

Handbook of

**PUBLIC
POLICY
EVALUATION**

Editor

Stuart S. Nagel

Handbook of

**PUBLIC
POLICY
EVALUATION**

*This book is dedicated to the universities at which I
learned and taught public policy in classrooms:
Chicago, Hawaii, Illinois, Michigan, Northwestern,
Oklahoma, Stanford, Wisconsin, and Yale.*

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EVALUATION

Stuart S. Nagel



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Contents

Introduction xi

Section I: FOUNDATION IDEAS

Part 1: WIN-WIN METHODS

- 1. Win-Win Analysis Summarized 5**
- 2. The Big Trade-Off: Fundamental Law or Red Herring? 7**
ROBERT HAVEMAN
- 3. Win-Win Equity 13**
- 4. Lose-Lose and Win-Win Policies 25**
- 5. Graphic Approaches to Understanding Super-Optimizing 31**

Part 2: WIN-WIN EXAMPLES

- 6. Preventing Sexual Harassment While Preserving Academic Freedom: A Win-Win Analysis 41**
THOMAS R. DYE

7. Two Super-Optimum Solutions in a Cutback Mode	47
ROBERT GOLEMBIEWSKI	
8. University to Industry Transfer	59
DIANNE RAHM and VERONICA HANSEN	
9. Profit Sharing and Job Anxiety: Moving Public Policy Toward a Win-Win Solution	65
DANIEL MITCHELL	
10. Another Win-Win Occurrence	71

Part 3: PUBLIC POLICY STUDIES

11. Policy Evaluation Questions	75
12. Integrating Institutions and Implementation Into Policy Decisions	81
DERICK W. BRINKERHOFF	
13. Public and Private Sectors for Administering Public Functions	87
14. Sherman the Shark on Policy Evaluation	99

Part 4: POLICY PROFESSIONALISM

15. Productivity for Success	103
16. Professionalism Books for Graduate Students and Others	105
17. Survey on Running a Policy Program	109
18. Academic Tyranny: The Tale and the Lessons	111
ROBERT WEISSBERG	

Part 5: POLICYMAKER PERSPECTIVES

19. Public Health Challenges	125
DONNA E. SHALALA	

Section II: POLICY EVALUATION AT THE CUTTING EDGE

Part 1: BASIC CONCEPTS

- | | |
|---|-----|
| 20. Policy Theory | 133 |
| 21. Building Frameworks for Policy Analysis
LAURE PAQUETTE | 145 |
| 22. Causal Relations Among Policy Fields | 151 |

Part 2: METHODS AND PROFESSIONALISM

- | | |
|--|-----|
| 23. Diverse Methods for Policy Analysis | 155 |
| 24. Interactive Policy Analysis: Process Methods for
Policy Reform
LOUISE G. WHITE | 159 |
| 25. Changing Policy Research | 167 |
| 26. Recruiting People and Obtaining Funds | 175 |
| 27. Funding for Policy Evaluation | 181 |

Part 3: POLICY EVALUATION TRENDS

- | | |
|--|-----|
| 28. Trends in Cross-Cutting Procedural Policy Issues | 189 |
| 29. Public Policy in the 20th Century | 195 |
| 30. The Future of the Policy Studies Organization | 205 |

Part 4: POLICY EVALUATION SUBSTANCE

- | | |
|-----------------------------------|-----|
| 31. Welfare Reform
JOHN ENGLER | 211 |
|-----------------------------------|-----|

32. “Ordinary” Injustice: A Memo to the Editor	213
CHARLES H. MOORE	
33. Congressional Campaign Reform	217
ROBERT K. GOIDEL, DONALD A. GROSS, and TODD G. SHIELDS	
34. Violence, Guns, Media, and Fathers	223
MIKE HUCKABEE	

Part 5: WIN-WIN THEORY

35. Super-Optimizing Solution Graphing	227
36. Win-Win Game Theory	235
37. Win-Win Mediation	245
38. Win-Win Allocation	253
39. Inconsistent Reactions to Win-Win Analysis	263

Part 6: WIN-WIN APPLICATIONS

40. Coeffects Diagrams and Win-Win Analysis	269
41. Win-Win Economics	275
42. Super-Optimization: A New Approach to National Environmental Policymaking	291
LAWRENCE SUSSKIND	
43. Win-Win Decentralizing	295
44. Win-Win Justice	301

Section III: POLICY EVALUATION BIBLIOGRAPHIES

Part 1: POLICY EVALUATION IN GENERAL

- 45. Core Bibliography and Background 311
- 46. Policy Problems or Subfields 317

Part 2: POLICY STUDIES ORGANIZATION BOOKS

- 47. Policy Studies Organization Policy Books 325
- 48. Recent Policy Studies Organization Policy Books 335
- 49. The Impact of Policy Studies Organization Books 343

Part 3: ALTERNATIVE DISPUTE RESOLUTION (ADR) AND SUPER-OPTIMUM SOLUTION (SOS)

- 50. Alternative Dispute Resolution 349
- 51. Literature Relevant to Super-Optimum Solutions 355
- 52. Super-Optimum Solution Publications 361
- 53. Bibliography From *Creativity in Public Policy:
Generating Super-Optimum Solutions* 365
- 54. Further Reading on Super-Optimum Solutions 369

Part 4: PROFESSIONALISM IN POLICY EVALUATION

- 55. Obtaining Funding 375

56. Getting Published	377
57. Finding an Academic Niche	381
58. Creativity	383

Part 5: PUBLIC POLICY AND OTHER DISCIPLINES

59. Natural Science	387
60. Humanities	391
61. Social Science	393

Part 6: SPECIAL RESOURCES

62. Policy Problems by Developing Regions	399
63. Policy Studies Organization Books	403
64. Legal Policy	405

Index	413
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About the Editor	423
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Introduction

Public policy evaluation involves deciding among alternative ways of resolving controversies regarding what should be done to deal with economic, technological, social, political, international, and legal problems at the societal level.

Systematic evaluation involves processing (a) goals to be achieved, (b) alternatives available for achieving them, and (c) relations between the goals and the alternatives to decide on the best alternative, the best combination of alternatives, or the best allocation among the alternatives. Win-win evaluation involves choosing policy alternatives that can enable conservatives, liberals, and other major groups to simultaneously achieve results that are better than their best initial expectations.

This landmark book deals with many aspects of public policy evaluation, such as methods, examples, studies, professionalism, perspectives, concepts, trends, substance, theory, applications, dispute resolution, interdisciplinary interaction, and bibliographies.

The following are key features and benefits of this book:

1. Many insights and alternative perspectives on systematic policy evaluation are presented.
2. Many ideas and applications dealing with win-win policy evaluation are discussed.
3. There is an emphasis on evaluating public policies that relate to economic, technological, social, political, international, and legal problems rather than evaluating specific narrowly focused programs. For example, policy evaluation is concerned with how to deal with the cocaine-heroin problem, in contrast to program evaluation, which might be concerned with a specific halfway house in a certain city.
4. The emphasis is on evaluation, in contrast to traditional political science, which emphasizes how policies are developed and sometimes how they are implemented rather than evaluating alternative policies for achieving goals.
5. There is a concern for professionalism that relates to teaching, researching, publishing, employment opportunities, associations, and the key literature in the profession of public policy evaluation.

6. A variety of applications, as contrasted to one or only a few large case studies, are presented.

The *Handbook of Public Policy Evaluation* is divided into three main components. The first component is foundation ideas, which include (a) win-win methods, (b) win-win examples, (c) the field of public policy studies, (d) policy professionalism, and (e) policymaker perspectives.

The second component is cutting-edge ideas, including (a) basic concepts, (b) methods and professionalism, (c) policy evaluation trends, (d) policy evaluation substance, (e) win-win theory, and (f) win-win applications.

The third component consists of policy evaluation bibliographies that are especially useful for reference purposes. These cover (a) policy evaluation in general; (b) books published by the Policy Studies Organization; (c) books that relate to alternative dispute resolution and super-optimum solutions; (d) professionalism in policy evaluation; (e) public policy and other disciplines; and (f) references related to developing regions, policy theory, and legal policy.

The *Handbook of Public Policy Evaluation* is especially relevant to the fields of

public policy, public administration, political science, program evaluation, social policy, and related disciplines. Each major field of public policy relates to a different discipline or set of disciplines, including economic, technology, social, political, international, and legal policy. This book is also relevant to policy analysts, policymakers, professors, students, public administrators, political scientists, social scientists, and other interested scholars and practitioners.

Many years of teaching, research, publishing, workshoping, consulting, and other relevant activities have gone into the preparation of this handbook. Like a true handbook, it instills those years of experiences between two covers so that others can build on what has been developed.

This handbook will be considered a success if in a few years there are many new ideas on public policy evaluation that merit a second edition. The objective of a handbook is not to develop ideas that cannot be improved on. On the contrary, the objective is to stimulate many improvements in making the methods, processes, and substance of public policy evaluation even more effective, efficient, and equitable than it is today.

Section

I

FOUNDATION
IDEAS

Part **1**

WIN-WIN METHODS

Win-Win Analysis Summarized

W*in-win policy analysis* in this context can be defined as solving policy problems by finding solutions that exceed the best initial expectations of conservatives, liberals, Republicans, Democrats, other major groups, or whoever has the major viewpoints in policy disputes. Win-win is also called *super-optimizing*, or doing better than the previous best of all major groups.

FIVE STEPS

There are basically five steps to win-win policy analysis:

1. What are the major goals of conservatives, liberals, or other major groups who are disputing which policy should be adopted for a given policy problem?
2. What are the major alternatives of these groups for dealing with the policy problem?
3. What are the relations between each major alternative and each major goal? In their simplest form, these relations can be expressed in terms of a minus sign (relatively adverse relation), a plus sign (relative conducive relation), and a zero (neither adverse nor conducive relation).
4. What new alternative might be capable of
 - a. Achieving the conservative goals even better than the conservative alternative; and
 - b. Simultaneously achieving the liberal goals even better than the liberal alternative? Whatever new alternative meets these two criteria is a win-win alternative or a super-optimum solution.
5. Is the proposed win-win alternative capable of overcoming hurdles that frequently exist? These hurdles may be political, administrative, technological, legal, psychological, and economic. Win-win solutions should also consider how to aid workers and firms that may be affected by downsizing due to increased productivity, free trade, defense conversion, immigration, merit treatment, labor utilization, creativity, and related factors.

FACILITATOR CHECKLIST

To facilitate developing win-win alternatives, it helps to have a positive can-do attitude that it is possible to do so. It also helps to have a checklist of types of win-win alternatives that have worked in the past.

Such a *facilitating checklist* might include the following:

1. Expand the resources.
2. Find a third-party benefactor.
3. Set higher goals.
4. Minimize the causes of the problem.
5. Redefine the problem to emphasize goals rather than alternatives.
6. Increase the benefits and decrease the costs.
7. Socialize children in widely accepted values so the problems do not occur.
8. Find a new technology.
9. Contract out via an auction to multiple firms with societal strings attached.
10. Promote international economic communities.
11. Arrange for major benefits on one side and small costs on the other.
12. Fully combine alternatives that are not mutually exclusive.
13. Develop a multifaceted package.
14. Adopt the win-win solution in steps, in which the first step may be a traditional compromise.

BIBLIOGRAPHY

For further details on the concepts, methods, and examples of win-win analysis, see the following:

- Baumol, William. *Superfairness: Applications and Theory*. Cambridge: MIT Press, 1986.
- Nagel, Stuart. *Super-Optimum Solution and Win-Win Policy: Basic Concepts and Methods*. Westport, CT: Greenwood, 1997.
- Noyes, Richard. *Now the Synthesis: Capitalism, Socialism, and the New Social Contract*. London: Centre for Incentive Taxation, 1991.
- Susskind, Lawrence, and Jeffrey Cruikshank. *Breaking the Impasse: Consensual Ap-*

proaches to Resolving Public Disputes. New York: Basic Books, 1987.

For a free copy of the handout materials used in the worldwide win-win and super-optimum solution workshops, write to Stuart Nagel at the Policy Studies Organization.

DISSIDENT FACULTY EXAMPLE

As an example, win-win analysis can be applied to handling dissident faculty:

1. A lose-lose situation is one in which a department or the university seeks to destroy a dissident faculty member. The university may suffer the stigma of being enjoined for violating free speech and due process. The faculty member loses money in obtaining an injunction and subsequent enforcement.
2. A win-lose situation is one in which one side believes it can be a winner and the other side a loser. Trying to create this situation often results in a lose-lose situation, such as litigation, strikes, and war.
3. A win-win situation is one in which the university can try to constructively encourage the potential creativity of dissident faculty. Doing so can result in new ideas, inventions, and institutions to the credit of both the university and the dissident faculty members. This is more likely to happen with administrators who have flexible democratic personalities rather than authoritarian personalities. All administrators, however, benefit from the funding, prestige, and quality students that attend universities that are at the forefront of new ideas, inventions, and institutional arrangements.

Win-win thinking can also be applied to dissident citizens in a country. The analysis is applicable to other economic, technological, social, political, international, and legal policy problems as well.

The Big Tradeoff

Fundamental Law or Red Herring?

ROBERT HAVEMAN
University of Wisconsin

The indifference curve and the idea of trade-offs and the substitutability of products under limited budgets is almost the essence of economics. There is a need for more imaginative thinking as to how budgets can be expanded or how one can achieve multiple goals within a fixed budget. There may especially be a need for more imaginative thinking on how increases can be achieved in both societal equality and efficiency simultaneously.

The “Big Tradeoff” between efficiency and equality became an important part of the economics lexicon over a decade ago with the publication of Arthur Okun’s 1975 book. That volume described the process by which government diverts income from those who have earned it to those who have not, emphasizing the losses of output and economic growth that occur along the way—the image became known as “Okun’s leaky bucket.”

This image and framework captured the imagination of economists and established the language often used by them in discuss-

ing public policy. As government seeks to “buy” additional equality, so the analysis goes, incentives to work and invest are eroded, administrative costs are incurred, and some output is sacrificed. It implies that, say, increasing food stamp benefits by one dollar will cause the relatively well-off both to pay the extra dollar in taxes and to bear the burden of the efficiency losses that the taxes and transfers create.

Figure 2.1 is a helpful way of thinking about this Big Tradeoff perspective. The horizontal axis measures the efficiency effects—positive or negative—of a policy (or a group of policies) such as a public redistribution system. The vertical axis measures the equalization impact of the policies, say some measure of the degree to which poor people are benefited. If the policies are “equalizing,” or pro-poor, they are located above the horizontal line; if disequalizing, or pro-rich, they are below the line. If the program is both equalizing and efficient, it is identified by a point in the northeast region or quadrant.

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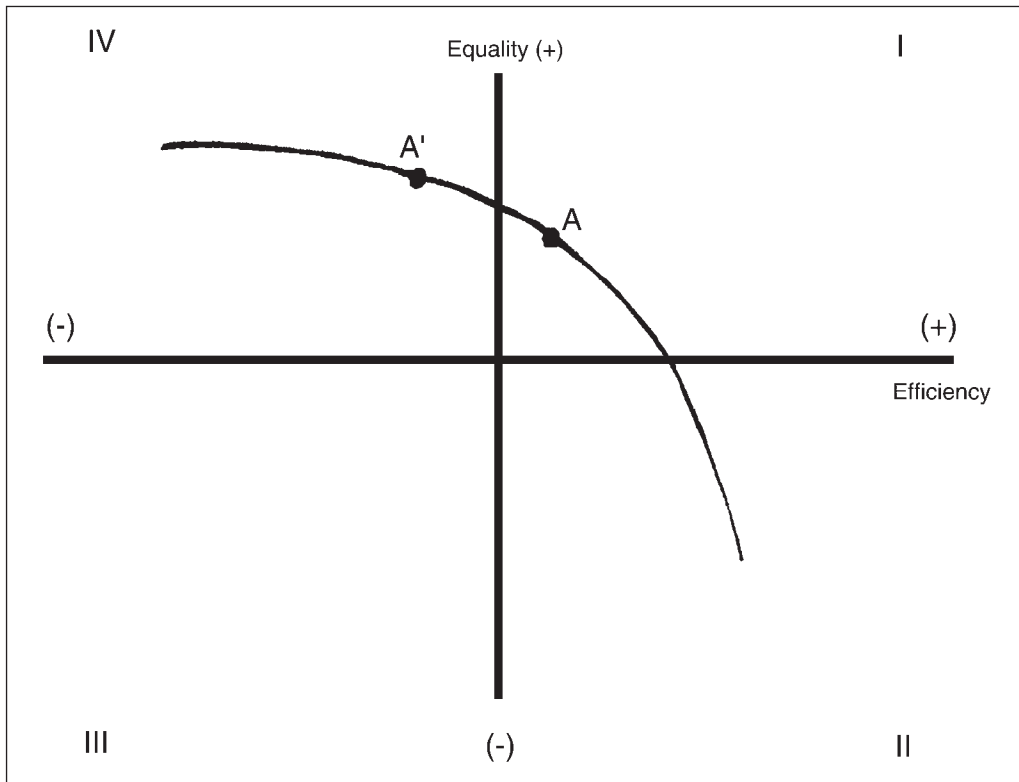


Figure 2.1. The Equality-Efficiency Tradeoff

Assuming the society is rational, fully informed, and prefers less inequality than that generated by the market system, the nation's redistribution system might be located at a point such as A in region I—it both is deemed efficient (given the initial distribution of income) and achieves some reduction in inequality. What now is the effect of expanding the system, but leaving its basic structure (that is, the relative composition of the programs of which it consists) unchanged? Beginning at point A, an expansion of the system—an increase in spending on existing redistribution measures—would achieve some additional reduction in inequality, but with some loss in efficiency. For example, if income transfers to low-income families are increased from \$150 per month to \$250 per month, both recipients and taxpayers are likely to reduce their work effort—a decrease in efficiency—while at the same time inequality

would be reduced. On the diagram, the program would shift upward and to the left, to a point such as A primed. More equality would be gained but at some loss of efficiency. Similarly, contraction of the policy would move us downward and to the right. Tracing out such expansions and contractions yields the Big Tradeoff curve—accepting common assumptions, it would be negatively sloped and convex.

Contemplating such a tradeoff relationship is deceptively easy. Once the curve that embodies this relationship is drawn, the numerous assumptions embodied in it are quickly forgotten. For one thing, the concepts labeled on the axes of the diagram—efficiency and equality—are far more complex than these simple terms suggest. The proxies that we typically employ to capture what is gained and what is given up are often weak surrogates for the basic issues at stake. While volumes have been written in

an attempt to clarify these complex concepts, little of this complexity is typically reflected in interpreting the diagram.

Moreover, in drawing the relationship, we implicitly assume that the information required to establish this tradeoff exists and that decision makers, once placed on this frontier, are well informed, consistent, and rational. We assume that decision makers have clearly defined objectives, carefully identified options for achieving them, accurate knowledge about how each option contributes to the objectives, and a full specification of the Social Welfare Function that identifies the optimal position on the tradeoff curve, and that they then choose among the options so as to best achieve the objectives. Only if these conditions hold is society on the tradeoff relationship, balancing equality and efficiency by moving along the frontier.

To understand the conditions on which such a tradeoff relationship exists—and can serve as a guide to policy—consider the following simple and contrived example. At the beginning of the republic, a beneficent dictator establishes that the objective of government is to maximize the well-being of her people. The size of the society's economic pie is one component of social well-being—the “efficiency component.” However, total social welfare cannot be at its maximum, the dictator concludes, if destitution, malnutrition, and poverty exist alongside a large economic pie. She adopts a welfare function on the behalf of society that recognizes this “equity component” as well as the efficiency component.

Now, with full information, the dictator knows just how much a given increase in the size of the economic pie contributes to social welfare, and how much of a contribution to economic well-being is provided by a given reduction in destitution. Such perfect information also allows her to know the interaction between the efficiency and equity components of social welfare—if reducing poverty causes the poor to work less, thereby reducing the size

of the economic pie, this is known to the dictator.

Armed with this maximum social welfare objective and full information, the dictator chooses among the available options so as to maximize the well-being of her people. Having so chosen, she can sit back and observe—and take pride in—this constellation of optimum public policies. The economic pie will not be as large as it could be; the correct amount of sacrifice in the size of the pie will have been made in the interests of reducing destitution among the poorest citizens. Neither will the pursuit of equity have been carried to its maximum—full equality: The correct deviation from equality will have been chosen in the interest of maintaining the size of the pie. Some point in Figure 2.1—say, point A—will have been optimally chosen. It represents the best position available to society in terms of both equality and efficiency, given the social welfare function.

Presuming a position on the tradeoff function, then, the policy advice of economists is clear. If the tastes of society shift the balance between efficiency and equality so that, say, efficiency becomes more valued, retrench on the size of the nation's redistribution system—slide upward and to the left along the curve. If more equality is desired, expand the system, and slide down the tradeoff function to the right. The basic policy on choices on which this view focuses attention are those which alter the position on the Big Tradeoff curve—which involve expansion or retrenchment of, say, income redistribution policy.

In a political economy environment such as ours, policy discussions which focus on such expansion-retrenchment options seem to me to be simplistic and misleading. They fail to capture the essence of the public sector decision process and, hence, force thinking into a narrow and erroneous framework.

This view rests on the judgment that, in the case of public policies in the social welfare or redistribution area, the basic premises on which the Big Tradeoff notion

rests are false. In our political system, there is no consistent government decision maker whose job is to make rational policy choices. There is a Congress with a shifting cacophony of voices and interests, which is checked and balanced by an administration that changes over time, sometimes rather radically, and by a judiciary that also changes, though not so fast.

These public decision makers have little or no well-defined notion of a social welfare objective writ large, nor of the components of the objective, nor of how individual policies affect these components. Moreover, they operate in a political system dominated by powerful private interests. They often lack information—especially about interactions and consequences.

Perhaps most seriously, social movements and leaders change over time, tastes and perceptions change, and new and better knowledge comes to replace the old. Both the nature of the tradeoff and judgments about priorities are far from static.

In short, in the real world of public policy, there is no Big Tradeoff curve. And to presume that there is and to prescribe according to this presumption focuses debate on a simple, narrow, and miscast question: Shall we expand the existing redistribution system—or shall we, in the interests of efficiency, retrench? Indeed, since 1980, I would note, the primary reason given by federal policymakers for retrenchment in social and redistribution programs has been to promote economic efficiency—to stimulate work, saving, and investment, all of which were believed to have been traded away in the pursuit for equality.

If there is no relevant Big Tradeoff relationship in the imperfect world in which policy is made, speaking about policy choices as if one does exist diverts attention from a more relevant and helpful way of viewing policy options. In this alternative view, both equality and efficiency can be pursued simultaneously; there is no fixed

tradeoff relationship to which we are tied. In our imperfect political economy, the constellation of policies in place are scattered all over efficiency-equality space. Some of them simultaneously contribute to both equality and efficiency; others may sacrifice both. Still others will emphasize efficiency while sacrificing equality and vice versa. The trick is to identify and implement those policies that simultaneously promote efficiency and equality. Those that sacrifice both should be abandoned or restructured.

Figure 2.2 is helpful in depicting this alternative view. I have drawn a field of X's in efficiency-equality space. These represent the set of policies actually in effect. Some simultaneously secure equality and efficiency—they would be in Region I. The federal Headstart program would be a good example. Others sacrifice both of these objectives, and they would be in Region III. Federal irrigation subsidies would be my favorite example. Still others emphasize efficiency while sacrificing equality (Region II) or vice versa (Region IV).

This alternative view leads to quite a different emphasis and public policy approach than does the Big Tradeoff perspective. The focus here is on restructuring and reorientation, rather than on retrenchment or expansion. If both efficiency and equality are valued, economic analysis should seek to identify policies that simultaneously promote both. If, in fact, such policy options are available (Region I), they should be pursued, while policies that reduce efficiency and equality (Region III) should be abandoned. More generally, policies should be designed to secure both efficiency and equality simultaneously, and when so designed should be pursued vigorously. Similarly, measures that will secure inequality reduction simultaneously with efficiency should be substituted for those that score poorly on both accounts.

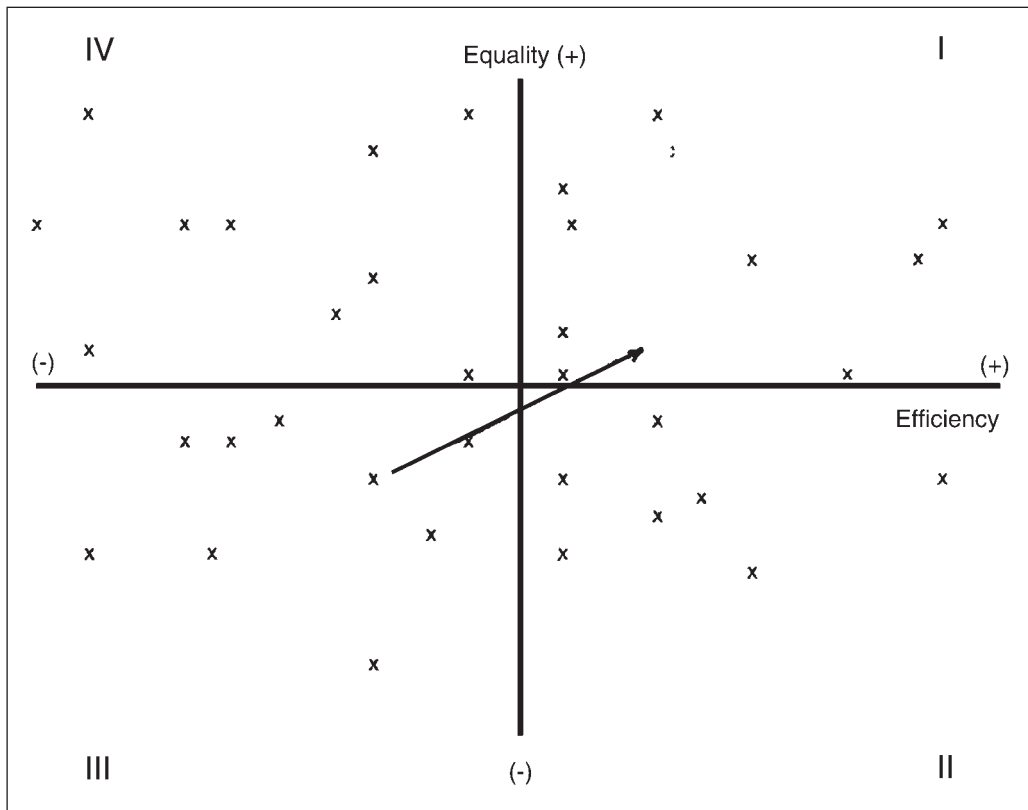


Figure 2.2. An Alternative View

The basic point, then, is that by emphasizing the Big Tradeoff, economists have encouraged policy changes to be viewed in a limited and myopic way. The Big Tradeoff framework shifts the spotlight away from the existing composition and structure of policy measures and suggests that the crucial policy choice is whether to expand or to contract that fixed system. The alternative view holds open the possibility that policy can be radically redesigned. It forces a search for innovative approaches. It holds open the possibility that policies with more favorable efficiency and equality implications can be substituted for those that do not score well at either.

