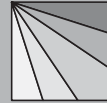


1

The Study of Public Policy



In the course of their daily lives, people are affected, directly and indirectly, obviously and subtly, by an array of public policies. Take, for example, automobile owners. When a car is purchased, the Truth in Lending Act requires provision of accurate information by a 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 (EPA) 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 or a "gas guzzler" tax will apply. Many more laws and rules apply to automobiles.

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 origin, development, and implementation of public policies will enhance our knowledge of political behavior and governance, as well as of public policy per se. How 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 confront a problem? Concern with questions of this sort are designated 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. Cost–benefit analysis and risk analysis fall into this category.

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 that 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.

This book draws 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 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 requires 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 relevant to the more practical aspects of policymaking. It has been said that nothing is as practical as a good theory.



The Plan of This Book

There is not a single process by which public policies are formed. They do not come off an assembly line as do automobiles, refrigerators, and other standard products. Rather, variations in the subjects of policies will produce variations in the style, techniques, and politics of policymaking. Foreign policy, taxation, health-care financing, surface-transportation policy, occupational licensing, and land-use zoning are each characterized by a somewhat different policy process—different participants, procedures, decision rules,

political patterns, and more. There is a case to be made for the argument that policy determines politics, though I do not fully subscribe to it.

Policymaking may also take different forms, depending upon whether its organizational venue is a legislature, the White House, the judiciary, or an administrative agency. Policymaking within agencies is more likely to feature hierarchy, secrecy (or low visibility), and the involvement of experts or professionals than is legislative policymaking. Courts do not act in the same way that legislatures or executives do. And certainly one can discern different patterns in tax policy formation in the United States, Great Britain, and Greece.

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.³ 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 specified. Why only some problems, out of all that exist, receive consideration by policy-makers requires 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?
2. *Formulation.* 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?
3. *Adoption.* 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?

TABLE 1.1
The Policy Process

| Policy Terminology | Stage 1: Policy Agenda | Stage 2: Policy Formulation | Stage 3: Policy Adoption | Stage 4: Policy Implementation | Stage 5: Policy Evaluation |
|--------------------|--|--|--|--|--|
| Definition | Those problems, among many, that receive the serious attention of public officials | Development of pertinent and acceptable proposed courses of action for dealing with a public problem | Development of support for a specific proposal so that a policy can be legitimized or authorized | Application of the policy by the government's administrative machinery | Efforts by the government to determine whether the policy was effective and why or why not |
| Common sense | Getting the government to consider action on the problem | What is proposed to be done about the problem | Getting the government to accept a particular solution to the problem | Applying the government's policy to the problem | Did the policy work? |

Source: Adapted from James E. Anderson, David W. Brady, and Charles Bullock III, *Public Policy and Politics in the United States*, 2d ed. (Monterey, CA: Brooks/Cole, 1984).

4. *Implementation.* (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 and impact of policy?
5. *Evaluation.* 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.

The policy-process (sometimes it is called the *policy cycle*) 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 legislators’ 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, in actuality 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, “Policy Implementation”). 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.⁴ 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 drive and 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? How does implementation affect its impact?

Fifth, the policy-process approach is not culture bound. It can readily be used to examine policymaking in foreign political systems. It also lends itself to manageable comparisons such as how problems reach governmental agendas, how policies are legitimated, or how policies are implemented in various countries. Some comparisons of this sort are included in this book.⁵

We now turn to an explanation of public policy and of various ways of categorizing public policies.



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.

In this book, a policy is defined as a *purposive course of action or inaction followed by an actor or set of actors in dealing with a problem or matter of concern*. This definition focuses on what is actually done instead of what is only proposed or intended; differentiates a policy from a decision, which is essentially a specific choice among alternatives; and views policy as something that unfolds over time.

Public policies are 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.”⁶ In short, public policies are those produced by government officials and agencies. They also usually affect substantial numbers of people.

There are several implications of this 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. And, unintended consequences may occur. 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 has utilized income subsidies and production controls. These programs have indeed enhanced the incomes of many farmers, but by no means all.

