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Institutions and Policies for Democracy: A Discussion Paper

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A growing number of public policy scholars within and outside political science have increasing doubts that the existing frameworks and concepts for understanding public policies are adequate to address serious issues related to the choice of the appropriate institutions and policies to foster citizenship and democracy. These failings in analytical equipment are all the more serious because the landscape of institutions and public policies are undergoing fundamental changes which beg for investigation. Frequently under the guise of improving democratic representation and control, power is being shifted from institutions at higher levels of government to those at lower levels. Further, policies are being designed with innovative provisions involving non-governmental institutions in public policy with which there has been little previous experience. Rather than providing useful research questions about citizenship and democracy, existing frameworks and methods ignore normative questions about citizenship and democracy through which public policy scholars can assess contemporary institutional and policy changes. Some commonly used analytics are built upon rubrics with built-in assumptions and methodologies that predetermine the outcome of analysis before it is undertaken.

The members of this round table share a common commitment toward breaking away from the constraints of past themes and precepts in policy analysis in order to address the impact of contemporary institutional and public policy changes on informing and empowering citizens, building social capital and strengthening democratic values in society. The purposes of this background essay are (1) to place the issues of shaping institutions and fostering democracy in the context of evolving public policy scholarship; (2) to provide an overview of the kinds of institutional and policy changes taking place in the absence of analytics that could shed light on their impacts upon democracy and citizenship; (3) to raise some questions about the criteria public policy scholars should apply to their own art and craft during these turbulent times; and (4) to allow each of the participants to provide a short precise of their comments.

Critiques of the Dominant Voices in Policy Analysis

Tracing roots all the way back to Daniel Lerner and Harold Laswell (1951) nearly half a century ago, public policy as a scientific field and as a subdisciplines within political science, sociology, economics, philosophy and other social sciences have struggled both to establish themselves as

Reactions and Responses offered by Jeffrey Henig, George Washington University , Paul Light, Pew Charitable Trusts, Anne Schneider, Arizona State University, and Carmen Sirianni, Brandeis University.

credible academic enterprises and to contribute knowledge of the public decision process (Bobrow and Dryzek, 1987). Opinions differ as to how successful public policy has been in terms of scholarship. In his Presidential Address, Theodore Lowi (1992) termed policy science a hegemonic movement with large and generally detrimental impacts upon political science. According to Lowi, economic policy studies have crowded out politics in political science analysis; policy is evaluated in terms of rational selfinterested calculation among a number of alternatives with decision resting on the probability of occurrence and the estimated cost and benefits (1992). In contrast, a recent essay in *Policy Currents* takes for granted the very limited impact of the policy subfield upon political science (Hill, 1997). The inadequacy of public policy analysis as a producer of useful, important, and influential knowledge for policy making and implementation is more universally agreed upon (Bobrow and Dryzek, 1987; Ingram and Smith, 1993). Policy analysis is much more likely to be employed as rationalization rather than motivation for public policy.

Mainstream policy analysis is ill-equipped to deal with the central problems of institutions, public policy and democracy because widely employed perspectives and associated analytical tools are too narrow and largely irrelevant to broad societal values. Managerial and economic perspectives control much of the research and practice in policy analysis despite the fields' longstanding claims of multidisciplinary and diversity. Policy is conceptualized as goal oriented and purposeful, a matter of delivering specific goods and services efficiently and effectively. The core curriculum of public policy schools place micro-economics and statistics as gateway courses to channel students wanting to explore interests, processes and values into different occupations. The pages of policy periodicals, and the policy articles printed in political science journals primarily are devoted to objective, quantitative means/ends assessments. The incursion of public choice into public policy analysis has bolstered the influence of economic reasoning in policy analysis through preoccupation with the disparity between flawed governmental actions resulting from politics as compared with efficiency and effectiveness as measured economically. As a consequence, the direct, putative objectives of policy have gotten the attention while the indirect, incidental consequences of policy upon democracy and citizenship have been largely overlooked.

With growing energy other voices challenge the dominant managerial and economic conception of policy analysis and point the way to a different kind of policy analysis. For example, in her widely adopted public policy text, Deborah Stone (1997) exposes the value underpinnings of such supposedly objective ideas as "facts" and "statistics" embodied in conventional policy analysis. Writers including Frank Fischer (1990, 1995) and John Dryzek (1996) argue persuasively that utilitarian rationality must be replaced by discursive rationality and normative inquiry in policy analysis. These and other public policy scholars (Schneider and Ingram, 1997; Williams and Methany, 1995; Bobrow and Dryzek, 1987) argue that multiple perspectives rather than overarching theoretical fixes are required in policy analysis. Among the most important vantage points from which to evaluate policy is that of the citizen whose encounters with governmental institutions and policies shape attitudes and actions.

Waves of Institutional and Public Policy Reform

After a long period beginning with the New Deal in which government activism, centralization, and the growth of bureaucracy were taken for granted (Light, 1995), the United States and many other nations around the world appear to have entered an era of nonincremental institutional and

policy change. Recognized more swiftly by journalists like William Grieder (1992) and Kevin Phillips (1994), than by political scientists who have tended to be preoccupied by national politics, the impetus for transforming institutions and policies has emerged more from the grass roots than from capitols, although at least in part change is driven by globalization of trade and other transnational economic forces. In the late twentieth century, Americans appear to be on the brink of mass disillusionment with politics they believe to be driven by money and special interests and policies which appear to favor the few and to do little to improve the lives of ordinary Americans (Phillips, 1994). National surveys confirm that public respect for politicians is extremely low. Experts, whether in universities, bureaucracies, or Washington think tanks, also fare poorly in the opinion of the public. Scientific studies, including policy analysis, are perceived as part of the armory of politicians and interests, targeted to attack or support this or that point of view carrying little credibility as objective information. In the face of widespread public cynicism, no federal institution, including the courts, have been spared criticism. National politicians, when they are not casting blame on one another, appear to be shielding themselves by relinquishing power and discretion. In one policy area after another including taxation, trade, welfare, agriculture, and most regulatory matters, elected leaders are moving decision making down to lower levels of government or to non-governmental entities.