I am not to be interpreted as suggesting that tradeoffs between efficiency and equality do not characterize many policy or

program-specific choices. The decision to raise public revenue from the existing tax system to support an increase in existing income transfer programs will, in all likelihood, reduce both efficiency and inequality. My point is that this is the wrong choice on which policymakers should be encouraged to focus. It would be far better to direct their attention to questions such as “Can we redesign the tax system to allow us to raise revenues with less deadweight loss?” or “Can we restructure social policy to enable us to secure more inequality reduction with the same expenditure?”

In short, sound policy decisions consist of far more than simple retrenchment or expansion. In dealing with public sector decisions, there is no Big Tradeoff frontier, and our main task is not to decide whether

to slide up it or to slide down it. Rather, our task should be one of reorientation and reform—deciding how to move toward the northeast in equality-efficiency space—to move toward Region I and away from Re-

gion III. It is to determine how to shift up the total benefit function, or to shift down the total cost function, and not just where to place ourselves, given a fixed pair of loss and gain functions.

Win-Win Equity

EQUITY VERSUS EFFICIENCY

Race and Gender Relations

Contemporary conservatives advocate merit hiring in dealing with equal employment opportunity, although in the past they have generally been more tolerant of discrimination than have liberals (Table 3.1).

Contemporary liberals often advocate at least temporary preferential hiring to redress past discrimination, especially when candidates have similar qualifications, tests are subjective, the preferences are temporary, and private enterprise rather than government employment is involved.

The compromise position is merit hiring but affirmatively seeking qualified minority candidates through (a) advertising in minority newspapers, (b) locating one's physical plant in minority neighborhoods and possibly with subsidies in enterprise zones, (c) removing requirements that are racially correlated but not correlated with job performance, and (d) designating the firm as an equal opportunity employer.

A win-win or super-optimizing alternative could emphasize upgrading skills so that minorities can qualify for merit hiring without needing any preferences or even affirmative recruiting. The upgrading of skills might include formal education,

adult education, and especially on-the-job training. Upgrading of skills can include outreach training based on economic deprivation or disadvantage rather than race. This kind of win-win or super-optimum solution (SOS) satisfies the conservative goal of having a productive workforce and the liberal goal of equity or fairness in distributing benefits in employment or education.

Environmental Policy

The field of environmental policy involves conservative and liberal approaches. Conservatives emphasize the role of consumers and the marketplace in restraining business from engaging in socially undesirable activities such as pollution. The liberals emphasize the role of the government in restraining pollution. Conservatives are especially interested in the goal of economic development, which may be interfered with by government restraints. Liberals are especially interested in the goal of a clean environment, which may not be effectively achieved by relying on selective consumer buying.

A compromise approach might involve giving businesses partial subsidies to adopt antipollution devices. This approach would involve some requirements for receiving the subsidies, but it would interfere less

**Table 3.1 EQUITY VERSUS EFFICIENCY
IN RACE AND GENDER RELATIONS**

	<i>Goals</i>	
	<i>C</i>	<i>L</i>
<i>Alternatives</i>	<i>Merit Productivity (Efficiency, Effectiveness, or High Gross National Product)</i>	<i>Equity or Fairness (for Those Who Have Been Discriminated Against)</i>
<i>C</i>	+	-
Color blind and gender blind (in hiring and admissions)	May be illegal where there has been recent overt discrimination	
<i>L</i>	-	+
Temporary preferences (to promote diversity)		But may not be constitu- tional
<i>N</i>		
Reagan affirmative action		
No overt discrimination		
No discriminatory test that does not predict job performance		
Seek out minorities by adver- tising in appropriate places	0	0
Announce equal opportunity employment		
Locate closer to unemployed (i.e., enterprise zones)		
<i>SOS or win-win solution</i>		
Outreach training		
Increases merit		
Increases qualified diversity	++	++
Based on economic disadvantage		
No preferences (i.e., color blind and gender blind)		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

than instituting regulations and fines. This approach would also help promote a cleaner environment, but there still might be evasions by businesses due to the extra expense and trouble in complying.

A win-win policy alternative might instead emphasize subsidies to universities

and research firms to develop new processes (that relate to manufacturing, transportation, energy, and agriculture) that are both less expensive and cleaner than the old processes. The new processes would then be adopted by businesses because they are more profitable and not be-

Table 3.2 EQUITY VERSUS EFFICIENCY IN ENVIRONMENTAL POLICY

	<i>Goals</i>	
	<i>C</i>	<i>L</i>
<i>Alternatives</i>	<i>Economic Efficiency (Productivity, Effectiveness, or High Gross National Product)</i>	<i>Environmental Equity (Clean Air, Clean Water, and No Radiation, Excess Noise, or Other Pollution)</i>
<i>C</i>	+	-
Marketplace (i.e., consumers will boycott polluters)		Consumers do not boycott (e.g., power or steel)
<i>L</i>	-	+
Prohibit pollution (or regulate degree, with penalties or taxes on pollution)		If enforced and if politically feasible
<i>N</i>	0	0
Marketable rights to pollute	Still involves expense to manufacturers, etc., but not so much	Some incentive to reduce pollution
<i>SOS or win-win solution</i>		
New, cheaper and cleaner technologies in		
Manufacturing (e.g., gold panning on the Amazon River)		
Transportation (e.g., 80-mpg car)	++	++
Energy (e.g., fusion energy)		
Agriculture (e.g., tree farms)		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

cause the firms are being forced or subsidized to do so.

The new processes would thus achieve the conservative goals of profits and economic development even better than would retaining the present marketplace. Such a win-win policy would also promote the liberal goal of a cleaner environment even better than would a system of regulation, and it would do so without the expense of a continuing subsidy for adopting and renewing antipollution devices (Table 3.2).

An example of such an environmental win-win policy is the development of a substitute for aerosol propellants and air-conditioning freon that is more profitable to manufacturers and less harmful to the ozone layer, which protects against skin cancer. Another example is the development of an electric car, which saves money on gasoline and maintenance and does not generate the exhaust pollution that cars with internal combustion engines produce. Hydrogen fusion and solar energy may also

be examples of less expensive and cleaner fuels for manufacturing processes.

Displaced Workers

Displacement of labor occurs for the following reasons: (a) productivity downsizing; (b) free trade; (c) immigration; (d) civilian conversion; (e) jobs for public aid recipients, the disabled, or the aged, who might otherwise be on welfare; and (f) jobs for minorities and women, who might otherwise be discriminated against (Table 3.3).

The issue is how to find jobs for displaced workers. The conservative emphasis is to leave it up to the individual to find a job on his or her own and not make it the responsibility of other people. The liberal emphasis is on a welfare agency or another government agency doing most of the job-finding work. The neutral position might involve delegating the activity to a non-profit organization.

A key conservative goal is to save tax money, which means encouraging job finding to reduce welfare payments but not incurring high fees for job finding. A key liberal goal is to find jobs for displaced workers or welfare recipients not just to save money by reducing welfare payments but also because jobs can increase the income, quality of life, and dignity of welfare recipients. Doing so also has effects that relate to multipliers, compounding, role models, and reducing illegal activities.

An SOS alternative is to contract out to a private profit-making firm at a commission of \$X per welfare recipient who receives long-term employment. Half of the commission is paid after the employee has been on the job for 4 months, and the other half is paid after 8 months. The firm is responsible for providing training, day care, employment leads, advice, and dispute resolution—all of which a government agency might otherwise provide.

This is a good example of contracting out. The profit motive stimulates a higher

rate of success in finding jobs than the rate of success of a government agency or a nonprofit organization. The firm also has more capability than the recipient. Tax money is saved in the long term as a result of replacing welfare with work. It may also be saved in the short term because the expenses per long-term job found is less than the cost of a government agency or nonprofit organization. Related activities can also help displaced business people find new jobs or start new businesses.

Minority Redistricting

For the sake of discussion, consider a city such as Chicago or a state such as Mississippi that is approximately 40% black (or minority) and approximately 60% white. Conservatives tend to endorse color-blind districting, in which lines are drawn by a computer with no regard for where blacks or whites live, as long as all districts have equal populations. The result might be that no district will be a safe black district that can guarantee a black legislator. The percentage of blacks in the districts may range from approximately 10% to 65%. Higher than 65% black is generally considered a safe black district for an average black candidate running against an average white candidate.

Liberals tend to advocate proportional districting, which means that the computer is affirmatively programmed to provide that 40% of the districts will have black majorities if blacks are 40% of the population of the city (e.g., Chicago) or the state (e.g., Mississippi) (Table 3.4).

A neutral or middling position is to provide as many safe black districts as possible. Such districts have more than 65% black voters, and this position is endorsed by conservatives who want to pack black voters and thereby decrease the number of black legislators. Such districts are also endorsed by black incumbents who want to avoid white competition. By wasting or packing black voters, only 20% of the leg-

Table 3.3 EQUITY VERSUS EFFICIENCY IN DISPLACEMENT OF LABOR^a

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Efficiency (Merit or Survival of the Fittest)</i>	<i>Equity (i.e., Fairness to Those Unemployed to No Fault)</i>
<i>C</i>		
Marketplace (leave to the labor marketplace)	+	-
<i>L</i>		
Welfare handouts with few conditions	-	+
<i>N</i>		
Welfare with conditions		
No able-bodied eligibles, especially males	0	0
Bare minimum benefits		
Residence requirements		
Provide no due process		
<i>SOS or win-win solution (i.e., job facilitation)</i>		
Training		
Wage subsidy		
Employment agency commissions	++	++
Rising GNP		
Relocation		
Welfare conditional on training and job cooperation		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

a. Displacement of labor occurs for the following reasons: (a) productivity downsizing; (b) free trade; (c) immigration; (e) jobs for public aid recipients, the disabled, or the aged; and (f) jobs for minorities and women.

islature may be black. A victory of more than 51% involves wasted votes, although they may provide good insurance.

A key conservative goal is to reduce racial divisiveness. Color-blind districting may or may not achieve this goal. It is not discriminatory or segregationist and thus not divisive. Blacks may be antagonized because it may result in no black legislators, although blacks may become the swing vote or pivotal group in many districts.

Proportional districting deliberately creates black districts and white districts and thus may be divisive. Proportionality seems equitable and thus not divisive, but it may be divisive when it is gerrymandered. In between is the approach of safe black districts. This approach may be less antagonistic to many whites than proportional districting because it results in fewer black legislators. It may be antagonistic to many blacks, however, because representation is

Table 3.4 EQUITY VERSUS EFFICIENCY IN MINORITY REDISTRICTING

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Efficiency (Color Blind and Not Divisive)</i>	<i>Equity (Minority Proportionality)</i>
<i>C</i>		
Random		
Single-member districts, randomly drawn (0%)	+	-
<i>L</i>		
Proportional		
Districts deliberately drawn to obtain proportionality (40%)	-	+
<i>N</i>		
Black districts		
Safe black majority districts, deliberately drawn (20%)	0	0
<i>SOS or win-win solution (i.e., cumulative voting)</i>		
Multimember districts with cumula- tive voting per candidate (40% with color-blind districts)	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

nonproportional. Thus, all three systems are questionable in reducing divisiveness.

A key liberal goal is to increase black influence. Proportional districting may achieve the best result in this regard in terms of quantity of black legislators. Color-blind districting may achieve the worst result. Color-blind districting, however, may actually increase black influence because blacks might become a pivotal group in almost all districts. Thus, all three systems are questionable with regard to increasing black influence. It depends on how one defines “increasing black influence” and “increasing racial divisiveness.”

One way to simultaneously reduce racial divisiveness and increase black influence is to provide for at-large cumulative voting. For example, if there are five seats

in the legislature, then all candidates run at large. Any voter can cast five votes for just one candidate or divide the five votes among four, three, or two candidates. Where the legislature is larger, one can provide for multimember districts with approximately five seats per district. This system reduces racial divisiveness if the voting is at large or if the multimember districts are drawn in a color-blind way. It also allows for a major black influence if blacks cast all five of their votes for only pro-black candidates.

Racial balance means that every district has the same percentage of blacks. This is the equivalent of 100% safe black districts if the state or city is more than 65% black. It is the equivalent of maximizing the swing vote if the city is approximately 40% to

50% black, and it is the equivalent of color-blind districting if the city is less than approximately 10% to 20% black. Thus, racial balance across every district is neither pro-black nor anti-black until one knows the racial balance percentage.

Another alleged way to achieve both goals is to draw the single-member district lines so as to maximize the influence of blacks as swing or pivotal voters. This means that as many districts as possible in which blacks comprise approximately 40% to 50% of the population are necessary. They can then guarantee that pro-black candidates will win in each such district. Racial divisiveness is reduced by not having any segregated or separatist black districts. Black influence is increased by determining who many or most of the white winners will be. This pivotal black system, however, produces about the same results as color-blind districting in terms of a low percentage of black legislators. Actually, substantially less than 40% is needed to be a pivotal group in a two-party district or a two-candidate primary.

The SOS of at-large cumulative voting may have political opposition because it gives the minority political party, and minority ethnic groups, some representation. The swing vote approach may have political opposition because blacks and minorities tend to measure their influence by how many black legislators there are rather than by how much influence they have over white legislators.

From approximately 1880 to 1980, Illinois provided for cumulative voting of state legislators in the lower house. The system involved three seats for each district. The system was abolished for two reasons. First, in downstate areas, the Republicans would run one candidate and the Democrats would run two. Thus, the voters had no choice because there were only three seats per district. This could have been prevented by requiring that each major political party run at least two candidates per district.

Second, the Republicans objected to Democrats having proportional representation downstate, and the Democrats objected to the Republicans having proportional representation in the Chicago area. The party leaders were thus in effect conspiring to deprive the voters of both competitive choice and proportional representation. If competitive choice and proportional representation were federal constitutional requirements, then the cumulative voting could not be so easily manipulated at the state level.

EQUITY VERSUS EQUITY

Criminal Justice: Victims and Defendants

The Controversy

A concrete example of equity versus equity is the controversy regarding the size of juries in criminal cases, as shown in Table 3.5. Liberals argue in favor of preserving the traditional 12-person jury, as contrasted to allowing juries as small as 6 people. Liberals view the larger jury as being important for protecting the innocent because it is more difficult for a prosecutor to convince 12 jurors. Liberals may also argue that 12-person juries allow for more public participation, but this seems less important than decreasing convictions, although public participation may sound more acceptable.

Conservatives argue in favor of allowing 6-person juries. They view smaller juries as being important for convicting the guilty because it is easier for a prosecutor to convince 6 jurors unanimously of the defendant's guilt than it is to convince 12 jurors. Conservatives may also argue that 6-person juries reduce delay, but this seems less important than increasing convictions, although delay reduction may sound more acceptable.

In this context, liberals are especially sensitive to avoiding errors of convicting the innocent, although they also want to avoid errors of not convicting the guilty. Conservatives are especially sensitive to avoiding errors of not convicting the guilty, although

Table 3.5 EQUITY VERSUS EQUITY IN CRIMINAL JUSTICE

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Equity No. 1 (Convict the Guilty, Fairness to Exclusionary Victims)</i>	<i>Equity No. 2 (Acquit the Innocent, Fairness to Defendants)</i>
<i>C</i>	+	-
6-Person and majority Smaller than 11-person juries (about 6); less than unanimity (about 51%); also less appeals, right to counsel, or rule against illegal evidence	Reduce crime through deterrence	Reduce crime through respect for legal system and alternative opportunities
<i>L</i>		
12-Person and unanimity Retain 12-person juries, retain unanimity	-	+
<i>N</i>		
Compromise 8-person jury Three-fourths vote (9 of 12 or 6 of 8)	0	0
<i>SOS or win-win solution</i>		
Videotape all trials Encourage note taking Ask questions of lawyers and judge Written instructions Pretrial training	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

they also want to avoid the errors of convicting the innocent. As long as the problem is defined in terms of optimum jury size, there is an inherent trade-off between these two goals. Liberals view any reduction in jury size as sacrificing protection of the innocent in favor of convicting the guilty. Conservatives view a retention of the 12-person jury as sacrificing the need to convict the guilty in favor of an undue sensitivity to protecting the innocent, whom

they tend to view as not being a significant percentage of the defendants who are tried.

The Resolution

What may be needed in this policy controversy is redefinition of the problem away from “How many people should be present on a jury in criminal cases?” A more appropriate definition of the problem

in light of what the liberals and conservatives are actually arguing over is “How can we simultaneously increase the probability of convicting guilty defendants and increase the probability of acquitting innocent defendants?” There is no inherent trade-off between these two goals. In fact, there may be no inherent trade-off between any two goals. By restating the problem, one’s attention is directed toward thinking about which procedural changes could better achieve both goals simultaneously rather than thinking about what is the ideal compromise, middling position, or equilibrium between 12-person and 6-person juries.

There are some procedural changes that could simultaneously increase goal achievement on both the liberal and conservative goals. They all involve increasing the general accuracy of juries and decreasing the general inaccuracy. One such procedural change would be to allow jurors to take notes. In most states, they are prohibited from doing so. It is unclear why this prohibition was implemented. One plausible explanation is that when the jury system was begun in approximately the 1500s in England, few people could read or write. It may have been believed that if those few jurors who could take notes were allowed to do so, they would dominate jury decision making. Thus, a 12-person jury could in effect become a jury of 1 or 2 people who made a written record of what the jurors perceived as having occurred. As of 1990, virtually all jurors are capable of taking notes and should be allowed to do so. It would improve their accuracy in both convicting the guilty and acquitting the innocent.

Along related lines, an especially useful innovation would be to provide for automatic videotaping of jury trials and bench trials. This is a possible double SOS. It is super-optimum in the sense that it simultaneously increases the accuracy of convicting the guilty and acquitting the innocent. Often in jury deliberations, there is dis-

agreement among the jurors regarding what was said by a certain witness, a lawyer, or the judge. One juror who is especially domineering may say that the witness said the defendant was seen at the scene of the crime at 8:00 a.m. Other jurors may think it was 8:00 p.m. The disagreement can be quickly and accurately resolved with a videotape made by a camcorder that can be played back on any TV set with video-playback capability. Otherwise, the winning perception is the one held by whichever jurors may have the most aggressive personalities. This could result in either an error of acquitting a guilty person or an error of convicting an innocent person.

The second sense in which the camcorder videotaping is super-optimum is that it decreases costs and increases benefits simultaneously. It is substantially less expensive to videotape a jury trial than to pay a stenotypist to try to record verbatim what was said at the trial. The camcorder can be operated by someone who can easily be taught how to use it. The cost of each tape is nominal, and tapes can be reused. The benefits are substantially increased because (a) there is instant replay, in contrast to transcribed stenotype provided months later; (b) there is accurate replay in contrast to the extensively ad-libbed record that is made by court reporters; (c) one can see facial expressions; (d) one can hear voice connotations; and (e) one can hear two or more people talking at the same time, which tends to become gibberish or absent in stenotyping notes.

In addition to note taking and videotaping, there are many other ways to increase general jury accuracy, including allowing jurors to have access to a written copy of the judge’s instructions. This helps improve the interpretation of the law by juries, just as note taking and videotaping improve their understanding of the facts. Most states do not provide for written judicial instructions. This also dates back to medieval times when relatively few people could read. It was believed that those few who

could read the judge's instructions would dominate jury decision making, just as those few who could write notes would also dominate. The contemporary reason for the inertia in allowing juries to have written instructions may relate to the fact that the instructions tend to favor safeguards for the innocent. Legal decision makers may be reluctant to do anything that will further increase acquittals and decrease convictions.

Several other approaches to improve general juror accuracy have been either adopted in only a minority of states or not adopted by any. Jurors should be allowed to submit questions to the judge, the lawyers, or even the witnesses indirectly through the lawyers. This could clarify factual and legal ambiguities that lead to wrong decisions.

A training course should be provided for each juror that would last a full day before a juror is eligible to decide cases. The course could clarify what is involved in conducting a trial, jury deliberation, judicial instructions, various kinds of evidence, and other matters. Jurors could be allowed to ask questions during the course. The course could also have a test at the conclusion to determine whether each juror has a minimum level of understanding of what is involved.

The ability to read and write or other educational qualifications could improve the general accuracy of jurors. Such requirements, however, can be subject to abuse, such as southern literacy tests for voting. Even if the tests are objective, they could bias the composition of juries in favor of middle-class attitudes that favor the prosecution in criminal cases and the defendant in civil cases. Any measure designed to improve accuracy should not influence the direction or bias of jury outcomes.

Jury accuracy can be improved by having counsel on both sides. We now tend to guarantee counsel to indigent defendants in criminal cases, but we do not adequately guarantee counsel to indigent litigants in

civil cases in which there is no contingency fee involved. The Legal Services Corporation is not sufficiently funded to guarantee counsel to indigent civil litigants. Thus, an indigent tenant who has been evicted or an indigent consumer who has had items repossessed is going to have to settle for less than what such a litigant might be entitled to if the litigant could go to trial. Such indigent litigants, however, are not able to go to trial because Legal Services lawyers do not have the financial resources to spend time in trial, and the indigent litigants do not have the financial resources to hire trial lawyers.

These matters are likely to result in a higher conviction rate for the truly guilty than switching from 12- to 6-person juries would. They are also likely to do more for acquitting the truly innocent than retaining the 12-person jury would. This is an example of redefining the problem in terms of the goals rather than the alternatives.

Unemployment Policy: Minorities and the Elderly

The conservative position is to follow the usual rule in layoffs that the last people hired should be the first people laid off or fired. This means no extra consideration is given to minorities who may be disproportionately among those recently hired (Table 3.6).

The liberal position is to give some seniority to recently hired minority people. For example, each minority person hired could be given a few years seniority on the grounds that minority people probably should have been hired at least a few years sooner than when they were actually hired.

The neutral position might be to award some automatic seniority, but maybe only one year rather than a few years. Another neutral position might be to judge each case individually in terms of the age of the employee and other relevant characteris-

Table 3.6 EMPLOYMENT POLICY: MINORITIES AND THE ELDERLY

<i>Alternatives</i>	<i>Goals</i>		
	<i>C (Business)</i>	<i>L₁ (Labor Liberals)</i>	<i>L₂ (Ethnic and Gender Liberals)</i>
	<i>Merit hiring and firing</i>	<i>Senior workers</i>	<i>Do something for minorities and women</i>
<i>C (Business)</i>			
Ignore seniority, race, and gender	+	-	-
<i>L₁</i>			
Seniority only	0	+ ^a	0
<i>L₂</i>			
Preferential retention, 10-year seniority for recently hired minorities and women	-	0	+ ^a
<i>SOS or win-win solution</i>			
Strict merit, no seniority (C)			
Upgrade skills (L ₁)	++	++	++
Seniority within a range (L ₂)			
Alternative jobs for the displaced (N)			

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.
a. The feasibility of this is questionable in the absence of a contract or a statute requiring these criteria. Otherwise, management decision making will tend to ignore its conception of merit hiring and firing.

tics in determining whether any additional seniority should be given.

The SOS alternative might be to handle layoffs only or mainly on the basis of merit qualifications rather than seniority. Doing so should appeal to the conservative emphasis on merit. It would also allow some recently hired minorities to have a better chance at being retained than they would if only seniority were considered. The SOS alternative might also include a program

for upgrading the skills of recently hired employees and other employees so they can score higher on merit criteria.

Another modification might be to consider seniority among employees who are within the same merit range or to consider merit within a broadly defined seniority range. Thus, merit would determine who gets laid off among all employees who have less than 10 years seniority, 10 to 20 year seniority, and so on.

CONCLUSIONS

Regarding the problems presented in this chapter, some general conclusions can be made. A different way of presenting this material is to present general principles of equity and efficiency in the beginning and then present the problems as illustrative examples. Instead, general principles were presented in the beginning about win-win policy. The problems were then presented as illustrative examples of those principles without first defining equity and efficiency.

In light of its usage here and elsewhere, the concept of *equity* can be defined as allocating things of value to people in such a way that no one receives less than a certain minimum needed as a human being. This relates especially to allocating jobs and income that buys food, shelter, clothing, medical care, and education. The minimum varies over time and place depending on how well off the average person is in society.

Anything left over after allocating these minimums should generally be allocated in such a way as to reward behavior that the group or society considers socially desirable. Such behavior includes being useful to the group as an inventor, business person, government official, religious leader, or teacher or in another occupation. This tends to involve concepts of relative demand and supply.

The second kind of equity tends to be the same as societal efficiency. Efficiency in the abstract means obtaining significant output or benefit from a small amount of input or cost. It is simply the output/input ratio or benefit/cost ratio. Following demand and supply tends to efficiently allocate a society's resources or income, subject to equitable restrictions designed to enable people to have at least a minimum quality of life and public safety.

Given scarce resources, sometimes equity and efficiency conflict, or equity for one subgroup or group within a society may conflict with equity for another subgroup or group. One object of win-win analysis is to enable a society to have high

equity and high efficiency without necessarily expanding its resources. There is nothing wrong with trying to develop ways of expanding societal resources, however. Win-win analysis also seeks ways to simultaneously satisfy more than one kind of equity where they might otherwise conflict.

Equity and efficiency, however, usually do not conflict. If a society is not equitable, many people may lack adequate resources or incentives to be efficient and productive. Likewise, if a society is efficiently productive, it will produce more resources for satisfying equitable minimums.

There is also generally no conflict in having equity for one group (such as minorities) and equity for another group (such as women or the elderly). Conflicting groups tend to be lifted simultaneously or lowered simultaneously, depending on the overall efficiency of the society. Likewise, members of dominant groups may be dragged down by inequitable treatment of discriminated groups, to their mutual detriment.

Nevertheless, there are situations in which equity and efficiency conflict or in which different equities conflict, as in the problems discussed previously. The traditional ways of resolving these conflicts have generally involved (a) seeking win-lose alternatives that turn out to be lose-lose or (b) seeking compromises in which all sides will happily emphasize how much they won, but in reality they unhappily emphasize how much they lost.

In such situations, win-win thinking might be able to provide a win-win solution. Win-win thinking means (a) having a positive attitude that a win-win solution can be obtained; (b) having an awareness of previous win-win solutions and ideas; (c) using facilitators such as tabular visual aids, checklists, and decision-aiding software; and (d) applying these attitudes, this knowledge, and these tools to the values and facts at hand. It is hoped that this chapter will be a step toward more win-win solutions to difficult and important equity problems.

Lose-Lose and Win-Win Policies

Super-malimum alternatives to public policy problems are alternatives for which all major sides achieve worse results than their worst (malimum) expectations. These are lose-lose alternatives. Super-optimum alternatives to public policy problems are alternatives for which all major sides come out better than their best (optimum) expectations. These are win-win alternatives or solutions.

