

AN INTRODUCTION TO THE POLICY PROCESS

THEORIES, CONCEPTS, AND MODELS
OF PUBLIC POLICY MAKING



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Policy Implementation and Policy Failure

CHAPTER

8

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The Implementation of Public Policies

Once the designers of policies have settled upon a policy design and one or more tools to carry out the goals of the policy design, the various actors in the policy process turn their attention to the *implementation* of public policy. Until the late 1960s, there were few studies of policy *implementation*: that is, few scholars had sought to systematically study what happens *after* legislation or some other statement of policy is enacted and then put into effect. Thus, the study of "program implementation is concerned with what happens to a policy or program after it has been formulated."¹

It is important to understand policy implementation because it is a key feature of the policy process, and learning from implementation problems can foster learning about better ways to structure policies to ensure that they have the effects that designers of these policies seek. In addition, perhaps to a greater extent than other elements of the policy process, implementation studies have emphasized advice to policy makers as to how to structure programs to increase the likelihood of implementation success. Thus, when students of policy implementation talk about "top-down" or "bottom-up" implementation designs, they are talking about both ways of studying policy design and ways of structuring policy implementation so as to enhance the likelihood of implementation success.

implementation.
The process by which policies enacted by government are put into effect by the relevant agencies.

Before studies of implementation, the explicit assumption among students of policy and politics was that implementation largely proceeded after enactment with little or no controversy, and that policies, once stated by the elected branches, were implemented precisely as the legislature wanted. This is similar to Woodrow Wilson's claim that the bureaucracy is a neutral implementer of policy that simply carries out the will of the legislature. As you know, however, the assumption of bureaucratic neutrality is not supported by actual experience. If the bureaucracy was a strictly neutral institution, then all the problems people have cited about bureaucracy—in particular, the problems of discretion and accountability—would never enter into the discussion of implementation. Because bureaucracies do have discretion in how they implement policies, this section reviews some ways of looking at policy implementation that see bureaucratic discretion as a problem to be overcome by sound choices in policy design.

Approaches to the Study of Implementation

There are three main eras of policy implementation research. The first era, which began in the late 1960s and early 1970s, is characterized by works such as *Implementation* and *New Towns in Town*.² Their authors undertook these studies to understand why particular policies, such as the Economic Development Administration's efforts to relieve poverty in Oakland or the Johnson administration's "New Towns in Town" efforts, seemed to fall short of their goals. These studies focused on individual case studies and did not create more generalizable theory that could be applied to and tested with other cases.

A second era of implementation studies, which began in the mid-1970s, sought to create systematic theories of the policy process that were generalizable to many cases, rather than focused on one or a few cases. As this research progressed, one could discern two separate research approaches. The first of these approaches emphasizes a "top-down" perspective on policy implementation. Its proponents claim that one can understand policy implementation by looking at the goals and strategies adopted in the statute or other policy, as structured by the implementers of policy. These studies focus on the gaps between the goals set by a policy's drafters and the actual implementation and outcomes of the policy. The second approach emphasizes a "bottom-up" perspective, which suggests that implementation is best studied by starting at the lowest levels of the implementation system or "chain" and moving upward to see where implementation is more successful or less so.

Top-Down Approaches to Implementation

Some representative studies in the top-down research tradition include research by Carl Van Horn and Donald Van Meter, as well as Daniel Mazmanian and Paul Sabatier's studies of the factors that condition successful implementation.³ The top-down approach is based on a set of important assumptions:

top-down approach. The approach to studying policy implementation in which one first understands the goals and motivations of the highest level initiators of policy, and then tracks the policy through its implementation at the lowest level.

- Policies contain clearly defined goals against which performance can be measured. As Neal Ryan puts it, “Top-down implementation strategies greatly depend on the capacity of policy objectives to be clearly and consistently defined.”⁴
- Policies contain clearly defined policy tools for the accomplishment of goals.
- The policy is characterized by the existence of a single statute or other authoritative statement of policy.
- There is an “implementation chain” that “starts with a policy message at the top and sees implementation as occurring in a chain.”⁵
- Policy designers have good knowledge of the capacity and commitment of the implementers. Capacity encompasses the availability of resources for an implementing organization to carry out its tasks, including monetary and human resources, legal authority and autonomy, and the knowledge needed to effectively implement policy. Commitment includes the desire of the implementers to carry out the goals of the top-level policy designers; a high level of commitment means that the values and goals of the policy designers are shared by the lower-level implementers, particularly those at the “street level,” such as teachers, police officers, or social workers.