Devolution and Decentralization

The current interest in the devolution and decentralization of federal policy represents an acceleration and intensification of trends underway for many years. In the early 1970s, President Nixon proposed consolidating many federal categorical grants and giving state governments greater discretion in funding and regulatory matters. His "New Federalism" initiative was never fully realized due to Watergate and his resignation; nonetheless the idea of shifting control of public policy from the federal government to the states remained very attractive to policymakers from across the political spectrum. President Reagan won election in 1980 on a platform which pledged less government and greater decentralization. Capitalizing on his popularity, he won passage of the Omnibus Reconciliation Act of 1981. This act reduced federal funding for many grant programs, created several new block grants such as the Social Service Block Grant, deregulated federal categorical grant programs and devolved more decisionmaking responsibility to state governments. Many of the previous reporting requirements for federal grants were eliminated entirely or loosened substantially.

Despite these changes, many areas of public policy were not profoundly affected. State and local governments compensated for some of the federal cutbacks, especially as their economies improved in the 1980s. States "refinanced" some of their services by transferring them to federal programs that continued to grow such as Medicaid. And federal regulations remained for many policies such as Medicaid. Also, states did not generally use the increased flexibility under the block grants to restructure services dramatically: cutbacks were passed along to private and public service organizations but significant reallocation of funds did not usually occur, primarily for political reasons.

The ripple effect of the cutbacks and devolution was greater competition for public contracts and private contributions among nonprofit service providers. Many of these organizations responded to the cutbacks with subtle but nonetheless important changes to services including: longer queues, higher fees and deductibles, and increases in staff to client

ratios. In short, the initial wave of devolution despite a wave of protests among social welfare and health care advocates was much less profound in its impact than originally envisioned.

However, support for more and more substantial devolution continued to build. This movement received a push in the late 1980s through work of Osborne and Gaebler (1993) on "reinventing government." They argued that government was distant, ineffective, and inefficient. To improve services and regain the public's trust, government, in their view, needed to be restructured to make it more responsive to the citizenry. An important component of their reform plan is decentralization. To them, decentralized institutions are more innovative, effective, and more attuned to citizen concerns (p. 252).

The ideas of Osborne and Gaebler were quickly adopted in many jurisdictions around the country and led to the creation of the National Performance Review (NPR) chaired by Vice-President Al Gore (1993) to examine strategies to improve services provided by the federal government. The NPR report also called for the decentralization of decisionmaking where appropriate. While many of the NPR recommendations were not adopted, it did have a substantial influence on the public debate and pushed many federal agencies to decentralize their operations including the involvement of local communities in important policy disputes. The reinventing government movement also gave greater support to marketbased approaches to public policy including contracting for public services with nonprofit and forprofit firms, vouchers for housing and public education, and trading emission rights. Supporters of market approaches argue that government is not responsive to citizens because it does not have any competition for its services (Gore, 1993; Chubb and Moe, 1990; Savas, 1981). In their view, the introduction of competition into the provision of public services through market strategies such as contracting will greatly improve the quality and effectiveness of public services.

For instance, vouchers for public education are conceptualized as tools of empowering parents who otherwise lack a choice of where to send their children. Armed with information on the quality of each school, parents will force schools to compete for their voucher; in the process, parents will be empowered and schools will be required to address parent concerns, lest they lose their funding.

Contracting for public services with private nonprofit and forprofit service providers is another form of the market model. By contracting for service, it is hoped that the costs can be lowered and quality improved by creating competition among service providers for public contracts and grants.

Discussion of the merits of different marketbased strategies usually focus upon the efficiency of services. Rarely are other values such as citizen involvement and participation, equity and accountability for services raised as important values to consider. Given the growing concern about citizen participation in public life, it is imperative that the impact of market strategies on citizenship be investigated more extensively.

More research is also needed on the many recent initiatives to involve neighborhood and community groups in policymaking. Across the country, communitybased programs vary greatly in focus and scope. In Portland, Oregon, the city provides ongoing funds to local neighborhood associations who provide input to the city on key policy issues and help evaluate local services. In Hampton, Virginia, the city has integrated youth into key committees of city government with relevance to youth issues. In Little Rock, Arkansas, the city created neighborhood alert centers to provide a focal point for neighborhood involvement in provision of city services, especially police and fire services. In Kansas City, a local community organization uses public and private funds to mobilize local residents to fight substance abuse and crime. The Atlanta Project is an

comprehensive approach to economic development and poverty relief involving leaders of the public and private sectors in Atlanta.

Some communitybased programs such as the Atlanta Project are called comprehensive community initiatives (CCIs) because they strive for broad community participation and often try to tackle many interrelated problems such as crime, drugs, and poverty. Many CCIs are largely dependent upon volunteers with relatively small staffs.

These communitybased programs are very popular because they fit with the public's mood of decentralization, volunteerism, community involvement and skepticism of government, especially the national government. Yet, like marketbased strategies, we are only beginning to learn what the impact of these communitybased programs upon citizen involvement, local government and public policy. For example, we know from the literature on collective action and citizen participation that great inequality exists in participation rates in voluntary associations, particularly voluntary political organizations (Verba, Schlozman, and Brady, 1997).

Further, many neighborhood and block associations are involved in these community initiatives. How can we balance the desire of neighborhood associations to preserve their neighborhoods and property values with the need of local government to develop policies and programs in the broad public interest such as new highways, treatment facilities or lowincome housing. One of the most pressing issues in municipal government today is trying to balance community input with the implementation of programs in the entire city's interest. What is the role of local government in ensuring equitable representation and overcoming some of the inherent biases of collective action?

Welfare Reform and Beyond

In 1996, President Clinton signed into law the welfare reform legislation, repealing the federal entitlement to welfare in place since 1935 and devolving responsibility for the design and implementation of welfare services to the states. The legislation also reduced funding for some federal welfare programs such as food stamps and narrowed eligibility requirements especially for immigrants. Congress is currently debating legislation which would be equally dramatic overhauls of public housing and Medicaid. In each case, major responsibility for the administration of these programs would be shifted to the states. With less funding available, states would be expected to contribute a much higher percentage of the costs of these programs.