LOSE-LOSE ITEMS

The following are 10 lose-lose policy items in the recent news:

1. Democrats and Republicans have been competing to determine who can do the most cutting of spending, including cutting spending that is relevant to long-term economic growth such as developing new technologies (e.g., energy) and cutting spending in ways that actually increase spending (such as cutting off people from foster care in favor of orphanages). See Table 4.1 for lose-lose policies such as some of those mentioned here and elsewhere.

2. Retaliatory tariffs with China have caused China to lose out on \$1 billion dol-

lars worth of American goods that it would like to buy and the United States to lose out on \$1 billion dollars worth of Chinese products that America would like to buy. The United States also loses out on influencing Chinese political attitudes and on decreasing tariff barriers throughout the world by setting a bad precedent that other countries may resort to—claiming that they have rights to monopolize the production of certain products. This is the worst kind of tariff barrier.

3. Subsidizing farmers to cut back on production negatively impacts food consumers and may also negatively impact farmers by limiting their access to foreign markets. Nonproductivity subsidies are the equivalent of a tariff because they enable farmers to compete unfairly with foreign food producers not because they are more productive but because they are getting a subsidy for being less productive. This encourages other countries to do the same thing, thereby negatively influencing the main way of solving the farm income problem.

4. Raising interest rates negatively impacts business profits, jobs, and wages and does not necessarily have any positive ef-

Table 4.1 LOSE-LOSE POLICIES IN AMERICAN POLITICS

<i>Lose-Lose Policies</i>	<i>Conservative Goals That Are Affected Negatively</i>	<i>Liberal Goals That Are Affected Negatively</i>	<i>Improved Policies</i>
Economic: Increased interest rates	Decreased business profits	Increased consumer prices and decreased jobs	Economic growth
Social: Welfare cutoffs	Increased taxes and decreased welfare	Decreased dignity	Job facilitation
Technology: Decreasing new energy sources	Decreased business profits and decreased gross national product	Decreased clean environment	Money for research, with such rewards as royalties, government purchases, and Edison prizes
Political: Drastic budget cuts	Increased recession	Increased recession	Economic growth amendment
Foreign: Retaliatory tariffs for piracy	Increased free market	More jobs and lower prices to consumers	Use of tariffs to obtain rights and to open trade, with royalties to inventors
Legal: No prison dollars unless 85% of sentences fully served	Increased taxes and preservation of state rights	Decreased rehabilitation	Decreased drug profits to reduce prison costs

facts with regard to inflation, which seems to be under control and better dealt with through economic growth than through raising interest rates.

5. Allowing sweatshops in the United States is contrary to good workplace conditions, and they are contrary to business profits, except in the short run. Even compared with other developed countries, the cost of labor in the United States may be higher than the cost of using machines, but short-sighted business people are unwilling to invest in machines because they must spend money up-front. They are acting contrary to their own best interests and those of labor and the economy. Public policy is partly responsible for this by not cracking

down on sweatshops and providing alternative jobs for the displaced labor and the displaced entrepreneurs. Sweatshop industries should be wiped out by lowering textile tariffs and other relevant tariffs to enable other countries that have cheaper labor and maybe even use more automation to service the American market.

6. The continuation of the war in Cambodia by the Communists is an example of a lose-lose war in which the Communists seem to be greatly antagonizing the people, contrary to Maoist principles about winning over the peasants. Some of the irrationality is the responsibility of the United States for having supported the Khmer Rouge in the 1980s when Vietnam was try-

ing to bring peace to Cambodia. The United States supported the Communists because it disliked Vietnam even more, but for reasons that had to do with being a bad loser and not because Vietnam was acting more contrary to American interests. The United States is now trading with Vietnam but not with Cambodia, whose economy is largely in ruins, just slightly better than that of Rwanda or Haiti's economy during the embargo.

7. Another lose-lose situation is the heavy emphasis on prisons as the answer to the crime problem. The crime rate has not decreased even though the prison population has tripled since approximately 1980. A lose-lose situation is one in which costs increase and benefits decrease or remain constant.

8. In the 1990s, Newt Gingrich took a stand against the National Aeronautics and Space Administration (NASA), even though it has significant potential to develop space platforms that could be used for manufacture and mining and could generate far more money than the future cost of NASA. The past cost is irrelevant to whether to proceed. It will be awhile before space manufacturing, solar energy, and moon mining will pay off. The Republican opposition to NASA and the Democratic opposition to Department of Energy research both represent lose-lose shortsightedness, whereby we miss out on many potential benefits that would well exceed the incremental costs.

9. Rejecting a potential surgeon general because he has performed some abortions seems irrational when he has a good track record on reducing teenage pregnancy through a combination of motivation, abstinence, and birth control. It is irrational policy when one characteristic is given so much importance, especially when that characteristic involves doing nothing illegal. The candidate is not a back-alley abortionist; he is an obstetrician-gynecolo-

gist, and performing certain abortions is a legitimate part of that medical specialty.

10. Another example that illustrates public policy that is more harmful than helpful to the goals of both Democrats and Republicans is the way immigration is being handled. The Democrats push for more border guards, which is more a symbolic gesture than a measure that decreases immigration. A bizarre aspect of the increase in guards is that the number of apprehensions and the number of people being told to walk back across the border have recently increased greatly. This is taken as a sign that the guards are doing a much better job. In reality, it indicates that many more people are getting past the guards because virtually everyone who is sent back eventually gets through if they keep trying. It is like the drug enforcement people arguing that they are doing a good job because they confiscated \$1 billion dollars worth of drugs last year and only \$1000 worth of drugs 20 years ago. If one recognizes that they are only confiscating at most 50% of the drugs (and maybe only 10%), then this means that from \$5 billion to \$9 billion of drugs have not been confiscated. One does not judge how well crime is being contained by how many arrests are being made. One judges it by how many people are being victimized. The police are not doing a better job if they made 1 million arrests last year and only 100,000 the year before.

WIN-WIN ITEMS

We can easily think of 10 lose-lose situations just on the basis of recent news. It is difficult to think of 10 win-win situations, however. Only 6 are listed here:

1. The line-item veto strengthen the president's bargaining power because he can threaten to veto certain items in return for favorable legislation, whereas before he had to veto whole bills, including clauses

that he favored. The line-item veto strengthens Congress because it enables the leadership to eliminate pork-barrel items after the leadership obtains the favorable votes of legislators who would otherwise not vote favorably unless they get pork-barrel items. The president could then veto those items, and the rest of the bill would pass. From 1994 to 2000, the Democrats had an advantage because there was a Democratic president and a Republican Congress. The Republicans have an advantage because the reverse situation may be more likely in the future, as was true for many presidential administrations since the end of World War II: Every Republican president—Eisenhower, Nixon, Ford, Reagan, and Bush—had some Democratic congresses. This is likely to happen in the future because a majority of the American people still identify with the Democratic Party, but Republicans can be elected president as individuals. According to public opinion, Eisenhower had a more attractive personality than Stevenson. Nixon appeared more attractive in 1968 than Humphrey and the disorganized Democrats. Also, Nixon was more attractive than McGovern in 1972. Reagan was more attractive than Carter and Bush more attractive than Dukakis. See Table 4.2 for win-win policies, including some of those mentioned here.

2. Another win-situation is that in which China offered to pay royalties on U.S. videotapes, books, and other products but was not willing to recognize any monopoly rights. This seems a very reasonable solution. They would be paying royalties on all reproductions and government factories. They do not have much control over amateur reproductions, but neither does the United States. There is much amateur copying of books and reproducing of software that the U.S. government does not crack down on in the United States; therefore, why should China be expected to

crack down on this in China? This could be a win-solution in which the publishers and videotape makers receive large royalties and China profits by selling duplicate copies. The United States benefits from spreading its culture. China benefits from whatever they learn from American books and videotapes, although the videotapes might be more corrupting than enlightening. For now, the United States is demanding royalties that are almost prohibitive, which is the same as demanding an exclusive monopoly. China has at least offered a win-solution. Clinton and Gore proposed a win-solution with regard to revising the American patent system.

3. After Gingrich recommended wiping out NASA, there was a rendezvous between Russian and U.S. spaceships. This represented a breakthrough in building commercially valuable space platforms compared to some relatively useless military star wars weapons or a less useful telescope. Both the United States and Russia could benefit from space platforms, and so could the rest of the world.

4. During the 1990s, the Russians withdrew from the 15 former republics, which are now independent countries. Granting independence to those nations is a win-win solution. Russia saves a large amount of money by not fighting to retain them as colonies. The people of these colonies feel better about themselves because they belong to independent, sovereign nations. England and France have not regretted granting independence to their colonies from about 1945 to 1970. The last major French colony to obtain its independence was Vietnam, and the last major British colony before Hong Kong was British Guyana. Before that, India and Pakistan gained independence from Britain, and Algeria and Northern Africa gained independence from France. Russia is about 25 years behind. It was very far behind Western Eu-

Table 4.2 WIN-WIN POLICIES IN AMERICAN POLITICS

<i>Win-Win Policies</i>	<i>Conservative Goals That Are Affected Positively</i>	<i>Liberal Goals That Are Affected Positively</i>	<i>Improved Policies</i>
Economic: Increased HMOs	Decreased taxes and increased quality	Decreased consumer costs and increased access	Vouchers, discount groups, and no pre-conditions
Social: Increased training	Increased workfare and increased gross national product	Increased individual income	Training vouchers, deductions, IRAs, on-the-job training
Technology: Space rendezvous	Increased business income and decreased business expense	Increased jobs	Drugs, metals, solar power, helium fusion, satellites
Political: Line-item veto ^a	Republican president in the future; president cannot veto whole bill; preservation of congressional power	Democratic president at present; delete pork and preserve good parts; increased presidential power	Line-item veto, but 60% override
Foreign: Russian withdrawal from former republics	Decreased taxes for defense	Increased lives saved as a result of peace	Geographical ethnic secession and independence for former colonies
Legal: Tort reform without litigation or lawyers	Increased business profits and decreased taxes	Compensation to injured person	Accident reduction and insurance processing

a. As of 2000, the line-item veto issue is dead because the Supreme Court has declared the essence of the idea to be contrary to the powers of the president and Congress.

rope in adopting democracy, and it is now trying to catch up on abolishing imperialism and colonialism. It is ironic that Russia is the last major imperialistic country in the world, yet it did much complaining about capitalist imperialism. Current capitalist imperialism seems to be highly welcomed throughout much of the world, although the word *imperialism* is not the correct term. The right term is *international trade and investment*.

5. A win-win solution to reduce terrorism must deal with the causes of it. Much of the current terrorism has some anticolonial resistance elements. The leading terrorists tend to be Arab. One can make the point that Russia is not the last imperialist country. There has been much imperialism in the Middle East on the part of the United States, Britain, France, and Israel. It is not so much legalistic imperialism in the sense of converting countries over to official col-

onies; instead, it consists of manipulating their governments to get more favorable concessions concerning oil. This has been occurring since the end of World War II with regard to Iraq, Iran, Saudi Arabia, and Libya.

6. The United States in particular has sought to keep friendly but reactionary governments in power and to overthrow unfriendly socialistic governments. This is not just due to the Cold War, although this accentuated the problem. The United States is interested in oil, as demonstrated by the Persian Gulf War. This war had nothing to do with the United States versus Russia. It was the United States versus Middle Eastern countries that want more independence to do what they want to do, even if it means being run by fundamentalist Moslems (as in Iran) or Arab socialists (as in Iraq, Syria, and Libya). The terrorists involved with the 1993 bombing of the World Trade Center buildings in New York City are supportive of Hamas, Hezbollah, Iran, and fundamentalists in Algeria. Some of the causes of terrorism are being eliminated. For example, the possibility of independence for Palestine has largely eliminated Palestine Liberation Organization (PLO) terrorism, but there is still fundamentalist Moslem terrorism directed against Israel, the PLO, and the United States, as in the World Trade Center bombing. If independence is granted, the countries that have been the victims of terrorism (including the United States) will be less victimized. The Palestinians will also be better off running their own government, even if in the short run there are many transition problems. This is the usual situation after a revolution or independence, including that in the United States in 1783. In time, these countries develop more viable economies and political states capable of exporting, importing, and being meaningful members of the United Nations.

SUMMARY

We frequently divide public policy into economic, social, technology, political, international, and legal policy. Tables 4.1 and 4.2 do so by giving lose-lose and win-win examples. The following summary, which relates to the tables, does so also:

1. Regarding economics, an example of a lose-lose situation is raising interest rates. An example of a win-win situation is the health management organization arrangement as a replacement for Medicare and Medicaid.
2. Regarding social issues, the Republican welfare reform emphasizing cutoffs without job facilitation may be an example of a lose-lose situation. A win-win policy might be training, including national service, vouchers, and college attendance.
3. Regarding technology policy, a lose-lose situation would be failure to develop alternative energy sources. A win-win situation might be the spaceship rendezvous.
4. Regarding domestic politics, the required balanced budget could be a lose-lose situation in comparison to economic growth if the amendment affects economic growth. A win-win situation might be the line-item veto, in which both the Republicans and the Democrats can find benefits.
5. Regarding foreign policy, retaliatory tariffs with China are a lose-lose situation. A win-win situation is the Russian withdrawal from the former republics.
6. Regarding legal policy, a lose-lose situation is an emphasis on prison, including the 85% rule and the three-strikes rule. A win-win situation could be the ideal of super-optimizing solution tort reform, which emphasizes accident reduction and insurance processing.

Graphic Approaches to Understanding Super-Optimizing

This chapter attempts to classify super-optimizing or win-win analysis into three different graphic or geometric models. Doing so serves the following purposes:

1. Many people understand simple graphs and notes better than verbose jargon or unnecessary mathematics.
2. These graphs can generate new insights for improving the general methodology.
3. The graphs can facilitate more applications.
4. The graphs lend themselves to developing useful conceptual theory, such as ways of classifying and generating goals, alternatives, relations, and conclusions.
5. The graphs lend themselves to developing useful simple equations, such as those associated with pie charts.
6. Graphs have interdisciplinary appeal to economists and other scientists who tend to be more quantitative or more concerned with analytic geometry than are political scientists.
7. This may help associate super-optimizing with game theory, operations research, management science, decision theory, and

related approaches to learning to their mutual benefit.

8. This may help facilitate the development of a user-friendly interactive computer program for super-optimizing that would be compatible with the Windows operating system.

The chapter deals with super-optimum solutions (SOSs) using (a) bar or line graphs, (b) trade-off or indifference curves, and (c) pie charts or circles. All three approaches help in understanding the concepts of conservative best expectation (CBE), liberal best expectation (LBE), traditional compromise, attempted total victory, SOS, and other relevant concepts.

BAR OR LINE GRAPHS

Bar graphs are shown in Figure 5.1. There can be a liberal perspective and a conservative perspective. For each perspective, there is a vertical scale that measures benefits minus costs. The horizontal scale shows the different types of solutions:

1. The SOS is highest for both liberals and conservatives.

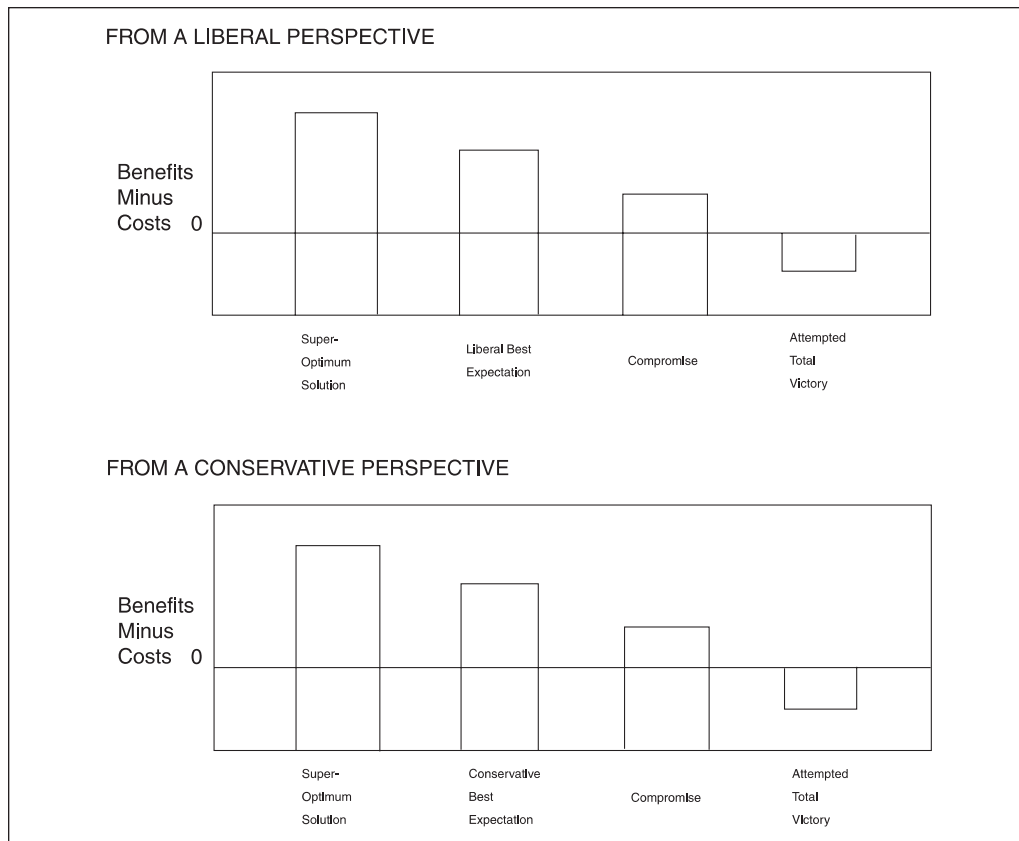


Figure 5.1. A bar graph approach. Note that all variables are relative, which means that the graphs accurately portray the concepts as long as (a) $A > B > C > D$; (b) $E > F > G > H$; (c) A, B, C, E, F, and G are positive; and (d) D and H are negative.

2. The LBE and CBE are lower.
3. The expected value of either a settlement or going to trial, striking, or going to war is shown on the compromise bar. Normally, settlement is best.
4. The worst bar is the bar that can be labeled “trial, strike, war” or another action designed to destroy the other side. All these activities have in common the idea of attempted total victory (ATV).

The zero mark need not be shown. We are concerned with the relative heights or the rank orders of the bars. The ATV could produce a negative benefit minus cost score. Even the compromise could produce a score that is negative but less negative

than the ATV score. We could make a line graph by connecting the tops of the bars in the conservative graph and those in the liberal graph.

TRADE-OFF OR INDIFFERENCE CURVES

Another graphic perspective derives from the economics of indifference curves, as shown in Figure 5.2. We can place benefits on one axis and costs on the other. We then have indifference curves, which demonstrate the trade-off idea. We can better place the benefits minus costs of the liberals on one side and the benefits minus costs of the conservatives on the other side. Then

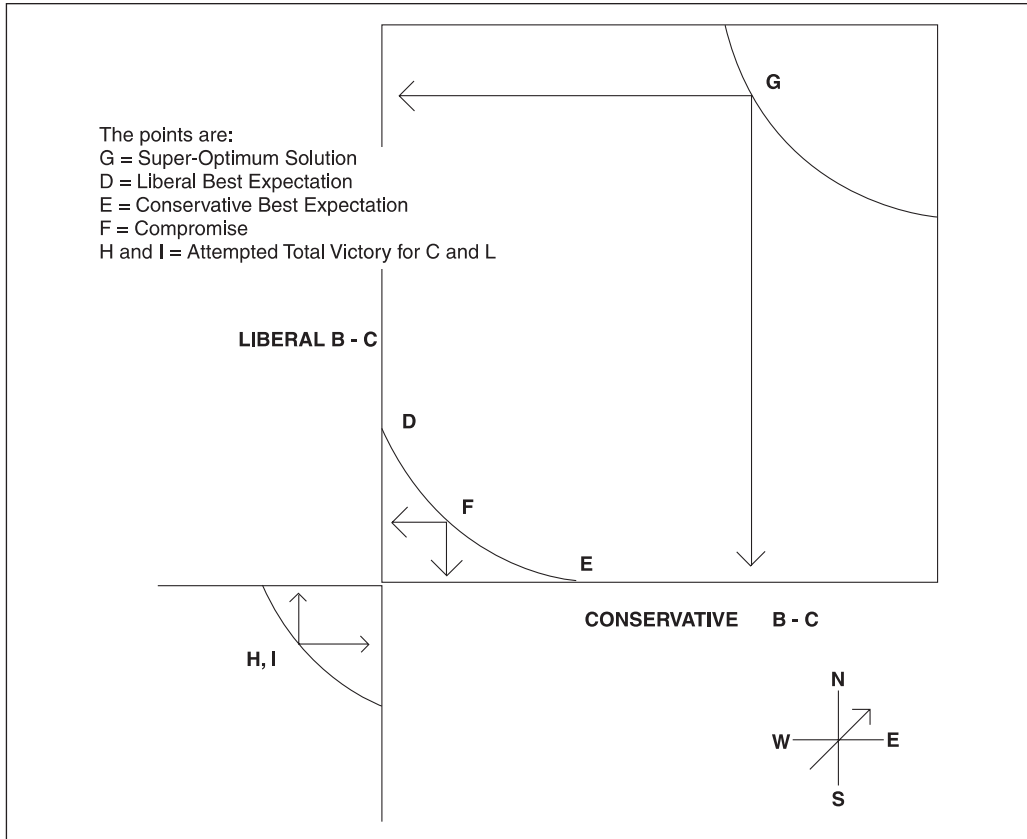


Figure 5.2. Trade-off curves. Any point on the SOS curve, such as G, gives liberals more than their LBE (D) on Curve D-E and simultaneously gives conservatives more than their CBE (E) on Curve D-E. This set of curves indicates why Bob Haveman said, “Go northeast, young man” in his article titled “The Big Tradeoff: Fundamental Law on Red Herring,” S. Nagel, ed., *Public Budgeting and Financial Management* (symposium issue) (1992).

we can draw another indifference curve, which indicates when the liberals do well and the conservatives do poorly and also when the liberals do poorly and the conservatives do well.

Any point on the curve represents a compromise, except the extreme points:

1. At Point D, the liberals do the absolute best in that they score extremely high and the conservatives score zero.
2. At Point E, the conservatives do extremely well, and the liberals wind up with nothing.
3. Point F is anywhere along the curve between D and E. It is the compromise posi-

tion at which the liberals get something and the conservatives get something. It is important to note the trade-off nature of movement along the curve. Whenever the conservatives get more, the liberals get less. Whenever the liberals get more, the conservatives get less.

4. Points H and I correspond to the ATV bar for liberals and the ATV bar for conservatives in Figure 5.1, respectively. Both sides are likely to come out in the negative, although not necessarily equally so.
5. The SOS points are anywhere on the curve labeled G. We are thus moving to a different curve. As we do so, there is still a trade-off on each curve, but it is irrelevant

because the SOS curve results in liberals and conservatives both doing better. We do not need multiple SOS curves to show this. It is sufficient to consider any curve that is substantially above the original curve. In a way, this is like adding a third dimension or at least adding a second dimension. The first curve allows only for movement along a single dimension, namely, a line or a curve. The second curve allows for aboveness, which is an important concept in SOSs. Note that if we move up to curve G, then it is possible to find a point at which both the liberals and the conservatives will be better off than they were with regard to the previous compromise.

We want to reach a point at which they will both achieve results that are better than their best expectations (Points D and E). At Point G, both the liberals and conservatives are better off than they were at the previous compromise of Point F. We could put numbers on the scale to state how much better off. With the previous curve, any movement would be an improvement for only one side. The new compromise of Point G is much better for the liberals than Point D, which was the outermost extreme. Point G is also much better for conservatives than Point E, which was the outermost extreme. In other words, Point G is not just better than Point F as a compromise in the sense of being an improvement for liberals and an improvement for conservatives, but it also outdistances the best expectations of both sides.

We still have not shown the severity of ATV. We need to indicate on the bar graph that the zero point is normally above the ATV. We can show the last bar as hanging upside-down to indicate that it is falling below zero. To show this, we need some new letters, such as H and I. H is the liberal ATV below zero, and I is the conservative ATV below zero. All the curves can be parallel. The curve labeled H,I, just like in the bar graph, implies that in the ATV situation the liberals and the conservatives take a net

loss, which is typically true. If an ATV situation is a war, both sides are likely to have more costs than benefits. Likewise, if there is a strike, the workers lose wages, maybe for months. Management loses profits for months. Both sides thus take large losses that they may never make up. Also, in going to trial, the litigation costs may be so high that it does not make any difference who is awarded the judgment. Both sides are likely to be losers when the costs are subtracted from the benefits. In some cases, one side might make a profit. These curves are not designed to cover every possible situation but, rather, just the typical situations.

PIE CHARTS OR CIRCLES

As is the case for other geometric shapes, we can show what is occurring using a pie chart (Figure 5.3). This can be especially relevant for allocation problems, for which separate pie charts for each type of solution are necessary. We could also create traditional pie charts. The first involves the liberals getting nearly all the pie and maybe saving a sliver for the conservatives. At the other extreme, the conservatives get nearly all the pie, and liberals get a sliver. The first case is similar to solution D, and the second one is similar to solution E. The third is the compromise solution F in which they each get about half a pie.

With the pie chart perspective, each side receives about 1.57 square inches of the pie in a compromise. That is not sufficient for an SOS, in which each side should receive more than 3.14 square inches. Note that in the pie chart, there is a 1-inch radius. With a 1-inch radius, the area is 3.14 square inches because $A = (3.14)(r^2)$ and $A = (3.14)(1^2)$, which equals 3.14. With a compromise, each side receives about half that, or 1.57 square inches.