In a top-down model of policy design, the implementer assumes that these features are present or that any problems suggested by these assumptions can be overcome. The focus then is on creating the proper structures and controls to encourage or compel compliance with the goals set at the top. But there are some substantial weaknesses with this approach that you may recognize from earlier chapters in this book.

Perhaps the most problematic feature of top-down models is the emphasis on clear objectives or goals. Without a consensus on what program goals *are*, it is hard to set a benchmark for program success and failure. For example, in 1973 Congress established the 55-mile-per-hour speed limit on the nation’s freeways as a method for promoting energy conservation, because, in most cases, driving one’s car at 55 mph is more fuel efficient than driving it at 70 mph. Yet most gains in fuel economy between 1973 and the early 1990s were a result of federal policies requiring that a manufacturer’s vehicles achieve an average fuel economy of 27.5 miles per gallon for cars and 20.7 miles per gallon for light trucks. Most manufacturers comply with this standard. However, the 55-mph speed limit had a side benefit—it substantially reduced highway fatalities in the early years of its enforcement.

On what accomplishment, then, should the 55-mph limit be assessed? In terms of motorists’ compliance and state enforcement, the 55-mph speed limit was generally unsuccessful, and its widespread unpopularity led to its repeal. In terms of fuel economy, the results were inconclusive, but the safety benefits were substantial, so highway safety advocates fought hard to keep the 55-mph limit in place and were

successful in this fight until the late 1980s. This is an example of how advocates for a policy will redefine policy goals to justify the continuance of a program and how new groups can enter the debate to highlight new goals and benefits of programs.

Another example of multiple objectives is found in the management of the nation's forests by the U.S. Forest Service (USFS), which must administer the forests to serve "multiple uses," ranging from recreation to logging. By what goals should the Forest Service's efforts be measured? This is a constant source of conflict for the agency, as environmentalists and recreational users battle logging interests and their local allies over which aspect of forest policy—timber supply or resource conservation and recreation—should be emphasized by the USFS. When policy makers fail to provide one goal or a coherent, mutually compatible set of goals, implementation is likely to be difficult as agencies and people charged with putting policies into effect pursue different goals.

Another problem with top-down models is the assumption that there is a single national government that structures policy implementation and provides for direct delivery of services. The United States has a substantial national government, but it also has fifty state governments that have constitutionally protected rights and responsibilities, so that they are often loath to surrender their power and prerogatives to distant agencies headquartered in Washington. Most policies made by the federal government require considerable state and, in many cases, local governmental cooperation. One cannot say, then, that the federal government is strong enough to mandate any policy it sees fit, without having to induce cooperation from and minimize conflict with the states. This assumption of a strong central government also assumes a unitary method of decision making that ignores competing or overlapping agencies and their staffs, interest groups, and the disparate interests of the fifty state governments and over 80,000 local units of government. Indeed, James Anderson notes that legislators, bureaucrats, the courts, pressure groups, and community organizations are all involved in policy implementation.⁶ Thus, while the focus of implementation may be in one agency, several other actors will have an influence on implementation success or failure. One might assume that the federal government—the "top"—cannot structure implementation at all. However, Sabatier notes that the top can set bounds for implementation, if not hard and fast rules.⁷

This is related to a crucial critique of the top-down approach: the ability of local actors to ignore messages from the top that policies need to be implemented in a particular way. Malcolm Goggin and his colleagues have cited instances of "strategic delay" at the state level, where states seek to slow implementation in order to develop ways to adapt the program to local needs.⁸ However, not all delay is strategic—some delay or outright refusal to implement policy is a reaction to local and state desires to not implement a policy at all. This is sometimes due to local political pressures, such as when some states failed to aggressively enforce the 55-mph speed limit or when local governments resist implementing programs such as the Brady Bill, which requires background checks for gun buyers. At other times,

rank-and-file implementers may refuse to implement a policy that comes from the top: the police, for example, may resist changes in policing procedure based on their experience on the street. Top-down approaches often ignore the relative ease with which many implementers and interest groups can work to subvert the originally established goals. On the other hand, Paul Sabatier rejects the inevitability of “adaptive” implementation in which target groups and *street level bureaucrats* subvert the original program’s goals. Sabatier argues that top policy designers do have choices about who implements a policy and what incentives and sanctions to impose for noncompliance and can influence the expectations and needs of target groups so that adaptive compliance should be unnecessary or would be counterproductive.⁹

Finally, top-down approaches assume that policy is contained in a single statute or other authoritative statement. The fragmented and in some ways incrementalist nature of policy making in the United States means that, when one talks about “environmental policy” or “educational policy” or “health policy,” one is discussing a wide collection of separate and sometimes contradictory policies. This is related to the tendency of top-down approaches to assume a relatively clear division between policy enactment, on the one hand, and policy implementation, on the other. Indeed, many of the studies of implementation from a public administration perspective tend to adopt this distinction, which may be analytically useful but runs the risk of assuming that the same pressures that work to shape policy adoption do not exist in policy implementation.