This new round of devolution is qualitatively different than the 1980s: the deregulation of federal programs is much greater and the funding reductions, if fully implemented, are much more severe. Consequently, the impact on public services and the relationship between state and local government and local citizens is potentially more dramatic: public and private services will need to be restructured; many groups will lose their benefits entirely or in part; contracting for welfare services is likely to increase substantially especially with forprofit companies and third-party management firms.

In the coming years, the boundaries between the public and private sectors are likely to be even more blurred as government does more contracting for services and devolves responsibility for public services to community organizations, religious agencies and churches and forprofit firms. This shift raises complicated accountability issues since government tends to underinvest in monitoring and oversight. The risk is that many services will be provided by private entities but the public and policymakers will not be in a position to evaluate the quality of the services.

Further, the greater use of private organizations for the delivery of public services makes the connection between government and the citizen more indirect. Many citizens may perceive that government is less relevant and important in their lives, even if government is directly supporting many of their local community organizations through grants, contracts and subsidies.

The potential implications for citizenship and the place of government in society are profound. If government is not given credit for worthy projects even when it supports them, then citizens will turn more and more to private solutions and be less likely to support the taxes necessary to fund government operations. The result may be a longterm decline in government capacity which might reinforce negative perceptions of government performance. At the same time, inequalities in citizen participation and access to services might become more severe.

Creation of New Institutions

Often reaching far backward in history to revive previous institutions long since discarded, and sometimes inventing wholly new forms, institutions in a number of policy areas are taking on a new look. For instance, laws have been modified to create individualized property rights in objects previously commonly held and/or under the auspices of government agencies. Natural resources and environmental policy has taken the lead in the design of these new institutions, under instructions emanating from economist dominated think tanks like Resources for the Future and from the Office of Policy Analysis in the Department of Interior very active during the Reagan Administration. Over the past decade and a half, with some nudging from the courts, water resources have emerged as private property. Instead of a public good held in trust for all the people by the states which issued water rights for individual uses deemed as serving the broader public interest, rights in water have been made much more secure and insulated from public regulation. Under the legal rubrics of wise use and prevention of waste, water managers in western states traditionally instructed irrigators to use only what they needed, and allow the remainder to flow downstream to others. (Reformers have derisively referred to this as "use it or lose it.") Property rights in water have now been redefined so that conserved water can be marketed to other users, and in some states the longstanding attachment of water rights to land has been severed so that irrigated acreage can be bought up for its water rights which are then sold to urban and industrial uses which are often able to pay far higher prices for water than agricultural users.

Further innovations in the definition of water rights are being strongly endorsed by some, including environmentalists. Free flowing water in stream beds have always been considered natural, and therefore not a commodity to be owned. However Ducks Unlimited, Trout Unlimited, and the Nature Conservancy among others are buying up water rights previously subject to diversion with the intent of leaving the water in the stream for environmental amenity of fish and duck propagation purposes (Anderson and Leal, 1991). Whatever the merits of the purposes being served, the creation of such in stream rights move water resources decision making from public to private arenas.

The impact upon rural communities which are the areas of origin in water transfers has often been quite negative, the loss of water not only undermining the economy but the viability of local government (Brown and Ingram, 1997). Towns that have no water have no future, and it is difficult to recruit people to run for mayor, city council, and other elective offices or to serve on advisory committees. Stewardship of resources as a civic obligation is also being eroded and

conservation for its own sake is undercut. If a water rights holder does not use or sell the right in entirety, he or she is being economically foolish.

Tradable discharge permits (TDP) are a kind of property right in air and water as waste repositories. Los Angeles has set up a TDP system as part of its plan to reduce smog, and the Environmental Protection Agency is employing the concept to deal with the chemical that causes depletion of stratospheric ozone (Freeman III, 1997). These newly created rights are usually lauded for their efficiency and effectiveness in cleaning up pollution. Scant attention is given to the impact such new institutions may have upon the viability and efficacy of voluntarism and civic responsibility as motivators of citizens for environmental clean up. Further, little attention is given to the distributional effects of trading. There is some evidence to suggest that inadequate pollution controls are being put on refineries close to poor, minority neighborhoods, and refinery owners are using tradable permits as a means to avoid the requirements to do so while plants next to high income neighborhoods are protected. (National Public Radio July 24, 1997). The message given to citizens about the uneven handedness of governmental protection increases cynicism in just those populations who are already disenchanted with government.

Regional forums that often involve different layers of governments and public and private partnerships are among the more interesting newly emergent institutional innovations. The Department of Interior has initiated a number of efforts to coordinate habitat conservation and promote ecosystems management through regional round tables that involve federal and state land managers from numbers of agencies, private land owners and interested environmental groups in a bio-region. These regional forums have involved interstate and even transnational regions that include Canadian provincial administrators. Similar substate regional experiments are occurring. In California, The Natural Communities Conservation Act of 1991 allows voluntary enrollment of major stakeholders in the implementation of jointly agreed upon land use development plans that set aside certain habitat. The preserved habitat is supposed to avoid the listing of endangered species under federal and state laws which might then halt further development. Landowners, environmental groups, and state, local and county officials are supposed to meet to agree upon specific plans for open spaces, mitigation measures and timetables. While much is being made of these institutional innovations as progress toward mediation and middle ground instead of divisive environmental disputes, there are unaddressed questions affecting democracy. Who actually has access to these new forums? To what extent is technical expertise and establishment status necessary in order to gain entry? Are agreements being made in semi-public forums in which all of the public has a stake but not voice?

A more elaborate twist to regional institutions is exhibited in the Environmental Side Agreements to the North American Free Trade Agreement. Under the treaty provisions a new bi-national regional institution, the Border Environmental Cooperation Commission was established to certify environmentally sustainable border infrastructure projects for possible funding by other agencies. This unique institution includes federal and state staff and public members from both countries as well as a bi-national public advisory board.