The goals of a policy may be somewhat loosely stated and imprecise in content, thus providing a 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 followed 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 John Doe 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. They 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 merely 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 outputs*, or the actions 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? Outputs can be counted; outcomes are often difficult or impossible to measure.

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 its 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 many highway speed limits. 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 producing 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, economic regulation, and international trade. Much activity has also come in areas that received little attention until recent decades: economic stability, environmental protection, equality of opportunity, medical care, and consumer protection. (Table 1.2 illustrates the variety of laws passed.)

During the 112th Congress (2011–2012), 238 public laws were enacted. A great many involved naming public buildings and technical or limited changes in existing laws. Despite substantial partisan conflict, Congress was able to adopt several important statutes. Collectively, they dealt with a broad range of topics. All of them incorporate biases or preferences that benefit some groups and disadvantage or disappoint other groups. Only 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. This section will

TABLE 1.2

Major Congressional Legislation, 2008

| |
|---|
| Economic Stimulus Act |
| Ensuring Continued Access to Student Loans Act |
| Extension of Higher Education Programs |
| Food, Conservation, and Energy Act (The Farm Bill) |
| Foreign Intelligence Surveillance Act Amendments |
| Consumer Product Safety Improvement Act |
| Americans with Disabilities Act Amendments |
| National Aeronautics and Space Administration Authorization Act |
| Emergency Economic Stabilization Act |
| Housing and Economic Recovery Act |
| Global AIDS Relief Reauthorization Act |
| Medicare Improvements for Patients and Providers Act |
| Rail Safety Improvement Act (included AMTRAK reauthorization) |
| Post-9/11 Veterans Educational Assistance Act |
| Energy Improvement and Extension Act |
| Mental Health Parity and Addiction Equity Act |
| United States-India Nuclear Cooperation Act |

Source: *United States Statutes at Large 2008*

summarize 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.

**Constituent,
Distributive,
Regulatory, Self-
Regulatory, and
Redistributive
Policies**

This typology differentiates policies on the basis of their effects on society and the relationship among those involved in their formation.⁷ We begin with constituent policies. (*Constituent* is used here in the sense that it involves the composition or makeup of government.) As Professor Theodore Lowi states: “Constituent policies are policies formally and explicitly concerned with the establishment of government structure, with the establishment of rules [or procedures] for the conduct of government, of rules that distribute or divide power and jurisdictions within which present and future government policies might be made.”⁸ This is sometimes referred to as “state-building.”

A structural example of constituent policy is the creation of the Department of Homeland Security. In June 2002, President George W. Bush, who had argued that an executive department to manage counterterrorism programs was unnecessary, reversed course (or “flip-flopped”) and called on Congress to create a Department of Homeland Security. Members of Congress previously had advocated setting up such a department, as had a presidential commission appointed by President Bill Clinton. Congress responded quickly to the president’s recommendation, passing the Homeland Security Act in November 2002.

The new Department of Homeland Security pulled together functions from twenty-two units in other executive departments. These included the Immigration and Naturalization Service (Justice), Customs Service (Treasury), Coast Guard (Transportation), and Secret Service (Treasury), among others. No intelligence agencies (e.g., the Central Intelligence Agency and the National Security Agency) were included. By having these units lodged in the same vast and sprawling department (170,000 employees), it was believed that they would be able to act in a more unified and effective manner to protect the nation’s internal security against terrorist attacks. Melding them into a coherent and effective operating department proved to be a difficult task.

A procedural example of constituent policy is the federal Administrative Procedure Act (APA) of 1946. This important statute, a response to the growth

of administrative agency discretion in the early 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 openness and fairness in agency decision-making.

Another example of a procedural policy is the requirement that an environmental impact statement (EIS) 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. Rather, it specifies what agencies must do when making a decision affecting the environment.

Constituent policies also include such matters as personnel practices and budgetary actions. Because they are concerned with government organization, procedures, and processes, constituent policies can have important substantive consequences. That is, how something is done or who has responsibility for acting may help determine what is actually done. Governmental procedures can be used here briefly to indicate the importance of constituent policies in this respect.

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 grounds 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 or negate 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.) If an agency becomes entangled with procedural requirements, it may lose the capacity for timely and effective action.

