16.2: Making Public Policies

Learning Objectives

After reading this section, you should be able to answer the following questions:

1. What government actions make public policies?
2. Why and how do the political parties differ on policies, particularly on the budget, the deficit, and unemployment?
3. How do interest groups and public opinion influence policymaking?
4. What are the reasons for policy stability?
5. What are the reasons for policy change?

All the institutions of government are involved in making public policies. They do so through enacting laws, imposing or cutting taxes, funding programs or not, issuing and enforcing regulations and rulings or not, and their use of force.

Deciding on public policies can be daunting. Consider the complexity of energy and immigration policies.

Energy policy involves a host of issues, including (1) US dependence on foreign oil, (2) subsidies for oil and gas companies, (3) the risks and costs of allowing off-shore drilling for oil (see discussion of the Gulf of Mexico oil "spill" in Chapter 14 “The Bureaucracy”), (4) the dangers posed by nuclear reactors (vivid in the March 2011 catastrophe at Japan’s Fukushima Daiichi power station), (5) coal mine disasters, (6) the development of alternative technologies, and (7) global warming. There are policy disagreements, especially between the parties, about such policy proposals as raising energy efficiency standards, requiring utilities to derive 15 percent or more of their power from renewable sources, imposing a limited cap on carbon emissions from power plants, and increasing taxes on gasoline. President after president has addressed energy issues and committed the US to energy independence, all without success. (This was mocked by Jon Stewart showing eight presidents’ rhetoric in a segment called “An Energy-Independent Future” on...
Presidents and Congress have struggled over immigration policy.

- How do we protect the nation’s border?
- What do we do about illegal immigration?
- What do we do about those immigrants staying in the country after their temporary visas expire?
- Should illegal immigrants who have been living in America for some time be granted citizenship?
- Under what conditions should they be granted citizenship?
- Should employers who hire illegal immigrants be penalized—even when they claim they cannot distinguish real documents from fakes?

Proposed legislation, even with presidential support to tackle such issues, has encountered divisions between (and sometimes within) the parties; passionate support (e.g., from many Hispanic organizations) and opposition (e.g., from NumbersUSA) from interest groups; intense hostility from talk show hosts; and public attention. The Senate did pass an immigration bill in 2006, but it was defeated in the House of Representatives. The Senate then defeated a similar bill in June 2007 (Jencks, 2009). Some states have taken action: Arizona passed a law in 2010 requiring the police, during a “lawful stop, detention or arrest,” to check the immigration status of people they suspect are in the country illegally.

As our discussion of energy and immigration policy shows, political parties, interest groups, public opinion, and the media influence public policy.

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**Political Parties and Policies**

As we detailed in Chapter 10 “Political Parties”, the political parties differ on many policy issues. These differences may stem from conflicting values: on abortion, the Republican Party is mostly pro-life, while Democrats are mostly pro-choice.

Politicians also espouse or oppose policies in their search for political advantage: while most leaders of the Republican Party oppose gay marriage from religious or ideological conviction, this position also represents the views of many of the party’s adherents and a majority of the public.

The policy differences between the parties are clearly expressed in how they favor their constituencies. When Republicans gained control of the House of Representatives in 1994, the average Democratic district was receiving $35 million more annually in federal spending. By 2000, the average Republican district was receiving $612 million more than the average Democratic district. This change was based on policy: the Republicans increased business loans and farm subsidies and reduced public housing grants and funding for food stamps. It was also a conscious strategy of directing federal spending toward districts where the Republican incumbents were vulnerable to election defeat (Pace, 2002).
The Deficit

The policy differences between the parties are most visible in their attitudes toward what to do about the government’s several years of trillion-dollar budget deficits. President Obama blames the deficits on the spending for two wars, huge tax cuts for the wealthy, and the expensive prescription drug program of the George W. Bush presidency. Republicans blame them on the Obama stimulus recovery plan and additional spending on government programs. The economic disaster worsened the deficit by increasing the government’s expenditures for unemployment compensation and, because many more people are unemployed, reducing the government’s income from taxes.

