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PDD/616/716: Systems and Process of Policy Development

The Nature of Governance, Citizen Participation
and Public Policy Theories
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What is governance?

Governance is about the rules of collective decision-making in settings where there are a plurality of actors or organizations and where no formal control system can dictate the terms of the relationship between these actors and organizations.

Exploring the definition

- The rules embedded within a governance system can stretch from the formal to the informal.
- Collective decisions involve issues of mutual influence and control. As such governance arrangements generally involve rights for some to have a say, but responsibilities for all to accept collective decisions.
- Deciding something collectively requires rules about who can decide what, and how decision-makers are to be made accountable.

Governance is present in all complex settings

- Monocratic government-governing by one person- is the opposite of governance, which is about collective governing.
- Authority and coercion are resources available to some in governance arrangements but never in sufficient quantity or quality to mean they can control the decision-making process.
- The characteristic forms of social interaction in governance rely on negotiation, signals, communication and hegemonic influence in addition to direct oversight and supervision.

Could you imagine a world without governance and politics?

- The idea that people would really agree with one another given the chance is widely held.
- One of the strongest findings from social psychology is that people tend to assume that others (w)should agree with them.
- Among social theories the idea a consensus exists to be found is common: Rousseau, Marx, some deliberation thinking and many managerial perspectives.
- We need to be organized towards consensus by taking issues away from the heat of politics.

We need governance because we disagree and need to co-operate

- Because of the idiosyncrasy and partiality of human judgement: we value different things.
- Because in an interdependent world we need to co-operate but our competing sense of values make it difficult to do so.

We need governance because of human “misbehavior”

- The original sin argument: the human soul is flawed and prone to base acts
- Hobbes and Machiavelli: humans need to be ruled
- Modern economic version: humans are self-interested. Motivation that is considered positive in the commercial/market realm is negative in public realm and needs to be managed
- Designing institutions for knaves: rules, monitoring, incentives and regulation

Summary of general principles

- Governance is present in all complex systems
- Conflict is real but not always base or instrumental
- Power is always present: reconciling interests and values according to standing

Comparative governance systems

- Nation state is the key building block
- The **nation** as a people inhabiting a defined territory seeking political expression of its shared identity, usually through a claim to statehood.
- The **state** as a political community formed by a territorially-defined population which is subject to one government. The capacity of the state to regulate the legitimate use of force within its boundaries
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- The **city** as a defined political jurisdiction made up of many separate and distinct communities

But more complex than that

- A **multinational state** (a state with more than one nation), a **stateless nation** (a nation without a state) and a **diaspora** (a nation dispersed beyond its home state)
- The rise of global governance and interdependence

Democracies

- **Liberal democracy.** Features include constitutional limits on government, entrenched rights of individual citizens, voting and rights to political participation, supportive political culture
- **Illiberal democracy:** The focus on a strong but often effective leader, rather than institutions. Harrying of potential opponents. Manipulation of the media
- The three **waves of democratization:** the first wave (1828-1926, e.g. UK, USA), the second wave (1943-62, e.g. India, Japan), the third wave (1974-91, e.g. Spain, Portugal).

The policy process

- **Policy** as a bundle of decisions
- **Initiation:** the systemic and institutional agendas.
- **Formulation:** proximate decision-makers, influencers and veto players
- **Implementation:** top-down and bottom-up approaches.
- **Evaluation:** the problems of mushy goals and of goal- shift during implementation.

And different regimes

- Public policy in **liberal democracies**: open, free-flowing and chaotic
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- **Public policy in authoritarian regimes**: controlled, manipulated and driven by interests of elite
- **Public policy in illiberal democracies**: strong political control of key economic resources, particularly commodities, with a freer market in less sensitive sectors of the economy. The populist leader but problems of capacity- building

Policy Tools

- Policy instruments: tools for translating policy into practice.
- Many available: law, regulation, permits, auctions, self-regulation, contracting out, tax expenditures, loans, grants, information and persuasion.
- Can be classified as sticks, carrots or sermons.
- The rise of co-governance

Theories of the policy process

- People are decision-makers with limited rationality
- Policy Streams model : Solutions, Problems and Politics
- Policy entrepreneurs searching for a window of opportunity

The rise of global governance

- Despite globalization states-particularly the great powers of the United States and the European Union- still dominate international regulatory regimes
- The positive engagement of these 'major powers' is central to the successful operation of a global regulatory regime. If they agree then a strong form of regulation emerges and if they are divided then at best only a weak form of regulatory governance can emerge.
- But the pattern of global governance is changing

Citizen Participation

Definition of Citizen Participation

Sherry R. Arnstein

- The **redistribution of power** that enables the have-not citizens to be deliberately included in the future.
 - "A Ladder of Citizen Participation," *Journal of the American Institute of Planners*

James V. Cunningham

- The **process of exercising power** on decision making in the regional community by non-experts/citizens
 - "Citizen Participation in Public Affairs" *Public Administration Review*

