



James E. Anderson

PUBLIC POLICYMAKING

An Introduction

Second Edition

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PREFACE

Public Policymaking: An Introduction is a concise overview of the policymaking process, from problem identification and agenda setting to the impact, evaluation, and revision of policy. The text also introduces several major approaches to the study of policy formation, describes and analyzes the essential political environment of policymaking, and considers some of the practical aspects of policy development, such as political feasibility.

Material on the content of various public policies has been expanded in this edition, but its primary focus continues to be the policymaking process. Although the book is comprehensive in that it covers all stages of the policy process, by no means does it yield “everything anyone ever needs to know” about public policymaking. Rather, as its title indicates, it serves as a starting point for the study of public policy. An updated and expanded annotated bibliography is provided to assist readers who wish to explore the policy process more thoroughly.

In this new edition I have made changes that reflect new developments in the policymaking process (notably at the national level in the United States), recent additions to the political science literature on policymaking, and my on-going professional development. Some of these changes are indicated in the following outline.

Chapter 1 discusses the nature of public policy, several approaches to the analysis of policymaking, and the approach to policy study taken in this book. The discussion of job training has been updated and the material on rational choice has been expanded. Chapter 2 examines the policy environment and official and unofficial participants in the policy process. Additions have been made to the treatments of federalism, the Supreme Court and the abortion issue, and levels of policymaking. Chapter 3 deals with the nature of public problems, agenda setting, and the formulation of policy proposals. Some changes here include rewriting of the pollution-control case, expansion of the presentation of Anthony Downs’s issue-attention cycle, and more attention to the problem of determining legislative intent. Chapter 4 examines decision-making and policy adoption. A concluding case study traces the life cycle of natural gas price regulation. Here I have sought to clarify the meanings of both legitimacy and the public interest, and to update the discussion of presidential decision-making.

Chapter 5 ties budgeting into the development of substantive public policies, examines the complicated process by which the budget is formed, and discusses the political struggle to control the budget deficit. In addition to generally updating here, I explain the reconciliation process and the use of the budget process to affect policy content. Chapter 6 centers on policy implementation, including action to further shape or elaborate policy, by administrative agencies. Notable additions here include more material on administrative policy development and on emissions trading as an implementation technique. Chapter 7 looks at the impact and evaluation of policies and includes an updated case study of the Head Start program to illustrate the problems and politics of policy evaluation. New material has been added on the role of the General Accounting Office, the use of cost-benefit analysis, and the response to policy. The Epilogue presents some conclusions about the policy process and sketches a few problems encountered in studying the policy process.

I have tried to be evenhanded and impartial in my treatment of the many topics covered in the book, even though such matters as abortion rights, budget deficits, the performance of Congress, and cost-benefit analysis have produced sharp controversies in society. So too has rational-choice theory among political scientists. Although I am fully equipped with values, preferences, and biases, I have been guided, and I think with considerable success, by the principle of "intended neutrality." Analysis rather than advocacy and teaching rather than preaching have been my goals.

In my treatment of the policymaking process, I have undoubtedly included information that could be regarded as ordinary knowledge, as knowledge not requiring the skills of political or social scientists to develop and report. It is difficult, however, at least for me, to neatly draw a line between ordinary knowledge and scientific knowledge. Indeed, knowledge produced by scientific research may with time become ordinary, as in the instances of the germ theory of disease, the view of administration as a political process, and rejection of the quaint belief that judges merely find or discover law. Consequently, I have not hesitated to include information that may seem obvious or commonplace, especially to experts, when it adds meaning and clarity to the discussion of public policymaking.

I wish to express my appreciation for the assistance given by several people in the preparation of this edition. A number of persons reviewed drafts of the manuscript. They include:

Anthony K. Antwi, Sam Houston State University
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Although I did not always agree with or find myself able to act on their comments and suggestions, collectively they helped to make this a better book.

Various colleagues supplied needed information, even if they were not always aware of the purpose of my questions and requests. Especially helpful were Dan Wood and Becky Morton. Judy Hogg cheerfully handled the wordprocessing of the manuscript. At Houghton Mifflin, Margaret Seawell and Magda Hernandez helped guide the project to completion. And finally, Alberta (Mrs. Anderson), once again served as a sounding board for some of my ideas and many of my complaints, as well as a provider of ideas and encouragement. Our dog, Briar, was of no help whatsoever.

