9.4. CHARACTERISTICS OF EFFECTIVE PUBLIC POLICY MAKING

Hallswork et al (2011, p. 8) points out the following as the main ingredients or characteristics that lead to an effective public policy or public policy-making process:

a) The policy should be forward-looking- The policy should take a long term view based on the available information and trends around the issue in order to predict or project the likely impact of the policy at a later time.

b) The policy should be outward looking- It is imperative to remain cognizant of the happenings around the issue at hand at both the national and international environments.

There is need to for instance evaluate how other countries have dealt with similar issues in the past and what are the new developments that affect or impact on the issue that need to be factored while developing the policy.

c) It should be innovative and creative- The policy making process should remain open to new comments, ideas and suggestions in order to avoid being a "slave" to already established norms or approaches and in the process disregard useful ideas.

d) Use of evidence- The policy should make good use of available knowledge, information and facts. It should also have all key stakeholders involved at the earliest stage possible to ensure and enhance the quality of views and suggestions made.

e) It should be all inclusive- The policy should be cognizant of the needs and interests of all those who are directly and indirectly affected by it. It should therefore be the role of the policy makers to ensure that all these divergent views are appropriately represented.

f) It should be evaluative- The policy should build systemic evaluation of all the outcomes of the policy from the earliest time possible and how these impact on the public policy making exercise.

g) It should have the capacity for review- There is the great need to keep all established policies under review to ensure that they continue to deal with the problems that they were originally designed to address.

h) Capacity to learn lessons- The entire public policy making process should be hinged on learning lessons from existing policies on what works and what does not work so that corrective action can be taken. This will be dealt with in a later topic.

9.5. PUBLIC POLICY-MAKING MODELS/APPROACHES

The following models or approaches are vital to help in the understanding as well as carrying out of the public policy making process.

1. **Institutional Model**-This model focuses on the organizational or administrative aspects of a country, in terms of the strength and capacity of its institutions to handle public policy making. The key institutions like the legislature, the executive and judiciary as well as how their capacity to respond to certain issues are the main concerns. The assertion is that governance systems that have enhanced separation of powers between the main institutions have a better institutional capacity for public policy-making due to the extent of their independence.

2. **The Elite Model-** This model lays emphasis on the role of key individuals and groups in the policy making process. It refers to the activities an elitist group of people who by virtue of their group articulate some interests and influence the outcome of the policy making process. The elites could be the political class (political elites), the academicians, the wealthy people and so on. Their place in society permits them to command privileged influence in the formulation of policies. For instance, in the Kenyan set up, the elected holders of public offices are supposed to represent and articulate the wishes and interests of their electorate. However, many times, by virtue of their privileged political positions, they have taken positions that promote their personal interests and not those of the voters.

3. **Pluralist Model**-This approach stresses the role played by many groups and individuals who all have an interest in the public policy making process. The crucial thing therefore is to ensure that all these divergent views and interests are listened to and in the end play a role in the eventual policy formulated. These "plural" voices lead to better policies for the country.

4. **Group or Sub-government Model**- This approach points to the fact that different policy areas or issues are important to different actors in the public policy-making process. In this regard, one may find a certain policy issue attracting a set of actors a majority of whom may not be seen as a different issue.

For instance, if a policy is being developed to regulate environmental issues, the actors who would be interested in this area would differ significantly with those who would come forward if the policy in question was on information or security for that matter.

5. **Rational-Comprehensive Model**- This approach assumes that policy makers take into account all the available information on a particular issue that is under deliberation. It is upon carefully considering all the pros and cons that they arrive at the best policy option. This is however usually not the case as will be shown in a subsequent topic since other interests and considerations (for instance political concerns) override the selection of the most ideal policy option.

6. **The Public Choice Model**- This approach asserts that policy makers do not necessarily select the options that serve the interests of the public. Rather, they seek to maximize their self-interests as policy makers in the process.

9.6. DEVELOPMENT OF THE POLICY APPROACH

One key question that constantly lingers in the mind of the public policy student is: why was the policy approach developed or devised? David Easton features prominently in the discourse on the development of public policy as a discipline of study (Osman, 1998, p. 39). He is among the first scholars who undertook to separate the process of policymaking, the policy output and the policy environment.

This led to the identification of the input, the policy, and the desired output in the whole process of solving public problems. In this regard, Easton formulated the concept of five stages or phases that can be applied in the process of problem-solving. These can be outlined as follows:

1. Problem recognition.
2. Proposal of possible solutions.
3. Choice of the most appropriate solution.
4. Putting solutions into effect.
5. Monitoring the results.