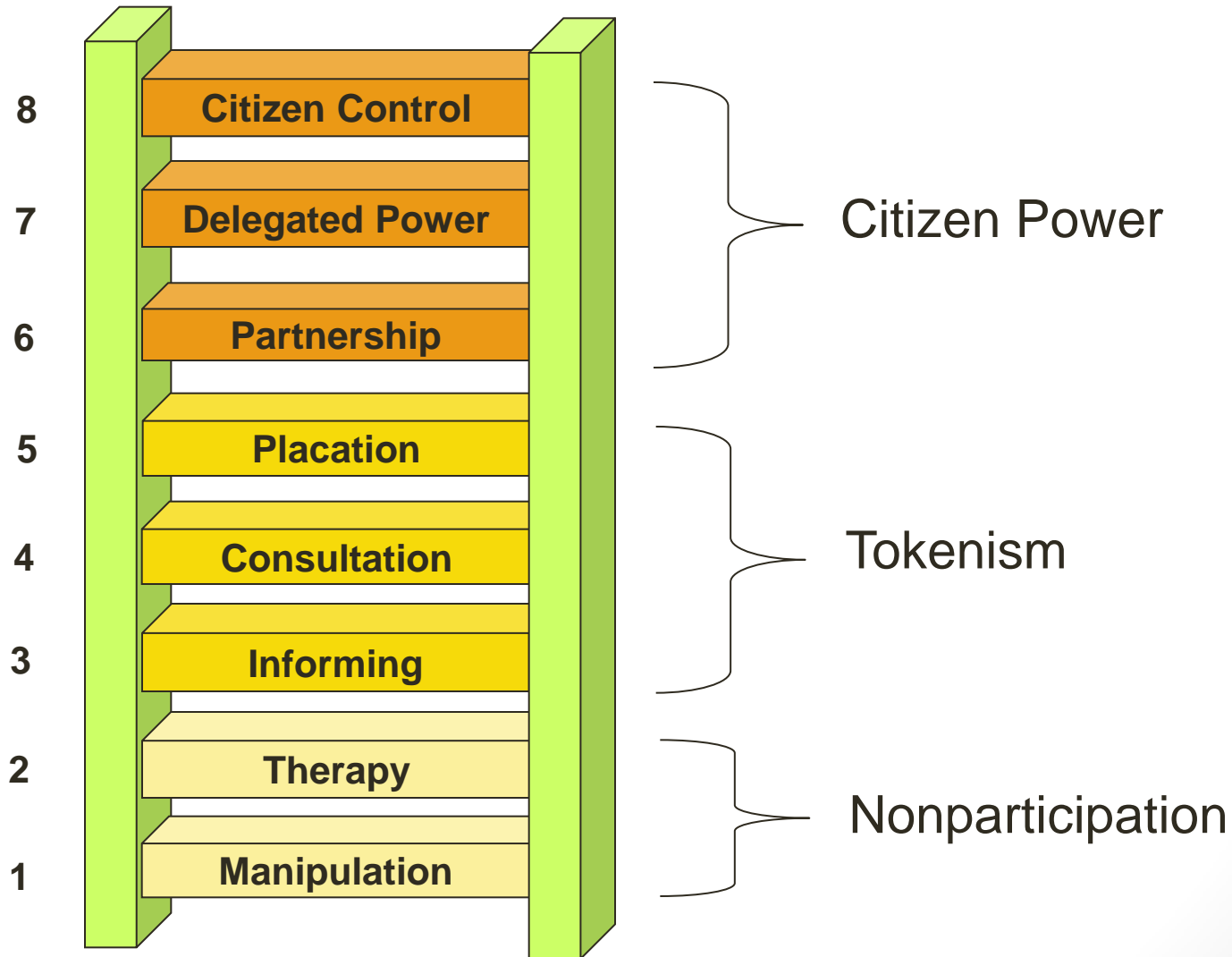
Why does Citizen Participation matter?

- Represent the public better
- Reduce the possibility of corruption by increasing transparency
- Know the interests of the people better
- Empower and educate people
- Enhance legitimacy, thus, compliance, and implementation (effectiveness)
- Resolve public dispute better
- Correct injustice situations
- Hold public institutions more accountable
- Use local, indigenous knowledge from citizens

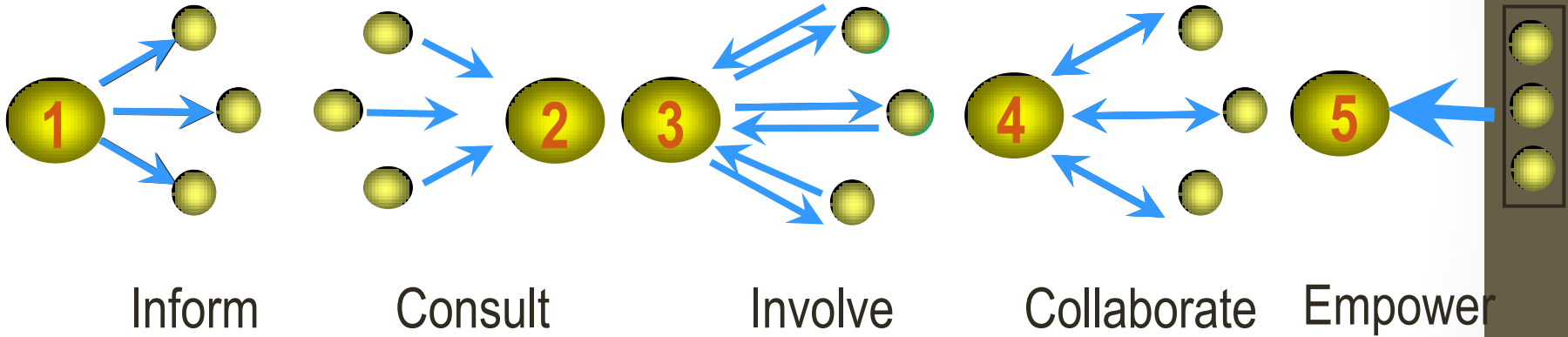
Related Concepts

- Civic engagement: All the many roles and activities through which people take an active part in community life
- Public participation: Subset of civic engagement that informs the public and involves residents in shaping the policies that affect them
- Collaborative governance: Subset of public participation that involves the general public and others in informed and reasoned discussions that seek to influence public sector decision-making

The Ladder of Citizen Participation (Arnstein)

