

Otieno, James Origa

Working Paper

The Public Policy process: A conceptual framework for understanding policy processes and opportunities for influencing policy outcomes

Suggested Citation: Otieno, James Origa (2019) : The Public Policy process: A conceptual framework for understanding policy processes and opportunities for influencing policy outcomes, ZBW – Leibniz Information Centre for Economics, Kiel, Hamburg

This Version is available at:

<https://hdl.handle.net/10419/191527>

Standard-Nutzungsbedingungen:

Die Dokumente auf EconStor dürfen zu eigenen wissenschaftlichen Zwecken und zum Privatgebrauch gespeichert und kopiert werden.

Sie dürfen die Dokumente nicht für öffentliche oder kommerzielle Zwecke vervielfältigen, öffentlich ausstellen, öffentlich zugänglich machen, vertreiben oder anderweitig nutzen.

Sofern die Verfasser die Dokumente unter Open-Content-Lizenzen (insbesondere CC-Lizenzen) zur Verfügung gestellt haben sollten, gelten abweichend von diesen Nutzungsbedingungen die in der dort genannten Lizenz gewährten Nutzungsrechte.

Terms of use:

Documents in EconStor may be saved and copied for your personal and scholarly purposes.

You are not to copy documents for public or commercial purposes, to exhibit the documents publicly, to make them publicly available on the internet, or to distribute or otherwise use the documents in public.

If the documents have been made available under an Open Content Licence (especially Creative Commons Licences), you may exercise further usage rights as specified in the indicated licence.

The Public Policy process: A conceptual framework for understanding policy processes and opportunities for influencing policy outcomes

DISCUSSION PAPER

JANUARY 2019, Nairobi

James Origa,

Strathmore Institute of Public Policy & Governance

James.otieno@strathmore.edu

Abstract

The ideal policy model is often presented as a neat linear process starting from problem identification, setting policy objectives, creative alternative options, gathering information on options, applying analysis and implementing policy choices. In real life, it isn't always this neat and linear. Real world policy making happens in a world of constraints. Many of these "constraints" eventually are the objectives of policy making. This article presents the murky waters of governance and policy formulation processes in real life. It briefly highlights four analytical lenses for looking at the policy process and offers critical insights into influencing policy outcomes having an understanding of the complex constraints and non-linear dynamics that goes into the process

Four analytical lenses of looking at the public policy process

The policy process is the often dynamic and complex path the government takes to provide a solution to a socio-economic problem or concern facing its citizens. Public policy has been defined differently as a purposive action undertaken by the government to deal with a problem or matter

of concern (Anderson, 2011); whatever government chooses to do or not to do in response to a problem (Dye, 2010); actions and pronouncements of government on a particular matter and the steps taken to implement these actions (Wilson, 2006); and, the sum of government activities directly or indirectly affecting its citizens (Peters, 2016). Lindblom & Woodhouse (1993) in emphasizing that policy making is a conflict between reasoned judgment and political power observes that public policies are products of intertwined social forces within a complex political system that cannot be simply understood by looking at the ultimate action of top government officials.

The policy process, as the path taken to ultimately reach a particular policy decision, has a complex multi-faced dimension considering questions such as why the government pays more attention to particular problems and ignores others, the dynamics of picking one policy option from a range of other possible options, why different actors perceive, define and prescribe solutions to the same problem differently and who ultimately makes the policy decision and why. Ultimately, the most fundamental problem facing policy makers is finding the right answer to the question, “what we should do?” In an increasingly volatile, ambiguous, complex and uncertain world where policy makers are expected to provide leadership, there isn’t a simple straight forward answer to that question. Public sector decision makers and other actors including the civil society must contend with that dilemma.

Policy can either have instrumental or symbolic dimensions. The instrumental perception of policy as put forth by Birkland (2010) sees it as a rationally prescribed solution to a perceived social problem. The symbolic perception of policy on the other hand sees policy not simply as governmental action based on a rational response to a societal problem but more as an instrument of invoking emotions, public interpretation and perceptions on a societal problem through use of

intentionally defined imagery and narratives (Anderson, 1979; Edelman, 1985; Fischer, 1982). Smith & Larimer (2017) gives an example of the US patriot Act as a symbolic policy not structured on objective policy analysis of its intended impact but rather structured around the symbols and emotions of what it means to be a patriot at a time when the nation is facing a threat to national security.