J. E. A.

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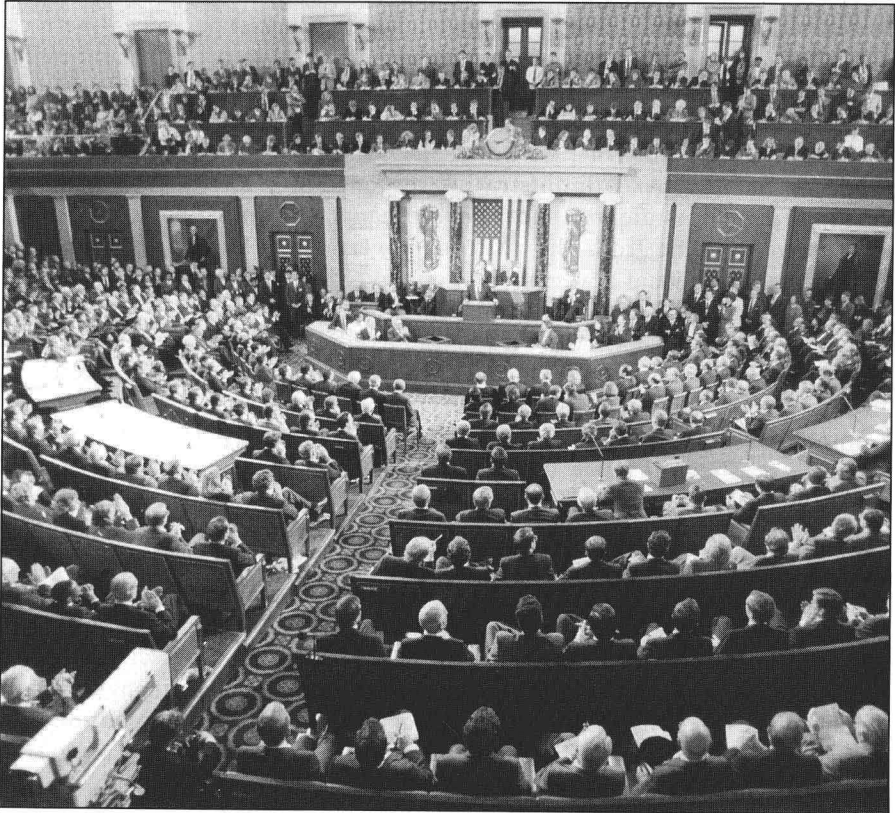
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1

THE STUDY OF PUBLIC POLICY



The State of the Union message provides the president with an opportunity to outline his programs and help set the Congressional agenda.

Until the Great Depression of the 1930s, unemployment had been regarded in the United States as a personal problem, something that was unfortunate for those affected, perhaps, but not a matter warranting governmental action. The Depression, which caused continuing high rates of unemployment, helped to change this attitude and unemployment came to be regarded as a public problem that government properly was expected to prevent or ameliorate. New Deal responses to this high unemployment included unemployment compensation, aid in finding jobs, and public-works programs to create jobs, including the often-maligned Works Progress Administration (WPA). Since then, government in the United States has been committed to combating unemployment through a variety of policies and programs.

A major addition to the arsenal of the government's unemployment programs in the 1960s was job training. Intended especially to help the chronically unemployed and underemployed, a number of job-training programs—skill training, on-the-job training, and work experience—were established.¹ Also, a bit later, a program was enacted to provide funding for temporary, full-time public-service jobs for the unemployed with state and local agencies. Most of these job-training and public-employment measures were brought together in 1973 under the Comprehensive Employment and Training Act (CETA). Administrative responsibility for them was shifted from national to state and local governments, but much of the financing continued to come from the national government. Most programs were administered by local governments.

For a decade CETA was the mainstay of government unemployment policy. Spending on CETA programs ran as high as \$10 billion annually in the late 1970s before being cut back by the Reagan administration. However, CETA had produced substantial controversy soon after its enactment. Complaints were common about the act's complexity and waste, inefficiency, and incompetence in the conduct of its programs. Public-service employment was often derided as a "make-work, dead-end jobs" program. Politically, CETA suffered from a weak constituency (the disadvantaged) and a poor public image.

One of Ronald Reagan's first actions after becoming president in 1981 was to propose elimination of most job-training and public-employment programs. A staunch conservative, he viewed them as ineffective and beyond the proper province of government. The public-employment program, which was in trouble before Reagan took office, was quickly eliminated. Congress balked, however, at doing away with the job-training programs, of which the Democrats were especially supportive.

Within the year, though, President Reagan changed his position on job training. His administration's restrictive economic policies, which brought down the high inflation that had been afflicting the country, also elevated the unemployment rate. In the fall of 1982 it exceeded 10 percent, the

highest rate the nation had experienced since the Great Depression. The president now switched his position and endorsed job training, not from a change of heart but rather because political realities and the approaching 1982 congressional elections made it politic to call for action on unemployment.