Bottom-Up Approaches to Implementation

In a reaction to the overly structured top-down approach—in particular, to dissatisfaction with its ability to explain many unsuccessful outcomes—researchers began to view implementation from the perspective not of the topmost implementer, but rather of what Michael Lipsky calls “street level bureaucrats.” *Street-level bureaucrats* are the teachers, social workers, police officers, and others who implement policies at the point of contact with the policy’s target population.¹⁰ Richard Elmore, the key proponent of the bottom-up approach, calls this “backward mapping,” in which the implementation process and the relevant relationships are mapped backwards, from the ultimate implementer to the topmost policy designers.¹¹ This approach is built on a set of assumptions that stand in marked contrast to the implicit assumptions of “forward mapping” or top-down approaches.

First, the bottom-up approach recognizes that goals are ambiguous rather than explicit and may conflict not only with other goals in the same policy area, but also with the norms and motivations of the street-level bureaucrats. As Rene Torenvlied notes, “The compliance problem arises when there is a conflict of interest between implementation agencies and politicians.”¹² Top-down models are most concerned with compliance, while bottom-up approaches value understanding how conflict can be alleviated by bargaining and sometimes compromise.

street-level bureaucrat. A term coined by Michael Lipsky to describe the actors at the lowest end of the implementation chain, such as teachers, police officers, and social workers, who implement policies at the point of contact with the policy’s target population.

bottom-up approach. The approach to studying policy implementation in which one begins by understanding the goals, motivations, and capabilities of the lowest level implementers and then follows the policy design upward to the highest level initiators of policy.

Second, the bottom-up approach does not require that there be a single defined “policy” in the form of a statute or other form. Rather, policy can be thought of as a set of laws, rules, practices, and norms, such as “energy policy” or “criminal procedure,” that shape the ways in which government and interest groups address these problems. Thus, implementation can be viewed as a continuation of the conflicts and compromises that occur throughout the policy process, not just before and at the point of enactment.

This bottom-up approach has a number of features to commend it. In particular, the lack of a focus on a particular program and on a fixed, top-to-bottom implementation chain means that the bottom-up approach can view implementation as working through a network of actors—much like an issue network or policy community—rather than through some rigidly specified process that fails to account for the richness of the policy-making environment. But there are also important shortcomings to consider in the bottom-up approach.¹³

First, Paul Sabatier argues that the bottom-up approach overemphasizes the ability of the street-level bureaucrats to frustrate the goals of the top policy makers. Street-level bureaucrats are not entirely free agents. They are constrained to act in a particular way based on their professional norms and obligations, by the resources available to them, and by legal sanctions that can be applied for noncompliance. Police officers, for example, who use “too much” discretion and thereby ignore procedural rules for handling suspects or evidence can lose their jobs or face criminal charges; teachers who violate professional norms can be demoted or lose their jobs. Nor do street-level bureaucrats necessarily have the resources to thwart policy designers; they may be able to delay, but not entirely subvert, implementation. Of course, the street-level bureaucrat may also *want* to follow the lead of the top level designers, supporting the goals handed down from higher up, with no reason to exert discretion to subvert the goals of the policy designers.

Second, bottom-up models of implementation assume that groups are active participants in the implementation process. This is not always true, however. Peter May argues that some policies can be categorized as “policies without publics,” which are developed and implemented with relatively little public input, particularly when those policy areas are highly technical.¹⁴ Along these lines, Sabatier also argues that the bottom-up approach fails to take into account the power differences of the target groups.¹⁵ As Anne Schneider and Helen Ingram note, some target populations are more positively constructed than others, with the result that those with greater power can have a greater influence on the impact of policies that affect them than can other groups.¹⁶ Clearly, business interests are going to be treated differently in implementation design than are the poor or prisoners, and these treatments are reflected in the choice of policy tools. The choice of tools is made at the top, based on the desired behavioral change and the nature of the target population itself.

It is worthwhile, however, to consider what these two approaches to implementation design do best. The top-down approach is much more useful when there is a

single, dominant program that is being studied. Several times in this book, I have mentioned specific legislative enactments, such as the Oil Pollution Act of 1990 (OPA 90), as important policy changes. It would be appropriate to study the implementation of OPA 90 from the top down, because much of the policy was designed in Congress and the federal executive branch and, regardless of its complexity and the span of issues raised in the law, it is fairly well structured from the outset to be administered by top government officials. Sabatier also argues that top-down approaches are appropriate when one has limited resources to “backward map” the implementation of a particular issue. It is considerably easier to look up statutes and other pronouncements issued by top-level policy designers than it is to map all the various interests, agencies, and street-level officials that will carry out a policy.