We need to improve on the LBE and the CBE. Thus, we need a pie that will give both the liberals and the conservatives more than 3.14 square inches. This is a sim-

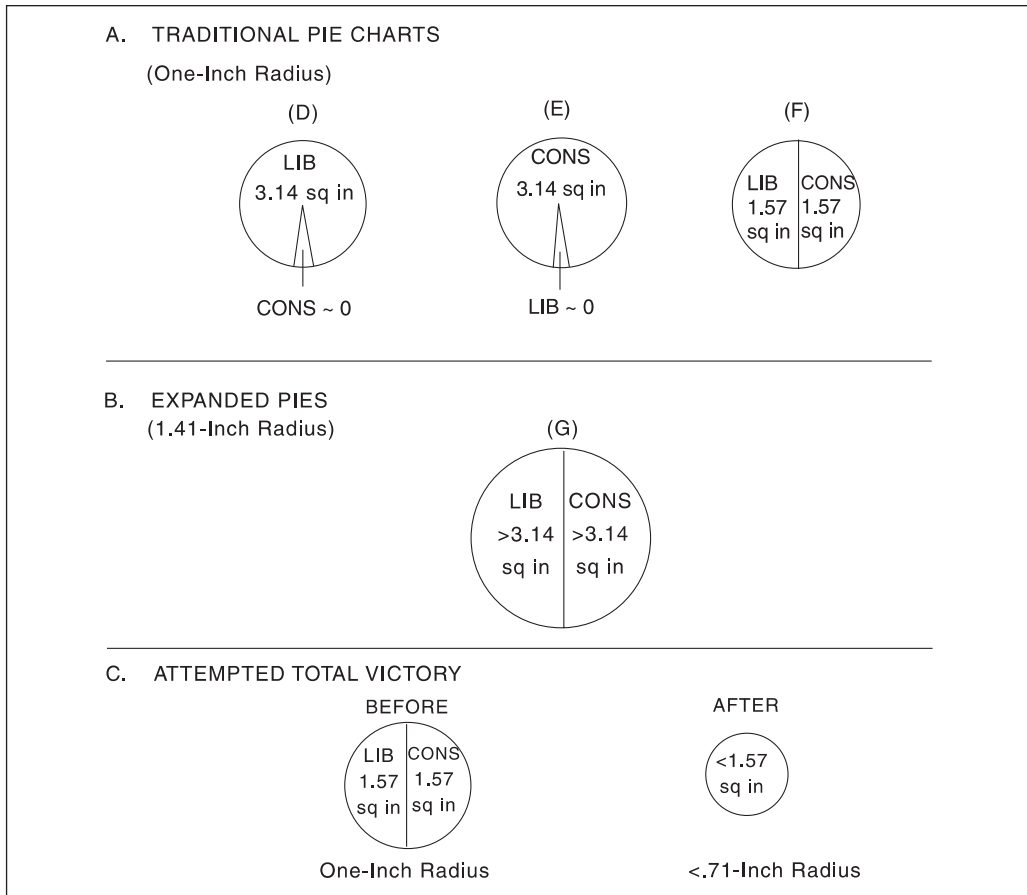


Figure 5.3. Pie charts. Figure 5.3B shows that a 41% increase in the pie will enable each side to get more pie when they have only half (50%) of the new, expanded pie than when they had all (100%) of the old pie. Figure 5.3C shows that fighting each other (rather than win-win cooperating) would result in the winners of all the reduced pie getting less than what they would have had with half of the original pie.

ple algebra problem. We want to know what the new radius must be. We need a pie that has a radius of more than 1.41 inches. We will then have a super-optimum pie because $2A = 6.28 = (3.14)(2)$. Thus, if $r^2 = 2$, what does r equal? The answer is determined by taking the square root of 2, which is 1.41.

People like pie charts because they can relate to the notion of expanded pie analysis. In China, however, they do not eat pies, so one must call it an expanded cake analysis. For creating pie charts, it is not very difficult to use a compass to draw small and large pies.

In the expanded pie situation, both the liberals and the conservatives receive more than what they could get if they had each received the whole small pie. Of interest is that one does not have to expand the pie very much to create an SOS. At first, one might think that one has to have a major expansion to be able to give each side more than they could get if they were previously getting everything. One does not need such a major expansion, however. All that is needed is a 1.41 increase in the radius. This is just as true if the original pie had a trillion-inch radius. Increasing the trillion-inch radius by 1.41 would give everybody

more than they previously had even if they had the whole 3.14 trillion square inches. The general principle is that no matter how large the original pie, if liberals get all of it or if conservatives get all of it, then one simply has to increase the radius of the pie by 1.41. Then, the liberals who were formerly trying to get all of the pie will now get even more, and the conservatives who were formerly trying to get all of the pie will simultaneously get even more. This can be proven with elementary school arithmetic regarding areas of circles, even though at first it seems contrary to intuitive thinking.

What does the ATV look like in the pie chart? Pie charts do not lend themselves to showing negative returns. If someone gets a negative allocation, there is no way of showing this with a pie chart. We can show negatives with bar graphs, trade-off curves, and SOS triangles as follows:

1. Any bar that decreases below the 0 horizontal axis shows a negative return.
2. Any point in a system of indifference curves that is to the left of 0 on the horizontal axis or below 0 on the vertical axis shows a negative return.
3. Any point below the floor of the triangle shows a negative return.
4. There seems to be no way of showing a negative return with a pie chart, however. The lowest one can get is 0, which involves showing no sliver at all, as contrasted to a negative sliver.

Figure 5.3C indicates the ATV, which has two subparts (before and after). The after subpart refers to after a war, a strike, or going to trial. The total resources of the liberal and conservative sides are reduced to about half, and each side takes a loss. They now have only a 1/2-inch radius pie between them. Thus, even if the liberals were the winners and wind up with the whole pie in the after period, they have less than they had before when they had to share the pie. This dramatizes how bad re-

sorting to war, strikes, and trials can be. One may wind up with the whole pie after the smoke clears, but the whole pie is half or less of what used to exist. Even if one has the whole pie, one has less than what one used to have when one shared the whole pie with the other side. For people who like graphs and pictures, these graphs and charts are indeed communicative, and they are complemented by the spreadsheet matrices or tables associated with the SOS decision-aiding software.

One could object that this analysis may apply to the arithmetic or geometry of circles but not to real public policy. In reality, expanded pie analysis applies even more to real public policy for the simple reason that the area of a circle is controlled by two constants (pi and the exponent 2) and just one variable (the radius r). The real world is likely to involve fewer constants or none, although there may be more variables. Variables, however, are by definition easier to manipulate, possibly even by public policy.

The more relevant real-world pie is the gross national product (GNP). The equation for GNP growth is simply $GNP_2 = GNP_1(1 + r)^n$ where GNP_2 is the GNP at Time 2 or any time after one or more public policies have been adopted; GNP_1 is the initial GNP; r is the annual growth rate, which is subject to influence; and n is the number of years that must pass to obtain a desired GNP_2 with a given GNP_1 at various growth rates.

Specifically, if the rate is slightly more than .06 or 6% per year, and the time period is slightly more than 8 years, then the current U.S. GNP of approximately \$6 trillion could double to \$12 trillion. In terms of the arithmetic, this means that $(1.06)^8$ is approximately 2. In terms of productivity, this translates into a growth rate half that of China, and China has little investment capital available after feeding, clothing, and sheltering 1.3 billion people.

In terms of practicality, the equation must also allow for just one two-term presidency plus a year or two of momentum. This is so because $(1.06)^9$ or $(1.06)^{10} = 2$, or

the doubling factor. The equation also requires reinvesting the growth to obtain the equivalent of interest on interest or compounded growth.

Doubling the real GNP would provide \$6 trillion in the last year to pay off all the current \$5 trillion national debt. It would leave \$1 trillion for investment in training

programs and new technologies for promoting more growth as well as other programs, such as those concerned with health, housing, transportation, communications, and defense. This is a real win-win or SOS for more than satisfying both conservative and liberal budget categories.

Part 2

WIN-WIN EXAMPLES

Preventing Sexual Harassment While Preserving Academic Freedom

A Win-Win Analysis

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Florida State University

Sexual harassment cannot be tolerated, especially in academic life. Sexual harassment corrupts the very purpose of a university—the advancement of learning. It is professionally unethical and morally wrong.¹

The prevention of sexual harassment on the campus requires a clear and precise definition of the specific behavior that violates the rights of others—a definition that everyone can understand. To be effective, sexual harassment prohibitions must conform to the rule of law; they must not depend on personal perceptions, subjective interpretations, or individual thoughts or feelings. Sexual harassment must be dealt with promptly and firmly, with due process of law and respect for the dignity and rights of all. Most important, sexual harassment prohibitions must not be subverted or misused to undermine academic freedom.

CONCERNS ABOUT ACADEMIC FREEDOM

The National Association of Scholars (NAS) has expressed its concern that many universities have failed to adequately protect students, faculty, and staff from sexual harassment by enacting vague, ambiguous, and imprecise policies and regulations and using language that engenders confusion, resentment, and injustice. The NAS is fearful that vague definitions of sexual harassment are undermining academic freedom, suppressing the free expression of opinions and attitudes, and inhibiting teaching and research on sensitive but important topics. Also, the NAS worries that the failure to provide due process in sexual harassment cases encourages frivolous, self-serving, and vindictive charges. The result is to needlessly bring antiharassment

policy into conflict with academic freedom—a result that will eventually “diminish the opprobrium that rightly attaches to sexual harassment.”

In a statement of the NAS titled “Sexual Harassment and Academic Freedom” (www.nas.org), the following concerns are expressed:

Sexual harassment is always contemptible. Because it also subverts education, it is particularly damaging in an academic setting. . . . Such behavior constitutes a serious violation of an educator’s responsibilities and is morally wrong. It cannot be tolerated.

However, academic freedom and the rights of individuals can be—and have been—violated by misguided efforts to combat sexual harassment. Too many institutions have adopted vague definitions of harassment that may all too easily be applied to attitudes or even to a scholar’s professional views.

Specifically,

1. The criteria for identifying “harassment” are often nebulous, allowing for expansive interpretations of its meaning.
2. When definitions of sexual harassment are expanded to include opinions and attitudes, academic freedom is violated. Such definitions have already significantly inhibited discussion inside and outside the classroom. Ambiguous phrases such as “callous insensitivity to the experience of women” have inspired complaints against professors accused of slighting gender-based literary analysis or who have discussed theories and findings, such as Freud’s, that run counter to the prevailing consensus about sexual differences.
3. Some definitions of sexual harassment embrace a wholly subjective test of its occurrence—for example, the complaint of having been made to “feel uncomfortable.” Proof relies not on the objective be-

havior of the alleged harasser but on how one perceived that behavior.

4. Charges of sexual harassment are sometimes entertained long after the alleged offense, when the memories of the parties have faded, their motives have altered, and evidence has been lost.
5. Midlevel administrators with meager academic experience but a strong commitment to fashionable causes are frequently accorded a major role in drawing up harassment regulations, interpreting them, counseling complainants, investigating charges, administering hearings, and determining guilt and penalties. Sometimes, one and the same person performs all these functions and also encourages students and others to make harassment charges. This leads to violations of academic due process.
6. Investigation of alleged sexual harassment can provide a pretext for engaging in the ideological persecution of persons whose views are out of favor.²

SEXUAL HARASSMENT DEFINITIONS AT FLORIDA UNIVERSITIES

A review of the sexual harassment policy statements of Florida’s public universities reveals that the concerns of the NAS are well-founded. Some universities have published statements largely in conformity with clear, lawful definitions of sexual harassment derived from federal civil rights statutes and court interpretations thereof, whereas other universities have published statements that seriously jeopardize academic freedom.

Consider, for example, the dangers to students and faculty inherent in the following sexual harassment definition offered in a policy statement by a state university in Florida:³

Any gesture or remark of a sexual nature that makes you feel uncomfortable, threat-

ened, intimidated, or pressured may be a sign that you are experiencing sexual harassment. Trust your instincts.

Your classmates or colleagues may make your work, study, or living environment uncomfortable through continued sexual comments, suggestions, or pressures. It may include . . . leering at a person's body, whistling, catcalls or sexual remarks or jokes.

Another university policy statement provides examples of “what constitutes sexual harassment,” including

unsolicited familiarity, personal, or intimate remarks that may fall short of sexual inquiries. . . . Remarks that degrade another person or group on the basis of gender. . . . Sexist remarks regarding a person's clothing or intellectual capacity. . . . Sexual visuals such as pin-up calendars, cartoons, posters, etc. . . . Explicit body language, leering, looking the person up and down, ogling.

At another university, “examples of sexual harassment” include “inappropriate communications, notes, letters, or other written materials. . . . Remarks about a person's clothing. . . . Suggestive or insulting sounds.”

Yet another university asserts in its faculty handbook that sexual harassment includes “leering at or ogling of a person's body. . . . Innuendo attempts to embarrass. . . . Nonsexual slurs about one's gender, contrived work or study assignments . . . Gestures and other symbolic conduct.”

Statements such as these place everyone on campus—faculty, students, and staff—at risk of official disciplinary action based on idle comments, friendly banter, and overheard conversations on the campus as well as classroom lectures, discussions, readings, and assignments. Real protection against sexual harassment requires a clear understanding by everyone in the university community about what really constitutes sexual harassment.

GUIDANCE IN DEFINING SEXUAL HARASSMENT

Federal civil rights law, as well as U.S. Supreme Court interpretations of it, provide guidance to universities in the development of sexual harassment definitions and prohibitions. Title VII of the Civil Rights Act of 1964 makes it “an unlawful employment practice . . . to discriminate against any individual with respect to his [sic] compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin” (42 USC 2000e). In the employment context, the U.S. Supreme Court approved the following definition of sexual harassment in *Meritor Savings Bank v. Vinson*, 477 US 57 (1986):

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (b) submission to or rejection of such conduct by an individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The Court determined that the language of this statute “is not limited to economic or tangible discrimination.” The “conditions or privileges of employment includes requiring people to work in a discriminatory, hostile, or abusive environment.” Moreover, when the workplace is “permeated with discriminatory intimidation, ridicule, and insult sufficiently severe and pervasive to alter the condition of the victim's employment and create an abusive working environment,” then Title VII is violated, as quoted in *Los Angeles Department of Water and Power v. Manhart*, 435 US 702 (1978).

The Supreme Court, however, was careful to note that “a mere utterance of an epithet that engenders offensive feelings” is not sexual harassment. Sexual harassment must be “conduct severe and pervasive enough” to convince a “reasonable person” that the environment is “objectively” hostile and abusive. The Court has specifically rejected definitions of sexual harassment that depend exclusively on the subjective feelings of the complainant. Moreover, a reasonable person must objectively find the environment hostile and abusive (*Harris v. Forklift System*, 1993). Writing for the opinion of the Court, Justice Sandra Day O’Conner held that sexual harassment “can be determined only by looking at all of the circumstances,” including “the frequency of the discriminatory conduct; its severity; whether it is physically threatening or humiliating, or a mere offensive utterance.”

Although these Court guidelines were developed for the workplace, they are useful in thinking about sexual harassment in an academic setting.

PROTECTING ACADEMIC FREEDOM

The faculty-student relationship is the centerpiece of the academic function; if it is compromised or corrupted, the very purpose of the university is undermined. The explicit or implicit conditioning of grades, evaluations, recommendations, or academic standing on romantic attachment or sexual submission is morally contemptible, professionally unethical, and legally indefensible. Faculty members must exercise great care in their personal relationships with students enrolled in their classes, working as their graduate or undergraduate assistants, or dependent on their evaluations and recommendations.

It is vitally important, however, that sexual harassment prohibitions not infringe on the freedom of faculty and students to express themselves in the classroom, on the

campus, and in the community on sensitive topics, including human sexuality, race and gender differences, sexual roles, racial and gender history and politics, and related important and legitimate subjects. Teachings and research on such topics must not be constrained by the threat that the views expressed will be labeled “insensitive,” “uncomfortable,” or “incorrect.” Faculty must feel free to provide their best academic and professional advice to students, collectively and individually, without fear that their comments will be officially labeled as “offensive” or “unwelcome.” Students must feel free to express themselves on matters of race and gender, whether or not their ideas are biased, ill-formed, immature, or crudely expressed.

It must be recognized that the creation of a hostile, intimidating, or abusive academic environment—an environment that interferes with a reasonable person’s ability to learn—is also unprofessional and illegal. Universities, however, have a special responsibility to define sexual harassment in this context in a way that does not infringe on academic freedom and that does not constrain research or teaching.

The test for sexual harassment that creates a “hostile environment for learning” must be (a) whether it is severe and pervasive enough to (b) convince a reasonable member of the academic community that (c) the environment is objectively hostile. “Severe and pervasive” means that the university must examine the context—that is, the “totally of circumstances”—surrounding the alleged harassing conduct; the university must consider the frequency and the severity of the conduct. A single offensive epithet, off-color remark, or ill-chosen example does not constitute a hostile environment. Moreover, the conduct must be such that reasonable members of the academic community—faculty and students—must be convinced that it creates a hostile environment. This definition must not rest on the complainant alone or even an unrepresentative, interested group of faculty or students. Finally, the conduct must be

objectively defined; it cannot rest on anyone's subjective feelings of offense or discomfort.

Admittedly, these tests lack specificity, and they encompass speech (verbal conduct) and action. They provide considerably more guidance, however, than the published standards at most of Florida's public universities.

PROVIDING DUE PROCESS

Because of the potential clash between academic freedom and the prevention of sexual harassment, it is particularly important that complaints be dealt with promptly and fairly. That is, because the "hostile environment" definition of sexual harassment encompasses expression, we must ensure that due process be followed in the handling of complaints that focus on speech, writings, lectures, readings, or assignments. Complaints must be brought within a reasonable period of time following the alleged harassing conduct. University officials charged with the investigation of complaints must provide prompt written notice to alleged offenders, providing a full account of the conduct giving rise to the charges; permit them to inspect and copy all documents relating to the charges; and provide them with a fair opportunity to demonstrate that there is no probable cause to believe that harassment occurred.

In this preliminary investigation, university officials should undertake consultations with the complainants, the alleged offenders, and other relevant parties to determine whether there is reasonable cause to believe that harassment occurred or, alternatively, whether the charges stem from miscommunication or misunderstanding of the definition of sexual harassment. They should also determine whether the charges can be resolved by agreement among the parties. This investigative and consultative phase of the process should be carried out with due regard for the dignity of all individuals involved.

If, after investigation and consultation, university officials are convinced that probable cause exists to believe that harassment occurred and a specific defendant is identified, then they should promptly provide written notification of a hearing before disinterested members of the university community. Such a hearing must not be conducted by the same officials who counseled complainants, investigated the charges, or called for the hearing. The hearing must be conducted with full administrative due process; the burden of proving by weight of evidence that sexual harassment occurred rests on the university; and the defendant must have the right to have counsel present, to confront complainants, and to present testimony and evidence on his or her own behalf.

Disciplinary actions by the university should be in conformity with the recommendations of hearing officers, who should consider not only whether the defendant engaged in harassing conduct but also, if so, the severity and pervasiveness of the conduct and how much it affected the learning environment. Disciplinary actions must be taken only against guilty defendants individually and not collectively against academic departments or groups of faculty or students. Disciplinary actions must not include sanctions designed to coerce thought or belief, humiliate individuals, or subject them to compulsive counseling or training programs.

PRESERVING ACADEMIC FREEDOM AND PREVENTING SEXUAL HARASSMENT

University communities should act now to ensure that the prevention of sexual harassment does not become the enemy of academic freedom. Both values will be diminished or lost altogether if sexual harassment prohibitions are allowed to infringe on free and open discussion, scholarship, and research on our campuses. The potential for unnecessary conflict, and the

resulting diminution of both values, is clearly evident in the published policy statements of our universities. Now is the time to review definitions and procedures in sexual harassment prevention at all of our universities to prevent such a conflict from arising.⁴

NOTES

1. Much of the analysis that follows may also be applicable to the concept of ethnic harassment or to its alleged occurrence. Such an allegation was made of a professor at the University of Illinois for saying that some people advocate equalizing law school admissions by asking questions about soul food. The University of Illinois is currently under a federal injunction prohibiting continued punitive action in such circumstances.

2. These six points are from a statement by the National Association of Scholars, 575 Ewing Street, Princeton, NJ 08540 (phone: 609-683-7878).

3. The quotations in the following paragraphs are from published statements of universities in the State University System of Florida. Attribution to specific universities has been deleted to avoid institutional embarrassment.

4. The preceding analysis emphasizes verbal activities that allegedly create a sexually hostile environment. An example is the questionable hostile sexual environment charges against a financial whistleblower at the University of Illinois Medical School. The analysis is not meant to apply to the substance of charges of assault or rape, as allegedly occurred between a psychology professor and a student at the University of Illinois. The analysis is also not meant to apply to the substance of the charges of intimidation or threats of job retention for sexual favors, as allegedly occurred at the University of Illinois in its fund-raising foundation.

Two Super-Optimum Solutions in a Cutback Mode

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This chapter reviews two approaches toward achieving super-optimum solutions under the duress of organizational downsizing. The first focus is on demotions as an alternative tool in adverse personnel actions. Several applications of the underlying demotion design have been made in the cases of employees who were satisfactory performers, and their goals include increasing individual mastery in community settings, recognizing past service, and retaining valuable human resources. The second focus has more macrofeatures and describes a collective response of a field unit to a corporate demand for substantial emergency savings on an authorized budget.

THE CONTEXT

Various forms of the alternative resolution of problems have appeared in recent years, and Nagel adds to them the fertile notion of super-optimum solutions. His focus is on public controversies, and he urges atten-

tion to that form of resolution whereby participants—who are potential combatants—all “come out ahead of their initial best expectations.” Generically, super-optimum solutions can involve

1. Achieving some goal objectively beyond that considered the best attainable
2. Resolving policy disputes involving apparently intractable positions in opposition (e.g., liberal and conservative goals and priorities)
3. Resolving adjudicative or rule-applying controversies
4. Enabling all sides in a controversy to add substantially to the values received from a solution

Terms such as “super-optimum solutions” should be used sparingly and always carefully. Here, the usage does not just denote a solution that is arguably “better” than a body of experience would lead one to expect. This analysis adds the requirement that qualifying solutions must rest on

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a theoretic base of general applicability that helps solve relatively targeted problems without creating other and less tractable problems.

The purpose here is to expand on the super-optimum solution genre. Policy disputes are not at issue. The focus is on alternative patterns of interaction and their products, in contrast to Nagel's basic emphasis on public policy. Two brief case studies constitute the vehicle for this illustration of how one can usefully expand the sense of super-optimum solutions. Both case studies deal with the management of cutback situations—adverse personnel actions required by obdurate economic conditions. Typically, cutback results in no-win or lose-lose resolutions, and the purpose of this chapter is to illustrate how an alternative model of interaction can help avoid such somber outcomes.

Dour Dynamics of Common Cutbacks

Cutback management is very common in all arenas, and hunkering down seems to be the general order of the day. Native cunning encourages caution, closedness, avoidance, and more than a little whistling in the dark. Few people can tolerate the experience, let alone grow from it or relish it, despite some brave talk about eliminating the dead wood or about becoming lean and mean. Bluntly, cutback sets a proverbial tiger loose in the streets, and neither theory nor experience suffices to manage those often powerful forces. Even “adequate” solutions are rare.

Beta Plant illustrates the typical case of “resolution.” An old facility in the Rust Belt had seen its best days, and even the good ones. Management decided to close the plant, relocate whatever personnel possible, and deal with the others gently and as generously as possible. Employees resisted, however, especially the substantial proportion of them approaching retirement. Many current employees had worked at the plant since it opened more than two

decades ago. Just a bit more time would suit them just fine.

A reluctant management agreed to delay the plant closing in real appreciation for past good works in trying circumstances. Management also realized a demonstration of reasonableness might defang possible union resistance.

This strategy had some surprising effects. For example, management expected a substantial attrition of personnel and a leisurely end-of-game play by those remaining. Both would exacerbate the several and growing inefficiencies of Beta as a work site for doing what a changing technology demanded. Management was surprised, at times pleasantly: The delay was put to good use for planning, which paid dividends, and management even had the time to commission a study of the plant closing. Curiously to management, however, only a few employees left. Even more curious, the remaining employees began setting an almost continuous succession of monthly production records.

These surprises to management imply that they were using an unreliable model of the human effects of the plant closing, and events reinforced this conclusion. Despite constant and orchestrated announcements to the contrary, researchers found that an increasing proportion of employees came to believe that “management can't close a going concern.” In fact, the proportion of such true believers actually peaked in the last survey before the closing, during the month of the highest reduction ever. Employees paid little attention to the schedule for closing, which was widely disseminated. Moreover, most workshop sessions for outplacement experiences had to be canceled because of insufficient attendance, despite the fact that they were held on “company time.”

Hence, the closing came like a bolt out of the blue to many employees, and some suffered strong reactions. Indeed, during the next year so many ex-employees became unavailable—because of illness or death or due to a sudden unwillingness to

have anything to do with Beta—that research on the aftermath of the plant closing was canceled.

Toward a Value-Guided Technology for Cutback

These typical outcomes can be minimized by a standard technology cum values. The line of “action research” labeled organization development (OD) has begun to accumulate theory and experience relevant to the cutback mode, and some derivative applications can reasonably claim super-optimum status. In general, adverse personnel actions have strong lose-lose components for both employees and the employing organization. In contrast, in specific cases OD provides a normatively based technology for extracting some aspects of win-win gold from the lose-lose dross characteristic of cutback.

The purpose here is to illustrate two such cases of super-optimum solutions in cutback situations in which individual needs were met to a greater degree than is usual under conditions of stringent organization demands. The two contexts are not exotic and, in distinct ways, commonly reflect how OD values and approaches can be helpful with regard to cutback situations.

The two cases also differ in significant ways. The first case is labeled “unfolding” because it relies on rudimentary structure and basically trusts the processes and values of OD and thus, in the OD vernacular, “lets things happen” within the context of these processes and values.

The second case is labeled “articulated.” It relies on a detailed design, applied in several different contexts by different teams of facilitators, that seeks to encourage relatively specific outcomes while also enlarging the normal range of choices for both individuals and organizations in cutback situations. In contrast to the first case, in the second there is an inclination to “make things happen.”

CASE 1: ORGANIZATIONAL TOWN MEETING AS UNFOLDING DESIGN

This case derives from the “oil patch,” the petroleum/gas exploration business that is infamous for its boom-and-bust cycles. The specific locus is the Canadian headquarters of a multinational firm, which had grown to several hundred employees in a short period of time under the stimulus of high oil prices.

The case involves a budget crunch and an attempt to gently guide the participants into arriving at a super-optimum or win-win solution. The case illustrates the following:

1. The details involved in the development of a start-up organization
2. The description of a cutback response as a result of a budget crunch that is consistent with organizational development
3. The super-optimum or win-win features of the response to the budget crunch

Critical Prework Toward Regenerative Systems

Since start-up, the management team sought to develop a model organization and devoted considerable time and resources to building a high-involvement culture that was responsive and lean. The creation of “regenerative interaction” constitutes the key feature of this culture. Figure 7.1 depicts how combinations of four variables can generate contrasting models of interpersonal and group interaction. Two extreme combinations of these variables induce “regenerative” and “degenerative” interaction.

The component variables can be briefly described, and details are available elsewhere. One can be open without owning, as in the following common statement: “They, but I can’t tell you who, really dislike what you did on project X.” *Risk* refers

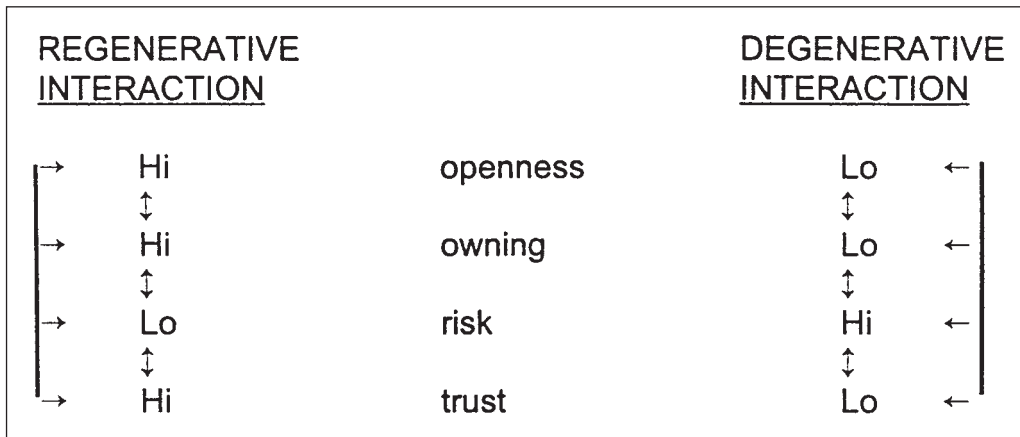


Figure 7.1. Two Models for Interaction and Selected Consequences

to the objective threat in some environment, and *trust* refers to the degree of confidence one has in colleagues that things will be OK.