Regional bodies, although clothed differently, are hardly new players in American government, and the questions raised concerning progenitors are worth raising again. For the most part, regional institutions facilitate communication and are not allocated real authority. Implementation is left to line agencies, states and private members. The historic result has been that while some coordination occurs, there tends to be more discussion than action (Derthick, 1974). Collaboration may, therefore, be more symbolic than real. Interest soon wanes in even the

most representative and inclusive of regional institutions if the real decisions are being made elsewhere and democratic institutions are procedures are simply "window-dressing."

Reflections on the Need for New Kinds of Policy Analysis

Many "experiments" underway at the local and regional level are trying to invigorate civic infrastructure and mobilize more citizens to participate in public life. While some of these initiatives may be misconceived or largely symbolic, many efforts represent genuine attempts by public officials, voluntary associations and private citizens to wrestle with a new era of devolution and the changing responsibilities of the public and private sectors. Thus, research is needed to examine the impact upon the citizenry of these programs but we also need to analyze the lessons for policymakers in order to improve the infrastructure of public and private organizations through resource and leadership development and improved linkages among organizations.

In essence, the challenge for policymakers and scholars is to craft viable alternatives to the present choices of either government or community. Liberals still tend to celebrate government while conservatives champion community and the market as alternatives to government. Research needs to be undertaken that mixes the advantages of both sectors in a way that enhances the equity of services and the representativeness of the democratic process.

With government, particularly at the federal level, engaging in radical departures in the design of institutions and policies, it is an opportune time for political scientists, policy analysts and policy makers to rethink the models, criteria and methods they employ. Rather than the efficiency and effectiveness criteria that has driven conventional policy analysis, a great deal more attention needs to be directed toward the impacts of public decisions on citizenship and democracy. It is our intention in this paper to provide suggestions and previews of what a new kind of policy analysis should look like, what questions should be addressed and what methodologies should be used.

The brief comments by four different authors which follow address a number of common themes and grapple with a number of questions, many of which already have been raised above. The contributors, however, are not entirely in agreement and especially where they disagree, raise some important issues for further research. Clearly, the challenge is to change the kinds of questions that have long dominated the policy analysis agenda. We need to position ourselves to assess the likely impacts of rapid institutional and policy changes upon democracy and investment in civic capital before whatever adverse or positive side effects, emerge as problems or opportunities for which we (as analysts and society as a whole) are unprepared.

Among the common themes that run through the commentary is the blurring of lines which have differentiated public and private realms. As private entities take over more and more of what government used to do, what is the appropriate role of government and how should agents of government change their missions? In his comments, Paul Light notes that in an increasing number of programs government is becoming incapable of producing core services. The present trends of devolution and downsizing, even if somewhat illusory has placed many front line jobs in the private sector where there is only limited accountability. The overall impression Light imparts is very skeptical about the capacity of government action to empower and enrich democracy. A very different note is struck by Jeffrey Henig and Carmen Sirianni who are much more optimistic about the possibilities of a positive government role. Jeffrey Henig sees public institutions as vehicles for deliberation, debate, and decision making. Carmen

Sirianni is even more hopeful about the possibilities of institutional and policy changes to enrich civic language, and to change the terms of civic discourse.

The commentators also differ about what better policies or policy designs might look like. Paul Light believes that much more attention should be paid to the quality of public services delivered by government. Anne Schneider provides a list of design principles which she believes will help to mitigate unequal power relationships, divisive social constructions, and the loss of civility. Both Light and Schneider cast a jaundiced eye on devolution and decentralization. Schneider writes about degenerative politics in which bad policies create worse politics in a continuous downward spiral. Yet, Sirianni sees many of the contemporary policy and institutional reforms lead in a beneficial direction in spite of their negative side effects.

The clear variations in the tone of the commentators leads us to the more fundamental question of whether in pursuing devolution, decentralization, and privatization the United States is moving toward or away from the enriched democracy, more participatory citizenry and civic engagement and discourse all of us agree would be desirable. Paul Light would seem to view such a question as ultimately idle speculation, since the tide of "reform" is already upon us and there is little within the power or capacity of policy analysis divert its flow. However, to be caught up in the tide without strategy or guidance as to how to make the best of the context within which we find ourselves is to give up upon policy analysts' shared ambition to apply their art and craft toward policy improvement. As institutions and policies change, the frameworks, theories, and research questions of policy analysts must also change. Each of the following commentators have moved in the same direction in face of rapidly unfolding institutional and policy events, but along trajectories that diverge in interesting ways.

Market and Communitybased Proposals for School Reform

Response Prepared by Jeffrey R. Henig

My observations grow out of my work in three distinct, but related, areas: the political dimensions of school reform, the politics of privatization, and the adaptation of urban nonprofit organizations to changes in their funding environment. In each of these areas there are strong movements to turn away from centralized, bureaucratized, public institutions in favor of private firms or communitybased organizations that are perceived as more innovative, more flexible, and more responsive to local values and needs.

I am struck by several tendencies that characterize the arguments for devolution and privatization. While these points apply generally across the three areas I have been studying, to keep a sharper focus and to accommodate space limitations, I will keep my discussion keyed to the area of school reform:

Romanticizing the market and communitybased organizations: Proponents of school vouchers and charter schools paint appealing portraits of benevolent entrepreneurs applying wily knowhow to the challenge of educating lowincome youth. They leave out of the picture any acknowledgment of the history of private market disinvestment in urban areas, or of flybynight firms that systematically bilk public programs for jobtraining, adult education, or home health-care of the elderly, while providing lowquality services. Similarly, proponents of delegating budget, staffing, and curriculum decisions to schoolbased committees comprising educators,

parents, and community representatives, envision highly mobilized and democratic organizations, intensely committed and deeply informed. They ignore a long history, including the Community Action Agencies of the 1960s and 1970s but extending to the radical decentralization efforts undertaken by Chicago public schools in 1988, which suggests that only a subset of such organizations may be likely to achieve such levels of involvement and democracy, and that even fewer are likely to sustain them over time. Absent broad and committed participation, communitybased institutions are easily captured by those motivated more by jobs and power than substantive reform. Absent a centralized infrastructure providing information, training, and consultation, even wellmeaning communitybased organizations can founder due to limited time and expertise.