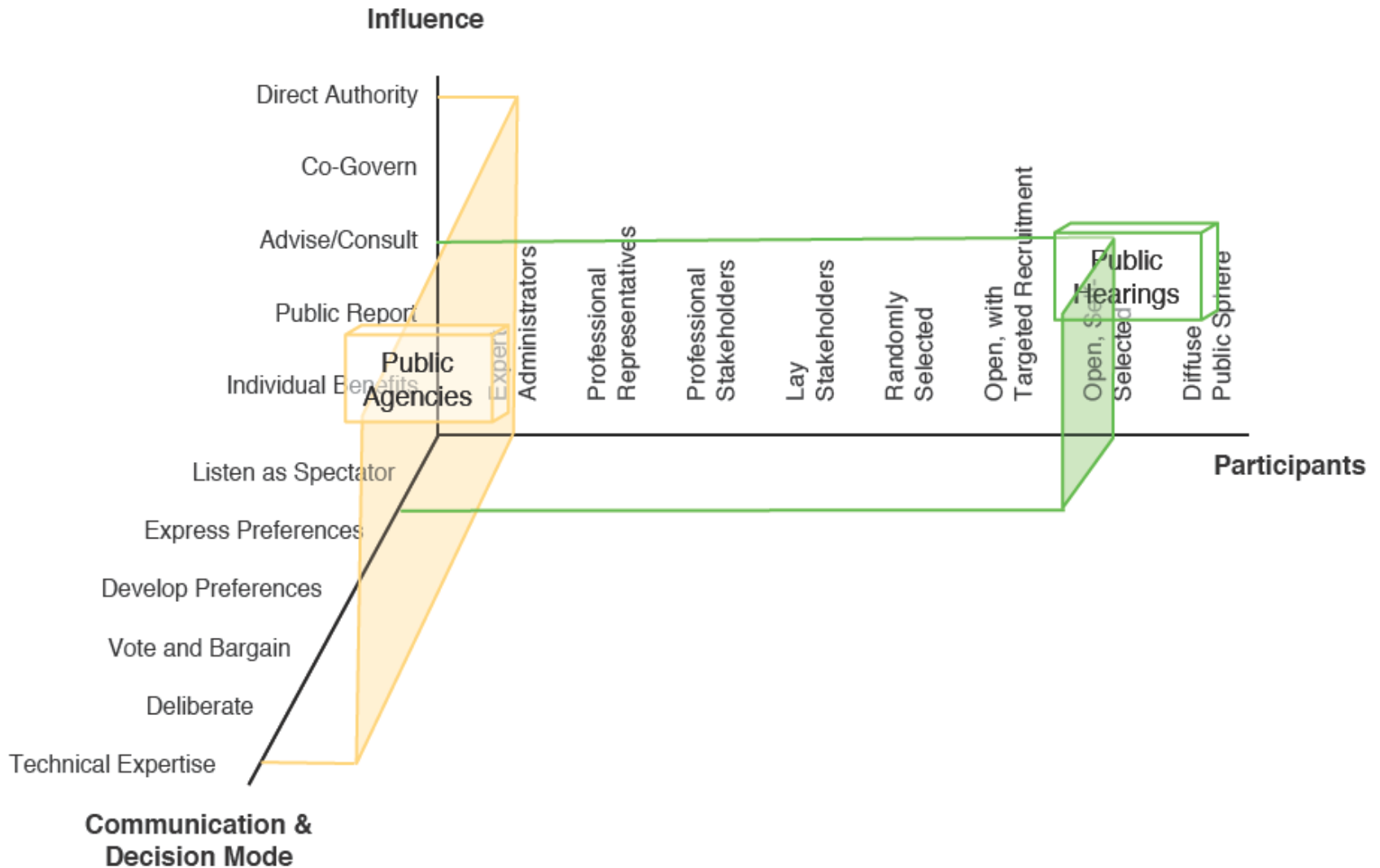


The Key: Understanding the Levels of Public Participation

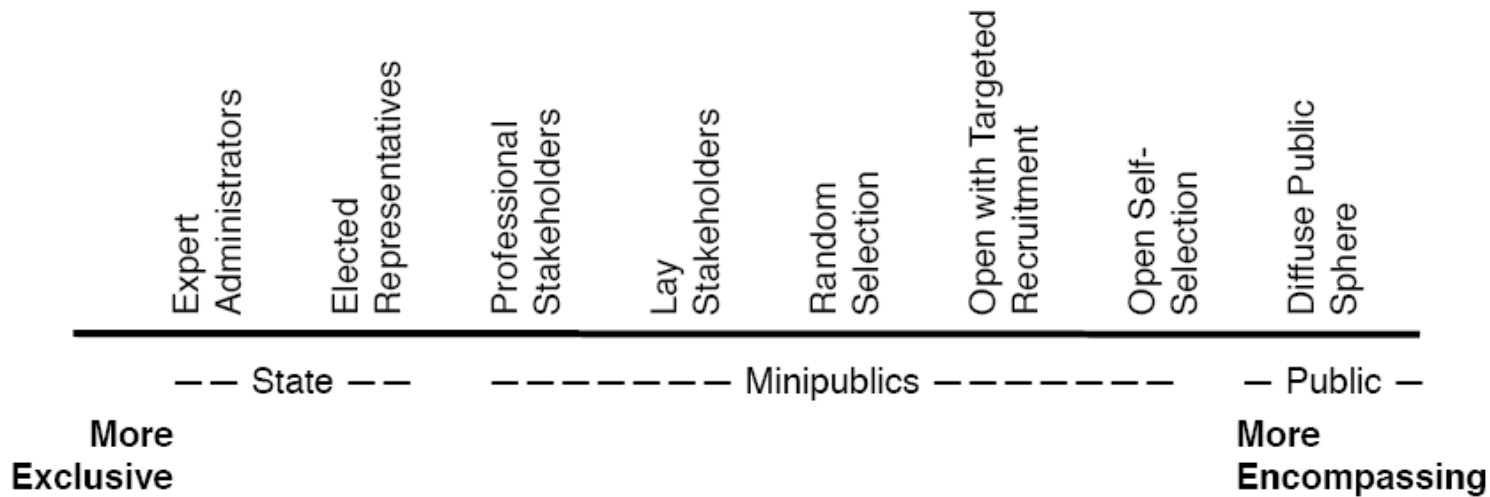


Increasing Level of Participation in Decision Making

How could we sort out various practical citizen participation methods?