Figure 7.1 presents another crucial piece of information. It shows various characteristics that cause organizational meetings to degenerate into nonresolution, and it shows opposite characteristics that cause such meetings to regenerate into successful resolution. These key characteristics are a high degree of openness, a high degree of owning or controlling, a low degree of risk, and a high degree of trust.

Probable Consequences of Degenerative Interaction

The following are probable consequences of degenerative interaction:

1. Communication and decision-making procedures become increasingly burdened.
2. Persons become less effective in isolating and resolving substantive issues.
3. The amount of unfinished business increases sharply.
4. Persons feel diminished interpersonal competence and psychological failure,

and they fail to solve problems without creating other problems.

5. Persons become dependent and overcautious, and they respond by “tattling” activities, preoccupation with being “safe,” or “don’t rock the boat” attitudes.
6. Organization norms restricting owning and openness are reinforced or developed by experiences.
7. Tendencies toward fragmentation of organization units are enhanced, particularly when the basic organizing model uses functional or processual departmentalization, which is usually the case.

An Unhappy and Unexpected Learning Opportunity

The regenerative system had an early challenge—an unexpected and unwelcome learning opportunity to test the strength and reaction time of the organization. Progress toward the culture building was advanced but still ongoing when the price of oil experienced a double whammy—both Canadian policies and those of the oil-rich Arabian states depressed prices suddenly and sharply. The prime consequence? An organization in a high-growth mode was “tasked” by corporate to cut

payroll by 20%. This is slightly simplified because expenses also had to be cut. The current description serves well enough, however. The general manager (GM) stated directly, “We are on our way to Camelot, and the world intrudes on our plans.”

On the morning that the GM learned of the bad news, he also decided on a strategy, in collaboration with his management team and an OD consultant. “Decided” is too formal a description of the process, however: The GM stated, “We kind of reflexed into the decision.” After contacting corporate officials to assess degrees of local wriggle room, this rationale and design came to dominate the team’s discussion:

Well, we could go into the common mode—meet behind closed doors, try to keep the lid on things, and draw up the master plan for the fates of others.

But what the hell? That gets us tied in knots, encourages inevitable rumors, and risks losing precisely those people we want most to keep.

Above all, that’s out of sync with the culture we’ve been building.

So, let’s have a kind of organizational town meeting—bring everybody together, beginning tomorrow morning, first thing. We’ll lay out what we know, and decide our common fate.

The “town meeting” began the next morning, with little encumbering structure. The GM led a series of guided discussions that relied heavily on many small “buzz groups” to permit simultaneous expressions of opinion, brainstorming, and so on concerning individual issues. Approximately the first 90 minutes of the town meeting was spent performing the following basic kinds of activities:

1. Ventilation: This entailed a discussion of how individuals felt about the “tasking.”
2. Corporate boundaries: A payroll savings of 20% had to be achieved, which could

be done in any way within certain time constraints.

3. A needs assessment: This entailed a discussion of priorities, given the “task.”
4. General strategies: Six were evaluated (across-the-board cut, etc.), but a participative strategy was the consensus choice.
5. Options available to individuals: These included early retirement, educational leave, and so on.

In each activity, a brief input was followed by discussion or evaluation in buzz groups with shifting memberships, and then reports were made to the total assembly, in which discussion continued until repetition set in. Then the process moved on.

An “aha!” experience came early. The motto became “Let’s do it our way, in our diverse ways.” A voice rang out: “All those interested in working 4 days a week meet over in the northwest corner.” Soon, 8 to 10 gaggles were clustered here and there in the large auditorium—for early retirement, educational leave, a few persons considering voluntary separations, and so on. The firm had its 20% savings basically before the day was over.

It did not all just occur, of course, as the five points demonstrate. The early work toward regenerative interaction fueled the effort, which required unusual openness and trust. Moreover, early on, a steering committee was established to coordinate the several personnel actions to ensure that priorities could be met. In addition, a sophisticated human resources information system permitted quick turnaround on many details. Furthermore, some decisions were not made until the following week as persons checked with a relevant other about planning to have a child, as part-time teaching opportunities at the local business schools were canvassed, and so on. Finally, some decisions applied for only 6 months, although most were applicable for 1 year. Therefore, the associated details and risk would remain until much time had passed.

Normal attrition was expected to provide sufficient flexibility for returning to the status quo ante after the contracted periods.

Aspects of the Super-Optimum Solution

Although information from the organizational town meeting was not gathered in real time, the many follow-up interviews and a master's project provided substantial confidence that the meeting generated major aspects of a super-optimum solution.

Four results illustrate the support for this conclusion. First, an unwelcome task was accomplished with a preponderance of win-win for both management and employees. In both cases, the design sought to empower with a direct motivation. As Slaby notes succinctly, "A feeling of powerlessness goes hand in hand with a sense of unfairness."

Such empowering covered a substantial range, especially for employees for whom choices appeared in many forms. Some employees had only limited choices, such as to decide whether or not to reduce their workweek, usually with some costs either way. Other employees took fuller advantage of the unfortunate opportunity to do things that might ordinarily have been delayed or even forfeited, such as begin a degree program, develop a business on a full- or part-time basis, or have a baby. In one case, an employee with marginal performance appraisals was empowered to seek greater clarity of his chances to succeed in the organization. The result? The individual began a program to remedy certain deficiencies in skills and knowledge and negotiated a reduction in work hours.

Second, awkward consequences were avoided. Thus, management avoided playing God. This is energy depleting at best, and at worst it is often viewed as arbitrary and procrustean. Relatedly, no "survivor's mentality" developed, avoiding variable but tricky potential for later mischief. Per-

haps most of all, the town meeting largely avoided the several debilitations of a top-down effort: an intended secrecy, but often vitiated by rumors if not serious leaks; a dribbling away of morale; people leaving in disgust; possible posturing if not toadying for favored treatment; and so on.

Win-win was not universal, of course. In a few cases, some employees were seen as "not doing what they could," and active efforts were made to surface such issues as they occurred. A consultant encouraged and facilitated such confrontations, with many presumptions of the individuals upon entering the discussion—that individuals would differ in what they "could do" and that consequently any tendencies for a norm of "equal shares" should be resisted, but that in any case colleagues were better off if suspicions of slacking were raised, even if all could not be settled. Several employees also played similar facilitative roles, operating on the same assumptions.

Third, and perhaps paramount, the town meeting design both legitimated and drew strength from the culture of regenerative interaction. The style was applied in a difficult case, and its success was not only affirming but also heightened the probability of the persistence of a regenerative style. Reliance on regenerative interaction, and its persistence under adversity, perhaps best reflects a super-optimum solution in this case. Degenerative interaction is more common in organizational cutback, in which avoiding lawsuits may seem the most desirable goal.

Fourth, some may propose that this approach "wasted time" and hence cannot be adequate, let alone super-optimum, but I do not believe this is true, even in the short term, when one contrasts the town meeting with the typical cutback scenario. In the typical scenario, ideally after top-secret discussions, those to be let go are informed at time close to a normal time boundary, such as noon on a Friday or the afternoon before a holiday. People are given the afternoon to clear out their desks, with the ap-

parent expectation that the succeeding weekend or vacation provides sufficient emotional distance for both those remaining and those being released. The more likely short-term reality has very different features. Management's decision making is likely to be extended and even tumultuous; rumors will overstate the dimensions of the cutback; and an exodus is likely, with the most mobile people being the first to leave and the departures having been known to be so numerous or so strategic that an organization has to simultaneously conduct a cutback and perform numerous personnel searches.

Moreover, in the long term, the typical scenario does not promise benign effects. For example, in the typical scenario, the attempt to distance oneself and others from the immediate pain of the quick personnel shuffles very often will increase the long-term pain for all involved, including concerns that later arise about the justice of it all. Absent the information on which the original cutback was based, survivors may fear the other shoe will soon drop. Also, the fantasies underlying the typical cutback scenario probably will not mirror reality in important particulars, as Sutton and others have shown. For example, people's productivity does not necessarily deteriorate sharply if they are given substantial notice of an adverse personnel action, which represents the quintessential fear that typically rationalizes sudden personnel separations.

CASE 2: DEMOTION EXPERIENCE AS ARTICULATED DESIGN

This section describes another example of a super-optimum solution via OD under cutback conditions, and the word *articulated* has multiple denotations. Basically, unlike in the first case, the design is substantially programmed and is more in line with making things happen than allowing things to happen. Moreover, this design of a super-optimum solution has been applied several

times, beginning in 1971 when a national marketing organization had to sharply reduce its employment even as the national economy was booming. In addition, several teams of facilitators have applied the design in the past few decades. Various pre- versus posttest measures have also estimated effects, and the overall results have been positive in all applications. Finally, the demotion design was first used with organizational members who had substantial prior experience with OD values and approaches, but some subsequent applications involved no prework. The effects have been similar.

The demotion design has a generic OD kinship with the town meeting discussed previously, but the two differ in many respects. The town meeting was held only once, with one facilitator. Moreover, only postintervention data are available for the town meeting, and these derive largely from interviews. In addition, the town meeting design rested on substantial prior experience with OD values, whereas the demotion design seems to profit from such experiences but has been applied successfully without them.

Elements of OD Design for Demotion

The initial demotion design was motivated by an unsuccessful effort to add to the product line of a pharmaceutical firm, which resulted in a major cutback that was long delayed by hopeful marketing executives. Among other actions, the original decision envisioned releasing 13 district managers, all of whom had been satisfactory performers often for 5 to 10 years. Management found the decision unpalatable—both in humanistic terms and in a loss of valuable experience that could be tapped later if sales permitted—but executives saw no reasonable alternative. For example, demotion was viewed by them as both unusual and beset with insurmountable difficulties for employer and employees. Demoted managers would suffer loss of

income and important perks in “picking up the bag” again, and the required changes in attitude and behaviors were seen as beyond the reach of the ex-managers and of management.

A team of OD intervenors, however, persisted in advocating a “demotion experience” for all willing ex-managers, and management relented. Most managers accepted the offer of demotion; only 2 of 13 opted for a generous separation package. The willing ex-managers, along with two facilitators, met at a central location several days after the adverse personnel action.

The demotion design occurred during 2 days. Essentially, it was rooted conceptually in avoiding the following conditions:

1. Imaginings triggered by demotion + relative aloneness + relative helplessness = increases in anxiety, hostility, and depression, all associated with poor coping.
2. Imaginings triggered by demotion + community + mastery = more effective coping, as reflected in reductions in initial anxiety, hostility, and depression.

Details of the design are available elsewhere, but the following dominant themes economically suggest its character:

1. Choice was emphasized throughout the design so as to maximize involvement, commitment, and ownership.
2. The first half of the design focused on building and using a sense of community among the demotees: They shared reactions, feelings, hopes, and fears; they recounted how they dealt with news of the demotions, as in telling spouses; and they practiced ways of talking about their demotion to relevant others—customers, peers, and so on.
3. The second half of the design dealt with establishing relationships between demotees and their new supervisors, who in some cases were chosen by individual

demotees. Pairs discussed sales philosophies, reviewed territories, and so on.

Effects were estimated via pre- and postmeasures on the Multiple Affect Adjective Checklist (MAACL) and by the long-term performance of the demotees.

Four points summarize the results of several applications of the demotion design. First, the MAACL measures three important affects—hostility, anxiety, and aggression—and the demotions not only seem to have sharply increased the levels of all three but also apparently maintained those elevated levels during the interval between the receipt of the news about the option and arrival at the training site. How high is high? Norms from other populations exposed to the MAACL imply that the population of demotees score “high” but not “unusually high,” with the latter referring to decompensations implying the need for clinical intervention. Specifically, perhaps 10% of demotees’ scores attain the top 2% of a standardization sample, with an additional 20% of the scores approaching that level. The demotees’ pretest scores average very much higher than those of their new managers, with all differences typically being statistically significant.

Second, the 2-day demotion experience typically has a major impact on the three MAACL measures for the demotees, almost always in the expected direction. Specifically, as Table 7.1 shows for the original application, there were 33 total paired comparisons of MAACL scores for individuals—11 demotees on three MAACL scales. Twenty-six show reductions, and 3 indicate no change. One demotee did resent the “handholding,” however. Significantly, the participating managers seem to suffer no major adverse effects during the intervention, at least on the MAACL measures (Table 7.1).

The MAACL reductions tend to persist. For the initial application, as Table 7.1 shows, no major regressions in MAACL scores occurred throughout the long posttest, which followed the short posttest by

Table 7.1 SUMMARY OF MAACL SCORES, DAYS 1, 2, AND 3, IN ONE APPLICATION

	Mean Scores, by Administrations			<i>t</i> -Test for Differences Between Pairs and Means		
	1	2	3	1 vs. 2	1 vs. 3	2 vs. 3 ¹
<i>Demotees</i>						
Anxiety	9.8	7.5	6.5	*	*	*
Depression	17.8	14.8	13.6	*	*	*
Hostility	9.5	7.2	7.2	*	*	<i>ns</i>
<i>Managers</i>						
Anxiety	6.3	5.3	4.6	*	*	*
Depression	9.8	9.5	9.5	<i>ns</i>	<i>ns</i>	<i>ns</i>
Hostility	5.1	5.3	5.7	<i>ns</i>	<i>ns</i>	<i>ns</i>

*Statistically significant difference at or higher than $p = .5$; *ns*, a random difference.

approximately 1 month. Not only were all short posttest reductions maintained for demotees, but anxiety and depression also decreased significantly between the second and third administrations of the MAACL.

Fourth, interviews with participants typically reveal no broader adverse effects over time. Several (but not all) applications of the demotion design include a series of interviews—shortly after the experience and extending for several years in one case.

In the initial application, one third of the participants were repromoted during a 3- or 4-year interval, and the population as a whole in the interval experienced no work difficulties beyond normal company experience. All the demotees continued employment except for one, who died of causes unrelated to work.

Aspects of a Super-Optimum Solution

The demotion design has numerous attractive features, and these qualify it as a super-optimum solution in a situation that is usually negative for all and dire for some. Five perspectives suggest how the demo-

tion design can improve this state of affairs, although it cannot eliminate the sting of the personnel action felt by management and the demotees.

First, the demotion design increases the range of alternatives for both management and the demotees. Thus, management can tangibly express its appreciation for a job satisfactorily performed in the past, and valuable experience may be husbanded for economic recovery. Moreover, the decisions by ex-managers relevant to separation and demotion give them real choices not only about remaining or accepting generous separation settlements but also about possibly moving closer to relatives or children and even choosing their new supervisor.

In a critical sense, choice is at the heart of OD, and an enriched set of possibilities increases the chances that real psychological ownership of decisions will result. Hence, one can expect greater commitment to make a success of the adaptations required from all.

Second, not just any choices will do: A choice that involves a probable failure has little to recommend it. The increasing

amount of experience with the demotion design increases confidence that it presents reasonable, informed, and attainable choices. For management and employees, experience indicates that the demotion design can help in the numerous adjustments that both must make in a workable demotion. A key factor may be that all applications of the demotion design of which I have knowledge involve people who were satisfactory performers (or better) in the role from which they were demoted.

Third, the demotion design increases the mutual control by all participants in a difficult situation. Of course, major elements of coercion remain for both major sets of actors, but their diminution seems a definite consequence of the design. This generalization applies least to the new supervisors of the demotees, several of whom reported that they agreed to participate with faint heart. This may explain the significant decrease in anxiety over time for the managers (Figure 7.1). By hypothesis, confirmed by interviews, the managers may have experienced highly elevated anxiety when they initially learned of the demotion experience, which the pretest measures. Evidence such as that reviewed previously may help managers in dealing with this up-front anxiety, ostensibly associated with facing the demotees and perhaps triggered by a conviction that demotions tend to be difficult or impossible for all.

Fourth, the design seems to have positive implications for the survivors of a cutback. Significantly, as interviews generally confirm, the demotion design seems to be viewed by many as a significant sign of a general organizational resolve to be people oriented, and this implies enhanced commitment by all and removes a potential block to performance.

Fifth, the apparent palliative effects of the demotion design constitute a major reason for proposing super-optimum status. Of course, the MAACL scores suggest the stressful character of the adverse personnel action. What we know about their consequences motivates substantial efforts to

moderate the stressful situations and their aftermath. Stress effects can be mundane, if troublesome, but these effects can also unleash dangerous assaults on our immunological systems.

The demotion design, however, does not ease all problems associated with adverse personnel actions. Thus, not all cutbacks permit demotion, although even close observers will be surprised at its incidence in today's human resources administration. Moreover, the initial application of the demotion design did attract some early unfavorable attention, essentially on ethical grounds. The following was the major issue: Who is the client? Clearly, the management was the initiating client, and some observers worried that this might leave the demotees unrepresented and thus potentially disadvantaged.

The issue and related ones are consequential, and the reader can consult the literature regarding efforts to address them. Consider the answer of our consulting team to the question, Who is the client? We viewed our "client" in multiple and shifting terms, as moderated by our sense of an effective organization. Consequently, top management was our client. During the demotion experience, however, the demotees became the focal client, and management understood the privileged status of off-site discussions.

DISCUSSION

The two candidates for super-optimum solution do double duty. They illustrate a technology cum values, usually called OD, and they support the usefulness of Nagel's seminal metaphor. Three points add useful detail supporting these broad conclusions.

First, the two micro case studies rest on a broadly applicable approach to super-optimum solutions via inducing aspects of regenerative interaction between people and groups. This augments Nagel's original list of "procedures," including generating new or novel policy alternatives,

proposing new goals, and bringing in a third party. The OD approach often involves a third party—a change agent or intervenor—but adds to Nagel’s list a focus on useful interpersonal and intergroup processes and interaction that can enrich and enliven exchanges between people.

This focus on models of interaction is at once narrow and ubiquitous in application. Thus, regenerative interaction might well facilitate policy development. For example, I have heard (but do not know for certain) that the Camp David accords rested on the conscious effort to induce regenerative interaction by a skilled facilitator. Also, Nagel rightly highlights Camp David as illustrating a super-optimum solution.

Second, the two cases also add a useful sense of reproducibility of approaches to super-optimum solutions. Both cases involve the induction of aspects of regenerative interaction via techniques that typically “work.” Moreover, the demotion design has been replicated by different

intervenors, in several settings, and at various times. These two senses of reproducibility add to the appeal of super-optimum solutions, which can in part rest on foundations in addition to flashes of insight about, for example, new or novel policies.

Third, the two case studies serve to highlight the challenge inherent in the concept of super-optimum solutions. Their basic definition—as referring to situations from which participants “come out ahead of their initial best expectations”—constitutes a dynamic target. For example, efforts to build regenerative systems are no longer rare, but neither are they usual. This situation may well change. Certainly, the trend line of reliance on OD has been sharply higher during the past two decades. In summary, today’s super-optimum solution can become tomorrow’s initial best expectation or even a commonplace expectation. Therefore, the continual search for super-optimum solutions will be motivated by its own successes.

University to Industry Transfer

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Super-optimum policy solutions are those through which liberals, conservatives, and people holding other major viewpoints all believe themselves to be winners in policy outcomes. Distinct from compromises, in which each side is forced to accept less than the desired outcome, super-optimum policy solutions are consensual. They have the characteristics of fairness, efficiency, stability, and wisdom. Various methods can be used to achieve these outcomes, including expanding the resource base, setting higher goals, and maximizing the benefits to all while minimizing the costs.

Using the knowledge, know-how, and technologies developed in universities to improve the competitiveness of U.S. industry is a super-optimum technology policy solution. Transferring technologies developed at universities to industry vastly expands the resource base by providing companies with no internal research and development (R&D) effort with that capability and by augmenting the R&D of companies with some level of internal effort already in place. By taking advantage of university technology transfer, all companies and policymakers can emphasize inno-

vation as a goal to be included in a competitive business strategy. Having universities as participants in technology transfer activities maximizes the benefits and minimizes the costs to all by providing for shared equipment, personnel, and laboratory facilities. This fact is particularly clear in situations in which precompetitive research is undertaken at university-based centers or consortiums that draw their members from wide groups of industry participants.

Since the early 1980s, U.S. public policy has sought to cultivate this super-optimum technology policy by providing economic incentives for closer ties between institutions of higher education and business enterprises. Much of this competitiveness policy has been formulated in legislation. The Bayh-Dole Act of 1980 began the new policy direction by supplying financial impetus to universities. Since its passage, U.S. research universities have been increasing their technology transfer activities. Bayh-Dole was a watershed because its provisions allowed universities to collect royalties on patentable inventions developed by researchers funded with federal money. Prior to Bayh-Dole, the federal government

maintained rights to any invention resulting from research paid for with taxpayer dollars. Because federal grants comprise the bulk of research money at the top U.S. institutions, this change in public policy has had a large impact.

Although revenues generated from patents and licenses are still a relatively small portion of total university research expenditure (approximately 1.5%), their contribution to the university budget is of increasing importance. In 1992, the nation's top research universities earned a total of \$172 million from royalties and licenses. This amount was 30% higher than that in the prior year. Because of these rapid increases in royalty income, most research universities encourage the pursuit of patents and dedicate scarce resources to technology transfer and licensing activities.

From the university perspective, there are three actors that should be viewed separately: technology transfer administrative personnel, PhD-level researchers with no industrial experience (university-bound researchers), and PhD-level researchers who have interacted with businesses in an effort to transfer knowledge, know-how, or a technology (industry-linked researchers). The authors' sample data contain questionnaire responses from 121 technology transfer administrators, 254 university-bound researchers, and 759 industry-linked researchers. This discussion explores how the viewpoints of these actors differ regarding the definition of "successful" technology transfer interactions with firms, perceptions of the costs and benefits associated with transfer activities, and the factors that may inhibit or promote university linkages to firms.

SUCCESS

What constitutes successful technology transfer from a university to a firm? To examine this issue, industry-linked researchers were asked to respond freely to the fol-

lowing open-ended survey question: "Not all researcher-firm interactions are 'successful.' From your point of view, what constitutes a 'successful' interaction with a firm?"

The text responses to this open-ended question were content analyzed in the following manner. First, a random sample of responses for the question was drawn. Each individual response from this sample was carefully read to identify systematic categories or typical responses. A list of categories was thus developed. Using these categories as a general guideline (adding or deleting categories as seemed appropriate), the rest of the responses were read and frequencies for categories were coded. Inter-coder reliability for research assistants participating in the coding of the open-ended question was maintained at 90% to ensure accuracy of translation from text to systematic categories of responses.

The responses of the industry-linked researchers to the question of what constitutes a successful interaction with a firm were compiled into 12 independent (although perhaps related) categories. As Table 8.1 shows, industry-linked researchers tend to define successful technology transfer primarily in terms of its benefit to the firm, the researcher, or both. Benefits to either the university or society clearly play a smaller role to industry-linked researchers, at least in terms of defining a successful interaction.

COSTS AND BENEFITS

What are the costs and benefits to the university of engaging in technology transfer interactions? Administrators were asked to describe from their vantage point the effect of industry linkages, and these responses were content analyzed. Table 8.2 details the results of this analysis.

As Table 8.2 shows, revenue enhancement in one form or another seems to be noted by many administrators as a primary benefit of interaction with firms, although

Table 8.1 WHAT CONSTITUTES A SUCCESSFUL INTERACTION WITH A FIRM?

<i>Category</i>	<i>% of Industry-Linked Researchers Responding by Category (N = 726)</i>
Benefit to the firm	30
Benefit to the researcher	28
Mutual benefit to the firm and the researcher	27
A new product is developed	16
A trusting and strong collaborative relationship is built	14
Long-term or repeated interaction with the firm results	13
Benefit to the university	11
Expectations are met (the project is completed)	11
Transfer of information, people, technology, money, facilities	10
A mutual understanding between the researcher and firm develops	10
Frequent site visits occur	3
Benefit to society	2

the benefit of exposing students to industrial problems is not overlooked. Interestingly, a significant number of administrators cite the overall benefit to society as important. This position is of note, especially given industry-linked researchers' low emphasis on social payoff. Costs are apparently seen across two dimensions. The first is in the loftier realm of university purpose. Clearly, some concerns are expressed regarding the effect of technology transfer activities on the traditional role of the university (the marketplace of ideas, with the emphasis on basic research and educating the next generation of basic researchers). On the second dimension, costs are denoted on a practical level. Here, administrators refer to the very real details of implementation in which conflicts of interest, intellectual property disputes, and legal costs loom large.

INHIBITING AND PROMOTING FACTORS

From a policy-implementation perspective, understanding the factors that retard or promote university-firm technology transfer interaction is paramount. Removing barriers and providing enticements will result in more universal adoption of the desired policy. From the perspective of university personnel, what are these factors?

Administrators and researchers were all asked to respond to the open-ended question, "In your judgment, what are the most important factors inhibiting or promoting the involvement of university researchers in technology transfer and industrial innovation efforts?" Table 8.3 reports these findings.

Researchers provide more variety in their responses. Although agreeing with

Table 8.2 **BENEFITS AND COSTS OF TECHNOLOGY TRANSFER TO UNIVERSITIES**

<i>Category</i>	<i>% of Administrators Responding by Category (N = 95)</i>
<i>Benefits</i>	
Money for research	68
Employment and support for students	39
“Real-world” experiences and training for students	39
Potential licensing revenue and extra income for faculty	37
Benefits to society from economic position of the nation	23
Advance the progress on research problems and programs	14
Good public relations for the university	12
Access to industrial equipment	6
Enhance applied research	3
<i>Costs</i>	
Distortion of academic principles and the university’s mission	34
Creation of conflicts of interest	23
Time consumption	21
Administrative and legal costs	19
Intellectual property disputes	14
Threat to basic research	10
Firm support is extremely short-lived	7
Lack of control over work	3
Need for increased accountability measures	3

administrators that conflict of interest and differing organizational cultures inhibit technology transfer activities, researchers also cite factors such as extensive time demand of technology transfer activities, lack of exposure to firms, and the shortsightedness of firms as obstacles. Researchers agree with administrators that financial incentives promote technology transfer interactions, but researchers also point to factors such as finding mutual interests among participants and having frequent contacts with firm personnel as helpful.