Elevating the citizen vs. government cleavage far above all other social divisions: Proponents of market and communitybased reforms frequently presume that values and interest miraculously harmonize once government bureaucracies are moved to the side. The American public may share a commitment to "good schools," but there is little evidence that they share a vision of what good schools entail. Disagreements about bilingual education, Afro-centric curriculum, affirmative action, academic tracking, the importance of classical education, the need for vocational training, mainstreaming the physically handicapped and emotionally disturbed exist in society, and not simply between society and government. To the extent that market proponents acknowledge this, they imagine that families can use choice and mobility to sort themselves into likeminded communities. But there is not much evidence that the national threshold of social tolerance has risen so much that Americans will now tolerate as they have not in the past distributing tax dollars to support schools promoting what appear to them to be alien or misguided programs. To the extent that proponents of delegating decisions to the community-level acknowledge the issue, they comfort themselves with the premise that spacebased communities and valuecommunities tend to coincide.

Ad hoc reliance on government as deus ex machina: When pressed about potentials for abuse, amateurism, parochialism, and inequality, the same reformers who blast existing public bureaucracies for institutionalized ineptitude suggest that wellcrafted regulations and careful monitoring will eliminate those threats.

Imagining that politics stops once reforms are in place: Numerous commentators have noted that, when it comes to various proposals for systemic school reforms, "the devil is in the details." Proponents of such reforms typically garnish their initiatives with provisions designed to reassure skeptics that, for example, costs will not soar, benefits will be targeted on the neediest, programs will terminate if there are not swift and clear results. In the pluralistic give and take of the legislative process, such provisions may be necessary to construct a viable winning coalition, but maintaining these provisions over time may be problematic. New programs can alter the political landscape by creating new interest groups, expanding the scope of conflict to include previously indifferent interests, or saddling existing groups with new responsibilities and demands. For example, in year one, a local school district might approve charter legislation that requires frequent reviews and renewals, mandate that chartered schools employ approved standardized tests, dictate that schools allocate a certain percentage of slots by lottery, prohibit the use of state funds for capital expenditures, and the like. By year three, new charter schools, their parents and teachers, represent a new element in the bargaining process. So might national corporations that perceive a market in running charter schools on a forprofit basis. Predicting that these interests would succeed in altering the original deal is risky; predicting that

they would try would be safer; imagining that they would not try or could not succeed is just plain silly.

Lost rationale for democratic institutions: Contemporary debates about school reform frequently are framed in terms of public versus private institutions, but by comparing these simply as *service delivery mechanisms* they offer a onedimensional analysis that is biased in favor of the private sphere. Public institutions are important also (perhaps more so) as *vehicles for deliberation, debate, and decisionmaking*, and it is here that their real advantages lie. As I have argued elsewhere (Henig, 1994: 200), the real danger in proposals for vouchers and other marketbased mechanisms for school reform "is not that they will allow some students to attend privatelyrun schools at public expense, but that they will erode the public forums in which decisions with societal consequences can democratically be resolved."

Well Intentioned Efforts that Decay

Response Prepared by Paul Light

Having made my share of recommendations for building new institutions for democracy, not the least of which was the call for "citizen liaison offices" made by the National Commission on the State and Local Public Service chaired by former Mississippi Governor William Winter, let me offer a heartfelt mea culpa. I am not sure that any effort to build institutions for democracy will be very effective, if only because institutions betray certain characteristics that eventually squeeze citizens out of the equation. My own research on the thickening of the federal hierarchy suggests that even the most wellintentioned effort to empower citizens through new institutional representatives will likely decay over time into an enterprise quite potentially hostile to citizen involvement. Much as we can all long for some kind of internal counterbureaucracy that might ardently advocate on behalf of the citizen against the imperial agency, I suspect that such efforts are doomed from the beginning. Unless citizens advocate for citizens, no institutional entity, however nobly labeled as ombudsman, citizen liaison officer, or citizen service representative, will likely work. Indeed, my experience in studying such organizational "growth industries" at the federal level suggests that such entities quickly lose sight of their original mission to become alltoofamiliar institutions for protecting bureaucratic turf from the very equity, fairness, access, etcetera, that they were designed to promote.

Thus, I would argue that the devolution revolution and the accompanying call for greater customer service by government is actually a conceit for providing anything but greater citizen access to government institutions. On the one hand, the customer service movement is based on an exceedingly narrow, even impoverished image of the citizen as a mere target to be cultivated and satisfied on a transaction-by-transaction basis. Admittedly, any movement toward acknowledging that there are actually forces outside the organization that might actually matter to policy choices is a good thing. (In this regard, the call for more market pressure is not always a negative for enhancing citizen action, a point well argued by my economist friend John Brandl in a forthcoming Brookings book titled *Choice and Community*. However, even a cursory examination of the customer service standards promulgated as part of the reinventing government movement suggest that the kind of customer government wants is not a particular sophisticated or demanding one. Compare, if you will, the customer service standards of Lexis or BMW with the standards of KMart or McDonald's; then compare those standards with the

standards of the Social Security Administration or the Internal Revenue Service. One will quickly see that the service standards emerging from reinventing government are oriented toward the infrequent, even onetime only transaction. Phones are to be answered quickly and courteously, checks are to be accurate and timely, and waste is to be minimized, but there is painfully little in the government service standard movement about the actual quality of the "products" being consumed. In short, government service is mostly about process. But even here, the concern is with only the most shallow process. There is nothing, for example, in most of the standards about fairness, equity, and integrity. No one has yet recommended that SSA declare itself in favor of providing fair benefits. No one has yet recommended that IRS declare itself committed to keeping its word. Quite the contrary, SSA 800 telephone operators cannot change the benefit level if a customer need something better, and IRS will not, cannot, stand behind the advice it gives on its 800 telephone lines.