On the other hand, bottom-up modeling makes sense when there is no one dominant program (such as in a state’s penal code, which consists of many policy statements regarding the nature and severity of crimes) and when one is more interested in the local dynamics of implementation than in the broad sweep of design. It is useful to consider the local factors, from both practical and academic perspectives, since local experience with implementation success or failure can yield important lessons for policy implementers.

Synthesis: A Third Generation of Implementation Research

Because of the relative strengths and weaknesses of the top-down and bottom-up approaches, researchers have sought to combine the benefits of these approaches into one model or synthesis that can address both the structuring of policy from the top and the likelihood of its subversion or at least its alteration at the ultimate point of implementation.

Richard Elmore has sought to combine his idea of “backward mapping” with a “forward mapping element.”¹⁷ By looking both forward and backward, we can understand that top policy makers can make choices of policy instruments or tools to structure implementation while realizing that the motivations and needs of lower-level implementers must be taken into account. Paul Sabatier also argues that a conceptual framework should be developed that combines the best of the top-down and bottom-up approaches.¹⁸ The top-down approach is best where there is a dominant program (i.e., law) that is well structured and where the researcher’s resources for studying implementation are limited, as when a student is researching the implementation of a program for a term paper or when an implementer needs a quick analysis in discussing with boss and colleagues how to structure a program. By contrast, the bottom-up approach is best where one is interested in the dynamics of local implementation and where there is no single dominant program. One begins by analyzing rather diffuse street-level behavior rather than focused, top-down activity. Because of this diffuse behavior, gathering the needed data to tell the implementation story can be challenging, as multiple sources must be consulted and analyzed.

Advocacy Coalition Framework (ACF). A model or framework for understanding the interactions of groups and coalitions of groups called advocacy coalitions. In the framework, typically two to four coalitions form based on shared beliefs on policy issues. Paul Sabatier is the primary developer of the ACF, which has been applied to studies of implementation, policy change, and learning.

Sabatier's synthesis relies on a framework for studying public policy known as the *Advocacy Coalition Framework*, or ACF, which is discussed at greater length in Chapter 9. In this application of the ACF to implementation, Sabatier's synthesis starts by adopting the bottom-up perspective, which involves looking at "a whole variety of public and private actors involved with a policy problem—as well as their concerns with understanding the perspectives and strategies of all major categories of actors (not simply program proponents)."¹⁹ This contrasts with the top-down focus on the topmost designers of policies. But Sabatier also adopts the top-down perspective by providing a simplified, abstract model of a complex system and by recognizing the importance of the structural features of policy emphasized by the top-down theorists. The primary reason Sabatier uses the ACF to think about implementation is that it reflects the growing sense that implementation does not take place in a one-to-one relationship between the designers, implementers, and targets, but is rather contained within a policy subsystem; the ACF is one way to think about the organization of subsystems.

Refining and reconciling the top-down and bottom-up approaches, Goggin and his colleagues²⁰ have devised a theory of policy implementation that relies on the sending of *messages* between policy makers and implementers. This study takes into account an important feature of most policy design: that implementation is as much a matter of negotiation and communication as it is a matter of command. Even commands are sometimes resisted because they are unclear or inconsistent with the receiver's expectations. Goggin and his colleagues sum up their argument in two key propositions:

- Clear messages sent by credible officials and received by receptive implementers who have or are given sufficient resources and who implement policies supported by affected groups lead to implementation success.
- Strategic delay on the part of states, while delaying the implementation of policies, can actually lead to improved implementation of policies through innovation, policy learning, bargaining, and the like.

The first of these propositions is a short summary of what has been learned thus far in the study of implementation analysis, but packaged as a matter of communication between various actors. In actual experience, messages are often unclear, officials often lack credibility, implementers are often not receptive or, if they are, do not receive sufficient resources or are opposed by the affected groups. The second proposition counters some of the gloom that had settled around many policy implementation studies. Goggin and his colleagues found, in certain policy areas, that states that "strategically delayed" implementation—in order to seek clarification of a policy, raise more funds, ensure support of affected groups, and so on—often had better success in implementing a policy than did states that immediately

implemented a policy. It seems that it would behoove the analyst to take a longer-term approach to policy studies, since what may at first blush look like delay on the part of a state or local government may in fact be a period of strategic positioning and adaptation of a policy that actually improves the quality of the service being delivered under the policy, as well as enhancing the likelihood of any implementation.