CONCLUSION

Technology transfer from universities to industry can be viewed as a super-optimum policy solution to the problem of U.S. competitiveness in several ways. First, university-industry technology transfer establishes the higher policy goal of improving competitiveness by increasing and speeding the diffusion of innovations. Second, technology transfer maximizes the shared benefits of increased R&D to all firms while minimizing the costs to all by

Table 8.3 INHIBITING OR PROMOTING UNIVERSITY-FIRM TRANSFER

<i>Category</i>	<i>% of Administrators Responding by Category (N = 93)</i>
<i>Inhibiting</i>	
Different organizational cultures	36
Conflict of interest	34
Focus on basic research	24
Intellectual property dispute	23
Ambiguous university policies	14
Time consumption	11
Publication disputes	10
Lack of incentives	8
Lack of knowledge of technology process	7
<i>Promoting</i>	
University and faculty need for research funding	30
Development of commercial application for profit through royalty	12
Frequent contact between university and firm personnel	11
University service mission (to industry and to government)	9
Experienced scientists with prior good experience with firms	8
Provides “real-world” experience with students	5

taking advantage of shared personnel, equipment, and facilities. Finally, university transfers of knowledge, know-how, and technology to industry enlarge the R&D resource base of the entire nation.

Given the possibility of revenue enhancement since the passage of the Bayh-Dole Act, technology transfer activities are of increasing concern to research universities. Universities can perform better in this arena if their knowledge of the technology transfer process is improved. One way to improve this understanding is to examine how university technology transfer administrators and researchers conceptualize and evaluate certain aspects of technology

transfer. This chapter has examined how actors within the university answer three key questions: What constitutes successful technology transfer? What are the costs and benefits? What are the most important factors that inhibit or promote technology transfer?

The researchers responding to the survey results presented here do not generally define technology transfer in the typical linear approach presented in the literature. University researchers tend to view success far more in the wider terms of researcher-firm mutual benefit than in the narrow terms of merely passing a device to a firm. There is little social perspective, however,

in the researchers' construct for benefit to society. Innovation, diffusion, and adoption are not considered.

University administrators view the benefits of technology transfer activities in financial terms, whereas the costs are defined in terms of the stresses placed on the university. Particularly highlighted are the stresses associated with the movement to a commercial model and its impact on the traditional university mission of basic research performed by a researcher with no

other self-interest than the advancement of science.

What clearly emerges from the analysis of the question of promoting factors is that direct economic pressures serve to drive both administrators and researchers to undertake technology transfer efforts. On the other hand, the major obstacle to university-firm technology transfer is the differing organizational cultures of the universities and businesses.

Profit Sharing and Job Anxiety

Moving Public Policy Toward a Win-Win Solution

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Profit sharing and other alternative payment systems are not new concepts. The notion of paying workers other than a time-based wage was certainly present in modern economies at their inception in the 19th century and even before. There have been waves of interest in such systems during various periods, however; the 1980s was the most recent example, and this latest wave of interest carried over into the 1990s.

MOTIVATIONS TO ADOPT

An interesting question, therefore, is why now? What is there about the circumstances of the 1980s and 1990s that provoked renewed attention to alternative pay systems? A simple answer might be that economists—notably Martin Weitzman—happened to write about the advantages of profit sharing in the 1980s, and that the idea passed from the academic literature to the popular. This response, however, is clearly inadequate. Weitzman was induced

to consider alternatives to the standard wage system by an American economic problem of the time, namely, “stagflation.” Moreover, actual high-profile experiments with profit sharing in the United States during the 1980s predate Weitzman’s initial contributions, notably in the automobile industry.

My premise in this chapter is that interest in profit sharing—often viewed as a form of “flexible” pay—is part of a more general concern by employers and policymakers about flexibility in personnel practices. Therefore, we must ask why the employer push for flexibility developed in the 1980s in all market economies. At the most general level, my answer to this question is that it developed due to increased uncertainty in the marketplace.

Flexibility (in pay or any other personnel policy) has value to employers only if future conditions cannot be predicted. In an unchanging economy, a stable equilibrium of labor practices would be achieved and there would be no need to worry about contingencies. The same practices would

be optimum, period after period. Thus, if one believes that the uncertainties that appeared in the marketplace in the 1980s were (or are) transitory, one would predict that interest in flexibility—including the kind of pay flexibility represented by profit sharing—will diminish. I argue that such a return to stability is unlikely and, thus, that profit sharing in particular will have special value in the future.

Profit sharing is a desirable way to contract in the labor market; it allows some product market risk to be absorbed by labor in the form of variable pay in exchange for more job security. When such variable pay is not part of the contract, the result is likely to be socially undesirable labor market outcomes. These outcomes may be excessively high unemployment rates (as in some European countries) or an excessively insecure employment relationship (as in the United States). Regardless of the level of overall unemployment, those who have the misfortune of becoming unemployed suffer long durations of job search due to employer reluctance to hire. Although profit sharing is a desirable way to structure the employment contract, it needs public encouragement. Firms will not adopt sufficient profit sharing on their own, due in part to the fact that the macrolevel benefits of profit sharing are external to the firm. There is now a considerable literature reviewing research evidence on the impact of profit sharing. In general, this literature finds a positive impact of profit sharing on productivity or profitability or both. The conclusion is not unanimous, however, and it is sensitive to model specification; in particular, simultaneous specifications do not always support a causal link from profit sharing to some firm performance measure. There is also evidence that profit sharing has an employment-stabilizing effect in the face of varying demand. Profit-sharing research is part of a wider range of studies dealing with other forms of alternative compensation, ranging from piece rates to employee stock ownership, and their impact on firm performance.

The historical literature suggests that the use of particular pay systems (including profit sharing) has varied over time. It suggests that there is a strong element of historical accident and management fad in plan usage in any particular period. That is, pure efficiency considerations play only a part in determining how pay systems evolve. Government policy, however, in the form of either tax incentives or mandates, can strongly affect employer compensation policy.

Generally, historical review of the literature regarding profit sharing indicates three motivations for installation of such plans. First, profit sharing is viewed as a possible method of alleviating labor-management tensions in the larger society or in particular firms. A left-of-center interpretation might be that profit sharing is a social advance because it diverts income that might otherwise go to profit recipients to workers. A right-of-center view might be that by making workers into minicapitalists, profit sharing will induce an appreciation of markets and capitalism. These various arguments for profit sharing can be characterized as ideological.

A second argument for profit sharing is that it will function as a motivational device for workers. It is recognized that because profit sharing is a group plan, there is a danger of individual shirking and free riding. Steps can be taken to encourage group monitoring, however. Although other forms of motivational tools can be used (notably, piece rates), such arrangements may create problems of quantity over quality and of labor-management frictions and restrictions of output when work standards must be reset. The motivational arguments for profit sharing can be characterized as the incentive approach.

Finally, the third argument for profit sharing is that it will reduce unemployment. Weitzman's "share economy" proposal is in this category. The idea that profit sharing creates wage flexibility that might encourage employment, however, can be found much earlier and was cer-

tainly present during the Great Depression of the 1930s. This argument for profit sharing can be characterized as macroeconomic.

COMPARING COUNTRIES

Although the academic literature has not had much effect on actual public policy in the United States, the British experience has been different. In the late 1980s, Britain adopted tax incentives for profit sharing (and certain other kinds of share plans), partly in response to Weitzman and partly in response to the right-of-center ideological approach. Even earlier, the French had required forms of profit sharing for right-of-center ideological reasons and later with some macroeconomic motivation as well. The fact that the profit-sharing approach can be attractive across the political spectrum internationally suggests that it is one of those rare “win-win” targets for public policy. The challenge is to bring that spirit to the United States.

Here, I argue that incentives for the installation of profit sharing are desirable, regardless of the motivation of the politicians who propose them. There is an unfortunate notion, however, that installation of profit sharing is just a hidden way of cutting wages. Such a notion may be persuasive to those in authority who believe that current problems of unemployment are due to too high real wages and that profit sharing will undo these wages by hidden means. It will hardly serve to make the idea of profit sharing popular among wage earners, however. My argument is different: Profit sharing is a better way to allocate risk than current labor market institutions frequently allow.

American employers have more legal freedom to lay off or terminate unwanted workers than do those in many other industrialized countries. Thus, the lesson has been drawn that by relaxing legal restrictions, other countries could lower their unemployment rates. There is a missing link

in this argument, however. The kinds of employment guarantees that are viewed as the culprits for unemployment in the flexibility literature are basically a form of “insurance” for risk-averse workers. Just as with other forms of insurance and benefits that employers often provide, employment insurance has a cost. It will not add to total labor costs on a one-for-one basis, however.

How much it adds depends on how much of the cost is absorbed by labor. In principle, all the cost could be absorbed by labor, leaving no added cost to the employer. There is a considerable literature dealing with the absorption by labor of payroll taxes and benefit costs that is often ignored in calls for more employer flexibility as a remedy for unemployment. There is an important difference, however, between the cost of a payroll tax or a benefit such as a pension and the cost of an employment guarantee. The difference lies in the degree to which the eventual expense can be predicted. Taxes and pensions have predictable costs, but in an unstable economy the cost of job security to the employer may be both significant and difficult to anticipate.

As with other options, the cost will increase with the variability of the underlying asset (in this case, the value of the worker to the firm). In addition, employers may behave as insurance companies sometimes do when faced with risks that are difficult to appraise: They will try to avoid writing policies rather than attempting to price them. For employers, this means cessation of employment contracts that provide job security, reductions in hiring into positions that have security guarantees, or both.

The United States has comparatively little regulation of employer freedom to lay off workers, especially in response to economic fluctuations in the product market. Thus, shifts in American labor market structure are likely to reflect changing market forces rather than shifts in public policy. Changes observed in U.S. labor markets during the 1990s suggest that

American employers have begun to exhibit the kind of reluctance to hire that earlier characterized their counterparts in other countries, despite increasing reports of labor shortages. In turn, these findings suggest that greater uncertainty in the marketplace is being anticipated.

JOB ANXIETY

The duration of unemployment is at high levels, given low unemployment. Although there is no continuous measurement of the flow into the unemployment pool, the number of weekly new claims for unemployment insurance serves as a proxy. Such claims are currently at very low levels. Together, the claims data and the duration data suggest a labor market in which relatively few individuals are becoming unemployed, but those who do become unemployed have a difficult time finding new jobs. That is, employers are hanging on to existing employees and showing surprisingly little interest in acquiring new ones. The unemployment rate is the product of those entering unemployment and their duration in the unemployment pool. Thus, it is quite possible for these two influences to produce both a low rate and a high duration of unemployment.

Thus, in the United States, as in other countries, employers seem to be reluctant to hire and to commit to maintaining the employment relationship. An important question, therefore, is whether current labor market trends are producing employment contracts that meet employee demands for security and employer demands for flexibility. In my view, the answer is “no.” Neither labor markets characterized by high levels of unemployment (as have appeared outside the United States) nor the erosion of the employment relationship (as has appeared in the United States) seems optimum. Profit sharing, however, can assist in structuring a better form of contract.

If workers value both wages and job security and employers need flexibility to

meet uncertain demand, an optimum contract is likely to reflect all these preferences. It is likely to have a fixed-wage element and a variable-pay element in which the latter adjusts to changing demand levels. To some extent, the fixed-wage element and the variable-pay element should be substitutes (even if not perfect substitutes). Pay received from the variable element adds to worker income, as does the fixed wage. In addition, if the employer is providing some degree of job security, that, too, represents a cost to the employer and a benefit to the worker.

Because such a system has a labor-demand stabilizing potential, it also has the potential to reduce the amplitude of the business cycle and the accompanying waste of economic resources. Such a potential represents an externality not captured at the microlevel. That is, profit-sharing contracts will tend to be underused if pure market forces are relied on to induce their implementation. Moreover, there may be institutional lethargy in departing from an existing pattern of employment contracts and pay systems.

Where there are union contracts, there is available to workers an agent to monitor the variable payment and to ensure that any adjustments in that component actually follow true product demand variations. In addition, the terms of the bargain—how much job security is to be provided in return for how much risk absorption by labor—can be specified in an explicit contract. As noted earlier, however, American experience suggests that although union attitudes have shifted with regard to profit sharing relative to the pre-1980 period, there is still only limited use of such arrangements in the union sector.

Nonunion employees have a disadvantage under profit-sharing arrangements in not having an agent that can monitor profits and negotiate explicit trade-offs between risk sharing and job security. This problem is even greater in the case of lump-sum bonuses that do not have a formal tie to profitability. There is no information on

how widespread bonuses of the lump-sum variety are in nonunion settings in the United States. Nonunion employees have long received bonuses for individual productivity. Nonproduction bonuses, however, do not account for a large fraction of pay (although they do so more than in the union sector).

Regardless of sector—union or non-union—profit sharing cannot reach the magnitude of bonus needed for employment stabilization and risk sharing if it is simply added on to the levels of labor compensation that would prevail absent a share arrangement. The numbers simply will not add up. For example, in the United States, corporate profits before tax amount to approximately one tenth of labor compensation in a reasonably good year. Thus, if all profit income were given to labor in a profit-sharing scheme, the bonus payment would be only approximately 10%.

An “add-on” plan that gave, for example, 20% of profits to workers (presumably in the hopes of increasing productivity) would therefore provide a bonus payment of approximately 2% of total compensation in a typical American corporation. On the other hand, suppose the (fixed) base wage were reduced by 10% in exchange for a scheme that over the cycle provided an offsetting 10% bonus. Under such an arrangement, workers would receive the same average level of pay over the business cycle in wage plus bonus that they received before in wages alone. Total pay, however, would be more variable due to the bonus component. Prebonus profits would double over the cycle, but workers would have a profit-sharing plan that gave them 50% of profits (and 50% of the variability of profits).

At such magnitudes, employment-stabilizing effects would be available. Surely, with a reduction in profit variability of one half, stabilizing employment would be facilitated. In addition, there might be Weitzman-style employment-expansion effects because of the lower base wage and marginal cost of hiring.

Clearly, absorption of the bonus in the base wage is important if dramatic moves toward a profit-sharing economy are to take place. To encourage absorption, public policy should aim at promoting plans in which the bonus is viewed by workers to be highly substitutable for the base wage. Plans that put the bonus into a deferred retirement fund are less likely to promote absorption (given the absence of perfect capital markets) than those that pay cash bonuses. Thus, tax incentives should be given to cash plans that are at least as generous as those given to deferred plans.

National tax policies that only give tax preferences to profit sharing if it operates as a pension do not promote absorption. American tax policies are of this variety. The same is true of systems based on mandates; mandated deferred profit sharing does not promote absorption. Indeed, the French experience has been that mandating deferred profit sharing leads employers to discontinue cash profit sharing to finance the compulsory plan.

CONCLUSIONS

In summary, interest in profit sharing among employers and policymakers since the 1980s is part of a general search for flexibility. Economic analysis of the type associated with the Weitzman proposal suggests that profit sharing as a form of flexible pay would have desirable macroeconomic properties. These macro considerations, however, are not reflected in private pay setting practices that are based solely on microincentives. There is a win-win element in the profit-sharing proposal: Both employers and workers would benefit from a more stable economy. Thus, a role for public policy in fostering profit sharing is desirable, and I advocate such an approach.

Perceived increases in risk in product markets will translate into higher unemployment if linked to an employment guarantee based on mandate or practice and if

the cost of job insurance is not borne by labor. There is a need for more efficient employment contracts that balance employer and employee needs in the face of increased risk in the product market. Such arrangements, however, seem to be slow in coming when left entirely to private determination, again suggesting a win-win aspect of the profit-sharing proposal. An efficient contract would surely have a profit-sharing element, even if that element were simply a bonus implicitly linked to profits. Although there has been a move in this direction, the magnitude has been small.

Some European countries seem to be stuck with permanently high unemploy-

ment that cannot be reduced by demand measures without causing inflation. In contrast, the United States has achieved low unemployment but with a kind of employment flexibility that has downgraded the quality of the employment relationship. As in Europe, it has produced unusually long periods of unemployment for those unlucky enough to be jobless. On both continents, it is time to move beyond vague calls for pay for performance and flexibility and move toward more concrete encouragement of profit sharing as a major element in compensation. There is no reason why the United States cannot take the lead.

Another Win-Win Occurrence

Economists (especially Keynesian economists) have argued that an expanding economy requires (or generally requires) deficit spending to stimulate the economy. If the government spends more than it taxes (an undesirable occurrence), than the gross national product (GNP) increases (a desirable occurrence).

Deficits are undesirable because they cause (a) government borrowing, which raises interest rates, which in turn hurts the economy; (b) inflexibility in needed government spending because much of the budget is used to pay interest on the debt; and (c) a class of relatively unproductive people who live off unnecessary interest paid by taxpayers. An increased real GNP is desirable because it means more jobs, higher wages, more funds available for education and other worthwhile government programs, and improved quality of life via private purchasing.

Traditional trade-off thinking holds that we must accept undesirable costs to get desirable benefits. Win-win thinking holds that we can avoid the undesirable costs of large deficits and still have economic growth. Figure 10.1 shows deficits

turning into surpluses as of 1998. Figure 10.2 indirectly shows recent GNP growth from less than \$5 trillion in 1990 to more than \$7 trillion in 1998.

This win-win occurrence is a result of improved technology, training, competition, free trade, and public policy. These factors cause increased GNP. An increased GNP enables the government to have increased revenue from income taxes and have decreased welfare costs. These two factors lower the deficit, especially as a percentage of the GNP.

Readers should not think that win-win analysis is biased against liberal economists such as Keynes. For example, the Phillips curve is associated with conservatives, who state that we have to suffer unemployment to avoid inflation. Page 4 of the autumn 1996 issue of *Policy Evaluation* shows unemployment decreasing in the 1990s to a generation low of 4.3% and inflation simultaneously decreasing to less than 1%, which is almost nothing. More information on the win-win aspects of inflation, the money supply, and other conservative concerns is provided in the summer 1999 issue of *Policy Evaluation*.

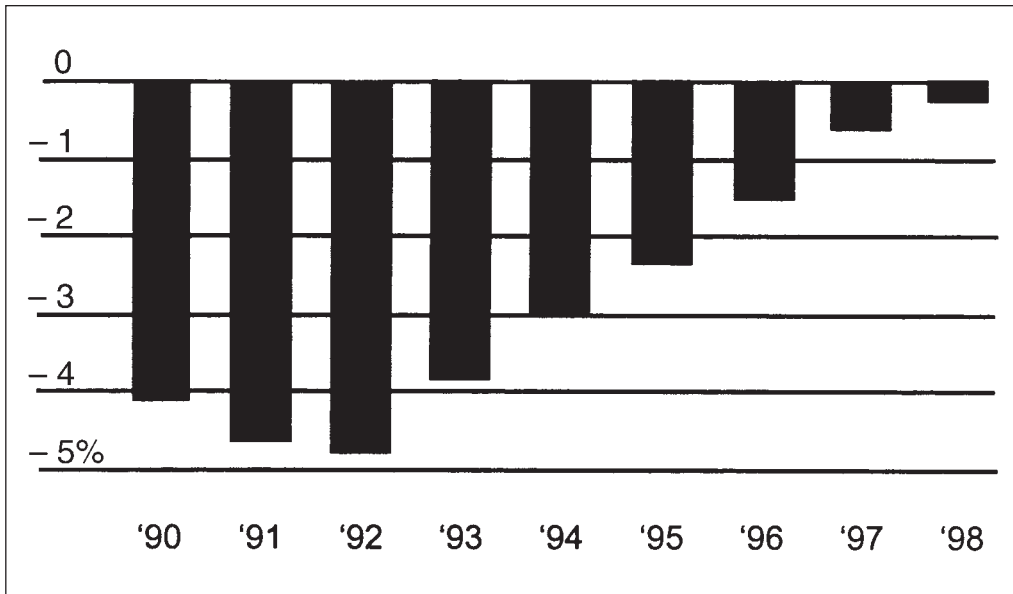


Figure 10.1. Federal Budget Deficit as a Percentage of Gross National Product

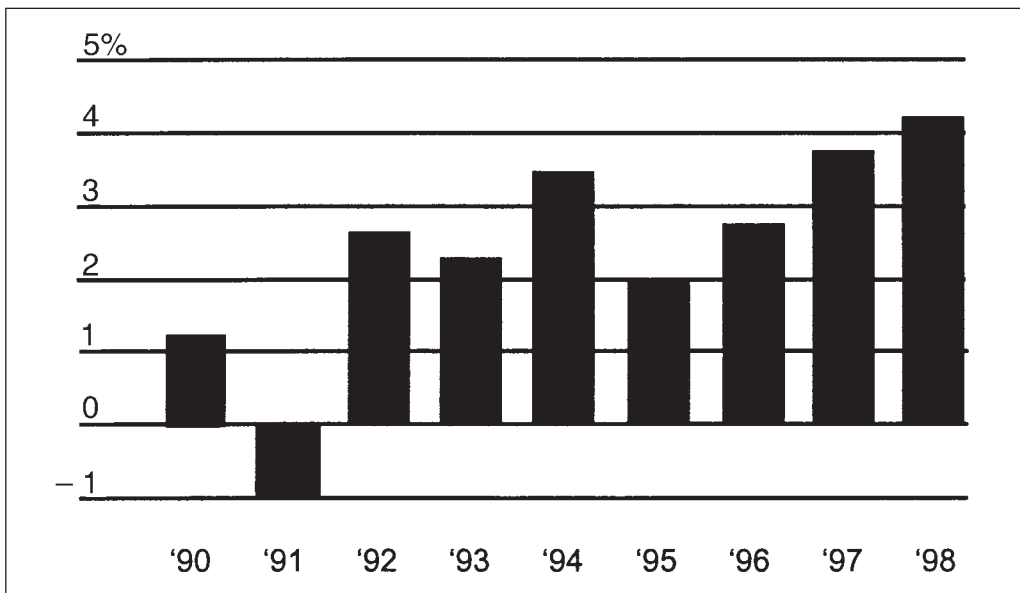


Figure 10.2. Percentage Change in Gross National Product

Part 3

PUBLIC
POLICY STUDIES

Policy Evaluation Questions

The questions in this chapter were distributed at the all-campus faculty seminar of the Everett Dirksen-Adlai Stevenson Institute on International Policy Studies at the University of Illinois. There are 10 questions on economic, technology, social, political, international, and legal policy. There are 19 questions on policy analysis methods. The substance questions emphasize conservative-liberal conflict. They are partially designed to stimulate win-win thinking.

ECONOMIC POLICY

1. How can we simultaneously have low inflation and low unemployment?
2. How can we simultaneously have low tax rates, expensive government services, and a low budget deficit?
3. How can we simultaneously have the productivity of private profit and the equitable allocation of quality living that usually goes with collective responsibility?
4. How can farmers have adequate incomes while food consumers pay low prices without wasteful government subsidies?
5. How can management and labor simultaneously prosper?

6. How can business have entrepreneurial freedom while consumers are provided quality products at low prices without government regulation?
7. How can we most effectively upgrade labor skills and business technologies, especially in light of the right combination of private initiatives and government incentives?
8. How can we best combine sales taxes that are easy to collect with income taxes that are based on ability to pay?
9. How can we arrange for personal income to reflect better quality and quantity of performance, such as paying stock brokers-advisers a percentage of dividends or profits received by stock buyers instead of a percentage of the sales price?
10. How can we provide land reform or retraining for displaced farmworkers, especially in developing countries, in ways that are feasible politically, administratively, economically, technologically, legally, and psychologically?

TECHNOLOGY POLICY

1. How can business prosper while simultaneously reducing pollution?

2. How can low-cost housing be provided to the poor without the undesirable effects of eliminating housing profits, raising taxes, and congesting poor people together?
3. How can the time consumption of commuter transportation be decreased while still allowing freedom to drive to work?
4. How can energy be provided that is simultaneously safe, clean, and inexpensive?
5. How can health care be provided that is high on quality, accessible to all, and low on cost to taxpayers and consumers?
6. How can new technologies be encouraged without providing monopolistic abuses to investors?
7. How can solid waste collection and recycling be provided with regard to the roles of private enterprise and government activity?
8. How far should toxic waste cleanup be carried, and how should the costs be allocated?
9. How can housing for the homeless be provided in terms of construction, retraining, substance abuse, emergency shelters, and mental outlook?
10. How can policy issues raised by new forms of communication, including issues of censorship, competition, geographical access, availability to the poor, privacy, and teaching aspects, be dealt with?

SOCIAL POLICY

1. How can we provide for merit hiring and college admissions and simultaneously obtain diversity of minority representation?
2. How can we best deal with dependent children and the totally disabled in a manner that is both productive and humane?

3. How can we stop the killing of unborn babies and simultaneously stop the killing of pregnant mothers through back-alley abortions?
4. How can we provide for adequate elementary and secondary education without an unreasonable tax burden and forced busing?
5. How can we preserve the social security system without the tax burden becoming unbearable?
6. How can there be merit downsizing in higher education while preserving the academic freedom that goes with tenure?
7. What is the proper role of government in providing participatory and spectator leisure-time activities regarding arts, sports, gambling, and adult education?
8. How long should the workweek be, beyond which employers must pay time-and-a-half overtime?
9. How can we reduce teenage pregnancy in terms of abstinence, birth control, and other means?
10. What should the rules be on divorce, child adoption, child support, and marriage eligibility?

POLITICAL POLICY

1. How can we have the coordination of federal and executive government with the responsiveness of local and legislative government?
2. How can we have the protection of civil liberties that goes with judicial review while having the majoritarian democracy that goes with legislative supremacy?
3. How can we greatly increase our low voter turnout while not making it easier for some people to vote more than once?
4. How can we avoid the divisiveness of drawing minority districts while simul-

- taneously providing minority representation?
5. How can we have the stability and accountability of a two-party system while obtaining the responsiveness of a multiple-party system?
 6. How can we allow the free speech aspects of campaigning and campaign finance while avoiding the control of politicians by large campaign contributors?
 7. How can technical competence among people in government be provided while simultaneously providing for responsiveness to popular values?
 8. How can we draw legislative districts so as to simultaneously provide for (a) proportional representation of the parties in the legislature, (b) equal population per district, (c) compact contiguous districts, and (d) as much competition as possible between the parties in each district?
 9. How can we combine the responsiveness of short terms with the experience that goes with long terms for legislators and chief executives?
 10. How and should we provide for voting to indicate second choices so that winners will have a majority without a runoff election having to be performed?
4. What U.S., United Nations, or other foreign policies are appropriate for promoting peace, prosperity, and democracy in developing and industrialized nations without unacceptable loss of lives, tax burdens, and domestic interference?
 5. How can we facilitate international technology transfer that promotes better customers, suppliers, and investment outlets for the United States and others without discouraging inventors and disrupting U.S. competition?
 6. How can we have a strong dollar that will enable U.S. businesses and consumers to easily buy overseas products and at the same time have an affordable dollar so that overseas buyers can buy U.S. products?
 7. What should U.S. foreign policy be toward the five countries that are currently listed as terrorist states—Cuba, Iran, Iraq, Libya, and North Korea?
 8. What should U.S. foreign policy be toward such current or potential trouble spots as the Middle East, the Taiwan Straits, south Asia, the Caucasus region of the former Soviet Union, and the former Yugoslavia?
 9. How should U.S. defense policy change further in light of the end of the Cold War, the absence of international wars since 1992, and the recent substantial lessening of civil wars?
 10. What should U.S. policy be on American factories locating abroad and foreign factories locating to the United States?