Participant Selection Methods



Modes of Communication and Decision

Listen as
Spectator

Express
Preferences

Develop
Preferences

Vote and Bargain
for Interests

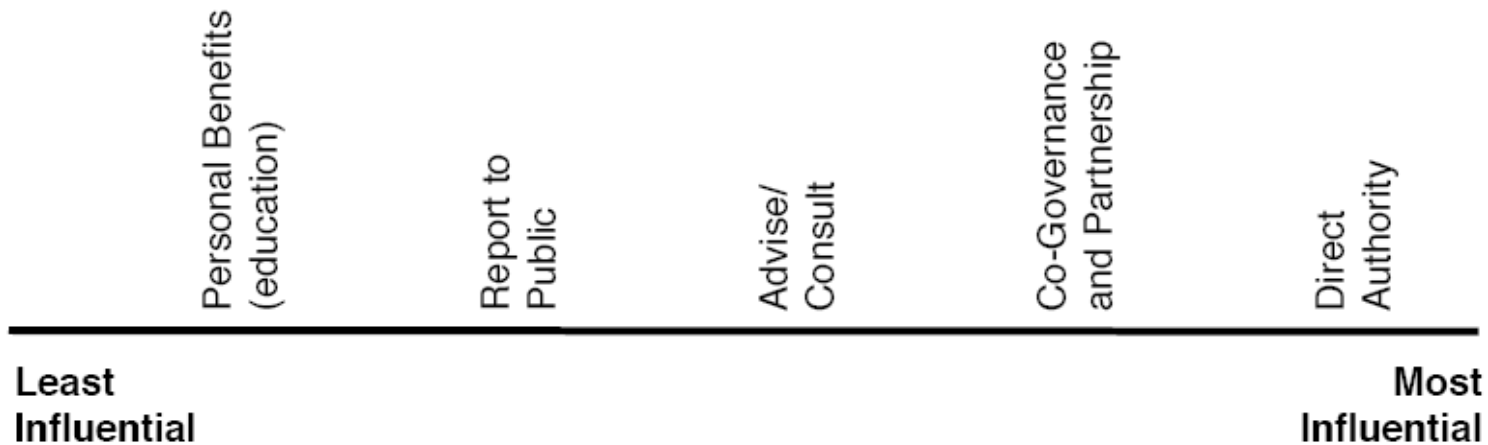
Deliberate

Use Technique
and Expertise

Least
Intense

Most
Intense

Extent of Influence and Authority



Why Engage The Publics?

- You need the **help** of the publics
 - You need the **advice** of the publics
 - You need the **buy-in** of the publics
- ☞ **Consensus Building** to prevent & address conflicts

Consensus Process

- A process in which **stakeholders engage in discussions and negotiations**
- The purpose of consensus process is **reaching a decision that everyone can live with**

* Source: Center for Public Policy Dispute Resolution, "What is Negotiated Rulemaking?", The University of Texas School of Law

Consensus Building Process



Convening	responsibility Clarification	Deliberation	Decision	Making Agreement
Initiate discussion	Specify roles of each stakeholder	Strive for Transparency	Unanimity on package of gains	Ratification by constituencies
Issue assessment & Identify stakeholders	Set agenda and ground rules	Use expert, professional neutral	Adhere to decision-making process	Present approved proposal
Decide to commit to a process	Assess options	Seek to maximizing joint gains	Keep a record of commit	Monitoring of implementation

Recommendations for effective public participation

- Start early & Plan carefully
- Know what you want, Be flexible
- Know who is doing what
- Provide useful information
- Make meetings convenient
- Get lots of publicity

Conclusions

- Citizen participation and conflict prevention
 - Raises critical concerns during the early stages of a project or policy
 - Provides mutual understanding of community needs and goals
- Citizen participation and conflict management
 - Redirects focus to interests rather than positions
 - Corrects misunderstandings in policy and process
 - Generates creative solutions to public policy problems

BREAK!

The U.S. Policy Process

- ❖ A lot like making sausage
 - ✓ Why? Many different players
 - Congress
 - Special interests
 - Constituents
 - Whiners
 - Academics
- ❖ Have to understand the process if you want to influence policy
 - ✓ Ex. Information is good to a point

Critical Policy Questions

- What is ?
 - Facts, observation
- What should be?
 - Value judgments, normative
- What can be?
 - What are politics?
 - Can it be done?
- What will be?
 - Predictions