On the other hand, much of the devolution and downsizing of the federal establishment is illusionary. It is quite true that the federal workforce is getting smaller these days, driven by the 272,900 cut in federal jobs mandated by Congress in 1994. However, most of the downsizing has involved contracting out to the private sector, mandates to states and local government, and grants to nonprofits. The result is that the federal establishment looks smaller on paper, but casts a considerable shadow through an increasingly unwieldy nonfederal workforce. As the federal hierarchy has continued to thicken at the middle and top, more and more frontline jobs have been pushed outward with only limited accountability. Does it matter, for example, that community relations for the Environmental Protection Agency's hazardous waste program are handled by a private contractor? Does it matter that the first person a frightened citizen sees in the program is at best an intermediary, at worst a profitmaximizing contractor? Within the next ten years, we will see an explosion of the shadow workforce, with all that means for lost accountability and erosion of the boundaries between government and civil society. Yet, virtually none of the reinventing community seems bothered by the trend nor is there much by way of available policy analysis capacity for assessing the consequences of the changing institutional structure. I believe that the current debate between public and private delivery systems is missing what may be the signal trend of administrative life in government: that the private is increasingly the public. In a surprisingly large number of programs, government is simply incapable of producing the core service. If we do not soon confront the trend, we may soon find ourselves in a situation where there is no choice between public and private at all.

Institutions and Policies for Democracy: Imposing Policy Design

Response Prepared by Anne L. Schneider

Some of the institutional changes documented in the body of the discussion paper by Professors Ingram and Smith might succeed in producing public policy that is more nurturing of democracy, but, in my judgement, I doubt that they will do so. The long history of public policy reveals that many functions currently performed mainly or partially by government were, in the past, handled primarily through the private or civic sector. People turned to government when these failed and they will probably turn again to government when other institutions fail, or turn to a different level of government when there is a pervasive belief that whichever level currently is dominant in the policy area is not doing a credible job. We are well aware of the potentially damaging

impacts especially to disadvantaged populations when public services such as education, health, mental health, and safety are offered through private providers. Those who are able to afford private schools, private doctors, private mental health facilities, and private security guards gradually withdraw their support for public provision, leaving those with less resources to cope with the underfunded and often lowerquality provision through the public sector. Yet, those of us who believe that governments can be forces for good in this world must acknowledge that public policy often is seriously flawed: too often it deceives rather than educates; it exacerbates negative stereotypes and contributes to unnecessary divisiveness; it excludes rather than offering opportunities for participation; it seriously overfunds and overrepresents some people and underfunds and underrepresents others; it relies on illogical connections between means and ends; and it serves the selfinterest of policy makers rather than common interests.

I am not a pessimist, however; and I believe that it is possible for public policy to be designed in such a way that it contributes to democracy. The points outlined below are discussed much more extensively in our book, *Policy Design for Democracy* (Schneider and Ingram, 1997a) and several subsequent "works in progress" (Ingram and Schneider, 1996; Schneider and Ingram, 1997b). We of course have drawn heavily from the research and thinking of many colleagues and our intent is to build from their work, rather than to reject or replace it.

1. Public policy has multiple roles in society and the framework for analysis must be multidimensional, incorporating the effects of public policy on citizenship and social justice along with the more common focus on instrumental effectiveness/efficiency and the pluralist focus on responsiveness, accountability, and capacity for resolving conflicts among competing interests. Effects on citizenship include citizen beliefs and values, deliberation patterns, orientations toward government, capacity to articulate your own interests as well as recognizing the interests and claims of others, willingness to search for common ground, capacity for empathy, and understanding of democracy. Effects on justice refers to a broaderbased analysis of how the policy alters the allocation of wealth, status, and power, the systems of social control, the social constructions of reality, the extent of repression.

2. Policy design y which we mean the content of policy, its text and practices must become a central component of policy analysis. The elements of design (target populations, goals, assumptions, rationales, implementation structure, rules, and tools) reflect the values, beliefs, and social constructions that produced the policy and it is through these elements and their dimensions that policy has real consequences. Policy designs need to be analyzed within context with an emphasis on whether the design corrects or exacerbates existing imbalances among the multiple values that policy should serve.

3. The analysis of the issue context and the policy making institutions need to be expanded to include: (a) the social constructions of target populations; (b) the social construction of knowledge, particularly the role of science and policy analysis; and © the communicative ethics (or lack thereof) within the discourse through which the policy was produced.

To understand the role of institutions and policy in democracy, we need a theory of policy design that explicates how policy designs often fail to serve democracy, and offers explanations of why the society produces these kinds of policies. In our book, *Policy Design for Democracy* (Schneider and Ingram, 1997a), we agree with others who contend that the contexts giving rise to public policy are socially constructed and that the dynamics which provide the engine for policy action are grounded in a socially constructed world. These social constructions yield interpretations and give meaning to several factors: the conditions of democracy, the events that are implicated in the emergence of an issue, the potential target populations involved in an

issue, and the facts / values that come together into a coherent, credible scientific theory explaining causes and consequences. The production of policy designs involves processes of socially constructing several different "realities" into a frame of reference that will permit a politically feasible policy to emerge. The social constructions that arise become embedded in the design itself and have subsequent consequences for issue contexts and conditions of democratic life.

Much of the public policy produced in the United States emerges from what we have called degenerative pluralism--a policy making context characterized by hyper-competitiveness, strategic and manipulative behavior, hidden agendas, a focus on "winning" and gaining credit (or placing blame) and discredit on ones "opponents." This type of institutional culture lacks the willingness to search for common ground. It is important here for policy analysts to draw upon the perspective of critical theorists who have emphasized the importance of communicative rationality, grounded in communicative ethics, as the fundamental form of rationality that should guide policy making, taking its place alongside instrumental rationality (efficient means to achieve agreedupon goals), and democratic political rationality (policy that is responsive and accountable to the people). In degenerative pluralism, policies become political instruments created to generate political capital by allocating benefits to "advantaged" populations (those who are powerful and also are socially constructed as "deserving") and punishment to "deviants" (those who lack power and are socially constructed as "undeserving"). Such designs often are illogical, deceptive, contain divisive constructions of target populations, and systematically over-represent, over-subscribe, and over-fund certain groups in the society (the "advantaged") at the expense of others. These designs send messages, teach lessons, and allocate values that exacerbate injustice, trivialize citizenship, fail to solve problems and undermine institutional cultures that might be more supportive of democratic designs.