Distributive policies involve the allocation of benefits or services, at no charge, to particular segments of the population—individuals, groups, companies, or communities. These include subsidies, grants, loans, technical assistance, information (as on the weather), contracts, and river and harbor improvement actions. The federal departments of Agriculture, Commerce, Energy, and Transportation administer a wide range of distributive policies. Distributive policies may variously serve to enhance prices or incomes, reduce the cost or risk of actions, encourage research or economic development, stimulate economic activity, and provide recreational opportunities,

tourism, and more. Perhaps needless to state, the expenditure of public funds is usually involved, although not in the case of protective tariffs or import limitations.

Typically, distributive policies do not impose costs upon any specific group. Rather, the costs are paid by the public treasury, which means taxpayers generally. Thus distributive policies appear to create only winners and no specific losers, although obviously someone does stand for their financial costs.

Although many distributive policies are of low political visibility, there are exceptions. One example is the successful automobile industry bailout in 2009. To help stave off their collapse and the loss of hundreds of thousands of jobs, the government ultimately loaned General Motors and Chrysler (Ford was in better shape), their finance companies, and many of their suppliers \$82 billion. Also, \$3 billion was put into a Cash for Clunkers program for consumers to encourage them to swap gas guzzlers for newer models. Many Republicans and Conservatives were opposed to these efforts. However, the companies survived. The government made a billion dollars on its loan to Chrysler but is likely to lose several billion dollars on the General Motors deal.⁹

Another example is Future Gen. In 2003, the government initiated a competitive program to construct a coal-fired electric power generating plant, using carbon capture and storage technology that would have no CO₂ emissions. A consortium focused on Mattoon, Illinois, was the winner. Because of its high cost, the Bush administration decided to cancel the project. The Obama administration decided the project should go forward. It should be completed by the time you read this.¹⁰

A discussion of distributive policies would not be complete without attention to pork barrel projects (“earmarks”). The Office of Management and Budget defines “pork” or an earmark as “funds provided by Congress for projects or programs where congressional direction (in bill or report language) circumvents Executive Branch merit-based or competitive allocation processes, or specifies the location or recipient, or otherwise curtails the ability of the Executive Branch to manage critical aspects of the funds allocation process.” So defined, OMB identified nearly 9,200 earmarks in 2010 appropriations bills worth \$11 billion.¹¹ Most states and congressional districts shared in the bacon. Funds were directed to highway projects, research activities, public buildings, tourist attractions, and more.

Scattered around the country, these projects 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.”¹² Each locality and its supporters usually seek designated money for their own project without challenging the right of others to do the same. Most projects thus have some friends and no enemies in Congress, and presidents usually choose to leave them alone. Very recently, as earmarks came under sharp criticism as “wasteful spending,” their numbers greatly diminished. Even skilled congressional “porkers” halted their efforts.

Regulatory policies impose restrictions or limitations on the behavior of individuals and groups. That is, they reduce the freedom or discretion to act of those regulated, whether bankers, utility companies, meat-packers, or saloonkeepers. 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, pornography, and abortion, and involve the regulation of personal behavior.¹³

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 that, like the Clean Air Act, provide broad social benefits.) It is often difficult, however, to identify all the purposes and consequences of regulatory policies. Regulatory policies take several forms.

Some regulatory policies set forth general rules of behavior, directing that actions be taken or commanding that others not be taken. The Sherman Act (which is a favorite of mine) 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 by state governments involved 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 that 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.¹⁴

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.¹⁵

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.¹⁶

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."¹⁷ 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 income-support programs go mostly to large commercial farmers; small-scale farmers derive few benefits, yet everyone who pays taxes contributes to financing of these programs. Typically, however, such instances are not debated as redistributive,¹⁸ perhaps because of reluctance to acknowledge that sometimes the haves benefit at the expense of the have-nots.

Redistributive policies are difficult to enact precisely 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, but not without effect. 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 officeholding 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 some 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.¹⁹ Brackets of 31, 36, and 39.6 percent were added in the 1990s, however. These marginal tax rates were reduced over the next several years by tax-reduction legislation enacted in 2001 at the urging of the George W. Bush administration. In 2008, there were six rates: 10, 15, 25, 28, 33, and 35 percent. The top rate was restored to 39.6 percent in 2012 for high-income people.