The debate continues in policy studies over the best approach for the study of implementation and even over whether we should continue studying implementation or focus our attention on other, supposedly more fruitful avenues of study. As long as policies fail, or appear to fail, implementation studies will remain important to policy makers and to students of the policy process.

Summary

The design of policies is at least as important as the decision to do something about a problem in the first place. The features of the political system and the policy process that make deciding to do something so difficult also influence policy implementation. These features also influence the perception of policy success and failure. Many citizens believe that policies fail because of poor design or incompetent administration. This may be true in some cases, but in most cases policies are as well designed as possible given the usual constraints on knowledge and resources, and appear to fail because of unanticipated circumstances, resistance to the policy during implementation but after enactment, and the vagaries of the political process. The challenge for policy designers is to craft policies that meet the broad goals set for them while remaining sufficiently resilient to weather political change, resistance to the policy as implemented, and group conflict. The challenge for students of policy is to understand why policies succeed and fail or, more to the point, why some arguments of success and failure are more effective than others.

The choice of what policies and techniques to use to induce desired outcomes is very difficult. Even if it were merely a technical matter, many variables in implementation, target group behavior, and the policy environment itself influence policy choice. When politics are added to the mix, the policy design process is one of the most interesting to study from the academic perspective, and one of the most difficult tasks facing the practitioner. Because policy implementation is so difficult, and the reasons for success and failure so variable, policy design and implementation will continue to be rich and important areas of policy study.

Policy Failure, and Learning from It

For some reason, both journalists and policy scientists like bad news: Journalists will report when the government has lost a lot of money, but will ignore evidence of those instances when the government has saved money through some sort of innovation. At the same time, most of our books on policy implementation describe

policy failures. There are probably simple reasons for our concentration on policy failure. The old saying, "If it ain't broke, don't fix it," may dominate our thinking about government: After all, if a government program is reasonably successful, what need is there to describe how it works when we can learn more from failure. I am not sure this is the case: we should and sometimes do learn from failure as well as from success. But because there are so many purported policy failures, and so much written about them, it is worth considering the reasons for these claims of failure.

No doubt you have asserted, and heard others assert, that a policy has failed. "Our policy against illegal immigrants has failed," you may argue, "because there are still thousands of people coming across the border illegally every day." At this point, let us simply assume that these claims are true. You can then say that the policy has failed to meet its goals: to keep out illegal immigrants and to allow only legal immigrants to come to the country. *Why* might the policy be a failure? You might argue that the border patrol is incompetent, that the officers are competent but their managers are not, or that the policy was doomed to fail because of resource deficits. Sometimes we say that a policy is unsuccessful, if not an outright failure, because the policy does not serve enough people or because resources and services are spread too thin among those it does serve.

In other words, we tell causal stories of failure much as we tell causal stories of why problems exist in the first place. The actual idea of "failure" itself is defined implicitly, but not explicitly. In other words, the meaning of "failure" and the context in which it is discussed are never really specified.

Helen Ingram and Dean Mann provide us with a number of useful ways to think about policy failure. They argue that "success and failure are slippery concepts, often highly subjective and reflective of an individual's goals, perception of need, and perhaps even psychological disposition toward life."²¹ In other words, failure is perhaps in the eye of the beholder. And the beholder's vision is affected by his or her immediate perception of the policy in question: as Ingram and Mann argue, labor and management are likely to have very different perspectives on the necessity of the minimum wage. One person may argue that a policy has failed, while another person might look at it as a tentative first step toward a larger goal, such as some health programs for the poor and elderly: Medicare and Medicaid can be viewed as the first step toward more universal health services.

Other reasons for policy failure are listed in Table 8.1, which summarizes Ingram and Mann's argument. If you are active in politics and policy making or even reasonably attentive to politics, you will recognize these reasons for policy failure. There are many possible reasons for policy failure and many possible problems that can cause or contribute to policy failure. Thus, simple storytelling about policy failure may reflect popular dissatisfaction with a policy in particular, or government in general, but fails to take into account the multiple reasons that policies can at least be perceived as failures.