The most prominent challenge to degenerative pluralist designs has come from those who believe that policy making should be more scientific, more professional, and less political. We need a theory of design that explains the contextual conditions under which scientific and professionalized knowledge will have influence. Building from the theory of social constructions and policy design, we suggest that when policy makers believe they can strategically manipulate a situation to create significant political capital for themselves, they will keep scientists and professionals out of the initial design process, except when the findings of science support the same policy positions that offer political opportunities. When scientific findings point in the same direction that policy makers want to go, then scientific findings will be used opportunistically to rationalize the policy design and conceal its political characteristics behind complex scientific provisions. When the scientific findings do not support the granting of benefits to "advantaged" populations or burdens to "deviants" however, scientists and professionals usually will be excluded from the initial design but may be able to challenge it during implementation, correcting some of the illogical aspects of designs produced in degenerative pluralist contexts.

Policy makers are not always able to construct issues in such a way that they promise political payoffs, however, and many contexts present mainly political risks. In these situations, policy makers may find it advantageous to permit scientists and professionals to have a dominant role in policy designs, virtually turning the decisions over to tightly knit policy communities with common disciplinary interests who colonize legislative staffs, interest groups, and implementing agencies. In these circumstances, however, our theory suggests that policy designs will contain numerous flaws. For example, goals over time will come to reflect the interests of the scientific

community itself rather than the pursuit of public interest goals. Scientific interests may divert attention away from solving problems to focus too heavily on producing new knowledge, more data bases, and carrying out more research. Science, in its purest sense, is best at identifying questions to be answered rather than finding answers useful to achieving policy goals. When science and professional values dominate, policies usually are framed in the language of scientific and professional communities and participation; if it occurs at all, it is highly structured occurring long before all but the most attentive public is aware and mobilized.

Although the scientific designs differ considerably from those driven by the social construction of target populations, both damage democracy. Worse, the dynamic processes that produce each kind of design appear to contain few if any self-corrective mechanisms and instead lead to an everworsening cycle of public policy. More than any other single factor, it is the effects on citizens conveyed through policy designs that thwart the self-correcting mechanisms that many believe pluralism will provide.

Movement toward a stronger and deeper democracy requires policy analysis and policy designs that recognize and correct the errors of previous designs. Designs are needed that will achieve a better balance among the multiple values that need to be served including solving problems, being responsive and accountable to the people, serving justice, and encouraging active, empathetic citizenship. The unequal power relationships, divisive social constructions, privileging of scientific rationality and expertise, and the loss of civility in interpersonal relationships within policy making situations, must be avoided. Here are some principles of good designs:

1. Construct target groups for benefits and burdens that cut across lines of longstanding social, racial, economic or other cleavages.
2. Design to insure public involvement and avoid overly complex and technical designs that empower narrow scientific and professional interests.
3. Create designs to strengthen communicative ethics and communicative rationality across all policy making contexts in government, the workplace, and civil society.
4. Cultivate a sense of community through designs that favor the creation of civic organizations.
5. Design to correct imbalances in the issue and societal context, which requires that one draw from multiple theories and analyze from multiple perspectives.
6. Design policies that build capacity, inform, empower, facilitate self-governance and learning rather than policies that manipulate through slogans or symbols.
7. Avoid designs that rely on deception for support.

Whether public policy in the future will follow the degenerative pattern of the past several decades or undergo a course correction that will bring U.S. democracy closer to its own ideals may depend at least partially on the success of policy theory and analysis. Policy analysis needs to deconstruct policy designs making clear the degenerative characteristics, exposing deception and other flaws to a wide public audience, and teaching citizens and leaders better lessons about possible alternative futures. Theories of public policy need to provide a better vision of democratic possibilities, better explanations of how and why antidemocratic elements come to be embedded in policy designs, and better explanations of how designs impact democratic life.

In conclusion, privatization of governmental functions, decentralization, and the turning over of authority to self governing collectivities may have negative effects if undertaken simply as a way for government to abdicate responsibility for those who lack the political clout needed

to claim government largesse, all the while continuing the pattern of protection and subsidies to powerful well-regarded constituents. On the other hand, privatization and decentralization are not necessarily detrimental and may offer some opportunities for the emergence of public-sphere organizations that can build trust and support a strong civic sector. It must be recognized, however, that non-governmental groups who fill the policy vacuum left by government downsizing, decentralization, and privatization may be narrow and exclusive. They may be more likely to represent selfish rather than collective interests. They may develop their own degenerative tendencies and fail to incorporate the form of communicative ethics and empathic citizenship that we believe is essential to the production of public policy that serves democracy. While government may utilize such groups, it must retain the authority to insist upon openness, fairness, and service to the general welfare.

Innovation in the United States

Response Prepared by Carmen Sirianni

The concept of "public policy for democracy," which Helen Ingram and Steven Rathgeb Smith (1993) articulated in their edited collection of this title, is one that has been especially helpful for me in trying to understand the process of civic innovation in the United States over the past three decades. It raises essential questions about how policy design can (and should) promote democratic deliberation about public values, enable citizens to understand costs and tradeoffs, and foster multisided civic partnerships and public work. It alerts us to the many ways in which policy design and street-level bureaucratic practice can undermine democracy by constructing citizens primarily as clients, interacting with communities primarily as bundles of deficits, or defining different goods primarily in terms of rights.