To simplify this complex policy process, certain theoretical perspectives can provide an analytical lens to simplifying the chaotic process. **First** is that actors often make decisions with less than all the ideal information needed to make that particular decision. While it is plausible to assume that policy making follows a rigorous and logical analysis process that rationally looks at all possible aspects of a particular issue, this often isn't the case. Policy actors face certain limitations and constraints such as limited time availability, less than needed resources to carry out a comprehensive analysis, weakness in institutions and organizational process and limitations in human cognitive ability. As such, options that are not completely optimal but good enough given the circumstance often end up being adopted. Simon (1947) called this bounded rationality. Simon asserts that with bounded rationality, the idea that when individuals make decisions, their rationality is limited by the cognitive limitations of their minds, and the time available to make the decision, stakeholders in the policy making process opt for solutions that are *satisficing* (satisfying to majority stakeholders and sufficing as a technical solution to the problem) based on mutual agreements to keep the process moving forward and appease as many stakeholders as much as is possible.

Weyland (2009) argues that when faced with bounded rationality, policy makers resort to three heuristics (mental short-cuts) to make a policy decision. First is availability heuristic where policy makers draw from easily available and recognizable models, secondly is representativeness

heuristic where policymakers are easily attracted to models that show promise and there is a belief that early success is more likely. Thirdly is anchoring heuristics where policymakers tend to pick up on salient features of policy ideas at the onset and then stick to these rather than adjusting them considerably.

Policy making creates winners and being a political process, actors are more sensitive to losses than gains. As such, decisions will often be taken that minuses losses and potential back-lash. Kahneman & Tversky's (1979) prospect theory postulates that utility is based on relative probability of favorable outcomes. It follows then that policies with a higher probability of favorable outcomes will often be take whether they are sub-optimal or not. Because of this bounded rationality, policies are made on a piecemeal incremental basis rather than a complete overhaul of systems in a way that most favorable outcomes are achieved.

Secondly the question of value further complicates the policy process. The policy choices taken are often a representation of the dominant value in a particular society. Most policy decisions are taken not because they are the most efficient in addressing an issue of concern but because it embraces the values held by stakeholders. Rationality requires that one uses information that is relevant for the choice to make the choice rather than information that is unrelated such as emotions. In most policy making processes, because of the values people hold over the policy issue, emotions often take a center stage in determining outcomes of policy debates. In societies with representative democracies, politicians are the actors who ultimately legitimize policy choices through legislations and other approval processes. Politicians, as would be expected, acting with elections in mind, will most likely make decisions that guarantee them maximal political gain and minimal backlash at the vote. As such, policies presented for consideration will be debated more from a social construct and value lens rather than from a pure objective rational solution lens.

A **third** theoretical perspective of the policy process is based on the understanding that rules, social norms and institutions are powerful in shaping individual behavior and preferences of policy targets (Ostrom, Gardner, Walker, & Agrawal, 2008). Policy makers often tend to focus on building institutions with incentive and sanctions to force policy targets to respond, behave and act in a certain way to ensure realization of policy outcomes. The tenet of institutional rationalism is that rules or institutions can be employed to improve the rationality of individual decision making, thereby improving the quality of the policy process (Smith & Larimer, 2017). Having a good understanding of the incentives and constraints created by both formal and informal traditional institutions including patronage networks is then critical for formulating policy choices meant to have a chance of success.

The **fourth** perspective centers on the processes used to prescribe a particular solution to the issue of concern. Political power play is a pertinent underlying factor that determines what actions government will take or not take or which service delivery model will be adopted. In most cases, it is often clear that executive ministers or parliamentarians have the decision-making power over a proposed policy solution. What is often unknown is the powers behind the ministers and parliamentarians' actions and behaviors- knowing those who decide what will be decided upon as Smith & Larimer (2017) will put it.

The iron triangle theory has been discussed as a dominant concept in policy making. Iron triangle theorists postulate that the legislature, the executive and interest groups is a closed, impenetrable primary source of policy solutions (Van Bueren, 2011; Van Bueren, 2003). The supremacy of the iron triangle over policy decisioning was refuted by sub-system theorists who argued that the iron triangle is not as impenetrable as presented. Crotty & Freeman (1966), Heclo (1977) and Sabatier (1988) discussed the existence of policy sub-systems as the source of policy solutions. Heclo's

issue networks consists of an alliance of actors who share technical expertise and focus on a particular issue for example environmental issues. These issue networks purport to reflect the general sentiments of citizens and exert pressure on the “iron triangle” relationship to adopt particular policies related to their areas of interest. Heclo also discusses an elite group of experts within government who poses specialized technical knowledge, skills and experience on a particular subject. These bureaucratic elites, who he calls *technopols* often prescribe policy solutions based on their technical backgrounds with little room for wider stakeholders and citizens’ involvement. Smith & Larimer (2017) decries this overreliance on *technopols* as detrimental to the policy process since it concentrates power in the hands of a few individuals while pulling away ordinary citizens from the policy process on issues affecting them.