Redistributive policies are not only difficult to obtain, they are also hard to retain, as the discussion of the income tax indicates. Equality of result or condition (i.e., 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.²⁰ Material 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 historic 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 U.S. flag as a symbolic form of political protest has agitated members of Congress for many 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. Beginning early in the 1990s, the House several times has approved a constitutional amendment banning “physical desecration” of the flag.²¹ Each time, it has failed by a few votes to get the necessary two-thirds approval of the Senate. This is an issue that has emotional appeal for many Americans, especially conservatives.

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, California gnatcatchers, and the red-cockaded woodpecker.²²

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 and the Obama 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 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 public-housing construction.²³ 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 1966.²⁴ Legislation was on the books, but little

was done to enforce it. Since 1966, as the environmental movement gained strength and public concern about pollution intensified, enforcement became much stronger and additional legislation, such as the Oil Pollution Act, was passed. Oil spills now draw strong responses. Witness what occurred following the massive April 2010 spill in the Gulf of Mexico at a BP drilling operation.

The material–symbolic typology is especially useful to keep in mind when analyzing effects of policy because it directs 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.²⁵ 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, clean air, or mosquito control, 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 public safety, traffic control, and scenic beauties.

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, 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 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.”²⁶ Sometimes it actually does.

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.²⁷ 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.

This section will survey several theoretical approaches to the study of public policy. But first we must distinguish between policymaking and decision-making, a distinction that students of public policy do not always make with clarity, if at all.

Decision-making, which will be treated in the chapter titled “Policy Adoption,” 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 defined earlier, is “a purposive course of action or inaction 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 take a bath on Saturday night 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. In addition, all of them can be fitted into the policy-process framework. 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.

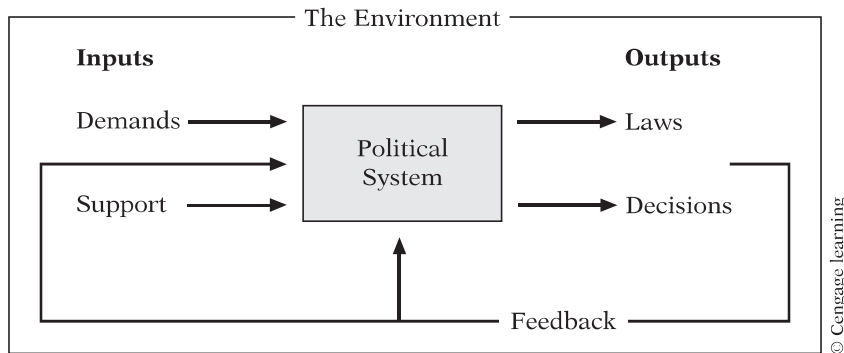
Political Systems Theory Public policy may be viewed as a political system’s response to demands arising from its environment.

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 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, and 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.²⁸

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 therefrom, 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).

FIGURE 1.1
A Model of the Political System



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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 in Chapter 2 in the section headed Socioeconomic Conditions.) 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.”²⁹ 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.”³⁰ 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 central 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 contact and express its viewpoints to decision-makers.³¹ 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 or have its telephone calls returned. 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, i.e., 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.³²

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 and power 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 Head Start Association. 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 underorganization of the poor, "The flaw in the pluralist heaven is that the heavenly chorus sings with a strong upper-class accent."³³ 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 seems 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, that abound and that 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.³⁴

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.³⁵

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.”³⁶

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.”³⁷ 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.³⁸ There is a case to be made for his viewpoint. Since the early 1980s, the income and wealth of the top 1 percent of taxpayers has soared. Billionaires have become numerous; many choose to become politically active. On the other hand, the income of most of the population has stagnated. Then in 2010, the U.S. Supreme Court declared unconstitutional, as a violation of freedom of speech, legislation restricting campaign spending by corporations and others.³⁹ In 2012, some persons and corporations spent tens of millions

of dollars on political campaigns, mostly to defeat the reelection of Barack Obama or Democratic candidates.