Economic Theory of Public Choice

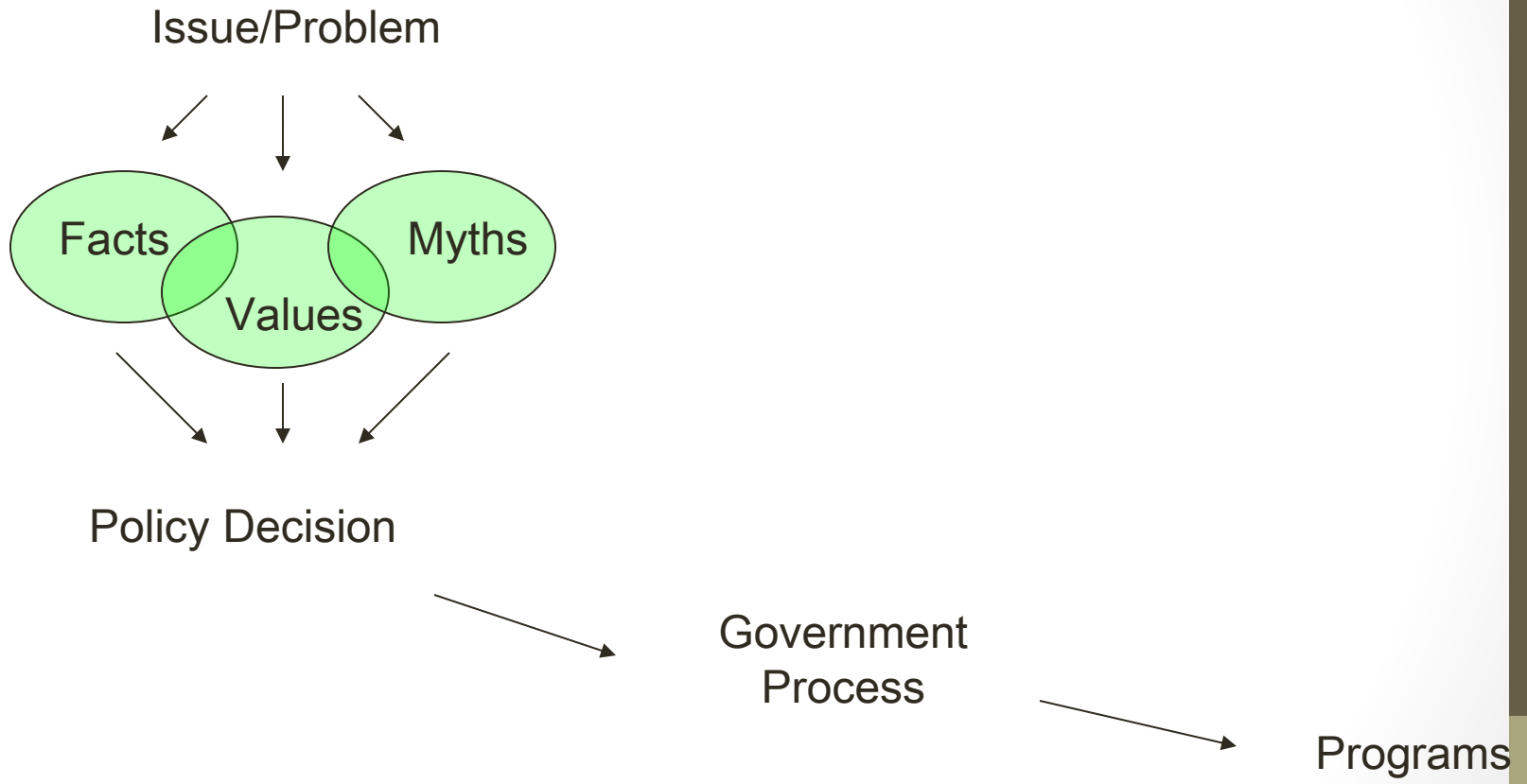
❖ Private Choices

- ✓ Key principles:
 - All resources are scarce or limited
 - Assumes rational behavior
 - Prices signal consumption and production decisions

❖ Public Choices

- ✓ Key principles:
 - 1 & 2 above but votes are the market signals of public choice instead of price
- ✓ Trade-offs (i.e. log rolling, horse trading) on an issue by issue basis

Process



Facts

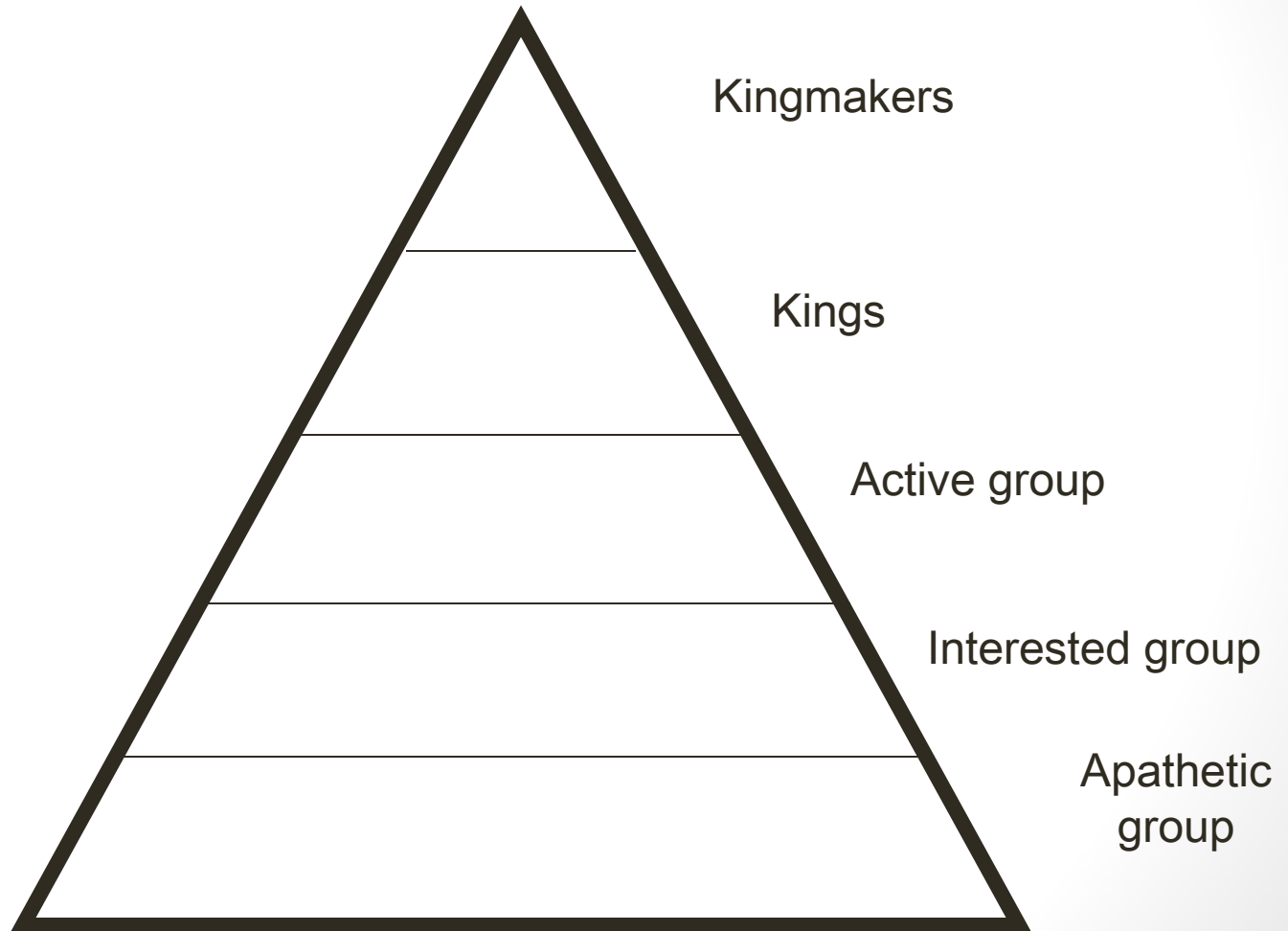
- ❖ Known with Certainty
- ❖ Objectively Proven
 - Rational people tend to agree on facts
 - But may not agree on the relevance or importance