Complicating the situation, roughly two-thirds of the budget’s expenditures go to entitlements. These are obligations the government has incurred and must pay, such as for Social Security, Medicare, Medicaid, veterans benefits, and interest payments on the national debt. Most of the rest is discretionary spending, funds expended for defense, education, law enforcement, energy programs, and the like. Many of these expenditures can be considered investments.

Reducing the deficit will, therefore, likely require shrinking the growth of entitlement programs, cutting the defense budget, increasing taxes, and eliminating some tax deductions (for example the interest people pay for their mortgages, charitable donations, nonbusiness state and local taxes).

The Republican majority in the House of Representatives desires to cut government discretionary spending drastically while retaining the Bush era tax cuts, including for the wealthiest 2 percent, and not increasing taxes. President Obama and the Democrats accept some cuts to government expenditures but far less than what was sought by the Republicans. Obama and his fellow Democrats want to end the Bush tax cuts for the wealthiest Americans, or those earning over $250,000 annually.

Unemployment

The economic issue with the most potent political repercussions for President Obama and both parties is unemployment. People’s unhappiness about the lack of jobs helps explain the Republicans’ victories and the Democrats’ defeats in the 2010 elections. The official unemployment rate hovered around 9 percent in 2011. Adding some eleven million people who have given up looking for jobs or accepted part-time work increased unemployment to around 17 percent. Almost half of the unemployed had been without work for six months or more. The public sector laid off workers as state and local governments reduced their budget deficits. Although the private sector added jobs, it was barely adequate to absorb people entering the workforce. Many of these jobs paid barely enough to live on, if that.

The parties differ on the best policies to create jobs and reduce unemployment. For Republicans, it is cutting taxes and reducing regulation of business. For Democrats, the federal government should stimulate the economy by “investing” (Republicans replace that positive term with the negative “spending”) in infrastructure, education, child care, and other programs and undertaking public works projects, perhaps also an emergency jobs program. But doing so would likely increase the budget deficit. Given Republican opposition, neither a jobs program nor increases in government spending are likely.
Interest Groups and Policies

As detailed in Chapter 9 "Interest Groups", interest groups strive to influence public policy. They seek access to and provide information to policymakers, lobby the institutions of government, and try to use the media to transmit their perspectives and arguments.

Here, we would mention interest groups, known as think tanks. They have an impact on policy because they advocate ideas and specialize in research. They cover the ideological spectrum—the Brookings Institution is centrist, the Center for American Progress is liberal—but, until the advent of the Obama administration, ones promoting conservative views, such as the American Enterprise Institute, were the most influential. Think tanks market their policy prescriptions to policymakers and the public through public relations and media outreach strategies. Their claimed policy expertise, access to and contacts with policymakers, and visibility in the media contribute to their influence on policy (Lieberman, 2000).

Public Opinion and Policies

Policymakers track public opinion using polls and the media. They are likely to follow public opinion in enacting a policy when the issue is prominent, receives widespread media coverage, and public opinion on it is clear. In response to public outrage, the Federal Trade Commission (FTC) established the National Do Not Call Registry in 2003. Prior to the registry's setup, telemarketers were making 104 million calls to consumers and businesses every day. For fear of substantial fines, telemarketers no longer call the approximately 109 million telephone numbers on the registry.

To put yourself on the registry, go to http://www.donotcall.gov or call 888-382-1222.

At the same time, policymakers are skeptical about public opinion, which, as we discussed in Chapter 7 "Public Opinion", can be contradictory or unclear. Few of a representative sample of members of Congress, presidential appointees, and civil servants in the Senior Executive Service agreed with the statement that "Americans know enough about issues to form wise opinions about what should be done" (Pew Research Center, 1998).

So policymakers often track public opinion less as a guide to policies they should adopt than to find the frames, arguments, and phrases to try to move it and other policymakers closer to their policy preferences. (See our discussion in Chapter 13 "The Presidency"). Republicans and conservatives increased support for repeal of the estate tax by framing it as the "death tax," leading people to think that it applied to far more Americans than the 2 percent who fell under it (Schaffner & Atkinson, 2010).