Table 8.1

Explanations for Policy Failure

Alternatives to policies tried	Failure needs to be assessed in terms of the "do nothing" option, and in terms of the likelihood that other options would have been more or less successful.
The impact of changing circumstance	Changing circumstances can render policies less successful, such as energy policies that provided price relief before they created dependency on oil and natural gas.
Relationships of one policy to another	Policies are interrelated, and these relationships must be taken into account. For example, a stricter policy against illegal immigrants may endanger broader policy goals surrounding our relations with Mexico, such as oil supplies or drug interdiction.
The boundary question	Political boundaries (between states, for example) will influence policy success.
Excessive policy demand	We may expect too much from policies.
Realizable policy expectations	Policies sometimes fail when they go beyond what we know we can achieve now. But ambitious policy making can be the result of "speculative argumentation" that seeks to induce innovation. The stated purpose of a policy may not be the actual purpose; there may be more symbolic goals than substance.
Accurate theory of causation	Policy will fail if it is not based on sound causal theory.
Choice of effective policy tools	The choice of ineffective tools will likely yield failure. But the choice of tools is often a function of compromise or ideological predisposition.
The vagaries of implementation	The problems inherent in policy implementation can contribute to policy failure.
Failure of political institutions	"Policy failure is simply a symptom of more profound ailments within our political institutions," such as the breakdown of political party power, devolution of power from congressional leaders to the committees and subcommittees.

Source: Helen Ingram and Dean Mann, "Policy Failure: An Issue Deserving Attention," in *Why Policies Succeed or Fail*, ed. Helen Ingram and Dean Mann (Beverly Hills: Sage, 1980).

*Charles O. Jones, *The Policies and Politics of Pollution Control* (Pittsburgh: University of Pittsburgh Press, 1975).

Given that policies fail, or at least appear to, relatively often, it is likely that, if failure provides an opportunity to learn from mistakes, some sort of policy change or policy design change will result from these failures. It is useful to think about how policy failure induces policy change through a *learning* process. Indeed, many experts and commentators on important public issues claim that certain phenomena can induce organizations to learn from their mistakes.

For some time, social scientists, including those who study complex organizations, have been interested in understanding the extent to which *organizational*

learning can take place. Who learns, what is learned, and how learning is employed have been defined rather differently by a number of students of the policy process.²² The main controversy in the debate over who learns is whether nonhuman entities such as institutions or organizations can “learn” or whether only individual people learn. One can argue that an organization learns through experience: when it develops and implements policies, the evaluation and feedback processes provide “learning opportunities” for the organization to change its behavior. While people learn by retaining information and experience in their minds, organizations rely on information storage and retrieval and, perhaps more important, on “institutional memory,” which, to a large extent, is a function of the experiences and knowledge of key personnel who have been on the job a long time.

This is a rather passive definition of organizational learning. Colin Bennett and Michael Howlett note that learning can be a more active and “deliberate attempt to adjust the goals and techniques of policy in the light of the consequences of past policy and new information so as to better attain” the policy goals.²³ Indeed, organizations make concerted efforts to improve their learning capacity by creating systems to store and disseminate information.

But there are serious conceptual and methodological problems in thinking of organizations as learning agents. Sabatier and May deal with this problem by isolating individuals—agency heads, interest group leaders, academics, journalists, and so on—not institutions, as the unit of analysis in studies of *policy making and learning*.²⁴

Sabatier provides a more specific definition of “policy-oriented learning” as “relatively enduring alterations of thought or behavioral intentions which result from experience and which are concerned with the attainment (or revision) of policy objectives” (p. 133). Sabatier’s definition, by concentrating on individual actors as members of advocacy coalitions, avoids attributing cognitive processes to organizations, while broadening policy making to include influential actors, such as academics and journalists, that institutionally focused analyses tend to overlook. This focus on the individual as policy actor also overcomes the tendency to think of agencies or institutions as the agents of learning.

To summarize, we can think of learning at the organizational and individual level, but for our purposes it is most useful to consider people as the agents of learning; these people apply what they have learned in group policy-making processes.

Types of Learning

The role of focusing events in policy-oriented learning differs with the different kind of learning that occurs in response to these events. Peter May divides learning into three categories: instrumental policy learning, social policy learning, and political learning. In all three types of learning, policy failure—politically and socially defined—provides a stimulus for learning about how to make better policy.

policy learning. As defined by Sabatier, policy learning (or *policy-oriented learning*) is “relatively enduring alterations of thought or behavioral intentions which result from experience and which are concerned with the attainment (or revision) of policy objectives.”

In the ideal case, learning reflects the accumulation and application of knowledge to lead to factually and logically correct conclusions. However, policy makers and their supporters may support policy change that is not objectively related to change in the political environment or the nature of the problem. May calls mimicking or copying policy without assessment or analysis *superstitious instrumental learning*. Lotteries and tax policy to attract additional industrial development are sometimes examples of this sort of mimicking.

Instrumental policy learning concerns learning about “viability of policy interventions or implementation designs.” This sort of learning centers on implementation tools and techniques. When feedback from implementation is analyzed and changes to the design are made that improve its performance, then this suggests that learning has happened and was successful.