Cochran et al (2009, p. 10) present the following diagrammatic representation to show the stages of the public policy-making process. They break the process into two with the first two points above forming part of the pre-policy stages while the latter three fall into the policy stages. These are listed as follows:

1. Pre-policy stages.
2. Problem definition.
3. Policy demand.

4. Agenda formation.
5. Policy stages.
a. Policy adoption.
b. Policy implementation.
c. Policy evaluation.

9.7. TYPES OF PUBLIC POLICY

There are two main types of public policies; vertical policy and horizontal/integrated policy. However, there are other sub-classifications of types as explained in the following breakdown.

1. **Substantive Policy**- This is a type of policy that is made touching a critical issue affecting the public and usually touches on legislation, programs, and practices that govern the issues that are of interest to a majority of the citizen population. For instance, issues like employment, health, national security, and so forth.

2. **Administrative Policy**- is a policy that focuses on the various processes or procedures of an administrative nature that touch on issues like collection of statistical and other pieces of information that are vital and necessary to the public policy process (Torjman, 2005 p. 3).

3. Reactive Policy- Torjman (2005, p. 4) describes this as a policy that emerges in response to a concern or crisis that must be addressed urgently. This might include a national disaster, health emergency or an environmental catastrophe. The key in this policy is that often times the government does not have sufficient time to plan. It must come up with an urgent and immediate plan of action.

4.   **Proactive Policy**-This is the opposite of the reactive policy. In this case, the policymakers have ample time to take action in anticipation of something that can happen before it happens. For instance, with the upsurge of terror-related threats, policymakers can come up with anticipated approaches beforehand that can be applied in case of such a situation happening.

5.   **Current Policy**- This refers to an issue that is already in the public policy agenda and where action is already in place to address it. For instance, in Kenya, the National Hospital Insurance Fund (NHIF) is currently an issue that has been in public focus with differences among the various stakeholders coming in the way of its implementation.

6. **Future Policy**- This refers to a public issue that has not yet got to the public policy agenda. It is usually an issue that needs to be brought to the public limelight by pointing out the anticipated consequences arising if it is not addressed.

7. **Vertical Policy**- This is the type of policy that is developed within an organization that has authority and resources that can be employed towards the implementation of any proposed measures. Smith (2003, p. 12) points out that this kind of policy is developed within a single organizational structure and that it generally starts with broad overarching policy sometimes called corporate or framework policy.

In this regard, such decisions may be made at the head office or headquarters of a particular organization and then they act as a guide for subsequent decisions throughout the other levels of an organization. In this regard, under vertical policy, each policy should take the broader one as its starting point and it should maintain consistency with the main policy.

8. **Horizontal/Integrated Policy**- Smith (2003, p. 14) points out that this is the type of policy that is developed by two or more organizations each of which has the authority or the ability to deal with only a part of the situation. He describes that this is developed between parts of an organization or among organizational components that are similar in hierarchical positions.

He further points out that horizontal policy can be further divided into three categories:

a. **Sectoral policy** refers to a policy developed within a given sector. For instance, the Kenya government may decide to come up with a comprehensive policy for the tourism sector as a way of responding to the opportunities and threats linked to the sector as a contributor to the country's economic growth.

b. **Multi-sectoral** policy refers to a policy that is developed and which involves more than one sector.

c. **Integrated policy** refers to a policy where the various groups developing the policy are able to determine a shared, overriding goal and to work collaboratively to arrive at a policy that addresses the root causes as well as symptoms of the problem.

9.8. SOURCES OF PUBLIC POLICIES

The student of public needs to understand how the public policy-making process comes about in terms of who can initiate the process or point out the need for public policies. It is usually the various actors who commence the process and in terms of sources these can be divided into:

a) Internal Sources

This refers to the groups or individuals that are public organizations and agencies and therefore usually charged with the responsibility of making decisions on issues that affect the members of the   public. These include: -

1. **The legislature** -This is usually the law-making arm of government in many countries that usually comprises of elected members as well as appointed or nominated members.

In many democratic countries, these representatives of the people are elected through a process of universal suffrage as well as secret ballot. By virtue of their interaction with their voters and constituents, legislators are well informed of the needs, problems and the concerns of their people.

In this regard, they are able to prepare some motions and table them in the parliaments and by so doing bring these issues to the public.

2. **The judiciary**- This arm of government is critical in public policy-making from the perspective of its role in the interpretation of laws. The judiciary can for instance render a judgment on the constitutionality or otherwise of a particular public issue. This therefore would require the government to undertake measures to rectify any occurrence or to work towards the realization of a particular goal.

For instance, the Kenyan constitution provides that not more than two-thirds of elected and appointed members of any public body should be of the same gender. During the last general election, it became untenable to realize this constitutional threshold and the direction of the judiciary was sought which ruled that this provision was to be realized progressively but not in one go. This direction therefore clarified that this was to be treated as a "work-in-process" therefore helping to end public uncertainty that could easily have generated unnecessary conflict. The judiciary, as is discussed in another topic is also an important player in the policy evaluation stage of public policy making through the process of judicial evaluation.

