unsound conclusions, and insomnia.

Solid, conclusive evidence, facts, or data, as one prefers, on the motives, values, and behavior of policy-makers, the nature and scope of public problems, the impact of policies, and other facets of the policy process are often difficult to acquire or simply not available. The urge to convert assumptions or speculations about what happened into facts is something to be resisted, along with the uncritical acceptance of the often self-serving statements or incomplete explanations emanating from public officials and other participants in the policy process. Sometimes numerical measures of political phenomena such as policy impacts are used without sufficient care in determining their validity. Is the number of infant deaths (in their first year) per 1,000 live births a good indicator of the general level of health care in a society that has much income inequality? Do salary levels and similar data really measure the professionalism of civil servants?

The acquisition of hard facts about who did what, why, and with what effect should be the goal of research. We need to be able to say with some certainty why members of Congress respond to constituency interests on some issues and not others, or what role the media play in setting agendas.

In explaining behavior in the policy process, one needs empirical data that will permit the demonstration or sound inference of cause-and-effect relationships. Once a person gets involved in quantitative data-based analysis, it is important to resist the notion that collecting empirical data: is of prime importance and that the more data one has, the more one can explain. One can drown in a sea of data as well as thirst for lack thereof. To account for or explain behavior, theory is needed that will guide analysis in potentially fruitful directions, as well as good judgment in the selection of policy measures. As much as possible, hypotheses about cause-and-effect relationships need to be developed and tested on the basis of the best available evidence.

The notion that policy analysis is worthwhile only when it involves the analysis of quantitative data with statistical techniques-the higher powered the better-should also be resisted. There is no reason to assume that if something cannot be counted, it does not count. Some policy areas and problems have not been very amenable to rigorous quantitative measurement and analysis, although this may not always continue to be the case. Many aspects of social welfare and economic regulatory policies currently fit into this category. How does one measure the comparative influence of pressure groups, agency values, and economic analysis on rulemaking by EPA or OSHA? The prosecution of insider traders by the Securities and Exchange Commission? The total benefits of a public-housing program? And how does one appraise the power of ideas, as distinct from interests, in developing programs for the handicapped? Such questions present real puzzles.

Yet it should be stressed that explicit theory, quantitative data, and careful, rigorous analysis have not been as frequently utilized in studying policy as would be possible or desirable. Thus political scientist Marver H. Bernstein's hoary contention that regulatory agencies pass through a four stage life cycle (gestation and birth, youth, maturity, and old age), frequently culminating in their "capture" (which is not well-specified) by the regulated groups, is often cited as though it were a clearly supported phenomenon.⁴⁵ Bernstein provides impressionistic support but by no means strong proof for his life-cycle theory. (He does not follow a single commission through all of the stages of the cycle.) It still lacks systematic empirical support. Conventional wisdom of this sort frequently rests on a rather frail intellectual foundation. Another example, also in the regulatory area, is economist George Stigler's theory of economic regulation. It holds that, as a rule, regulation is sought by the affected industry and operated for its benefit.⁴⁶ This theory will not do much to explain a raft of consumer protection, industrial health and safety, and environmental programs, or the deregulation legislation of the late 1970s and early 1980s.

Many perceptive and informative studies of policy formation employ little or no statistical analysis. Examples are Charles O. Jones's *Clean Air*; Alan Stone's *Economic Regulation and the Public Interest*; Barbara I. Nelson's *Making an Issue of Child Abuse*; and I. M. Destler's *American Trade Politics*.⁴⁷ The quality of intellectual analysis and careful use of sound data (or information) are more important than whether and to what extent quantitative analysis is employed when it comes to determining the worth of a study. To be rigorous, analysis does not have to be quantitative, and not all quantitative analysis is rigorous. Those who use quantitative techniques have been known to quarrel with enthusiasm and even some rancor over the reliability or appropriateness of their techniques and the validity of their findings. (In Chapter 2 there is a discussion on whether socioeconomic or political variables better explain policy.) Also, to be fair-minded, one should avoid developing a phobia for quantitative or statistical analysis, as some did in reaction to the behavioral movement in political science. Much can be learned through quantitative analysis.