May’s article lists what he calls *prima facie* evidence of these various forms of learning. In my research, I found that the aftermath of the *Exxon Valdez* oil spill provides *prima facie* evidence of instrumental policy learning. Instrumental policy learning involves assessing the efficacy of existing policy instruments. Environmental groups and their allies used the *Exxon Valdez* spill to argue, much more strongly than had been possible before the spill, that these policy tools failed to address large oil spills. The resulting legislation, the Oil Pollution Act of 1990, combined aspects of instrumental and social policy learning by establishing new policies regarding oil spill cleanup and liability based on a causal theory involving what it takes to induce oil companies to behave in a less risky way.

Social policy learning involves learning about the “social construction of a policy or program.” This type of learning goes beyond simple adjustments of program management to the heart of the problem itself, including attitudes toward program goals and the nature and appropriateness of government action. If successfully applied, social policy learning can result in better understanding of the underlying causal theory of a public problem, leading to better policy responses.

Evidence of social policy learning involves learning the causes of problems and the effectiveness of policy interventions based on those problems. May argues that *prima facie* indicators of social learning involve “policy redefinition entailing changes in policy goals or scope—e.g., policy direction, target groups, rights bestowed by the policy.”²⁵ There are many examples of such learning. One example concerns the way communities address prostitution. Traditionally, the police tried to control prostitution by arresting prostitutes, and doing so often enough to dissuade women from working in a particular area or community. When this policy was found to be ineffective—and, in many ways, unfair to the prostitutes themselves—communities focused instead on the men who seek out prostitutes, arresting the men and, in some cases, publicizing their arrests and convictions to shame them. In this case, the target of the policy shifted from the prostitute to the “john” because of a new understanding of the problem as being caused at

**instrumental
policy learning.**
Learning about
the effectiveness
of policy tools
and interventions.

**social policy
learning.**
Learning about
the causes of
problems.

Case Study

Policy Failure and Learning in Aviation Security

The September 11 attacks starkly highlighted the challenge of keeping commercial aviation safe from terrorist and criminal attacks.²⁶ Between 1988 and 2001 there were three incidents involving U.S. airliners that were, or appeared to be, terrorist breaches of aviation security: the bombing of Pan Am flight 103 (PAA 103) over Lockerbie, Scotland, in 1988, the loss of TWA flight 800 (TWA 800) off Long Island, New York, in 1996 (which was not, as it turned out, the result of terrorist action), and the September 11, 2001, hijackings and attacks.

These three incidents, taken together, raised important questions about the design of policies intended to protect passengers and airplanes from terrorist attacks. The two big questions are whether these events were evidence of policy failure, and whether there was anything learned from these potential failures.

Congress and the media immediately labeled both the Pan Am and September 11 attacks as policy failures. In the Pan Am case, attention was focused on how it was possible to smuggle enough explosives (a few pounds) onto an airplane to cause it to explode in midair. Indeed, the TWA 800 crash looked so much like the Pan Am disaster that it was immediately assumed that a terrorist bomb brought that plane down. Later, it was learned that the vapors in the center fuel tank of the TWA 747 exploded, but one can certainly see evidence of greater public and governmental attention to the *possibility* of a bombing. After both PAA 103 and TWA 800, presidential commissions were formed that made a number of recommendations about the organization of aviation security and about the technologies available to prevent bombs from bringing down planes. Indeed, the TWA bombing, as well as other terrorist bombings of planes, led most aviation authorities to believe that bombing would replace hijacking as the number one threat to civil aviation.

After the 1996 TWA crash, a commission headed by Vice President Al Gore made a sweeping set of recommendations on both aviation security and safety. Many, but not all, of these recommendations were studied and implemented, but the key recommendations on aviation security—that the Federal Aviation Administration exercise greater oversight and control over passenger and baggage screening—were not implemented before the September 11 attacks. The FAA was in the process of implementing these recommendations, but opposition from the airlines delayed these new regulations. The airlines were worried about the cost of new security requirements and about inconvenience to passengers.

After the September 11 attacks, it became clear to many that the aviation security system did not work. In November 2001, the Aviation and Transportation Security Act of 2001 (ATSA) was enacted. As Cobb and Primo note,

There was [after September 11] a marked effect on the aviation industry. Security procedures in the airports and on planes came into question. All aspects of the security process were reexamined, severely affecting airline travel. . . . Many policy changes in aviation safety were unprecedented in their scope and in the speed at which they were enacted, but none of the issues was new to the political agenda.²⁷

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The media and expert condemnation of lax aviation security after September 11 was particularly intense, focusing particularly on the fact that the passenger screeners—the people who staff the metal detectors and X-ray machines—were poorly trained, underpaid, possibly overworked, and experienced remarkably high turnover. But these screeners, employed by contractors that were hired by the airlines to do the screening, were cheap, and security costs were kept low. And it is also important to note that, if the attackers did use small box cutters as weapons, these items were not banned from airliners on September 11.