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 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 official 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. 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. To describe institutions as “rules,” as some do, is to oversimplify. 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, can affect decision-making and the content of public policy. Rules, structural arrangements, and other institutional features are usually 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 legislative 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, DC, 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. Since 1983 some twenty states adopted such laws, but Congress has been unsympathetic. Indeed, the Voting Rights Act provides that in some states ballots must be printed in foreign languages as well as in 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. It has little to say about what drives the policy process, the dynamic forces of politics.

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 micro economic theory to the analysis and explanation of political behavior (or non-market decision-making). It has now gained many adherents among political scientists.

One of the earliest uses of rational-choice theory to study the political process is Anthony Downs's *Economic Theory of Democracy*.⁴⁰ 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 by 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."⁴¹

Individuals who are engaged in decision-making exchanges or transactions, such as voting, also have preferences that vary from person to person. Being rational, it is argued, individuals can 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.⁴² 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 explored the effects of incomplete or imperfect information and uncertainty on policymaking.⁴³ 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.”⁴⁴ A more positive view holds that “in its pure form it is one, but only one, useful, partial explanation of politics.”⁴⁵

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 nearly 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.⁴⁶ And public-interest groups, such as the National Wildlife Federation, are motivated by more than immediate self-interest.⁴⁷

Commentary Because 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 the chapter titled “Policy Adoption”), there is no consensus on which is the “best” or the most satisfactory. Each approach focuses 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 catfights 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.⁴⁸

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.

The differing concerns of these theoretical approaches can be further clarified by briefly observing how their proponents might look at the recent struggle to adopt financial regulatory legislation. Banks and other financial institutions were firmly regulated from the Great Depression until the 1970s. Then, as free-market ideology and the economic deregulation movement gained traction, regulation was weakened or eliminated. Also, a “shadow” financial system not subject to regulation evolved. This inadequately restrained financial system led eventually to the near collapse of the financial system and the Great Recession. Strong pressure developed for regulatory legislation to prevent future financial crises.

In 2010, after months of partisan conflict, Congress enacted the Dodd-Frank Wall Street Reform and Consumer Protection Act by votes of 237–192 in the House and 60–39 in the Senate. Only three Republicans in each house voted for the complex, 2,300-page Act. It prohibited future bailouts of financial institutions, regulated over-the-counter sale of derivatives, restricted proprietary trading by banks, abolished the Office of Thrift Supervision, created a Consumer Financial Protection Bureau, and much more. In all, it greatly increased national financial regulation.⁴⁹

A group theorist would view this titanic struggle to adopt financial regulation as a contest for advantage among various financial interests, regulatory advocates, and consumer groups, as well as the political parties and the Obama administration. Lobbying and other group tactics would be scrutinized. An institutionalist, in comparison, would focus on the problems presented by congressional structure and procedure in securing the enactment of legislation. These could include getting the bill to the House floor for debate, overcoming filibusters in the Senate, resolving differences in House and Senate versions of the bill, and avoiding a presidential veto. Much attention would be given to how a bill becomes law.

A rational-choice proponent would see members of Congress calculating how the content of reform legislation would affect the ability to raise campaign money and to get reelected. Another of his or her concerns would be strategic behavior, as when opponents propose amendments that, if adopted,

would make the bill unacceptable to some of its supporters (a “poison pill”), or when reformers craft amendments to help gain or retain supporters. Self-interest would be seen as informing legislative behavior.

An elite theorist would see the legislative struggle here as one of interest primarily to top-level legislative and political leaders. Both proponents and opponents of reform would contend that what they were trying to do was best for the public. The elitist would hold that the mass public was neither interested nor informed, especially on the details of legislation.

Finally, a systems theorist would likely rivet on how government action was influenced by inputs (demands, pressures, and information) from its political, social, and economic environment. Limited attention at best would be devoted to the details of how a bill becomes law. In time the systems theorist would be attentive to how the government’s decisions on campaign-finance reform affected its operation and future demands on it.