Data gained by interviews and questionnaires administered to public officials and other players in the policy process are often invaluable and may not otherwise be available to researchers. Care is required, however, in using both such techniques and the data acquired. Questions must be properly framed to elicit the needed information. Questions which are "loaded" and therefore bias responses, or which are so general as to create strong doubt about their intent, need to be avoided. Officials and others may not always respond fully or candidly to questions, their memories may be hazy, and they may overstate their own role in events. Data gained from these sources obviously should not be viewed as gospel. Rather, they should be checked against other sources, used with care, and regarded as representing particular viewpoints on some event. Good judgment is called for.

Many studies of policymaking take the form of case studies; that is, they focus on particular programs, statutes, or areas of public policy. Case studies have been the butt of much criticism because, being narrowly based, they do not permit sound generalization. "What is a case study a case of?" is a common gibe. Preferred studies are those dealing with all the cases in a universe, such as all regulatory commissions or sunset laws, or a meaningful sample thereof, such as Supreme Court decisions on the rights of the accused or the benefit decisions made by a welfare agency. These afford a better basis for generalizations. Case studies, however, do have a variety of uses.⁴⁸ They can be used to test theories, to develop new theories, to provide detailed, contextual analysis of events, to analyze deviant cases that contradict our generalizations, and to help provide an "intuitive feel" for the subtleties and nuances of the policy process and the practice of politics. There is plenty of room in the study of policy for both case studies and more general and comparative studies. To draw on a Republican analogy, policy study should be viewed as a "big tent".

THE PLAN OF THIS BOOK

The central concern of this book is the policy process, which is a shorthand way of designating the various processes and practices by which public policies are formed. There is not, however, a single process by which policies are made. They do not come off of an assembly line as do automobiles or television sets. Rather, variations in the subjects of policies will produce variations in the style and techniques of policymaking. Foreign policy, taxation, railroad regulation, health-care financing, professional licensing, and reform of local government each are characterized by distinguishable policy process-different participants, procedures, techniques, decision rules, and the like. Policymaking may also vary depending upon whether its primary organizational location is the legislature, the executive, the judiciary, or administrative agencies. Policymaking within administrative agencies is more likely to be characterized by hierarchy, secrecy (or low visibility), and the involvement of experts or professionals than is legislative policymaking.⁴⁹ And certainly one will discover differences in the formation of tax policy in the United States, Great Britain, and Mexico.

This variability does not mean, however, that there are no common functions or elements, and that it is impossible to formulate generalizations on policy formation. Given the diversity and complexity in policymaking processes, the development of some sort of "general theory" that has broad explanatory power is an unrealistic aspiration.⁵⁰ But we can achieve a useful start toward what political scientists call "theory building" by striving to develop sound generalizations about such topics as who is involved in policy formation, on what sorts of issues, under what conditions, in what ways, and to what effect. Nor should we neglect to ask about how policy problems develop or obtain a place on governmental agendas. Such questions are not as simple as they may first appear. To provide a conceptual framework to guide the examination of the policy process in the ensuing chapters, I view it as a sequential pattern of activities or functions that can readily be distinguished analytically although they may be empirically more difficult to pull apart. The following categories or stages are employed (see their portrayal in Table 1.1). Some illustrative questions are included.

1. Problem identification and agenda setting. The focus here is on how the problems that may become the targets of public policies are identified and

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specified. Why only some problems, out of all that exist, receive consideration by policy-makers require an examination of agenda setting; that is, how governmental bodies decide what problems to address. What is a public problem? Why does some condition or matter become a public problem? How does a problem get on a governmental agenda? Why do some problems not achieve agenda status?

.³Formulation. This encompasses the creation, identification, or borrowing of proposed courses of action, often called alternatives or options, for resolving or ameliorating public problems. Who participates in policy formulation? How are alternatives for dealing with a problem developed?

Are there difficulties and biases in formulating policy proposals?

.⁴Adoption. This involves deciding which proposed alternative, including taking no action, will be used to handle a problem. In American legislatures this function is performed by majorities. How is a policy alternative adopted or enacted? What requirements must be met? Who are the adopters? What is the content of the adopted policy?