INTERNATIONAL POLICY

1. How can we obtain the benefits of selling our products overseas without the disruption of overseas competition displacing American and other workers?
2. How can we obtain the benefits of immigration that add to our economy without the costs that reduce our economic prosperity?
3. How can we provide for an effective peace-keeping United Nations without losing American sovereignty?

LEGAL POLICY

1. How can we decrease drug usage without the undesirable side effects of police abuses, overflowing prisons, AIDS, and crime to obtain drug money?
2. How can we protect the innocent from conviction and harassment while still

making it easy to arrest and convict the guilty?

3. How can we enable injured persons to get compensation without such liability becoming excessive?
4. How can we have separation of church and state and simultaneously allow for a school system that is rich in widely acceptable religious content?
5. How can we provide attorneys for the poor in criminal and civil cases without excessive taxpayer expense and political opposition?
6. How can we deter or decrease wrongdoing through effective punishments and doing-right facilitators without being overly severe, lenient, inaccurate, or irrelevant?
7. How can we hold more arrested people in jail to keep them from committing crimes after they are released and to keep them from not showing up for their trials while simultaneously hold less arrested people in jail so as to reduce jail costs, lost productivity, and bitterness?
8. How can we get the cost-saving benefits of bribing or threatening defendants to plead guilty while simultaneously avoiding the overly lenient sentencing of those defendants who have strong bargaining power and the overly severe sentences of those who have weak bargaining power?
9. How can we provide for greater delay reduction in the courts without excessive costs or denial of due process?
10. How can we provide free speech even when dealing with abhorrent communications that advocate violence, rape, and other criminal behavior but do not represent a clear and present danger of causing that behavior?

POLICY ANALYSIS METHODS

1. If one is faced with Policy X1, which yields B1 benefits at P1 probability, versus Policy X2, which yields B2 benefits at P2 probability, then how does one decide between the two policies, taking into consideration that some policy-makers are more risk averse than others?
2. If one is faced with Policy X1, which yields B1 benefits at C1 costs, versus Policy X2, which yields B2 benefits at C2 costs, then how does one decide between the two policies if B1/C1 is greater than B2/C2, but B1 – C1 is less than B2 – C2?
3. If one is faced with Policy X1, which yields B1 benefits at C1 costs, versus Policy X2, which yields B2 benefits at C2 costs, then how does one decide between the two policies if information on any one of the four variables is missing? Any two? Any three? All four?
4. If one is faced with Policy X1, which yields B1 benefits at C1 costs, versus Policy X2, which yields B2 benefits at C2 costs, then how does one decide between the two policies if any one or more of benefits or costs do not occur for T years?
5. If one is faced with Policy X1, with B1 benefits at C1 costs, versus Policy X2, with B2 benefits at C2 costs, then how does one decide between the two policies if one or more of the benefits or costs are nonmonetary and not easily monetized?
6. How does one determine the benefits and costs of a policy?
7. How does one determine what the policy alternatives are or could be?
8. Who makes the decision on how to resolve questions 1 through 7 and those that follow?
9. What factors explain variances in why some policies are subsequently adopted or implemented and others are rejected or fail in different times and places?
10. How can one arrange experimentally or observe naturally an experimental

- group and a control group for determining the effects of policies, especially in light of reciprocal causation, spurious causation, and other confounding occurrences?
11. What value is there in policy evaluation to have broad normative schemes, such as democracy, autocracy, capitalism, socialism, libertarianism, communitarianism, utilitarianism, or religious systems?
 12. How can one systematically deal with policy problems for which doing too much or too little is undesirable?
 13. How can one systematically deal with policy problems for which scarce resources need to be allocated to persons, places, or things rather than the easier problem of choosing or ranking discrete policies?
 14. When conservatives advocate X1 to achieve Y1 and liberals advocate X2 to achieve Y2, how can one develop an X3 that will achieve more Y1 than can X1 and simultaneously achieve more Y2 than can X2? Such an X3 is referred to as a win-win solution.
 15. How can one deal with conflicting constraints such as (a) each entity must receive a minimum allocation and (b) the sum of the minimums is more than the total budget?
 16. How can public policy (a) increase the benefits of doing right, (b) decrease the costs of doing right, (c) decrease the benefits of doing wrong, (d) increase the costs of doing wrong, and (e) increase the probabilities of those benefits and costs occurring?
 17. How can policymakers decide on appropriate allocations of authority to (a) the public and private sectors; (b) the levels and branches of government; and (c) the government vis-à-vis the political parties, interests groups, and the electorate?
 18. How can universities (including Illinois) structure their curriculums and activities so that they can make more of a contribution to resolving or ameliorating substantive and methodological policy problems?
 19. How does and should policymaking deal with constraints that are economic, political, administrative, psychological, legal, and technological?

Integrating Institutions and Implementation Into Policy Decisions

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As the developing world moves into the new millennium, experience with policy reform has demonstrated that socioeconomic transformation, when it takes place, is the product of what Joan Nelson terms “long-haul” adjustments rather than “quick-fix” measures. The earlier notion that manipulating a few, key technical policy variables (e.g., getting the prices right) would relatively quickly set in motion a societal metamorphosis has given way to a more sober, patient perspective. This viewpoint holds that the variables involved in policy change are numerous; extend beyond the narrowly economic and technical to include social, political, cultural, and institutional dimensions; and interact in complex and incompletely predictable ways that are highly context-specific. Long-haul reforms call for a different kind of policy analysis to help guide decision makers: analysis that makes sense of these broader factors and

pays explicit attention to what it takes to make policy changes happen, not simply design what they should do.

Today these broader societal factors are even more critical because in many developing countries economic and sectoral policies are being pursued in an environment of profound upheaval. The winds of political liberalization that swept Eastern Europe and the former Soviet Union in the late 1980s and early 1990s are blowing dramatically across Africa, Latin America, and into Asia as well. State-society linkages are in flux, and policymakers are confronted with new demands from previously excluded groups to participate in the policy process. Further, policymakers are operating within a public sector wrestling with novel and unfamiliar roles to fulfill as command economies transition to market-driven ones. No longer are governments called upon to manage development directly via market controls and direct ser-

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vice provision, but rather they are to manage indirectly through providing a conducive regulatory framework for private transactions while strategically intervening to produce certain key goods and services. Making and pursuing policies in this new environment call for distinctive types of policy-analytic thinking and tools to help decision makers cope effectively.

Policy analysis in support of promoting economic growth and reducing poverty in developing countries has become an increasingly sophisticated field of endeavor since the 1950s, when the industrialized nations began assistance to the newly independent states of Asia and Africa, as well as to Latin America. Approaches to “speaking truth to power,” as Wildavsky characterizes policy analysis, have moved through a series of shifts in thinking that can be loosely framed in evolutionary terms. The seeds of earlier policy analysis techniques have been fertilized by innovation and the lessons of experience, thereby leading to the emergence of new generations of approaches and tools. To oversimplify somewhat, three generations of policy analysis approaches can be discerned.

NEOCLASSICAL ECONOMICS

The first generation consists of the concepts and techniques of neoclassical economics. Economic precepts undergirded the early advice given to third world governments on how to achieve the “take-off” to growth and development that would lead to increased prosperity. Later, first-generation policy prescriptions informed the economic stabilization and structural adjustment programs that were initiated in many countries during the 1980s. Stabilization reforms focused on staunching fiscal deficits, reducing balance of payments, and bringing down inflation rates. Structural adjustment followed by realigning exchange rates, modifying trade regimes, reducing subsidies, changing tax policies,

shrinking the public sector wage bill, and strengthening markets. Within the framework of the broader macroeconomic packages, sectoral adjustment packages sought to extend structural reforms to deal with specific sectoral issues.

First-generation policy analysis, in its pure form, relies heavily on macroeconomic modeling that seeks “first-best” equilibria to maximize socioeconomic welfare for the greatest number of citizens under free market conditions. Analytic methods, such as the general equilibrium modeling techniques that emerged in the 1970s and 1980s, have fine-tuned these models to their present-day level of sophistication. Sectoral applications employ sector-specific input-output matrices to assess policy options; for example, pricing and marketing of agricultural commodities. At the program and project level, first-generation techniques introduced cost-benefit and rate-of-return methodologies to arrive at a decision-making calculus to rank order national investment priorities and/or select among alternative investments.

Experience with first-generation policy prescriptions revealed to economists, donor agencies whose programs incorporated those prescriptions, and developing country decision makers that technically “correct” policies often were not adopted or implemented. In fact, many countries pursued development strategies that were irrational from the perspective of these policy analysis models. The gap between prescription and real-world application led to a critical reexamination of the assumptions underlying policymaking based on neoclassical economics. Scholars and practitioners initially focused on the role and capacity of the state as the missing variable set, neoclassical approaches having assumed that (a) governments are interested in maximizing welfare for all citizens (the “benevolent” state), and (b) governments have sufficient administrative capacity to implement policy choices effec-

tively. Calling these assumptions into question opened the door for the inclusion of politics and institutions as categories of inquiry in policy analysis and design and led to the next generation of analytic approaches.

POLITICS AND INSTITUTIONS

The second generation of policy analysis approaches pays explicit attention to political and institutional considerations in devising policy prescriptions to get countries on a path to more sustainable socioeconomic development. Among the streams of investigation that form the theoretical basis for the second generation are the “new institutional economics,” the “new political economy,” and the “new institutionalism.” In the words of Oliver Williamson, “the new institutional economics is preoccupied with the origins, incidence, and ramifications of transaction costs.” Transaction costs emerge as a function of the institutions through which economic exchanges are mediated, with markets and hierarchies forming the two ends of an institutional continuum. By ordering differing patterns of transaction costs, these institutions, which encompass a broad range of rules that constrain behaviors (e.g., market regulations, organizational procedures, property rights, and cultural norms), influence various actors’ incentives to enter into economic transactions or not. Thus economic efficiency is, if not institutionally determined, at least institutionally influenced to an important degree. Efforts directed toward the reduction of transaction costs by moving toward the market end of the continuum constitute a significant portion of the policy prescriptions advanced in the economic stabilization and adjustment packages currently being pursued in many developing countries.

Political economy analyses place the impacts of political variables at the center of explanations of policy outcomes. They em-

phasize how incentive patterns are a function of underlying political objectives and interest group interactions, thus explaining why governments often appear bent on pursuing economically irrational policies. The state, political economists hold, is captured by interlocking circles of economic and political elites. From the perspective of small farmers or local businesses, for example, the average developing country government, far from being benevolent, represents a “predator,” resource-extractive state whose policies add significantly to the costs of doing business. Among the contributions of political economy to an examination of transaction costs are analyses of these incentive structures in terms of the opportunities for rent-seeking or monopolistic profits that they create, and how regimes use those opportunities to maintain support from their constituencies. Following this analytic tack, second-generation approaches target issues such as information and transparency, civil service reform, market reform, privatization, decentralization, corruption, and so on.

The new element in the “new political economy” refers to a recognition that developing country governments are neither wholly predatory nor totally devoted to self-aggrandizement at the expense of pursuing policies that yield some set of wider benefits to citizens. This modified analytic framework recognizes the “perspective of public choice theorists (all predatory, no productive activities) and the conventional welfare economics perspective (all productive, no predatory activities) as two special cases.” Reality lies somewhere in between, which leaves the door open for sincere interest in pursuing beneficial policy goals and altruistic behavior. As Lewis (1989) states, there are “instances of government decision and action that appear to have been driven neither by class nor by self-seeking but by the actors’ notions of the public interest (p. 69).” This modification is important for policy analysis tools because it allows for the possibility that deci-

sion makers might be interested in using the results of policy analysis to achieve espoused policy goals. It places a premium on understanding the institutions involved in a particular policy situation and the incentives they create.

The “new institutionalism” emerges from the confluence of the new institutional economics, the new political economy, and other social science disciplines. This broad stream combines a variety of perspectives: organizational studies, public administration, anthropology, political science, and the progressively expanding scope of economics within the new institutional economics paradigm. Among their contributions is an increased understanding of the factors that are critical to matching institutional arrangements with policy choices and service delivery modes in various sectors to deal effectively with the institutional problems those policy regimes pose (e.g., free-riding, corruption, information asymmetries, uncertainty of outcomes, and so on).

Within this multidisciplinary stream is a focus on the institutional capacity question. Institutional analysis approaches have undergone their own evolution within the larger category of development policy analysis, and since the discovery of the “implementation gap” in the mid-to-late 1970s, they have occupied an increasingly center-stage position in policy analysis and formulation. As a result, most policy reform and program packages include an institutional development component that seeks to build institutional capacity of one sort or another: for example, in policy analysis, management and implementation, monitoring and evaluation, or non-governmental organizations. The emphasis on institutional capacity for policy reform reflects the realization that while liberalizing the economy may call for a smaller, less interventionist state, the tasks of effectively fulfilling governmental functions in support of a market economy require a stronger state than most developing countries

have and one that operates effectively at multiple levels in what Ostrom and others refer to as “polycentric institutional arrangements.”

POLICY DIALOGUE AND REFORM EXPERIENCE

The third generation of policy analysis approaches responds to the lessons learned from the policy dialogue and reform experience of the last decade. The policy prescriptions and targets remain in large part the same, but how they are arrived at and implemented has changed, as well as ideas about who should take the lead on design and implementation. Building on the previous two generations, third-generation techniques reframe policy analysis and design as a process, rather than simply a product. This shift means that policies are not treated as machines amenable to detailed specification at the formulation stage according to precise technical criteria. Rather, they are seen as dynamic combinations of purposes, rules, actions, resources, incentives, and behaviors leading to outcomes that can only imperfectly be predicted or controlled. Third-generation policy analysis recognizes the complex interactions among policy statutes, target populations, implementors, and socio-political environments. It also recognizes that the process perspective on policies and programs makes the separation of design and implementation less distinct.

Third-generation approaches use the concepts and methods of the previous generations in addressing the technical content of economic and sectoral policies at the formulation stage in selecting among alternative policy options. These concepts are also helpful in monitoring and evaluating policy outcomes and impacts. The process perspective, however, calls for an additional set of tools that incorporates social and institutional factors more centrally into technical policy alternatives. Further, it sug-

gests that policy analysis is more useful to policymakers in helping to guide policy development as it unfolds, rather than in choosing among competing policies prior to selection and implementation. Weiss (1989) identifies four ways that analysis can offer such guidance during the policy process: (a) support for the appropriateness of a preexisting policy direction, (b) warning that a problem exists, (c) proposing of alternative solutions, and (d) enlightenment through new analytic constructs or approaches. Although she is writing about the United States, her taxonomy fits other countries' policy situations as well. As Horowitz (1989) argues, the policy process in developing countries reflects a pattern of characteristic features that in many cases are quite similar to those in the U.S. policy cycle.

Thus, instead of identifying "first-best" ideal solutions a priori, the process perspective highlights the importance of iteratively developing "second- or third-best" answers that stakeholders can agree on over the life of the policy. It also emphasizes that the key players who need to master policy analysis and management techniques, and learn from experience, reside in the country pursuing the reforms, not

simply in the donor agency financing the package. The implications for policy analysis concepts and methods are

1. a need for better understanding of the inner workings of institutional variables in the policy process,
2. an analytic focus that integrates implementation more effectively into the policy cycle,
3. an emphasis on helping policymakers and their designates to monitor and manage the implementation process more strategically.

REFERENCES

- Horowitz, D. L. (1989). "Is There a Third World Policy Process?" *Policy Sciences* 22 (2): 197-212.
- Lewis, J. P. (1989). "Government and National Economic Development." *Daedalus* 118(1): 69-83.
- Weiss, C. H. (1989). "Congressional Committees as Users of Analysis." *Journal of Policy Analysis and Management* 8(3): 411-431.

Public and Private Sectors for Administering Public Functions

A broad-level issue in the discussion of public policy (at least since ancient times) has been the division of labor between the government and private enterprise in administering societal activities. This is partly the traditional issue of socialism (or collectivism) versus capitalism (or individualism). Until recently, the debate focused on who should own the major means of production and distribution. The contemporary debate tends to place more emphasis on how the government and public policy should stimulate either public or business administrators to be more productive for the good of society. This chapter is concerned with who should administer public or societal activities, regardless of who has ownership rights.

This chapter is divided into two main parts. The first deals with developing criteria to decide who should administer public functions—the public (government) or pri-

vate (business) sector. This part provides examples of good and bad public and private administration to show that whether public or private administration is most appropriate depends on many pragmatic circumstances and cannot be resolved by ideological dogma. The second part of this chapter is concerned with alternative forms of public involvement and with developing criteria for deciding among the alternative forms, which include total non-involvement, government subsidies, private litigation, regulation, and government ownership in the order of degree of involvement.

This chapter is also concerned with (a) relations between the public-private controversy and various policy problems, (b) trends in the public-private controversy, and (c) relations with the socialism-capitalism controversy. The overall conclusion emphasizes the need for resolving public-

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private controversies in terms of individual situations but with the use of general evaluative criteria.

WHAT IS A PUBLIC FUNCTION?

Before discussing who should administer public functions, it seems appropriate to discuss what a public function is. A *public function* is an activity that a majority or substantial number of the people in a society agree needs to be provided on a collective basis rather than on an individual basis. An example is having an army to defend the society from attack. This can be contrasted to having each individual citizen own nuclear weapons so that he or she can be the equivalent of a one-person army. That would be intolerable in terms of the danger that citizens would present to each other. Having an army can also be contrasted to requiring each individual to own a rifle and to be available on call to defend the nation from nuclear attack or against a conventional army. This would be a useless defense force today, although it worked in 1775 at Lexington and Concord.

Just because an activity such as having an army is determined to be a public or societal function does not mean that it has to be administered by the government. There is no inherent reason why General Motors or Westinghouse could not be given a contract to hire an army and procure weapons to defend the United States. We do not resort to privatization with regard to having an army because it is probably not cost-benefit effective. The cost would be far higher than what we could pay draftees or even semipatriotic volunteers. The benefits of successful combat would also be less because mercenaries are less likely to sacrifice their lives than soldiers imbued with saving their country.

Having a national army may be the most widely accepted public function. At the opposite extreme might be an activity such as having houses of ill repute. Most people, at least in American society, seem to believe

that houses of ill repute should not be provided either by the government or by the private sector. This does not mean that people are in favor of police crackdowns on nonobtrusive, one-on-one prostitution. The issue regarding houses of ill repute in the United States is not whether such houses should be government institutions or private businesses but whether they should be provided to people at all. The answer is generally no, except in Nevada and possibly a few other places. On this matter, it is up to each individual to make his or her own arrangements to buy, sell, or otherwise obtain sex without expecting society to provide either government or private-enterprise brothels. At one time, private-enterprise brothels were quite popular, but they have disappeared at least partly because of such technological developments as the telephone (which has facilitated the call girl business) and the automobile (which has facilitated the streetwalker business).

Between the national army (which is largely accepted) and the house of ill repute (which is largely rejected), there are many activities that people believe a properly functioning society should provide. There may be disagreement, however, as to whether they should be provided by government or by a private enterprise. An example is airline service. All civilian passenger airlines in the United States are privately owned. Virtually all passenger airlines elsewhere in the world are government owned. It is possible to have a government-owned airline that is managed by a private managing company, although there does not seem to be such an airline in existence. Other examples of societal activities that are sometimes government owned and sometimes privately owned include electric power companies, telephone companies, and steel mills but seldom garden plots, small retail operations, or services such as barbering.

An interesting new phenomenon is the government-owned facility that is privately managed. This is the case with some

prisons in the United States. The government owns the prison, but it gives a contract to a private company to hire management personnel and guards to administer the prison. It is also the case that some public housing projects are owned by the government but managed by a private real estate management company. The opposite situation can also occur, in which a privately owned facility is operated by the government. An example is a privately owned apartment building that the government rents and manages for use as a public housing project. Likewise, there can also be a situation in which a building that consists of nothing but government offices and government administrators is owned and leased by a private landlord.

Thus, we can classify activities in terms of whether people consider them essential to properly functioning society or either nonessential or detrimental. We can then classify the ones that are considered essential public functions into those that are or should be provided by the government and those that are or should be provided by private enterprise. We can further subclassify the government-provided functions into those in which government employees do the providing and those in which the government hires a private entity to do the providing. We can likewise subclassify the private-enterprise activities into those that have no government involvement at all and those in which there is government involvement in the form of subsidies, liability rules, regulation, or a combination of all three forms of government involvement.

WHO SHOULD ADMINISTER PUBLIC FUNCTIONS?

To answer the question of who should administer public functions, it is helpful to describe some examples in which public administration is generally recognized as being more successful and some examples in which it is generally recognized as being less successful than private administration.

From these examples, we should be able to derive some general principles or criteria for deciding who should administer public functions.

Example of Good Public and Bad Private Administration

Legal services for the poor are an example in which public administration has been reasonably effective, efficient, and equitable in comparison to private administration. In this context, public legal services refer to the Legal Services Program of the Office of Economic Opportunity (OEO), which was established in 1965 and followed by the Legal Services Corporation (LSC) in 1976. Private legal services for the poor refer to the charitable legal aid programs that existed prior to 1965 and currently operate to a lesser extent, along with proposed government reimbursement programs such as Medicare and Medicaid.

Quantity of cases processed and quantity won are measures of effectiveness in this area. Prior to 1965, legal aid programs in mid-sized cities such as Champaign-Urbana handled only a small quantity of cases compared to the large quantity subsequently handled by the Legal Services Program. In 1964 and 1965, the Champaign County Legal Aid Program handled 50 and 49 cases, respectively. In 1966, the Champaign County Legal Services Program handled approximately 100 cases every month and successfully closed them through advice, negotiation, or sometimes litigation. The reasons for the increased effectiveness included (a) maintaining a regular location rather than the use of volunteers scattered throughout the city; (b) publicizing the availability of legal services; (c) establishing trust with poor people, including militant poor people; (d) specializing and acquiring expertise in poverty law problems; and (e) having some federal funds available for facilities, equipment, and salaries. One should also note that the cases handled by full-time salaried Legal Services lawyers

tend to be more important precedents than the more routine cases handled by traditional legal aid or Judicare systems.

Regarding efficiency, meaning cost saving, one would think that legal aid volunteers would be more efficient. They do save the taxpayer money, but they do not necessarily save society money. An example of their wastefulness is that they had lawyers go to the county courthouse every Saturday morning to wait for poor people to show up with legal problems. Many mornings were spent with virtually no clients, given the low visibility and acceptability of the program among poor people. The Legal Services Program, on the other hand, has been able to employ competent attorneys at low wages partly by drawing on their idealism, although there is a high turnover rate. Contracting legal services out under a Judicare system analogous to Medicare is far more expensive. Judicare has been rejected for both civil and criminal cases in favor of less expensive public defenders and LSC attorneys who operate on relatively low salaries rather than relatively high case-by-case fees.

Regarding equity, the traditional legal aid programs were not very evenly geographically distributed. They tended to exist only in large cities and only in downtown areas. They were not as available to the rural poor or even to the urban poor who did not go to the downtown area. The OEO and the LSC have prided themselves on their neighborhood law offices that reach out to poor neighborhoods and also on their rural legal services. The LSC can be found in white Appalachia, Indian reservations, black ghettos, Hispanic barrios, the rural south, and the rural north.

In addition to performing better on criteria of effectiveness, efficiency, and equity, the government-provided program of legal services for the poor also performs better on political criteria, including public participation by members of the poor community, members of the bar, and public officials. This also includes predictability regarding qualification requirements in

terms of objective poverty guidelines and procedural due process whereby those who believe that they have been wrongly denied legal services can have a meaningful procedure to voice their complaints and obtain a hearing. The salaried Legal Services Program also serves as a liberal symbol of concern for the legal rights of the poor and as a conservative symbol designed to promote respect for the legal system.

There are those who object to legal services for the poor on the grounds that it disrupts landlords and merchants, takes cases away from other lawyers, or supports radical causes. In the 20 years of federal legal services, however, there have been no scandals regarding padded bills or services charged that were not provided. This is in sharp contrast to the Medicare and Medicaid system of private medical services for the poor, which has had numerous scandals involving doctors, nursing homes, pharmacists, dentists, and other health-care providers. This is one reason why the Reagan administration advocated a volunteer program to provide legal services to the poor rather than a Judicare program with government reimbursement to private sector lawyers.

Example of Good Private and Bad Public Administration

Housing for the poor is an example in which the private sector has been reasonably effective, efficient, and equitable in comparison to public administration. In this context, *public housing* means government-owned and -operated housing projects for the poor. *Private housing* means rent subsidies to the private sector to enable the private sector to provide housing for low-income tenants.

Regarding effectiveness, public housing has been a failure compared to rent supplement programs. There has been little increase in the quantity of public housing in the United States since approximately 1970. In fact, there have been some dra-

matic decreases, such as the destruction of the Pruitt-Igoe Homes in St. Louis. They were considered bankrupt in the sense of consistently costing more to maintain than the monetary or nonmonetary benefits could justify. On the other hand, the private sector is willing to make available almost unlimited housing to the poor as long as poor people with rent supplements can pay the rent.

Regarding efficiency, public housing projects have been extremely expensive per dwelling unit. They were originally designed to save money by being high-rises, which decrease land costs, enable every floor to also be a ceiling, and allow for many common walls. The lack of more individualized dwelling units, however, resulted in a lack of sense of ownership or even possession, which led to vandalism and the failure to report it. Rent supplements, on the other hand, save money in such ways as (a) avoiding the initial building cost by using existing housing stock; (b) encouraging better care of property, thereby lowering maintenance costs that might otherwise require higher rent supplements; and (c) increasing self-pride and ambition, which lower the costs of welfare and crime.

Regarding equity, public housing has resulted in discrimination against poor whites and segregation of poor blacks. Whites have in effect been discriminated against as a result of public housing projects being located disproportionately in black neighborhoods in which the projects have frequently become all black. Rent supplements, on the other hand, are as available to poor whites as they are to poor blacks. Also important is the fact that rent supplements can easily lead to racial and class integration, whereas large housing projects are not easily absorbed into white or middle-class neighborhoods.

Public housing also performs poorly with regard to the political values of public participation, predictable rules, and procedural due process in view of the authoritarian and arbitrary manner in which public

housing projects have traditionally been managed. This is in contrast to the greater dignity associated with rent supplements. The rent supplement program also serves as a liberal symbol of doing something important for the poor while being a conservative symbol of the meaningfulness of private sector property.