3.The executive- This is the arm of government that is responsible for the execution as well as the administration of all government affairs. In its various implementation roles, the executive is in a position to know what works or does not work in terms of the various public policies and directives. This therefore makes it a critical player that can bring out the required needs or issues. In fact, many times, it is the executive that usually sponsors many parliamentary bills to the legislature so that the necessary laws and legal frameworks can be passed to enhance better service delivery to the public.

3. **Government/administrative agencies**- The various government agencies in a country are also critical players in initiating the public policy process. This is due to their privileged position of interacting with the public in the course of the administration of various government policies and programs. For instance, many government agencies and even ministries have been critical in the process of initiating the policy process touching on their areas of operation. For instance, in the Government of Kenya (GoK), the Ministry of Environment and Mineral Resources (MEMR) was instrumental in the drafting of the National Environment Policy as well as the National Policy on Natural Resources Information.

There are also instances where multiple government agencies can come together and sponsor an issue where they have common interests. For instance, the ministries of agriculture, water, and environment might work together on issues touching on their respective duties which are called cross-cutting issues.

b) External sources

This refers to those groups or individuals who are out of the government structure and usually either working in partnership with the government but not under its control. These include: -

1. Donors- This is an important player in the development of many developing countries which are usually highly reliant on donor funding. Donors therefore usually are significant players in the

public policy-making process touching on the areas where their funding is used. For instance, donor funds in Kenya have played a significant role in the free primary education (FPE) program.

This has made for instance the United Kingdom (UK) government through its Department for International Development (DFID) to request a number of policy changes particularly in the disbursement and accounting of funds mainly owing to the many corruption and embezzlement cases that were witnessed. Often times, the respective government usually has to comply or lose that crucial funding.

It is worth noting that owing to their economic might, donors have severally had the courage and moral ground to demand certain policy measures to be taken, an area that other actors may have found it difficult. For instance many of the liberalization and privatization policies adopted by many governments owe their genesis to the demands by donors. It is worth noting that donors can operate at either a bilateral or multilateral level. The former is where one donor deals directly with one country as an individual while the latter refers to a situation where several donors deal with a given country collectively.

2. **Interest groups**- These groups have continued to play a significant role in many public issues. They can articulate some problems in a country and put it on the national agenda as an issue of public concern through avenues like the media as well as other public forums and consequently lobby the government and other players to put focus on an issue.

3. **Political parties**- Since the advent of multi-party politics or what is commonly referred to as political pluralism in many countries, political parties have managed to steer some issues to the focus of the nation. In political systems where there are strong and well-organized political parties, their voices have become important sources for demanding government action on certain issues.

Since political parties exist to compete for power, a sitting government would therefore not want an opposition political party to gain mileage by being identified as the one that pushed for a particular public issue. This may in the end translate to losing the potential or likelihood of re-election to the government. Where political parties bring an issue to the national limelight, it serves as a way of portraying themselves as being mindful of public needs and therefore positioning themselves as a group that can govern more effectively.

4. **Individuals-** Some people take it upon themselves either individually or in groups to push for certain issues to be adopted as public issues. Some of these have usually filed prominent cases in the courts of law many times leading to successful judicial decisions that require the government to address a particular issue.

9.9. PUBLIC PARTICIPATION IN PUBLIC POLICY MAKING

The success or failure of public policies many times is usually hinged on the level of involvement or engagement of the people who are affected or are to be affected, directly or indirectly by the problem(s) at hand and the consequent solution (s) proposed to deal with the particular issue. Public participation refers to the process in which individuals, groups and

organizations have the opportunity to participate in making decisions that affect them or which they have an interest in. This engagement can be through a public consultation exercise that leads to all players being better informed and appreciative of role each one plays in the process.

It is vital to point that it is usually not feasible to involve everyone in these public consultations, except of course in certain public policy issues like constitutional matters that may require a national referendum to take place. However, in this case not everyone is involved because it limits participation to only the duly registered voters and those out of this group who are "willing" to participate in the process.

More often than not, it will be mainly a small group of influential individuals and groups who "represent" the public.

These may include but are not limited to academicians, politicians, civil society activists and the organizations they represent, selected private sector representatives and so forth.

