

PLS 209 – Environmental Politics
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Topic: The Policy Process

The Policy Process

- Characteristics common to environmental policymaking
 - It involves a number of related decisions emanating from different institutions
 - Policymakers seldom act without constraints
 - A sometimes volatile mixture of science and politics that often involves controversies among scientists, politicians, and bureaucrats over the proper interpretation of scientific data and their respective roles in the policy process
 - Opportunities to make or change policy shift continually, often unpredictably
 - Changing political majorities
 - Shifting public moods
 - Economic changes
 - Technologic changes
 - Cultural changes
- What is a policy?
 - “Policy” is a course of action or inaction rather than a specific decision or action (Hecl 1979).
 - It includes
 - Laws, plans, guidance documents, memorandums, budgets, regulations, permit decisions, judicial decisions, etc.
- There are a variety of conceptualizations of the policy process.
 - This discussion is based on the work by Brewer and deLeon (1983) and Charles O. Jones. (1977, 1984)
 - The model is oversimplified but has the advantage of being readily understood
 - EX: It helps to explain the tension between science and politics or other features of policymaking such as “focusing events”
 - This approach makes no pretense of “rationality” – that isn’t the point because the policy process is not rational
 - There is nothing quite so irrational and misguided as approaches that claim to be rational and then operate as if the world should be the same -- neat, simple, and orderly (Brewer and deLeon 1983, 23)
 - Three general issues must be confronted by any approach to explaining the policy process
 - The problem orientation of decisionmakers – how they view problems
 - The context which gives rise to and is affected by decisions
 - The mechanisms and processes by which the problem orientation and context are related to decision making and the participant’s prior experience
 - Important to remember that a different mix of actors and institutions may be involved at each stage of the process discussed below
 - Different from incrementalism because this approach argues that context matters

- Critique of the Policy Process or Stages Heuristic
 - Jenkins-Smith and Sabatier (1993, 3 - 4) identify the following limitations for using the stages heuristic as a basis for research and teaching
 - The stages model is not really a causal model.
 - It lacks identifiable forces to drive the policy process from one stage to another
 - Because it lacks a causal element, it does not provide a clear basis for empirical hypothesis testing
 - Makes it difficult to know if it is a good model
 - Suffers from descriptive inaccuracy in its positing of a sequence of stages starting with initiation and passing through termination
 - Policy making rarely follows these stages in an orderly and predictable way
 - Stages metaphor suffers from a built-in legalistic top-down focus
 - Assumes policy is made at the top and trickles down to street-level bureaucrats
 - Reality is a lot of policy is made by agency officials and practitioners
 - The stages metaphor inappropriately emphasizes the policy cycle as the temporal unit of analysis
 - Other units of analysis might include the policy, the contextual setting, the advocacy coalitions that seek to advance different policies, etc.
 - The stages metaphor fails to provide a good vehicle integrating the role of policy analysts and policy oriented learning throughout the policy process
 - Where do the policy analysts/scientists belong?
 - Where does learning occur?
- Things to remember about policy making (Clark 1992)
 - Policy is often made in the implementation phase
 - Complex process - It doesn't follow the hierarchical, linear process outlined above
 - Often no clear beginning or end point
 - Agency decisions are a mix of science, art, and politics and that individual attitudes, values and professional norms weigh significantly in the process
 - Negotiation often visible in interagency consultation
 - Policy is often best made by those who implement it
 - Need to know the cast of characters, basic differences in kinds of information, and a sense of how the process works
- Challenges to effective Policy-Making
 - Neither problems, the settings in which they occur, nor the possible solutions stand still. They evolve over time and in response to efforts to better understand and master them
 - Time and space constraints makes solutions less perfect
 - Policy is rooted in the past
 - Policy is often stated in terms so broad that those responsible for implementation have no idea what to do or how to do it
 - High complexity and uncertainty surround policy decisions