.⁵Implementation. (A synonym is administration.) Here attention is on what is done to carry into effect or apply adopted policies. Often further development or elaboration of policies will occur in the course of their administration. Who is involved? What, if anything, is done to enforce or apply a policy? How does implementation help shape or determine the content of policy?

.⁶Evaluation. This entails activities intended to determine what a policy is accomplishing, whether it is achieving its goals, and whether it has other consequences. Who is involved? Who is advantaged and disadvantaged by a policy? What are the consequences of policy evaluation? Are there demands for changes in or repeal of the policy? Are new problems identified? Is the policy process restarted because of evaluation?

Within this simplified framework, the formation and implementation of policies are seen as political in that they involve conflict and struggle among individuals and groups, officials and agencies, with conflicting ideas, interests, values, and information on public-policy issues. Policymaking is "political"; it involves "politics." That is, its features include conflict, negotiation, the exercise of power, bargaining, and compromise-'and sometimes such nefarious practices as deception and bribery. There is no good reason to resist or disparage this conclusion, or to imitate those who derogate policies that they do not like with such statements as, "It's nothing but politics." Although it is sometimes implied or even asserted that if enough analysis were done, if enough facts and data were gathered, all "right-thinking" people would agree on the appropriate course of action to handle a problem, this is not the way the world works. Quite reasonable people can disagree on policy issues because they have differing interests, values, and affiliations. Politics is the way a democratic society resolves such differences.

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The policy-process approach to policy study has several advantages. First, and most important, the policy-process approach centers attention on the officials and institutions who make policy decisions and the factors that influence and condition their actions. We need to be concerned about more than the complexity of public problems, the goals of the polity, the general forms policy responses can take, and similar matters. Knowledge of these is clearly of value; but we also want to know who makes policy decisions and how they do it. Consequently, answers are needed for such questions as: What is the legislature's role in policymaking? How does its structure affect decision-making? What sorts of factors or considerations influence the legislator's decisions? The policy-process approach not only helps us learn about policymaking and policy, it also causes us to take a more holistic view of how government works.

Second, policymaking usually incorporates the stages or categories of activity that I have described. Its sequential nature thus helps one capture and comprehend the flow of action in the actual policy process. However, the formulation and adoption stages may blend together, as when proposed legislation on welfare reform is modified during consideration in committees and on the House and Senate floors in order to win votes needed for its enactment. Administrative agencies issue rules elaborating policy, as in the case of public-lands policy, while implementing it (see Chapter 6). The adoption of a policy, such as restrictions on abortion, solves a problem for some people while it creates a problem for others, who then restart the policy process in an effort to modify or repeal the disliked policy. Even in such instances, the policy-process approach can be used to analytically distinguish the various activities involved.

Third, the policy-process approach is flexible and open to change and refinement.⁵¹ Additional stages can be introduced if experience indicates that they would strengthen description and analysis. Perhaps budgeting should be recognized as a separate stage of the process. Various forms of data collection and analysis, whether quantitative (statistical), historical, legal, or normative (value-oriented), are compatible with it. It can be used to study a single policy (e.g., the Americans with Disabilities Act) or to compare the enactment and implementation of several civil rights laws. Group, institutional, and other approaches to policy study can be fitted into it. The group approach may help explain policy adoption; institutionalism can cast light on its implementation.

Systems theory may help alert us to some of its societal consequences.

Fourth, the policy-process approach helps present a dynamic and developmental, rather than static and cross-sectional, view of the policy process. It is concerned with the evolution of policy and requires that one think about what moves action on policy from one stage of the process to another.

Moreover, it helps emphasize relationships, or interactions, among the participants in policymaking. Political parties, interest groups, legislative procedures, presidential commitments, public opinion, and other matters can be

tied together as they help explain the formation of a policy. Further, one can seek to discover how action at one stage of the process affects action at later stages. For example, how does the design and content of legislation ease or complicate its implementation?