Political Spectrum

Liberal
(more government)

Conservative
(less government)

Influence Triangle



Politics of the Minority

- ❖ Find allies issue by issue. Not philosophy by philosophy
- ❖ Build coalitions, compromise, find common ground
- ❖ Be positive, reasonable, work within system
- ❖ Base case on facts, not myths or emotions
- ❖ Adopt non-partisan strategy

Legislative Branch

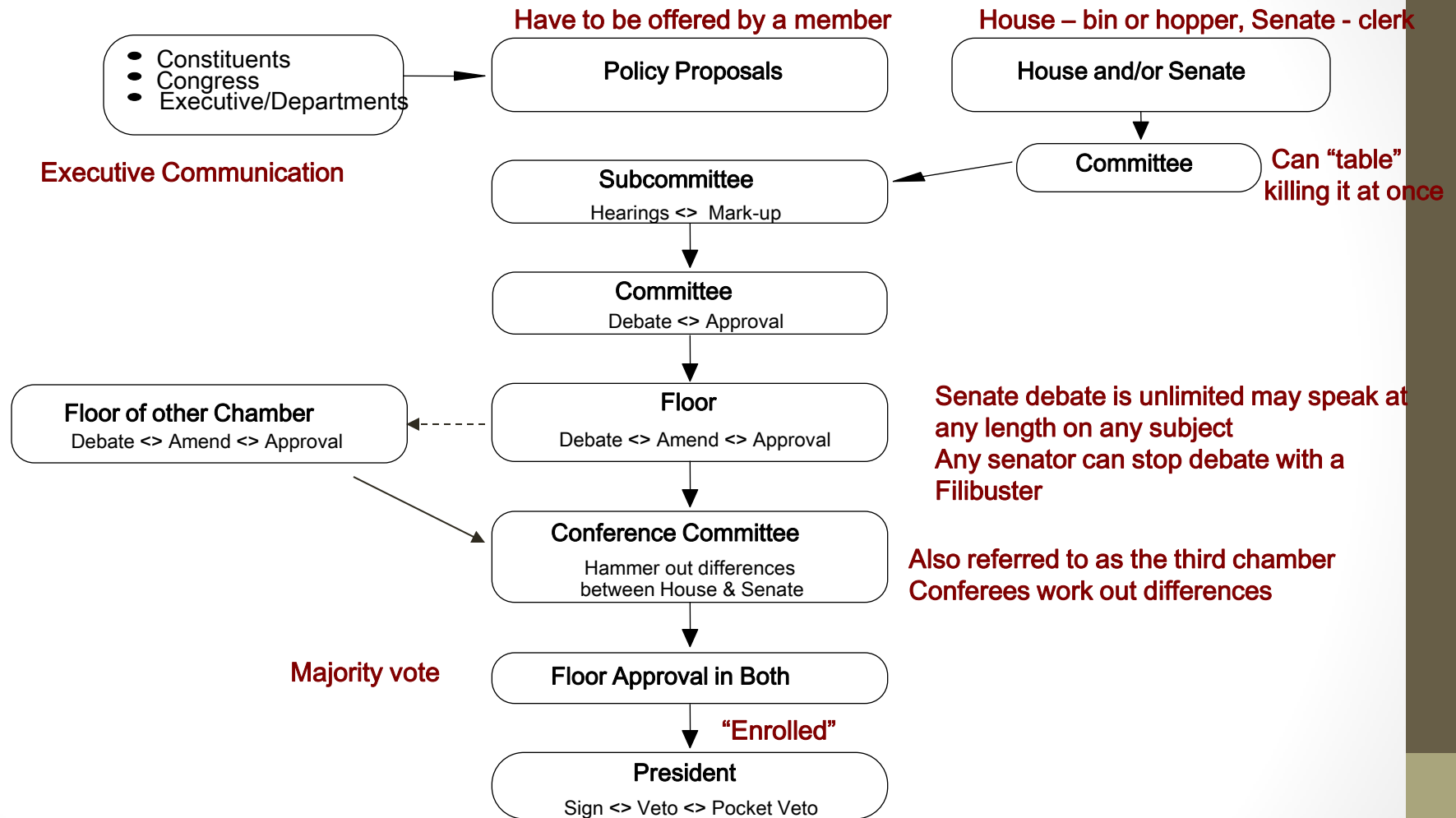
- “All Legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”
Article I, Section 1
- Membership
 - House
 - 435 elected for 2 year terms
 - Census determines number from each state
 - Continually seeking re-election
 - Senate
 - 100 elected for 6 year terms