Following the 1982 elections, in which the Republicans fared poorly, both parties became committed to forming a new job-training policy. Much of the work in developing the new legislation was handled by those most interested in employment and job-training programs, notably the House and Senate labor committees; various labor, community, and client groups; and the Department of Labor. For the first time business groups also became deeply involved. The primary bill in the Senate was jointly sponsored by then Senator Dan Quayle (R, Indiana) and Senator Ted Kennedy (D, Massachusetts), which was emblematic of the bipartisan support for job-training legislation.

Enacted into law early in 1983, the Job Training Partnership Act (JTPA) continued many of the CETA training programs. Some important changes, however, reflected compromises between Democrats and Republicans in Congress and recommendations by the Reagan administration. The states rather than the local governments, as had been the case under CETA, were now accorded primary responsibility for overseeing job-training programs. Governors could divide their states into service-delivery areas (SDAs) to receive federal funds and provide services. Within each SDA a Private Industry Council (PIC), dominated by representatives of the business community, would have responsibility for managing the local service and training programs. These programs were to be especially targeted at youths, welfare recipients, and high-school dropouts. The popular Job Corps program for disadvantaged urban youths was continued, along with the summer youth employment program. Under JTPA, however, only limited payment of subsistence allowances to trainees would be permitted and employment of trainees in public-service jobs was banned. In all, the administration got much of what it wanted and President Reagan signed JTPA into law, chiding the Democrats for not acting more quickly on the job-training problems.

In the early 1990s, federal expenditures supporting JTPA grew to more than \$4 billion annually and went to more than 600 local SDAs plus 56 state and territorial programs. More participants received on-the-job training and were placed in private-sector jobs, at lower cost, than under CETA programs.

All was not well with the JTPA program, however. Criticism and complaints about JTPA developed early and persisted. A General Accounting Office (GAO) report in 1989 asserted that school dropouts were underserved by the program and, moreover, often did not receive remedial education. Much of the training was for jobs with limited potential and resources were often focused on those most likely to be hired after participation in

the program.² A subsequent GAO report indicated problems in the management of JTPA, including improper expenditure of funds, providing excessive job training for some enrollees, and inadequate monitoring of the program by state officials.³ A member of Congress who supported JTPA stated that some program administrators converted federal funds into “pure subsidies to local businesses, paying half the wages for a constant stream of new employees who train on the job as carwashers, dishwashers, or broompushers for six months until the subsidy runs out, their training ends, and a new trainee replaces them.”⁴

Such problems and complaints gained JTPA a place on the congressional agenda. In 1992, following a four-year struggle, legislation was enacted making revisions in JTPA. While preserving the public–private partnership in job training, the new law provided for more control over use of federal funds, encouraged the states to provide job training for welfare recipients, provided that at least half the youths in the program had to be school dropouts, and limited training to a six-month period. Whether these and other provisions in the new law will correct the defects in the JTPA program remains to be seen. But one thing is certain: JTPA will continue to be a limited program. Funding is sufficient to provide training for only 5 percent of the eligible population.

As this brief account of job-training policies illustrates, public policy-making is a complex and continuing process, involving many participants with differing roles and interests. Numerous questions about the policy-making process can be drawn from the JTPA experience, including: Why does the government decide it needs to act on a problem? Who makes the decisions? What determines whether a policy will succeed or fail? This book is intended to help you provide answers to such questions and to better understand the policy process.

As with any complex matter, we must begin with basic definitions, including one for public policy itself (a rather slippery task). Other topics covered in this chapter include public-policy typologies, reasons for studying public policy, and some approaches to the study of public policy, including the one used in this book. In all, this chapter should equip the reader with an understanding of the nature and scope of public policy and how, particularly from a political-science perspective, it can be studied.

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 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."⁵ 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."⁶ 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 as a discrete decision.⁷ 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.⁸

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 as a useful concept of policy: A 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 choice among competing 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.”⁹

It would be helpful now to consider some of the implications of my concept of public policy. 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 should be taken to achieve particular goals. Thus, to increase farm income the national government utilizes income subsidies and production controls. These programs have enhanced the incomes of many farmers but not all.

In actuality, 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 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. 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 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 in controls on environmental pollution or liability for consumer products.

Fourth, policy involves what governments actually do, not just what they intend to do or what they 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 specifies nonregulation of wages.

A useful concept here is that of *policy output*, or the action actually taken in pursuance of policy decisions and statements. This concept focuses on such matters as 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 the policy's societal consequences.

Fifth, 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 and has not been brought to official attention. 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 today in some states. Moreover, enforcement may be limited, piecemeal, or sporadic. Are these still public policies? The answer is yes, because they either were or currently are 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