Over the past three decades, we have witnessed an exacerbation of some of these problems (the therapeutic state, collective rights to safety, command-and-control regulation). We have also seen the emergence of a variety of models and strategies ("community building," "civic environmentalism") that promise to accomplish at least part of what is entailed by public policy for democracy (Sirianni and Friedland, forthcoming). The challenge is to figure out further ways to support these latter developments under circumstances where change may be accelerating beyond the capacity of institutions (civic and governmental) to learn how to manage this change to ensure equitable citizen and community empowerment. Not all the current reform models are designed to do this, and even those that are nonetheless may have serious side effects because they have not raised important normative questions in a broad enough context and because they do not control all the conditions under which they are likely to be implemented.

We probably all agree that there are important side effects. The ones highlighted by Ingram and Smith, as well as Henig are ones that are familiar in my work as well. Let me give a few examples that indicate that is perhaps necessary in many instances to embrace the side effects, or take the risks, since these derive from the very strengths of the reforms, and that there are perhaps available the kinds of assets and tools that can allow us to rectify these over time.

Empowerment Zones and Enterprise Communities. The competitive application process was designed to stress capacities to develop strategic plans and forge community partnerships, and to inventory assets in the process of developing a vision for sustainable community development that could integrate health, social services, environment, neighborhood safety and

other related concerns. National CDC intermediaries lobbied heavily for this design, and they funded local CDCs to step forward to assume leading roles, which they did in the application process and after EZ/EC designation. CDCs, which were more or less nonexistent at the time of earlier Community Action and Model Cities legislation, were now the dominant community players wherever they had at least a moderately strong preexisting foundation, and the EZ/EC design has encouraged CDC development where they were more recent or tenuous. The strength of this design is that it builds upon existing capacity and more robust community partnerships, which in turn: 1) enables politicians taking risks for community development to be better positioned to show results within short election cycles, or at least to avoid being tagged as throwing money down a sink hole; and 2) it enables organized community actors to serve as a genuine counterbalance to city hall and traditional social service agencies and business interests, while at the same time forging the kinds of relations that can strengthen urban regimes favoring the poor (Stone, 1993). One side effect, of course, is that smaller, weaker, or more recently organized community groups often feel left out and disadvantaged relative to the more established groups (Gittell et al., 1996). At this point, we have no evidence that such groups are in a worse position than they were previously, or that the culture and relationships within the broader CDC sector cannot accommodate and facilitate their growth over time.

Another Example. As Marc Landy and his colleagues (1990), John Hird (1994) and others have argued, the policy design of Superfund is highly flawed from the point of view of encouraging responsible citizen deliberation about relative risks, costs and benefits in cleanup. Hird presents a policy design for state block grants to cover pre-1981 sites (i.e., before the law went into effect), and includes a requirement for statewide citizen committees that would decide how to allocate funds. This committee would include ordinary citizens, some from communities with hazardous waste sites, as well as those who would represent groups concerned with other issues (e.g., radon, asbestos, and lead abatement). Such a design would make it much more likely that an environmental justice group clamoring for full remediation (and no compromise with "environmental evil") would be challenged by other citizens (including other minority organizations) to spend, say, not \$30 million to remediate a site the average cost today but \$3 million, with the rest going to other worthy claims around the state. The policy design would alter the patterns of community mobilization (based now on the assumption that cleanup is a free good). It would no doubt lead to some unwise and unfair decisions. It would threaten to undermine some of the organizational and symbolic advantages of key national support groups, such as the Citizens Clearinghouse on Hazardous Waste, which remains virulently opposed to any compromise on full remediation or the use of comparative risk assessment, even in its more democratic forms.

Are these side effects that we can live with, risks we should be willing to take? Are there further ways of strengthening equity? I think the answer is yes to each of these questions. First, in many states there now exist various environmental organizations that have built up trust on issues of environmental equity but that also appreciate that Superfund spending has been excessive in relation to other environmental problems. The capacity for fair and effective citizen representation on a statewide committee capable of deliberating about opportunity costs is far greater than it was at the time Superfund was passed. Secondly, national legislation and EPA oversight could specify how environmental justice representation is to be addressed at the state level. The EPA Office of Environmental Justice could help further build the capacity of local groups through its grants programs, so that they can effectively organize, as well as engage in a process of mutual learning with agencies about which risks are relatively serious and which are

less so (Knox 1994). Third, there is little indication that the inequities that might result are any greater, and indeed may be far less, than those which result from the current policy that favors a relatively few selected neighborhoods able to mobilize to get National Priority List status at the expense of others (including many other poor and minority neighborhoods), and that burdens everyone with long delays and high transaction costs.

These may be easy cases compared to welfare reform, of course. But I hope that we can all share some of what we think the assets and tools available in each area of reform might be for addressing the side effects. In the case of the Nature Conservancy that Ingram writes about, are the strong relationships with federal and state agencies, the organizational culture and stewardship ethic among tens of thousands of TNC volunteers, resources that can be applied to containing some of these side effects? One of the central issues has to be changing the language of reform that polarizes government versus community, and addresses how government has the responsibility for helping to generate the kinds of civic capacity that can reduce these side effects. The market metaphors that dominate reform have been very problematic. We need richer civic language, and we also need to think about how a broader "movement for civic renewal" can help change the terms of discourse, so that well meaning reformers in each arena can better be able to understand and respond to such side effects. This is partly what we are about as policy analysts, but we also need to be thinking about how we can connect reformers and civic innovators and entrepreneurs across policy arenas so that a broader framing is much more likely.

Concluding Thoughts

Devolution and privatization dominate the policy agenda today as strategies to provide citizens with more effective and efficient services. The authors in this paper also share an interest in improving public services. But they suggest that we need to develop a different type of policy analysis--one rooted in a greater understanding of the political and organizational dynamics of policy--if we are to achieve this goal of better public services. The authors embrace devolution and privatization with varying levels of enthusiasm. However, they tend to agree that we need to approach devolution and privatization with greater skepticism than is often exhibited by many policymakers. By understanding the connection between policy and policy design and the actual impact on the citizenry, the authors of this paper call for more focused attention to the broad array of effects of public policy, not just narrowly defined output criteria. Through an improved understanding of policy and its effect on democracy, we can improve public policies and enhance the role of the citizenry in the democratic process.

Endnotes

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