Sabatier’s work discusses advocacy coalition framework as a group of policy interest actors who share deep beliefs over a particular issue and often seek to influence the iron triangle based on their shared beliefs. An example would be conservative Christian groups who belief deeply that life begins at conception and as such will advocate for policies that makes abortion illegal. These three, issue networks, *technopols* and advocacy coalitions propose preferred policy solutions and exert pressure on the government to adopt these solutions, many times successfully.

As the Nigerian laurate Chimamanda puts it, whosoever defines your problem has power over you. It is thus critical to understand the source, originator or agenda setter of a particular policy debate and choice since its them who decide what will be decided on.

The role of citizens in the policy process

A significant perspective which cuts across all phases of policy making is the role of citizens and the place of public participation in the process. To what extent is the policy process democratic-

measured in terms of bottom-up orientation and public participations? This is the persistent debate between proponents of rationalism and post-positivism in policy analysis. It goes back to the value question discussed above. To address the possible abuses of top-down approaches to policy making, post-positivism advocates for participatory policy making. This shifts the power base from top-level prescribed solutions to adoption of solutions proposed by the policy targets, be it ordinary citizens or businesses.

Smith & Larimer (2017) argues that the strength of participatory policy analysis is in bringing together ordinary citizens having different perspectives, empower them about the issue of concern then let them deliberate and propose what should be done to address the concern. The Danish board of technology has been extensively cited as model example of citizen-led participatory policy making (Joss, 1998; Goven, 2003; Jensen, 2005). To quote Andersen & Jaeger (1999), “*Consensus conferences and scenario workshops have been developed in Denmark within a democratic perspective that assumes it is both possible and necessary to establish a dialogue with citizens about technology politics. In consensus conferences, the citizens have the role of a citizen panel, which will set the agenda for the conference. In scenario workshops, a group of citizens interacts with other actors to exchange knowledge and experience, develop common visions and produce a plan of action. The focus of both methods is to create a framework for dialogue among policy-makers, experts and ordinary citizens*”.

Influencing Policy outcomes

Advocacy and influencing for effective policy outcomes will be more fruitful through having an understanding of the various perspectives that influences the policy process. The four analytical lenses and the role of citizens in the process as described above provides good ground for civil

society and other policy actors to influence outcomes. Cairney & Kwiatkowski (2017) gives advice to civil society organizations, research institutions and “government outsiders” who seek to influence public policy processes. They argue that policymakers have to make decisions quickly, often based on their values and judgements reflecting their beliefs and the beliefs of their constituents. Politically oriented policy makers often aren’t not able to comprehensively internalize scientific rational evidence and will most likely not respond to empirical facts and truths regardless of their technical sophistication or analytical rigor but will accept a particular position based on how well it supports a particular view guided by maximizing political gain and social acceptance informed by social values and norms (Smith & Larimer, 2017). As such, Cairney & Kwiatkowski’s advisory to those who seek to effectively engage in policy making and influence decisions is that they should “know their audience”, find the right time to influence thinking of actors by telling stories to arouse the emotional interests and thirdly establish trust and build relations with policymakers.

To aid policy actors through the advocacy and influencing process, several pertinent questions then need to be critically analyzed as preparatory work. These could be; To what extent are the policy makers likely to be affected by bounded rationality and reliance on heuristics to reach a policy decision? How does values, political interests and symbolisms play out in affecting adoption of a particular policy? What is the institutional structure within which the policy is to be embodied? What incentives and constraints do policy actors face given then formal institutions and informal norms prevalent in the society? What role does elites, *technopols*, issues networks and advocacy coalitions play in proposing policy options and guiding the subsequent policy debates? What are the most effective modalities for productive public participation in making the policy?

To effectively influence the complex policy-making process, Weible et al., (2011) posits that one must be a “policy entrepreneur”. Policy entrepreneurs, they say, are those who know the appropriate windows to mobilize citizens previously disengaged from the political process, effectively utilizes the media, informal and formal networks to continually redefine the policy issue until it receives a receptive audience, setting the stage for rapid policy change (Smith & Larimer, 2017).