Fifth, the policy-process approach is not "culture bound." It can readily be used to study policymaking in foreign political systems. It also lends itself to manageable comparisons, such as how problems reach governmental agendas, or how policies are adopted in various countries. A few such comparisons are included in this book. 52 The structure of the remainder of the book looks like this: Chapter 2 surveys the environment or context of policymaking and the official and unofficial participants in the policy process. Chapter 3 examines the nature of policy problems and agendas, agenda-setting processes, and the formulation of policy proposals. Chapter 4 is concerned with decision-making and the adoption of public policies. Chapter 5 takes up the budgetary process because of its important effects on the implementation of public policies. The struggle to balance the budget is also considered. Chapter 6 discusses several aspects of policy implementation and explores why people comply with policies.

Chapter 7 deals with policy impacts, the evaluation of policies, and policy termination, which occasionally may follow evaluation. A case study on airline regulation and deregulation examines the rise, elaboration, and termination of an important public policy over several decades. In Chapter 8, I present some conclusions and comments on the American policy process.

FOR FURTHER EXPLORATION

<http://epn.org> The Electronic Policy Network site provides numerous links to liberal think tanks and foundations devoted to a variety of public policy issues such as economic, health, education, and media policies.

<http://www.policy.com> This site provides information related to public policy issues at the federal, state and local levels. Included in this web site are daily policy briefings, as well as a policy "issue of the week".

<http://www.public-policy.org> Although it is conservative in nature, the homepage of The National Center for Policy Analysis (NCPA) provides a wealth of descriptive material on specific domestic and foreign policy issues.

<http://www.pbs.org/newshour/> The Online News Hour provides a site entitled "Forum," where several current policy issues are debated each month. This site also contains transcripts of the various policy discussions and roundtable issues that were broadcast on The News Hour with Jim Lehrer.

Notes

.¹On policy analysis see Robert D. Behn, "Policy Analysis and Politics," *Policy Analysis*, VII (Spring 1981), pp. 199-226; and Peter J. May, "Politics and Policy Analysis," *Political Science Quarterly*, Vol. 101 (Spring 1986), pp. 109-125.

.²Thomas R. Dye, *Understanding Public Policy*, 7th ed. (Englewood Cliffs, N.J.: Prentice-Hall, 1992), p. 7.

.³Robert Eyestone, *The Threads of Public Policy: A Study in Policy Leadership* (Indianapolis: Bobbs-Merrill, 1971), p. 18.

.⁴Thomas R. Dye, *Understanding Public Policy*, 5th ed. (Englewood Cliffs, N.J.: Prentice-Hall, 1984), p. 1.

.⁵Richard Rose, ed., *Policy Making in Great Britain* (London: Macmillan, 1969), p.x.

.⁶Carl J. Friedrich, *Man and His Government* (New York: McGraw-Hill, 1963), p.79.

.⁷David Easton, *A Systems Analysis of Political Life* (New York: Wiley, 1965), p.212.

.⁸The basic typology is from Theodore J. Lowi, "American Business, Public Policy Case Studies, and Political Theory," *World Politics*, XVI (July 1964), pp. 677-715. The self-regulatory category is from Robert Salisbury, "The Analysis of Public Policy" in Austin Ranney, ed., *Political Science and Public Policy* (Chicago: Markham, 1968), pp. 151-175.

.⁹Lowi, *op. cit.*, p. 690.

.¹⁰Raymond Tatalovich and Byron W. Daynes, eds., *Moral Controversies in American Politics: Cases in Social Regulatory Politics* (Armonk, N.Y.: M. E. Sharpe, 1998).

.¹¹Randall B. Ripley and Grace A. Franklin, *Congress, the Bureaucracy, and Public Policy* (Pacific Grove, Calif.: Brooks/Cole 1991), pp. 20-21.

.¹²Kenneth J. Meier and E. Thomas Garman, *Regulation and Consumer Protection*, 2nd ed. (Houston: Dome Publications, 1995), pp. 41-42.

.¹³For a discussion of licensing, see *ibid.*, chap. 3.

.¹⁴James E. Anderson, "Agricultural Marketing Orders and the Process and Politics of Self-Regulation," *Policy Studies Review*, 11 (August 1982), pp. 97-111.

.¹⁵Lowi, *op. cit.*, p. 691. On redistributive policies, see Ripley and Franklin, *Congress, the Bureaucracy, and Public Policy*, *op. cit.*, chap. 6.