To conclude, the lesson here is that it is advisable to avoid becoming too dogmatically or rigidly attached to a particular model or theory. As a rule, eclecticism and flexibility should be preferred in selecting theories and concepts for explanatory use. The policy analysts’ goal should be the objective explanation of the political behavior under scrutiny, rather than the validation of a favored model or theoretical approach. Each of the theories here discussed can, if used skillfully and fairly, contribute to a fuller comprehension 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 rule-making by the 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.⁵⁰ 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.⁵¹ 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 Barbara J. Nelson's *Making an Issue of Child Abuse*, I. M. Destler's *American Trade Politics*, Adam Sheingate's *The Rise of the Agricultural Welfare State*, and Paul Milazzo's *Unlikely Environmentalists*.⁵² 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, the quality of their data, and the validity of their findings. (In the chapter titled "The Policy-Makers and Their Environment," 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 that are "loaded" and therefore bias responses, or that 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.⁵³ 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. And, as someone once remarked, the plural of anecdote is data.



For Further Exploration

■ www.care2.com/causes/politics/

The Policy Action 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.jointcenter.org>

This site for the Joint Center for Political and Economic Studies provides a wide range of information on policy issues and other matters relating to racial and ethnic groups.

■ <http://www.ncpa.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 NewsHour provides a site titled “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 NewsHour with Jim Lehrer.



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Suggested Readings

Carl E. Van Horn, Donald C. Baumer, and William T. Gormley Jr., *Politics and Public Policy*, 3rd ed. (Washington, DC: CQ Press, 2001). Six policy domains—boardroom, bureaucratic, cloakroom, chief executive, courtroom, and living room politics—are utilized in a wide-ranging examination of the policy process.

Frank R. Baumgartner and Beth L. Leech, *Basic Interests: The Importance of Groups in Politics and Political Science* (Princeton, NJ: Princeton University Press, 1998). No one interested in groups and politics should ignore this outstanding analysis of group theory and the literature on groups.

- Kevin B. Smith and Christopher W. Larimer, *The Public Policy Theory Primer*, 2nd ed. (Boulder CO: Westview Press, 2013). This is a weighty, up-to-date exposition of public-policy theories and the study of public policy.
- Michael E. Kraft and Scott R. Furlong, *Public Policy: Politics, Analysis, and Alternatives* (3rd ed. Washington, DC: CQ Press, 2010). This readable book combines an examination of the policy process with a discussion of several areas of domestic policy.
- Paul A. Sabatier, ed., *Theories of the Policy Process*, 2nd ed. (Boulder, CO: Westview Press, 2007). The challenging essays in this anthology present a variety of theoretical lenses for studying the policy process.
- Theodore J. Lowi, *Arenas of Power* (Boulder, CO: Paradigm Publishers, 2009). This long-awaited study by the leading public policy guru draws on history, analysis, and case studies to provide deep understanding of the policy process.
- Thomas R. Dye, *Top Down Policymaking* (New York: Chatham House, 2001). This controversial examination of the policymaking process in the United States argues that it is dominated by a national elite.

Notes

1. On policy analysis, see Robert D. Behn, "Policy Analysis and Politics," *Policy Analysis*, Vol. VII (Spring 1981), pp. 199–226; Peter J. May, "Politics and Policy Analysis," *Political Science Quarterly*, Vol. 101 (Spring 1986), pp. 109–125; and Michael C. Munger, *Analyzing Policy* (New York: Norton, 2000).
2. Thomas R. Dye, *Understanding Public Policy*, 7th ed. (Englewood Cliffs, NJ: Prentice-Hall, 1992), p. 7.
3. See David Easton, *The Political System* (New York: Knopf, 1953), Chap. 2.
4. See, generally, Richard Rose, "Concepts for Comparison," *Policy Studies Journal*, Vol. I (Spring 1973), pp. 122–127.
5. For criticisms of the sequential-process approach, see Charles E. Lindblom and Edward J. Woodhouse, *The Policy Making Process*, 3rd ed. (Englewood Cliffs, NJ: Prentice-Hall, 1993), pp. 10–12; and Paul A. Sabatier and Hank Jenkins-Smith, eds., *Policy Change and Learning: An Advocacy Coalition Approach*, (Boulder, CO: Westview, 1993), Chap. 1.
6. David Easton, *A Systems Analysis of Political Life* (New York: Wiley, 1965), p. 212.
7. The basic typology is from Theodore J. Lowi, "American Business, Public Policy Case Studies, and Political Theory," *World Politics*, Vol. 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.
8. Theodore J. Lowi, *Arenas of Power* (Boulder CO: Paradigm Publishers, 2009), p. 15.
9. Mark Zandi, *Paying the Price* (Upper Saddle River, NJ: FT Press, 2013), Chap. 4.
10. Michael J. Graetz, *The End of Energy* (Cambridge, MA: MIT Press, 2011), pp. 193–194.
11. <http://earmarks.omb.gov/public/2010-appropriations-by-spendcom/summary.html>