References

- Andersen, I., & Jaeger, B. (1999). Scenario workshops and consensus conferences: towards more democratic decision-making. *Science and Public Policy*, 26(5), 331-340.
- Anderson, C. W. (1979). The Place of Principles in Policy Analysis. *American Political Science Review*, 73(03), 711-723.
- Anderson, J. E. (2011). *Public policymaking: An introduction*. Boston: Wadsworth.
- Birkland, T. A. (2010). *An introduction to the policy process: Theories, concepts, and models of public policy making*. New York: Routledge.
- Cairney, P., & Kwiatkowski, R. (2017). How to communicate effectively with policymakers: combine insights from psychology and policy studies. *Palgrave Communications*, 3(1). doi:10.1057/s41599-017-0046-8
- Crotty, W. J., & Freeman, J. L. (1966). The Political Process: Executive Bureau-Legislative Committee Relations. *The Western Political Quarterly*, 19(1), 165. doi:10.2307/445490
- Dye, T. R. (2010). *Understanding public policy*. New York: Longman.
- The economist. (2014, February 25). County-level taxes push up business costs. Retrieved January 12, 2018, from country.eiu.com/article.aspx?articleid=1871570571&Country=Kenya&topic=Economy
- Edelman, M. (1985). *The symbolic uses of politics: With a new afterword*. Urbana and Chicago: University of Illinois Press.
- Fischer, F. (1982). *Politics, values, and public policy: The problem of Methodology*. Boulder, Colorado: Westview Press.
- Goven, J. (2003). Deploying the Consensus Conference in New Zealand: Democracy and De-Problematization. *Public Understanding of Science*, 12(4), 423-440.

- Government of Kenya. (2010). *Laws of Kenya: The Constitution of Kenya, 2010*. Nairobi, Kenya: National Council for Law Reporting.
- Heclo, H. (1977). *Hugh Heclo government policy collection*. Washington, DC: Brookings Institute Press.
- Jensen, C. B. (2005). Citizen Projects and Consensus-Building at the Danish Board of Technology. *Acta Sociologica*, 48(3), 221-235.
- Joss, S. (1998). Danish consensus conferences as a model of participatory technology assessment: An impact study of consensus conferences on Danish Parliament and Danish public debate. *Science and Public Policy*, 25(1), 2-22.
- Kahneman, D., & Tversky, A. (1979). Prospect Theory. An Analysis of Decision Making Under Risk. *Econometrica*, 47(2), 263-292.
- Kanjama, C., & Shako, F. (2015, March 19). Is the tax being imposed by your County Government legal? Retrieved January 12, 2018, from https://www.the-star.co.ke/news/2015/03/19/is-the-tax-being-imposed-by-your-county-government-legal_c1103427
- Lindblom, C. E., & Woodhouse, E. J. (1993). *The policy-making process*. Englewood Cliffs, NJ: Prentice Hall.
- Ostrom, E., Gardner, R., Walker, J., & Agrawal, A. (2008). *Rules, games, and common-pool resources*. Ann Arbor, MI: The University of Michigan Press.
- Peters, B. G. (2016). *American public policy: Promise and performance* (10th ed.). Thousand Oaks: SAGE.
- Sabatier, P. A. (1988). An advocacy coalition framework of policy change and the role of policy-oriented learning therein. *Policy Sciences*, 21(2-3), 129-168.
- Simon, H. A. (1947). *Administrative behavior: A study of decision-making processes in administrative organizations*. New York: Free Press.
- Smith, K. B., & Larimer, C. W. (2017). *The public policy theory primer* (3rd ed.). Boulder, Colorado: Westview Press.
- Van Bueren, E. M. (2003). Dealing with Wicked Problems in Networks: Analyzing an Environmental Debate from a Network Perspective. *Journal of Public Administration Research and Theory*, 13(2), 193-212. doi:10.1093/jopart/mug017
- Van Bueren, E. M. (2011). Iron Triangle. In *Green Politics: An A-to-Z Guide* (pp. 250-276). New York: Sage.
- Weyland, K. G. (2009). *Bounded rationality and policy diffusion: Social sector reform in Latin America*. New Jersey: Princeton University press.

Wilson, R. (2006). Policy analysis as policy advise. In *Oxford handbook of Public policy*. New York: Oxford university press.