A number of scholars have however proposed a number of ways and measures that can be put in place to enhance the contribution and participation of the public in the policy process. Pross (1986) points out the following as vital techniques to enhance public participation in policy making:

a. Publications-these can be carefully thought out and documented information in a published form that describes the process, proposes options, and also requests for direct feedback from readers. They should not be elaborately developed to the extent that they discourage members of t public to read them and act on the information. It must also be pointed out that the success of this method is heavily reliant on the existence of a significantly literate population in the country. This approach has been used extensively mainly while civic education is being conducted.

b. public meetings-these are open forums in strategic public locations that are highly publicized. In Kenya, this concept is usually referred to as barazas (public gatherings).

In such sessions, it becomes possible to have a significant number of members of the public attend and then key information can be disseminated and feedback collected.

This method has been highly successful in Kenya owing to the fact that the government through the public administrators has used them over a long duration to pass public directives and to mobilize people for certain actions.

c. **An Open house**-this refers to a set up where displays can be made in a specified place with persons and officials available to respond to certain queries and issues that may be raised by the members of the public who visit. They become a vital platform for information dissemination and gathering.

d. Selection of individuals to advisory committees/ task forces is a very effective method where certain individuals who are highly skilled or knowledgeable and whose contribution is deemed significant to the policy-making process may be approached and selected into committees and task forces dealing with a particular issue.

e. Workshops/Seminars- this is another method where individuals can be invited to participate and by so doing contribute to the public policy-making process.

Again, it is also vital to point out that only limited participation of members of the public may be realized through this form.

f.   Focus group discussions- this is where a group of people representing a wide section of stakeholders in a certain policy issue are gathered together to discuss a particular issue. In this case a moderator or facilitator leads the discussion on the key facts and issues touching on the policy and in the process gets the feedback in terms of views, values, interests and concerns raised by participants.

g. public hearings -this can be arranged in a specified location and is usually publicized over time. During the hearings, members of the public can give oral as well as written submissions touching on the issue(s) at hand.

h. Interviews - this is where particular individuals can be contacted to be interviewed and by so doing provide their observations on key issues being addressed.

i. Surveys- these are extensive undertakings targeting particularly households in order to gather information regarding the particular public issue of concern.

Public participation in the public-making process is important for a variety of reasons including:

1. It enhances the effectiveness of the process- one is able to collect as many divergent views from the individuals who are to be directly or indirectly affected by the outcome of the process. The end goal of this is to arrive at the best policies possible for the good of the country.

2. To meet the growing demand/push for public participation-there has been tremendous development in terms of how governments and public authorities deal with their citizens. Consultations are deemed necessary and they give credibility to the process. The push for wider citizen involvement has come mainly from Civil Society Organizations (CSOs) as well as the realization of the effectiveness of bottom-top approaches as opposed to top-bottom approaches in dealing with issues of public concern.

3. To promote greater openness of the policy-making and decision-making processes- greater involvement of members of the public ensures that the process remains transparent and credible.

The citizens also feel they have a sense of belonging and ownership of the process.

4. It assists in resolving potential conflicts associated with the policies in question- since policy making is an elaborate process touching on the lives and welfare of the citizenry, it is vital that all the possible sources of conflict be eliminated and the final decision reflects the wishes of the significant majority. This process also ensures that minority groups are also heard and their concerns taken into consideration in the final decision-making process.

5. To enhance public knowledge, understanding, and awareness- public participation ensures that the citizens are in the "loop" of what is going on in the country in terms of public policy and that they have a sufficient understanding of the pros and cons of the processes being undertaken. A general public that is aware and well-informed on what is going on in the country is better socialized in terms of all the affairs of the nation and therefore they become better contributors to the process of development.

6. To enhance fiscal responsibility of public spending are crucial ingredients for the progress of any nation. When the citizens are involved in decision-making processes, they become part and parcel of the processes and therefore the managers of public funds have to be careful since the public will demand fiscal accountability.

7. To meet legal and policy requirements- there may be the need to cater to the needs of special groups like the minority, persons with disabilities, women, the elderly, children, and the youth. For instance, these are key groups as enshrined in Kenya's constitution. Their involvement ensures that their special needs and interests are well taken care of.

8. To counter suspicion or mistrust of members of the public of the entire process and the people involved-when the public is involved, the process is deemed to be open and people generally feel that their views matter and count in the final decision-making process. This therefore eliminates doubts about the process and its desired outcomes.

Public participation can also be enhanced by ensuring the following:

1. That those involved need to fully understand why the policy is being developed or made.

2. The public participation process as well as the public policy making process must have clear objectives.

3. The need to have clarification of expectations e.g. on the roles and responsibilities of the different players and the public's expectation from the government.

4. An all-inclusive process that permits for the identification of the right participants as well as the mechanisms for channeling their views, contribution and feedback.

5. Transparency and openness in the dealings to ensure the public participants have utmost confidence in the process.

6. Effective aggregation of divergent views and values.

END OF THE SECTION.