12. Lowi, *American Business*, op. cit. p. 690
13. Raymond Tatalovich and Byron W. Daynes, eds., *Moral Controversies in American Politics: Cases in Social Regulatory Politics* (Armonk, NY: M. E. Sharpe, 1998).
14. Randall B. Ripley and Grace A. Franklin, *Congress, the Bureaucracy, and Public Policy* (Pacific Grove, CA: Brooks/Cole, 1991), pp. 20–21.
15. Kenneth J. Meier and E. Thomas Garman, *Regulation and Consumer Protection*, 3rd ed. (Houston: Dome Publications, 1998), pp. 41–42.
16. For a discussion of licensing, see *ibid.*, Chap. 3.
17. Lowi, op.cit., p. 691. On redistributive policies, see Ripley and Franklin, op. cit., Chap. 6.
18. Randall B. Ripley, *Policy Analysis in Political Science* (Chicago: Nelson Hall, 1985), pp. 68–69.
19. Paul E. Peterson and Mark Rom, “Lower Taxes, More Spending, and Budget Deficits,” in Charles O. Jones, ed., *The Reagan Legacy: Promise and Performance* (Chatham, NJ: Chatham House, 1988), pp. 218–221.
20. On the symbolic aspects of policies, see Murray Edelman, *The Symbolic Uses of Politics* (Urbana: University of Illinois Press, 1964), Chap. 2; and Charles D. Elder and Roger W. Cobb, *The Political Uses of Symbols* (New York: Longman, 1983).
21. *Congressional Quarterly Weekly Report*, Vol. 53 (July 1, 1995), p. 1933.
22. Brian Czech and Paul R. Krausman, *The Endangered Species Act* (Baltimore: Johns Hopkins University Press, 2001).
23. Richard O. Davis, *Housing Reform During the Truman Administration* (Columbia: University of Missouri Press, 1966), Chap. 10.
24. Bruce I. Oppenheimer, *Oil and the Congressional Process* (Lexington, MA: Heath, 1974), pp. 130–145.
25. Cf. L. L. Wade and R. L. Curry Jr., *A Logic of Public Policy* (Belmont, CA: Wadsworth, 1970), Chap. 5; and Charles L. Cochran and Eloise F. Malone, *Public Policy* (New York: McGraw-Hill, 1995), pp. 17–19.
26. Ronald C. Moe, “Exploring the Limits of Privatization,” *Public Administration Review*, Vol. XLVII (November–December 1987), p. 453.
27. R. McGregor Cawley, *Federal Land, Western Anger* (Lawrence: University Press of Kansas, 1993).
28. David Easton, “An Approach to the Analysis of Political Systems,” *World Politics*, Vol. IX (April 1957), pp. 383–400; and Easton, op. cit.
29. Earl Latham, *The Group Basis of Politics* (New York: Octagon Books, 1965), p. 36.
30. David Truman, *The Governmental Process* (New York: Knopf, 1951), p. 37.
31. Alan C. Isaak, *Scope and Methods of Political Science* (Chicago: Dorsey Press, 1988), pp. 269–270.
32. Latham, op. cit., pp. 35–36, 38–39.
33. E. E. Schattschneider, *The Semisovereign People* (New York: Holt, Rinehart and Winston, 1960), p. 35.
34. See, generally, Frank R. Baumgartner and Beth L. Leech, *Basic Interest: The Importance of Groups in Politics and Political Science* (Princeton, NJ: Princeton University Press, 1998).
35. Thomas R. Dye and L. Harmon Zeigler, *The Irony of Democracy*, 10th ed. (Belmont, CA: Wadsworth, 1996), pp. 4–5. See also Thomas R. Dye, *Top Down Policymaking* (New York: Chatham House, 2001).
36. Dye, op. cit., pp. 59–63.