Functions of Congress

- Authorization (legislation/programs)
- Appropriation (who gets what?)
- Oversight (chastise Executive)

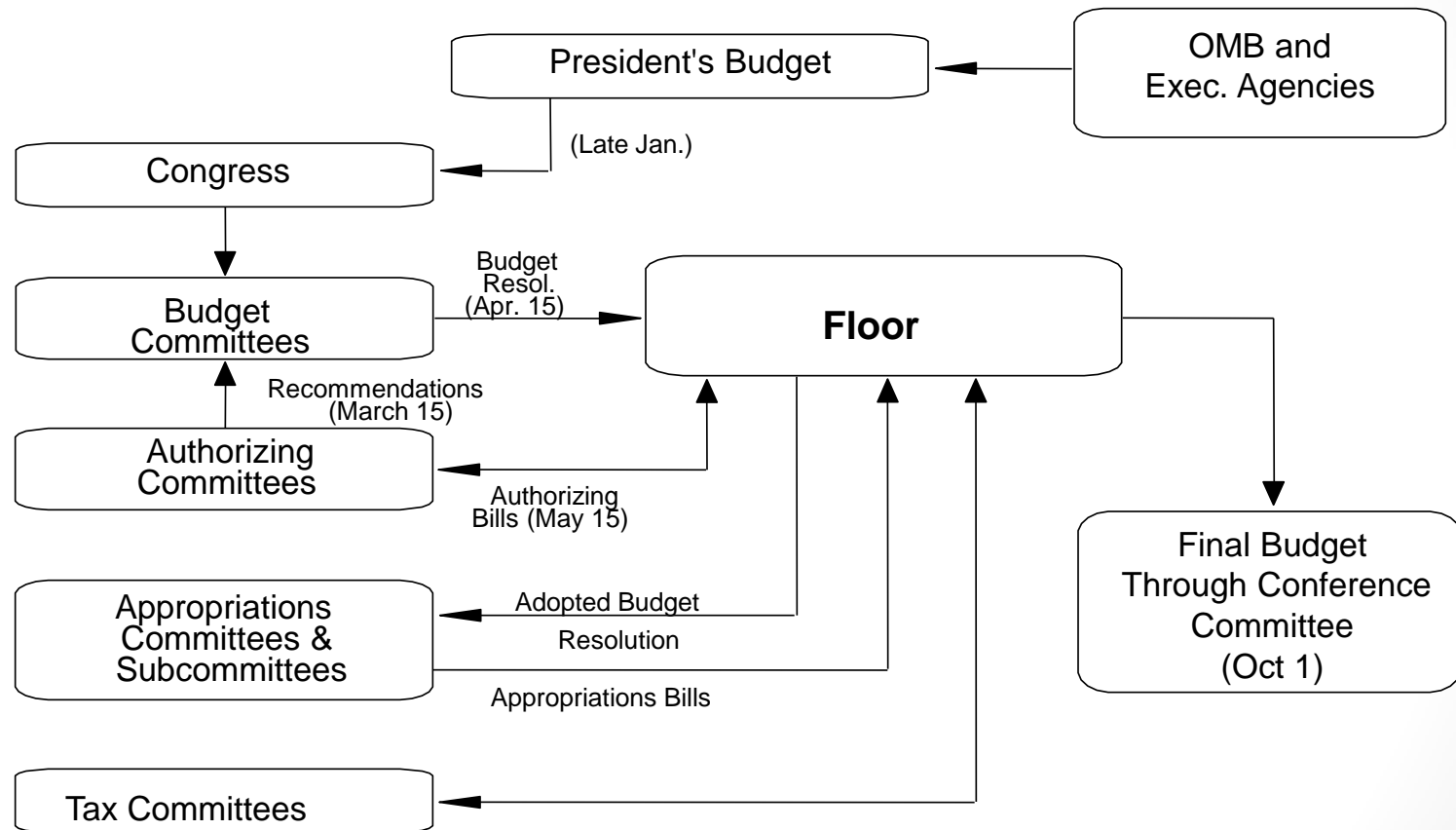


How a Bill Becomes a Law



If signed becomes effective immediately
2/3 vote in both houses can override veto