Policy Stability

Much policymaking consists of continuing existing policies or of making incremental, that is small, changes to them. Obstacles to change include the separation of powers, the bicameral legislature, the filibuster in the Senate, and the
Members of Congress may resist a president’s initiative because they view it as bad policy, or think it will damage their reelection prospects, or believe it will hurt their party (Farnsworth, 2009). Bureaucrats, existing in a stable hierarchy, are usually comfortable administering existing policies. The federal courts exercise judicial review finding new policies constitutional or not—as they have been doing with the health-care law of 2010. Powerful interest groups often benefit from prevailing policies and therefore want to maintain rather than change them.

Another reason for policy stability is the existence of policy subsystems in a policy area. (See the discussion of iron triangles in Chapter 9 “Interest Groups”.) These consist of the leading members and staff of the congressional committee or subcommittee that make the laws, the bureaucrats responsible for enforcing the laws, and the interest groups affected by the laws. The participants in these subsystems may compete over specifics, but they agree on core beliefs, control information, and have a low profile. Too complex and detailed to attract much media attention and thus public mobilization against them, the policies of these subsystems are infrequently changed significantly. Thus the government continued to subsidize agriculture to the sum of some $16 billion annually.

Policy Change

Policy stability is sometimes punctuated. Significant policy changes and innovations do take place (Jones & Baumgartner, 2005). There are several causes that often overlap. They are (1) changes in control of the government, (2) crises and disasters, and (3) media depictions and framing. They are abetted by public awareness, the involvement of advocacy and interest groups, and policy ideas about what the changes should be.

A dramatic shift in policies often follows a sweeping election victory of a president and his party, as with the enactment of the Voting Rights Act and the antipoverty program of President Lyndon Johnson’s Great Society after the 1964 election. Or it happens after a change of party control of Congress: the Republicans enacted elements of their Contract with America after they won Congress in 1994. Policy change can follow a change in party control of the presidency, as in the tax cuts and increases in defense spending after Republican Ronald Reagan was elected president in 1980 and George W. Bush was elected in 2000.

Rapid policymaking takes place after crises or situations portrayed by the president and the media as crises (Birkland, 2006). The Patriot Act was passed on October 29, 2001, less than two months after the 9/11 attack on the World Trade Center and the Pentagon.

For events to change an existing policy or produce a new one, there usually must be media attention. Useful is a “focusing event” that puts or elevates an issue onto the policy agenda. The near-catastrophic 1979 accident at a nuclear power plant at Three Mile Island in Pennsylvania raised awareness of nuclear power as a problem rather than a solution to America’s energy needs. The accident was framed by the news media with alarmist coverage and by “I told you so” warnings from antinuclear groups, which increased public fear about nuclear safety. It stopped new construction of nuclear plants for many years.

Policy changes may become entrenched, eroded, reversed, or reconfigured (Patashnik, 2008). In particular, general interest reforms “to rationalize governmental undertakings or to distribute benefits to some broad constituency” such as changes in taxation are not necessarily sustained. The politicians who achieve them leave the scene or move on to
other issues.

Key Takeaways

Policymaking involves government deciding on laws, taxing and spending, regulations and rulings, and responding to and dealing with situations and events. It often requires negotiation and compromise and is influenced by interest groups, the media, and public opinion. Policy stability is common but policy change can take place, particularly after a crisis or when party control of the presidency or Congress (or both) changes.

Exercises

1. How does the debate over how to reduce the deficit and create jobs reflect the different philosophies of the two major parties? Which party’s philosophy makes more sense to you?
2. What are the obstacles to making major changes in federal government policy? What kinds of things can lead to dramatic changes in policy?

References


Pew Research Center survey in association with the National Journal. Not surprisingly, members of Congress were more positive toward the public, with 31 percent agreeing and an additional 17 percent volunteering that “it depends,” compared to 13 percent and 7 percent, respectively, of presidential appointees and 14 percent and 3 percent, respectively, of civil servants. Pew Research Center 1998: 1.