37. Robert A. Dahl, "A Critique of the Ruling Elite Model," *American Political Science Review*, Vol. LII (June 1958), p. 464.
38. G. William Domhoff, *Who Rules America?* (Englewood Cliffs, NJ: Prentice-Hall, 1967); G. William Domhoff, *The Power Elite and the State: How Policy Is Made in America* (New York: Walter deGruyter, 1990).
39. *Citizens United v. Federal Election Commission*, 558 U.S. (2010). See also Jeffrey Toobin, *The Oath* (New York: Doubleday, 2012), *passim*.
40. Anthony Downs, *An Economic Theory of Democracy* (New York: Harper & Row, 1957).
41. Roger Lewin, "Self-Interest in Politics Earns a Nobel Prize," *Science*, Vol. CCXXXIV (November 21, 1986), p. 941.
42. Morris P. Fiorina, *Congress: Keystone of the Washington Establishment*, 2nd ed. (New Haven, CT: Yale University Press, 1989).
43. This discussion leans heavily upon Keith Krehbiel, *Information and Legislative Organization* (Ann Arbor: University of Michigan Press, 1992); and Thomas W. Gilligan and Keith Krehbiel, "Asymmetric Information and Legislative Rules with a Heterogeneous Committee," *American Journal of Political Science*, Vol. XXXIII (May 1989), pp. 459–490.
44. William C. Mitchell, "Textbook Public Choice: A Review Essay," *Public Choice*, Vol. XXVIII (1982), p. 99.
45. Louis F. Weschler, "Methodological Individualism in Politics," *Public Administration Review*, Vol. XLIII (May–June 1982), p. 294.
46. See Richard J. Fenno Jr., *Congressmen in Committees* (Boston, MA: Little, Brown, 1973). Fenno indicates that members of Congress are variously influenced by the desires to be reelected, to help enact good public policy, and to acquire influence in the House.
47. Those wishing to explore rational-choice theory further can begin with Kenneth A. Shepsle and Mark S. Bonchek, *Analyzing Politics: Rationality, Behavior, and Institutions* (New York: Norton, 1997). For a critique, see Donald P. Green and Ian Shapiro, *Pathologies of Rational Choice Theory* (New Haven, CT: Yale University Press, 1994).
48. See Philip J. Tronstine and Terry Christensen, *Movers and Shakers: The Study of Community Power* (New York: St. Martin's, 1982).
49. For a concise summary and discussion of the Dodd-Frank Act, see Allen Blinder, *After the Music Stopped: The Financial Crisis, the Response, and the Work Ahead* (New York: Penguin Press, 2013), Chap. 11.
50. Marver H. Bernstein, *Regulating Business by Independent Commission* (Princeton, NJ: Princeton University Press, 1955), pp. 74–95.
51. George Stigler, "The Theory of Economic Regulation," *Bell Journal of Economic and Management Science*, Vol. 2 (Spring 1971), pp. 3–21.
52. Barbara J. Nelson, *Making an Issue of Child Abuse* (Chicago: University of Chicago Press, 1984); I. M. Destler, *American Trade Politics*, 4th ed. (Washington, DC: Institute of International Economics, 2005); Adam Sheingate, *The Rise of the Agricultural Welfare State* (Princeton, NJ: Princeton University Press, 2001); and Paul Charles Milazzo, *Unlikely Environmentalists: Congress and Clean Water, 1945–1972* (Lawrence, KS: University Press of Kansas, 2006).
53. See Harry Eckstein, "Case Study and Theory in Political Science," in Fred I. Greenstein and Nelson W. Polsby, eds., *The Handbook of Political Science, Vol. 7, Strategies of Inquiry* (Reading, MA: Addison-Wesley 1975), pp. 79–137.