But if the PAA 103 bombing, reinforced by the TWA 800 accident, led to a reasonably broad range of ideas and legislative change to address aviation security lapses, how could September 11 have happened? There are two potential places to look for failure. The first is in the failure to *imagine* the possibility of hijacking airplanes and using them as, in essence, guided missiles. Many officials said that such a thing was “unimaginable,” but there was accumulating evidence of just such a type of an attack from intelligence sources and thwarted plots.²⁸ A second place to look is to the failure of, most notably, the FAA to *fully implement* recommendations from the post-Pan Am and TWA presidential commissions, or to fully implement congressional intent as contained in the laws enacted after these events.

Students of the policy process have found that policy implementation is often where attention to issues flags and where problems arise that diminish the high hopes raised when legislation is passed.²⁹ Often, the passage of legislation removes an issue from the immediate congressional agenda, and journalists pay less attention to the issue as it moves from lurid front-page headlines to the more mundane aspects of daily administration. There are many examples of legislators and executives with too-high expectations (in terms of both management techniques and the application of technology), with examples of funding and other resources failing to match the perceived needs addressed by the legislation, and, in particular, an increase in conflict among the most directly influenced parties after legislation is passed and implementation begins. And given that oversight of the FAA by Congress is generally “fire alarm” oversight—that is, oversight triggered by events rather than through an ongoing process—it is unsurprising that, to the extent that there was instrumental policy learning in the years after PAA 103 and TWA 800, either these lessons were forgotten, or the lessons were misapplied as Congress shifted its attention away from security, and more toward aviation safety and consumer convenience, rather than security.

There are two ways in which we can explain why aviation security efforts have not met the expectations of legislative drafters. First, implementation of policy changes will become more difficult as the low-hanging fruit is picked. There is already evidence of this effect in the post-September 11 aviation security environment, as the more easily implemented features were addressed. The ATSA required, among other things, much more stringent passenger screening, inspection of luggage, more restrictions on the sorts of things that could be carried aboard aircraft, and, in particular, the “federalization” of the passenger screening workforce to ensure that weapons would be detected. While many of the screening processes and training for screeners had been improved shortly after the

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enactment of ATSA, Kenneth Mead, the inspector general of the U.S. Department of Transportation, noted in January 2002 that "while progress has been made, clearly the heavy lifting (installing explosives detection systems to screen all checked baggage and hiring a workforce) lies ahead."³⁰ And explosives detection machinery, in particular, was not installed rapidly after passage of ATSA, owing to technological and practical considerations—the machines were quite large, and airports were not designed to accommodate them.

Another reason the screening changes, including the deployment of TSA-employed screeners, were accomplished quickly is that they were very symbolically important measures designed to add some measure of security (although, not of course, total security), while at the same time reassuring the traveling public that *something* was being done—and the urge to do *something* or anything is often quite strong after sudden events. The question is whether what was done legislatively is a good match with what really needed to be done.

In the case of aviation security, a good case can be made that the ATSA did address the "right" issues, considering that they had been debated since at least the late 1980s. The challenge is to make sure that the TSA implements the program contemplated in the law. This is perhaps a stiffer challenge than many of us can imagine, because terrorists may well change their tactics after the September 11 attacks and find other targets to attack. But we can say with some confidence that the September 11 attacks did teach important lessons about aviation security, and that policy makers appear to have learned these lessons.

least as much by demand as by supply. A similar logic is sometimes employed against illegal drugs, when attention shifts toward eradication and interdiction of drugs from abroad, rather than making smaller, seemingly less effective arrests of users at home.

political learning.
Learning about
making more
effective political
arguments in
policy debate.

Political learning is considerably different from instrumental and social learning. Political learning is learning about "strategy for advocating a given policy idea or problem," leading potentially to "more sophisticated advocacy of a policy idea or problem."

Political learning is learning about effective political advocacy. Political learning can be assumed to have occurred when advocates for or against policy change alter their strategy and tactics to conform to new information that has entered the political system. For example, the breakdown of the nuclear power industry in the United States was due, in part, to the efforts of groups that mobilized against nuclear power; their efforts began before the Three Mile Island (TMI) nuclear power plant accident but were accelerated by that event. Group leaders learned that events like TMI and images like the specter of the "China Syndrome" were highly effective in promoting public and elite concerns about the