A Simplified Overview of Budget Authorization and Appropriations Process

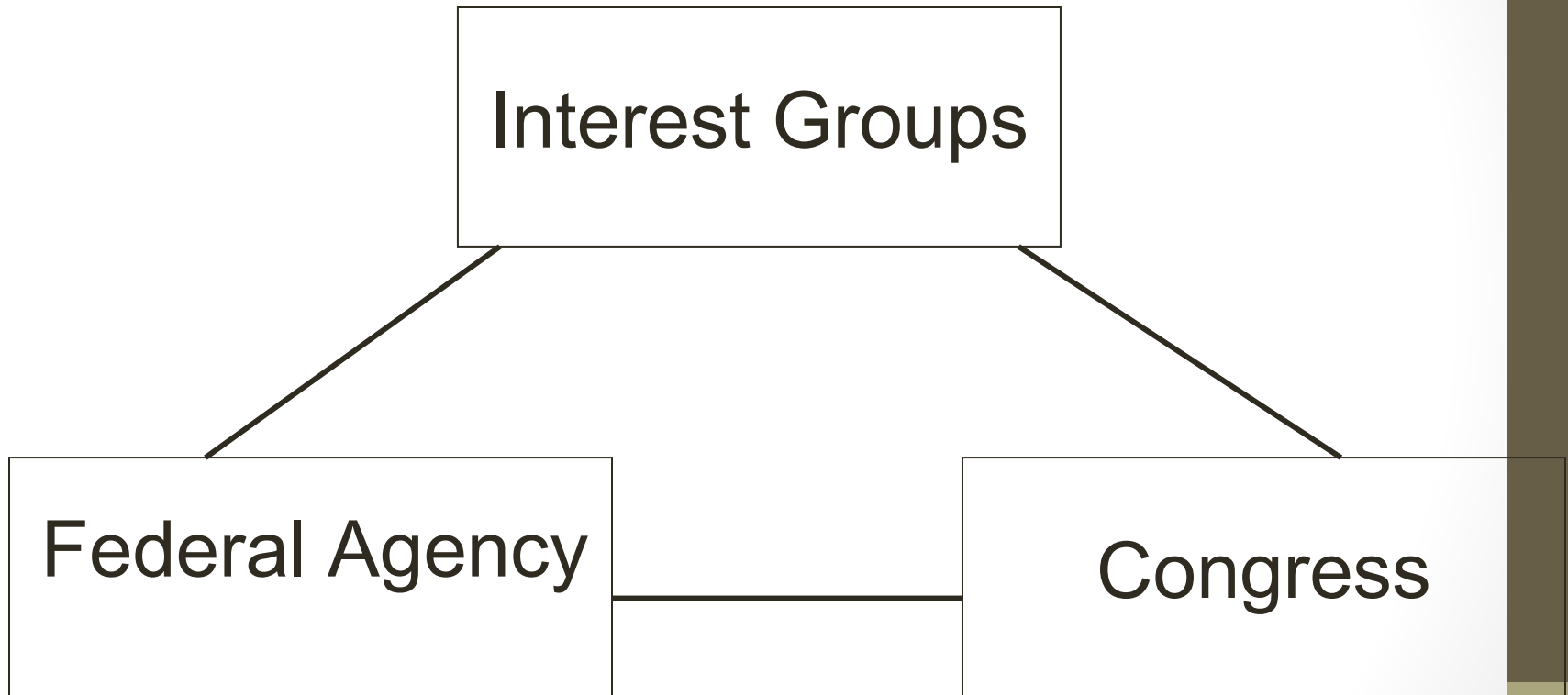


Majority is really important

- Elects leadership of Congress (control agenda)
- Has majority membership of committees and subcommittees
- Elects chairs of committees and subcommittees (control agenda)
- Has the most staff

Interest Groups

Key part of iron triangle



More often than not, the well organized interest groups are the ones that get the attention of Congress

Public Interest Groups

Typically focus on only 1 issue

- Environment (Sierra Club, National Resources Defense Council, Environmental Working Group)
- Hunger lobby (Bread for the World)
- Animal rights (P.E.T.A.)
- Consumer lobby (CFA, CW, CU, Center for Science in the Public Interest)

Public Policy Theories

Institutional Rational Choice Theory

This theory is a theoretical approach for explaining policy change through institutional arrangements on the basis of self-interests of individual actors. The theory explains the policy process through institutional arrangements.

Based on the institutional rational choice theory, policy change is viewed as results of a set of actions by rational individuals trying to improve their circumstances by altering the institutional arrangements.

Continued

- This theory assumes that individuals with a fixed preference try to attempt strategic calculus to maximize their self-interest.
- Institutional rational choice theory has drawbacks in its basic assumption. That is to say, individual actors do not always behave to maximize only self-interest. They should be understood with historical and social contexts as well as economic interests in order to explain specific institutions or their change.

Continued

Innovation and Diffusion Models

- The innovation and diffusion models view policy adoptions of a state as emulating policies that other states already adopted.
- Why does innovation diffusion occur in the process of state policy adoptions? Emulation between states is a major factor influencing the policy adoptions, and indicate that learning, competition, and public pressure are three important reasons of such emulation.

Continued

Punctuated-Equilibrium Theory

- This theory explains both policy change and stability. It views that policy change emerges when large numbers of people alter their views of particular issues. The potential for change in policy, however, is endemic and stability at any time is maintained unless there is unexpected events or specific shocks.
- The policy image plays a critical role in expanding issues that serve as a driving force in both change and stability. It refers to a mixture of empirical information and emotive appeal. Policymakers manipulate policy images to interpret favorably the issues.

Continued

- The punctuated-equilibrium theory has some weaknesses. The theory assumes a continuous process of stability and change in policymaking. This assumption, however, may be possible in only particular areas and periods that we can choose.
- In other words, it is possible to predict causal chains working in only some cases for some times. Thus, the punctuated-equilibrium theory does not help us to make specific predictions for all policy issues.

Continued

Advocacy Coalition Framework

- Advocacy coalition framework is a theoretical approach explaining policy change through the interaction of competing advocacy coalitions, which consist of actors sharing a set of basic beliefs within a policy subsystem or community.
- This framework emphasizes the policy subsystem as a unit of analysis for understanding the policy change. The subsystem consists of those actors from a variety of public and private organizations who are actively concerned with a policy problem or issue

Continued

- The advocacy coalition framework has some problems for its theoretical refinement. The framework has a weakness in explaining conflicts or rifts among individual actors because it assumes that their belief systems are homogeneous.
- In some situations, the interests of the members within an advocacy coalition are likely to conflict, even while they continue to share a core set of beliefs. After all, the advocacy coalition framework fails to account for the interests or preferences of the individual actors.

Morality Policy

- What is a morality policy? It refers to policy that attempts to define issues in terms of moral values.
- Morality Policy Issues- abortion, gay civil rights, alcohol and illegal drugs, pornography, death penalty, school prayer, and homosexual marriage

Questions?