Stages of the Policy Process

- Initiation/Invention (Agenda Setting)
 - This involves moving an issue to the official agenda – the set of items up for active and serious consideration by decisionmakers
 - There are always more problems than there is time or political will to address
 - Begins when a potential problem is first sensed and it involves problem recognition or identification
 - New information does not in and of itself place an issue on the agenda. Often some sort of political propellant that attracts political sponsors and public/media attention
 - Focus at this stages is on problem definition -- don't want to misdefine the problem
 - Agenda setting is often aided by “triggering” or “focusing events” (e.g., discovery of the ozone hole) that are then defined in action terms by policy entrepreneurs
 - A focusing event (or window of opportunity)) is usually a sudden or unexpected change that may invite media coverage and public concern, excitement, or curiosity
 - Policy entrepreneurs can exploit these focusing events to identify problems and propose solutions
 - Framing the problem and policy response is important to continue attracting media attention and to build coalitions around the policy problem or response
 - A key factor in agenda building is the expansion or subtraction of issues that can be linked to the lead issues under consideration
 - Add differentially valued, unrelated issues
 - Add side payments to gain political support or reduce opposition
 - Add issues to exploit their interdependencies
 - Add issues to reduce likelihood of agreement if you want to reduce chances for passage
 - Policy entrepreneurs can help connect the world of scientific discovery and policy action and are the individuals or organizations that serve as catalysts for policy change
 - They can be scientists themselves who personally lobby politicians
 - They can perform a “cross-pollinating” function b getting scientists and policymakers together
 - They can be a national political leader (e.g., Al Gore) or symbolic leader
 - They can be NGOs who skillfully build coalitions and influence public opinion
 - There are also policy saboteurs who work specialize in the formation of blocking coalitions and often seek to manipulate public opinion as well
- Estimation/Formulation (Assessing options)
 - The governmental agenda can also be a graveyard for public problems – relatively few issues survive this stage of the process
 - This stage is concerned with predetermining risks, costs, and benefits associated with each possible option that emerges from initiation and with new options that analysts discover as they continue their work
 - This involves setting goals, creating specific plans, and selecting the means to accomplish the goals
 - Requires coming to grips with the complexity of a system and its consequences

- Overlapping interactions among numerous elements, positive and negative feedback loops, nonlinear relationships, and continuous structure changes inherent in social systems.
 - Our limited intellectual apparatus prompts us to search for simple and regularly ordered regularity, which arguably doesn't exist. Our images are poor proxies for reality and our analyses frequently reflect these defective images
- With increased complexity comes increases in the number and diversity of system interpretations in part because of the biased and distorted views affected individuals bring with them to the problem context
- Because of their complexity, social systems are capable of producing problems neither expected nor results intended
- With increased complexity beneficial and harmful externalities seem to happen more often
- Accordingly, a principle focus at this stage is on figuring out ways to reduce complexity
 - This is where rational techniques such as c/b analysis risk assessment, and “science” can prove useful. (quantitative approach)
 - Other techniques would include preparing issue papers and other policy relevant forms of information that are more qualitative in nature
- The problem with most estimation activities, particularly those founded on the rational philosophies, is that these methods require projecting order on a problem
 - This requires that there actually is an optimal solution to the problem
 - It also requires assuming that the problem is constructed properly
- Policy analysts play a major role during this stage of the process
- Selection (Legitimation)
 - Refers to the fact that someone (or group of people) may eventually make a decision and create “policy”
 - Once created, policies must be invested with authority by formulating statutes, policy documents, plans, executive orders, etc.
 - To obtain public acceptance of new policies you may hold hearings, allow public comment or other administrative procedures, or use voting
 - The prior work on imagining and defining the problem and assessing alternatives is likely to play a role at this stage
 - Factors considered by policymakers include
 - The context of the problem
 - Points of leverage
 - Importance of the problem
 - Availability of information
 - Personality of participants
 - Recognizes the role that negotiation and bargaining plays
- Implementation
 - Policy implementation refers to the connection between the expression of governmental intention and the achievement of results in the world of action (O'Toole 1996)
 - Impact of a policy depends on how it is implemented. It is not until this stage of the process that the world changes or is altered in some way as a result of a policy

- Policies are frequently reformulated during the implementation process. Sometimes good policies are weakened, other times the policy’s defects are corrected
- The execution of the selected option may only bear a faint resemblance to the analysts orderly recommendations
- Often this leads to frustration on the part of an analyst who sees the policy transformed by the implementation process
- See implementation notes below
- Evaluation
 - It asks what policies and programs were successful or unsuccessful
 - How should performance be measured
 - Often retrospective in orientation
 - See program evaluation notes below
- Once a policy is formulated, it may be continually reformulated. Basically, evaluation leads to 3 basic options
 - Termination (start over)
 - It concerns the termination of policies, programs, or organizations that have become dysfunctional, redundant, outmoded, or unnecessary
 - Often neglected step of the policy process
 - Variety of obstacles to termination, many of which are institutional
 - Continuation (justification)
 - Evidence is gathered that is used to justify the policies continued implementation
 - Adjustment (policy change)
 - Evidence is gathered that supports some modification in the policy
 - New policies may be added to or subtracted from the existing policies over time and its scope and influence may expand or contract
 - Adjustments will typically occur in the peripheral aspects of a policy rather than in its core

Questions for Policy Analysts at Each Stage of the Process

Stage of Policy Process	Policy Analysis Questions
Problem Identification	What is the problem? What will happen if we do nothing?
Evaluating Alternatives	What should the goals be? What option or mix of options offers the greatest benefits at the least cost?
Selecting Alternatives	Which option is the most viable? Which is the most cost-effective? Which is the most feasible?
Implementation	What is necessary to obtain successful implementation?

Evaluation	Is it working? Is the program cost effective? Are the outcomes equitable? Are the goals and objectives being accomplished?
Policy Change	Do the current programs need to be changed? Are new policies needed?
Termination	Is the program worth keeping?

Variables frequently found to influence the implementation process

- Resources
- Clarity of policy message
- Content of policy message
- Communication of policy message
- Consistency of policy message
- Messages from constituency groups
- Dispositions of implementors
- Implementor's organizational capacity
- Political environment
- Socio-economic environment

What is “successful” implementation?

- Compliance
 - The most simple criterion is whether statutorily prescribed goals are met
 - How do you measure this when the legislation is vague, inconsistent, and contradictory?
- Policy impacts/outputs (e.g., Ringquist 1993)
 - Problem is that the causal theory of the policy may be flawed
 - Impacts are important because they play an important role in policy feedback
 - Over the long term, outcomes may play an important role in major restructuring of programs (e.g., welfare reform, Section 319 NPS program).
 - Over the short term, process and programmatic concerns may be more important
- Feasibility
- Level of effort
- Implementation behavior
 - Goggin, et al. (1990) use defiance, delay, strategic delay, and compliance
- Institutionalization of policies in programs and decision-making processes
- Policy evolution and improvement
 - As Wildavsky (1979) notes in *Speaking Truth to Power*, policy problems are seldom solved, they are only worked on. Furthermore, solving one problem often leads to other problems because of negative and sometimes hidden consequences of government actions
 - The test of implementation success is less whether specific problem-related objectives are achieved than whether the resulting problems are preferable to the initial problems (Ingram 1990)

- Ann Schneider (1982, 726-29) suggests relative criteria by asking “good as compared to what?”
 - Compare operations under a new policy with operations under an old program
- Johnson (1995) suggests the following distinctions can be made
 - *Idealistic Perspective*: It provides a permanent solution to the problem
 - *Legalistic Perspective*: It complies with a legislative mandate
 - *Responsive Perspective*: It is continually shaped by the situation in which the policy is applied. Program changes in response to demands of public and program participants
 - *Experimental Perspective*: It is shaped by the experiences and responses of administrators as they encounter problems

What is Program Evaluation?

- The systematic examination of a program to provide information on the full range of its effects on citizens
 - Evaluation simply asks, “Is it working”
 - Process evaluations: assess whether program is being delivered in accordance with stated guidelines
 - Impact evaluations: examines whether a policy (intervention) causes an intended change
 - Policy outputs: products of implementation activities (e.g., permits, enforcement actions, etc.)
 - Policy outcomes: Changes in larger societal problems (e.g., poverty levels)

Why Evaluate a Program?

- Satisfy managerial or administrative purposes
- Determine whether to continue or discontinue a program
- Improve a program’s practices and procedures
- Test an innovative approach to service delivery
- Determine whether to add or drop specific program strategies or techniques
- Determine whether to institute similar programs elsewhere
- Determine where to allocate resources among competing programs
- Decide whether to accept or reject a program’s approach

Many Standards to use When Evaluating Policies

- Effectiveness
 - Fulfillment of the program’s goals, the extent to which policies are achieving the intended benefits
- Efficiency
 - The margin of benefits gained from a program over the resources invested in it
- Equity
 - Extent to which a public program’s benefits and costs are distributed so that no group or individual receives less than a minimum benefit level or pays more than a maximum cost
- Legality
 - Conformance with federal and state law
- Responsiveness
 - Meets the needs and demands of clients and is modified on the basis of their reactions to the program

- Technical
 - Standards set by the professional groups operating within government that define acceptable practice in their respective fields
- Political
 - Resolution of conflict and maintenance of cooperation among contending groups in one or more administrative departments

Unfortunately the Results of Evaluations Often Fail to Influence Decisionmakers

- Organizations tend to resist change
- Policymakers often reject poorly done studies and trust their own interests
- Evaluations often bear little relationship to critical programmatic issues
- Evaluation results are not properly disseminated
- Ways to Increase the Use of Evaluations
 - Evaluators must understand the cognitive styles of decisionmakers
 - Evaluation results must be timely
 - Evaluators must respect stakeholder program commitments
 - Utilization and dissemination plan should be part of the evaluation design
 - Decisionmakers and evaluators must agree on the nature of the program, its goals, and measures
- When Are Evaluations Not Worth Doing
 - There are no questions that need to be answered about a program
 - A program has no clear structure or orientation
 - There is little agreement about what a program is trying to accomplish
 - A program's assumptions/objectives are implausible
 - Results of an evaluation are unlikely to influence decisions about a program
 - A program is not significant enough to merit an evaluation
 - An evaluation can not be completed in time to be useful
 - There is not enough money or staff qualified to conduct an evaluation