It is relevant to note that although rent supplements are an example of good private administration of a societal function, this is not the case with the mortgage supplement program of the early 1970s. This program involved the federal government in making funds available for poor people to buy homes through private real estate agents rather than through Department of Housing and Urban Development (HUD) employees or other public administrators. The privately administered program became a scandal, worse than used-car fraud or the Medicare and Medicaid frauds. Real estate agents failed to inform low-income buyers of the maintenance costs of bad heating, plumbing, and electrical systems. Trying to meet these costs frequently interfered with the ability to pay even the low mortgage payments. As a result, foreclosures were frequent, analogous to used-car repossessions but with the federal government making good on whatever was owed. The greed factor became so great that it was not enough to collect two or three times on the same house through foreclosures. Assessors were bribed to inflate the value of the houses to further increase what was collected. The program was soon abandoned, even though it began with strong liberal and conservative support and might have succeeded if it had been administered by salaried government employees rather than by private real estate agents operating on commissions.

Criteria for Who Should Administer Public Functions

In view of these examples, the most obvious criteria for administration of public

functions relate to the three E's, the three P's, and political feasibility, which is closely related to liberal and conservative symbols. These criteria are as follows:

Effectiveness relates to how well public versus private administration achieves the basic public function (e.g., providing legal services for the poor or housing for the poor).

Efficiency relates to keeping the cost per unit low. It is normally less expensive to pay salaried government employees than independent contractors who charge on a per item basis. Substantial cost can be saved, however, by relying on existing private sector facilities.

Equity normally favors government administration because it is usually not profitable for the private sector to be concerned with equitable distribution of services and products rather than distribution in terms of where money can be made. Special circumstances, however, may make a marketplace solution more equitable across race and class, as in the case of housing for the poor.

Public participation, if it is an important goal, is more likely to be provided by government agencies than by private firms.

Predictable rules and *procedural due process* are also more likely to be provided by government agencies that have constitutional obligations to do so than by the private sector.

Political feasibility from liberal and conservative perspectives is important. If a program is liked by both liberals and conservatives, it is likely to be a success. The Legal Services Program is liked by both liberal and conservative lawyers, although not necessarily for the same reasons. Public housing projects are disliked by both liberals and conservatives, although again not necessarily for the same reasons.

This list of criteria is arranged approximately in order of importance. The most

important criterion is probably effectiveness, followed by efficiency, equity, and the three P's. Political feasibility is more a constraint than a criterion. Without it, a program cannot be adopted or continue, regardless of how well it scores on the other criteria.

A key point is that there is nothing inherent in a publicly or privately administered program that makes it likely to be more or less effective or efficient. One has to analyze each public function separately. Legal services programs for the poor operate better in government hands, but housing programs for the poor operate better largely in the private sector. Note, however, that in both cases government money is needed to make the programs successful because the low-income beneficiaries or charities cannot afford to sufficiently support either program. The main reason that legal services programs operate better in government hands is because there are not enough volunteer attorneys to do the work needed, and paying for individual cases is too expensive. The main reason that rental housing programs operate better in private hands is because there is plenty of private housing available, and the rent supplements are actually less expensive than providing comparable housing through government-owned and -operated projects.

ALTERNATIVE FORMS OF PUBLIC INVOLVEMENT

There are five major forms of public involvement in the administration of public functions:

Total noninvolvement is not a form of involvement, but it is important to include it in the list of possibilities. It largely means leaving the provision of the public function up to the private marketplace, with no government subsidies, liability rules, or regulation.

Government subsidies or *contracting out* are ways of getting the marketplace to do

what is considered socially desirable but for which the ordinary income and expense incentives are insufficient or nonexistent. An example is subsidizing the adoption of antipollution equipment that would otherwise be too expensive for businesses or municipalities and would not produce any increased income. Another example is paying for the retooling of the auto or the steel industry through special tax breaks that could include totally forgoing taxes to the extent of the cost of retooling. Such a subsidy may be necessary when the stock and bond market is not willing to provide the capital for a large, risky venture that may take years to pay off.

Private litigation involves the establishment of liability rules by the government and the authorizing of courts or quasi-judicial agencies to grant hearings and court orders concerning alleged violations. Private litigation could be subsidized by rules that require the losing defendant to pay the lawyer costs of the plaintiff.

Regulation means establishing rules concerning how the private sector is to behave in areas such as occupational health and safety, environmental protection, equal employment opportunity, labor-management relations, and other fields covered by the regulatory agencies. A difference between regulation and private litigation is that under regulation the government brings the legal action against violators. A difference between regulations and subsidies is that regulations are backed by negative sanctions, such as injunctions, fines, and jail sentences, whereas subsidies are rewards or reimbursements for doing right as opposed to punishments for doing wrong.

Government ownership is the ultimate in public or government involvement. This is what is usually meant by government administration. The Legal Services Program, however, involves government administration generally with no government-owned facilities. Likewise, govern-

ment ownership of a factory, park, or school with a private firm are hired to run it is possible.

Examples of All Forms Operating in the Same Industry

In almost any industry, all five forms of public involvement operate simultaneously. This is true of such basic industries as food, shelter, clothing, police protection, and garbage collection. To obtain insights for developing criteria to decide among the five forms, we can randomly pick three industries in which to observe all five forms in operation, and especially to observe in what circumstances one form rather than another is used.

Air Transportation

In the air travel industry, doing nothing has in recent years been effective for lowering prices. The best way to have low prices is to have vigorous competition, which may occur without subsidies, litigation, regulation, or ownership. Subsidies, however, are important when an industry is new or being retooled. For example, the airmail industry required expensive subsidies in its early years to literally get off the ground.

Litigation can often be helpful for decreasing abusive practices, as in the case of suing asbestos manufacturing companies for abusing workers. This has not been necessary in the air travel industry because an airline that has more than a few accidents is likely to go bankrupt, be taken over, or change its name for lack of customers. Class-action lawsuits with regard to overbooking may be an example of changing the behavior of the airlines through litigation, but regulation of overbooking by the Civil Aeronautics Board and by the Department of Transportation has been more effective.

Regulation is important in the air travel industry for licensing pilots and mechanics and for inspecting planes. Airline regulation illustrates two contrasting forms of regulation, both of which label certain types of behavior as being undesirable, such as overworking workers. One form considers the behavior to be so undesirable as to flatly prohibit it. This is the case with pilots flying more than a certain number of hours, which could jeopardize the safety of the passengers. The second form considers the behavior to be undesirable, but instead of prohibition, the behavior is allowed to occur but at an increased cost. This is the case with overworking people at the ticket counter, who are required to be paid time and a half for overtime but are not prohibited from working more than 40 hours a week.

Government ownership manifests itself in the air travel industry in the form of governments owning all the airports throughout the country that handle major airlines and large jets. The main reason seems to be that airport safety is too important and unprofitable an activity to be left to the private sector.

Automobiles

Doing nothing or having a laissez-faire government policy is useful for obtaining low auto prices in the context of international competition. One of the main reasons for low auto prices in the United States, or at least prices that are lower than they otherwise would be, is competition from Japan, West Germany, and elsewhere. One of the main ways of adversely interfering with these low prices is for the government to institute tariffs, import quotas, or other policies that will lessen the international competition.

An example of a government subsidy in the automobile industry that someday may pay off is the government's offer to buy a huge quantity of electric cars from any manufacturer who can develop an inexpensive, feasible version. This offer is part

of the federal air pollution legislation of the 1970s. The existence of the offer has already served to stimulate manufacturers and inventors to experiment more than they otherwise would. A feasible electric car has still not been developed because it requires a storage battery that is currently too large for an ordinary car. The alternatives to driving with a long extension cord or frequently stopping to recharge a battery are not feasible.

An example of litigation as a regulatory device in the automobile industry is the lawsuit against the Ford Pinto or the Chevy Chevette. The Pinto was discontinued due to lawsuits from people severely injured as a result of a gas tank that too easily exploded. The Chevette was also discontinued as a result of lawsuits that successfully established that it could roll over too easily compared to what one would expect from a normal car.

Regulation in the automobile industry is illustrated by standards for decreasing pollution exhaust. Without federal regulations, there would be little incentive for automobile manufacturers to institute pollution devices or for auto users to buy them. Regulation is also widespread with regard to speed limits, stop signs, stoplights, and numerous rules of the road that make driving probably the most regulated of all activities.

Government ownership is present in the field of auto transportation because virtually all highways and streets are owned by federal, state, or local governments. The days of private toll roads ended approximately 200 years ago. Even the strongest conservatives do not seem to advocate a return to privately owned highways supported by tolls paid to private landlords, with a different landlord approximately every 100 yards.

Telecommunications

The policy of leaving matters to a competitive marketplace has been very effective in reducing prices for long-distance

calling. The cost of long-distance telephone calls is one of the few items that has decreased throughout the years despite inflation. One can now call anywhere in the United States during off hours for approximately \$7 an hour, which is substantially less than it cost 10 years ago. Also, service is faster due to direct-distance dialing to almost anywhere in the world.

A good example of the role of government subsidies in the telecommunications field is the development of communications satellites. Developing them was far too expensive and risky for private enterprise, especially because it also meant developing the rockets to boost the satellites into orbit. The advent of communications satellites has made it possible for the modern equivalent of Dr. Livingstone to phone home from Malawi to Scotland in a matter of seconds rather than have to wait for Dr. Stanley to spend a year finding him. Communications satellites also make it possible for the whole world to watch popular American TV shows simultaneously.

Litigation has been important in the telecommunications industry, but not to enable people to sue for damages for personal injuries. Instead, litigation has enabled business firms such as phone equipment manufacturers and long-distance resellers to successfully sue AT&T for anti-trust violations. These lawsuits have made possible the competition that has reduced the price of phone equipment and long-distance calling.

An example of regulation in the telecommunications field that many people consider desirable is the licensing of prime channels to radio and TV stations so as to rationally allocate the scarce space. One criterion used in awarding licenses is whether the station will provide opportunities for minority viewpoints to be heard and will give equal time to political candidates when their opponents have been given free time. Liberals support this kind of criterion. Conservatives support criteria that state that licensees must not unduly engage in obscenity. It is interesting to note that the rationing of communications

space has become an international and extraterrestrial matter by virtue of the competition to locate communications satellites in prime areas in space. Leaving these location problems to individualistic solutions could result in countries shooting down the communications satellites of other countries. This would not be as desirable as having meaningful criteria for allocating scarce space, such as giving the less expensive, closer spaces to countries that have less ability to pay for the more expensive spaces that are farther away from the earth.

Government ownership manifests itself in telecommunications mainly in the form of some publicly owned TV and radio stations. In the United States, these are usually owned by state universities or public corporations that rely on tax support, contributions, and foundation grants. These publicly owned stations provide programming that may be considered intellectually and culturally desirable but not sufficiently commercially profitable. Such programming is even more prevalent in Europe and elsewhere. Like government-owned airports and roads, government-owned educational TV stations (along with all the commercial ones) seem to be accepted even by conservatives who recognize the socialistic nature of a government-owned TV station. It is interesting that conservative William Buckley does most of his broadcasting on government-owned TV stations.

CRITERIA FOR DECIDING AMONG THE FIVE FORMS

From the previously discussed examples, one can generalize some principles regarding when noninvolvement, subsidies, litigation, regulation, or government ownership might be best. Noninvolvement works best when the industry is highly competitive, and competition is likely to achieve socially desired behavior. This is especially true regarding the pricing of products because competition capitalism lowers prices. This is not the case regarding such

matters as environmental protection, occupational health and safety, or equal employment opportunity. In fact, competition is likely to hurt the achievement of these societal goals. If competition is high, business firms may cut back on antipollution devices, safety devices, and affirmative-action programs because they may involve extra expense that the firms cannot afford.

Sometimes, competition is not furthered by noninvolvement because the formerly competing firms may conspire to fix prices or may engage in mergers that result in too few firms to be competitive. In these circumstances, antitrust litigation or regulation may be needed to supplement noninvolvement to promote competition for the benefit of consumers. The firms may also benefit from competition by virtue of increased sales due to lower prices, but especially by virtue of the stimulus it provides for innovations, including those that increase profits.

Subsidies are important when society wants business firms to provide unprofitable services to the poor, as in the cases of subsidies for the energy industry in the form of energy purchase supplements or for the housing industry in the form of rent supplements. Subsidies may also be needed when innovation is too expensive for private industry to undertake, as in the cases of communications satellites, the development of nuclear energy, and the development of the airplane industry. The fields that were mentioned as not being especially relevant to competition, such as pollution, workplace safety, and equal opportunity, could be handled by subsidies. This might meet with political opposition on the grounds that business firms should not be subsidized to do the right thing. Such subsidies would be analogous to paying them not to commit crimes. It should be noted that subsidies in the form of tax breaks are more politically acceptable than subsidies in the form of outright cash gifts, with low-interest loans in between.

Litigation may help individuals to obtain compensation for negligence and occa-

sional intentional wrongdoing. It is not very effective in changing the behavior of business firms unless it becomes very expensive to them. Otherwise, the expense of paying damages may be substantially less than the expense of changing their behavior. When a class action involves many injured people, litigation awards can be quite expensive. Litigation has been more important in promoting safer cars than safer airplanes because an unsafe airplane that crashes generates a major news story that decreases consumer purchases of that airline's services. An unsafe car does not generate major news, but a few million-dollar damage suits can do so. Litigation can also be more effective if the legislatures or courts establish rules of strict liability or no-fault liability. The plaintiff then merely has to show that the defendant's product was a factor in the accident and not that the defendant acted negligently. Antitrust litigation is a special form of litigation separate from personal injury litigation, but it is often highly effective in changing behavior by restoring competition.

Regulation is most meaningful when there are serious problems present and competition, subsidies, or litigation do not seem as meaningful. This is the case when we are interested in preventing serious accidents before they occur rather than compensating people or bankrupting a company afterwards. Thus, we flatly prohibit certain unsafe practices regarding pilots, airplanes, toxic chemicals, and drunk driving. Regulation is also especially appropriate when there are scarce resources to be allocated, such as food rations in wartime, prime channels on radio or TV, or possibly gasoline during an energy shortage. The alternative would be to allow the highest bidder to have the food, prime channels, or gasoline, which society might consider to be an inequitable solution. Regulation is also important when certain forms of business behavior are socially desired but the marketplace provides no income-receiving or expense-avoiding incentives to behave accordingly and society

does not want to buy the behavior through subsidies.

The main explanation or justification for government ownership in a basically free-enterprise society is that there are certain services that society wants to have performed but that private enterprise finds too unprofitable to provide. This includes much of what were formerly thought to be natural monopolies, including railroads because it was thought to be unnatural to have competing railroad tracks. It also includes telephone companies and electricity companies because it was thought to be unnatural to have competing telephone lines or electrical lines parallel to each other. We are now in the process of moving toward requiring monopolistic railroads, tele-

phone companies, and electric companies to rent their infrastructures at high prices to competing companies.

This is a win-win solution for (a) business consumers, who get cheaper competitive rates and better quality service; (b) railroad passengers and residential consumers, who similarly benefit; (c) competing railroads, telephone companies, and electric companies, which can make a profit even with the high rents they pay; and (d) the previous monopolistic companies, which now make more money renting their infrastructures than they formerly did selling railroad, telephone, or electricity service. These benefits are as true of public sector monopolies as they are of private sector monopolies.

Sherman the Shark on Policy Evaluation

DIALOGUE BETWEEN SHERMAN THE SHARK AND FILLMORE

FILLMORE: What do you want on your pizza, pepperoni or sausage?

SHERMAN: That's just the kind of multi-variable problem that's perfect for a computer spreadsheet.

FILLMORE: Oh no . . . not another spreadsheet.

SHERMAN: Let's quantify our parameters. On a scale from 1 to 10, rate your ingredients.

FILLMORE: Pepperoni 8, sausage 3.

SHERMAN: I'll give sausage a 7, pepperoni a 4. Now let's divide by our respective weights, do a little formatting. . . . Presto, the answer is 48.

FILLMORE: 48? What's that supposed to mean?

SHERMAN: It means 48. You can't argue with a number, Fillmore.

FILLMORE: But how does this result get us any closer to a decision?

SHERMAN: Oh my God . . . let's flip a coin.

FILLMORE: Heads we get pepperoni.

TWELVE CONCLUSIONS

1. A large part of spreadsheet analysis and other statistical analysis is just mindless numerology.
2. Flipping a coin or randomizing one's moves is frequently recommended in game theory and mathematical modeling. Admitting to such an approach would result in a juror being held in contempt and a legislator or CEO being replaced. Even a monkey can flip a coin, and an amoeba can randomly turn left or right.
3. A win-win solution might be to give Fillmore an extra-large pizza with 8/11 pepperoni and 3/11 sausage and to give Sherman an extra-large pizza with 4/11 pepperoni and 7/11 sausage. That way, they both get more of everything in the right proportions, probably beyond their initial best expectations.
4. The only implicit goal here is taste. Perhaps they might also want to consider cost, healthfulness, speed, and other goals.

5. The only explicit alternative being considered for achieving satisfaction is whether to order a pepperoni pizza (the conservative or No. 1 alternative) or a sausage pizza (the liberal or No. 2 alternative). Perhaps they should also consider (a) what drinks to order, (b) delivery or pick-up, (c) which restaurant, and (d) other alternatives.
6. By having multiple goals and multiple alternatives, one can more easily arrive at win-win solutions in which everybody wins something that is important to them, the way everybody wins a desired prize at a well-coordinated birthday party.
7. Thought can be given to expanding the budget. In this case, many pizzas (or other things) could be ordered and frozen for future eating or immature food fights. This is how the win-win concept of the expanded (pizza) pie may have originated.
8. Perhaps there is a better way than using a 1 to 10 scale to relate the alternatives (pepperoni vs. sausage) to the goal (taste), such as a 1 to 5 or a 0 to 100 scale, especially if the scores on different criteria will be combined. If, however, the results are the same or still win-win, then the results are independent of the measurement method, and this issue becomes irrelevant, as it often does.
9. If the budget cannot provide for extra-large pizzas, then perhaps Sherman should be allowed his preference for the one pizza. Fillmore can be rewarded by getting to use Sherman's computer. On the other hand, perhaps Fillmore should be allowed his preference for the one pizza. Sherman can then be rewarded by getting some of Fillmore's salvaged treasure, including an old boot, a peg leg, and Titanic memorabilia.
10. Appropriate computer analysis can stimulate ideas regarding how to combine in a win-win way opposing goals, alternatives, and relations.
11. I personally prefer mushroom and hamburger pizza with a thick crust and a giant mug of skim milk.
12. Additional conclusions are welcome on this and on all items I publish.

Part 4

POLICY
PROFESSIONALISM

Productivity for Success

Previous articles in *Policy Evaluation* have indicated that success as a social scientist depends partly on (a) getting one's ideas published, (b) getting funding, (c) obtaining a good first job, (d) networking, (e) exercising leadership, (f) avoiding abuses to which graduate students have been known to be subject, and (g) being creative or being able to develop usefully innovative ideas. Creativity is especially important because it cuts across the other six factors.

Creativity, however, needs to be supplemented by productivity. In this context, productivity can be defined as the applied ability to get things done. Creativity may not be worth much if the creative ideas cannot be implemented because the innovator does not efficiently use his or her time. Personal productivity is thus closely associated with efficient time management. National productivity is closely associated with training, technology, competition, free trade, and stimulating public policy.

MAXIMIZING OUTPUT

In 1984, I wrote an article subtitled "Maximizing Output in Decision-Making" for the *Public Administration Times*. Most of it was reprinted in the autumn 1985 issue of the *GAO Review* of the General Accounting Office of Congress under the title "Checklist for Decision-Making." The

most relevant part of the article is the section on maximizing output. It makes the following points:

1. Sleep less by conditioning yourself to get along with less sleep and by taking short naps.
2. Improve your reading speed and comprehension.
3. Do more work by dictating and less work by writing or typing.
4. Take on commitments that stimulate getting work done.
5. Do work that is enjoyable, and you will be willing to do more of it.
6. When you get behind, take on more work. That will generally result in getting more work done, and it will probably stimulate you to work faster on the work on which you are behind.
7. Put in more hours, even though your output per hour decreases and you are thus less efficient. Efficiency is generally less important than total output.
8. Delegation generally gets the work done faster and also gets more work done. Anything that improves both output and speed is doubly desirable. Output, however, is generally more important than speed or efficiency, although not necessarily more important than quality, which may decrease as a result of excessive or improper delegation.

9. Avoid distractions from the output on which you want to concentrate. Working with others or one other person can be especially helpful in this regard in the same way that members of an Alcoholics Anonymous group keep each other from being distracted by liquor.
 10. Work in a conducive environment, which may also be confining so as to avoid negative distractions.
 11. Good output in terms of both quantity and quality generally requires stimuli for creativity, such as knowing one's subject matter, interacting with relevant others, and accepting commitments that require creative output.
 12. Think positively about your abilities to achieve desired outputs, and work on projects for which success reinforces positive thinking.
 13. Minimize unproductive time, such as commuting, television, and unproductive conversations. The best recreation is to be involved in enjoyable productivity, especially several kinds of enjoyable productivity.
 14. Develop situations in which one increases benefits and decreases costs for being productive and in which one increases costs and decreases benefits for being unproductive. Do likewise to favorably influence those on whom your productivity partly depends.
3. Get a good night's sleep and have a clear mind when making important decisions.
 4. List the advantages and disadvantages of each alternative.
 5. Do not be too cautious. Otherwise, opportunities will be missed. Also, do not be too reckless. Otherwise, resources will be wasted.
 6. Consider both the benefits and the costs, not just the benefits and not just the costs.
 7. Have some goals in mind, and list them.
 8. Do not confine yourself to deciding for or against doing something or between just two alternatives. Try to think of a variety of possible decisions.
 9. Try to determine the relation between each reasonably possible decision and each goal. Indicate whether those relations are favorable—that is, whether they are beneficial relations or costly relations. Also indicate the rank order of the relations or the degree of the relations at least in verbal terms.
 10. Do not treat goals as if they are necessarily of equal value. Think about their relative weights.

For further details, see the following references:

EFFECTIVE DECISION MAKING

In my article, a section on efficient and effective decision making makes the following points.

1. Know your subject matter. Be careful, however, to avoid unnecessarily postponing the making of decisions by using lack of information as an excuse.
2. Try your ideas on other people for their reactions. Avoid, however, becoming

- dependent on other people, however, rather than thinking for yourself.
- Kendrick, John W., and John B. Kendrick. *Personal Productivity: How to Increase Your Satisfaction in Living*. Armonk, NY: Sharpe, 1988.
- Lakein, Alan. *How to Get Control of Your Life*. New York: Wyden, 1973.
- Mattlin, Everett. *Sleep Less Live More*. Philadelphia: J. B. Lippincott, 1979.
- McRae, Bradley C., ed. *Practical Time Management: How to Get More Things Done in Less Time*. Bellingham, WA: Self-Counsel Press, 1988.
- Winston, Stephanie. *The Organized Executive: New Ways to Manage Time, Paper, and People*. New York: Warner Books, 1983.

Professionalism Books for Graduate Students and Others

The professionalism books listed in this chapter are applicable to all fields of political science. The books deal with the following five important topics, which are listed randomly:

1. Obtaining funding, including the funding of dissertations: Virtually all funding sources will fund dissertations if they are innovative, useful, well planned, and well endorsed.
2. Publishing articles and books, including while one is a graduate student: Prior graduate students have been multiple co-authors and coeditors of books. One member of our department had acceptances from the American Political Science Association and other major political science journals while a graduate student. Motivation and inspiration are major factors.
3. Obtaining jobs in Washington and elsewhere: Publishing as a graduate student opens doors that otherwise are not open to the competition. A good academic first job also facilitates future publishing on an upward spiral.
4. Teaching is also included, but it is partially subject specific.

5. Good books on chairing a department or administering a program are also included.

OBTAINING FUNDING

Carson, Jim. *Winning Grants Step by Step: Support Centers of America's Complete Workbook for Planning, Developing, and Writing Successful Proposals*. San Francisco: Jossey-Bass, 1995.

Mantegna, Anne. *Guide to Federal Funding for Social Scientists*. Washington, DC: American Political Science Association, 1990.

Nagel, Stuart, and Marian Neef. *Policy Grants Directory*. Urbana, IL: Policy Studies Organization, 1977.

Schumacher, Dorin. *Get Funded! A Practical Guide for Scholars Seeking Research Support From Business*. Newbury Park, CA: Sage, 1992.

Szabo, Stephen. *Research Support for Political Scientists: A Guide to Sources of Funds for Research Fellowships, Grant, and Contracts*. Washington, DC: American Political Science Association, 1977.

GETTING PUBLISHED

- Martin, Fenton, and Robert Goehlert. *Political Science Journal Information*. Washington, DC: American Political Science Association, 1990.
- Nagel, Stuart, and Kathleen Burkholder. *Policy Publishers and Associations Directory*. Urbana, IL: Policy Studies Organization, 1980.
- Simon, Rita, and James Fyfe. *Editors as Gate Keepers: Getting Published in the Social Sciences*. Lanham, MD: Rowman & Littlefield, 1994.
- Wagner, John. *Political and Social Science Journals: A Handbook for Writers and Reviewers*. Santa Barbara, CA: ABC-CLIO, 1983.

OBTAINING JOBS

- American Political Science Association, *Directory of Political Science Department Chairpersons* (for developing mailing lists to send materials, including a cover letter, vita, and reference letters). See also Association for Public Policy Analysis Management's *Membership Directory* for writing to policy schools. Letters from effective mentors are highly recommended, but act on your own if such letters cannot be obtained.
- American Political Science Association, *Personnel Newsletter*. See also American Political Science Association, *Public Administration Times* for policy jobs in universities and government.
- Caplow, Theodore, and Reece McGee. *The Academic Marketplace*. New York: Basic Books, 1958.
- Mann, Thomas. *Alternative Careers for Political Scientists*. Washington, DC: American Political Science Association, 1976.

TEACHING

- Bean, John. *Engaging Ideas: The Professor's Guide to Integrating Writing, Critical Thinking, and Active Learning in the Classroom*. San Francisco: Jossey-Bass, 1996.

- Bergerson, Peter. *Teaching Public Policy: Theory, Research, and Practice*. Westport, CT: Greenwood, 1991.
- Eble, Kenneth. *Professors as Teachers*. San Francisco: Jossey-Bass, 1972.
- Justman, Joseph, and Walter Mais. *College Teaching: Its Practice and Its Potential*. New York: Harper, 1956.
- Meyers, Chet. *Teaching Students to Think Critically: A Guide for Faculty in All Disciplines*. San Francisco: Jossey-Bass, 1987.
- Rothwell, Easton. *The Importance of Teaching: A Memorandum to the New College Teacher*. New Haven, CT: Hazen Foundation, 1970.
- Shenson, Howard. *How to Develop and Promote Successful Seminars and Workshops*. New York: John Wiley, 1990.
- Weimer, Maryellen. *Improving Your Classroom Teaching*. Newbury Park, CA: Sage, 1993.

CHAIRING AND ADMINISTERING

- Nanus, Burt. *Visionary Leadership*. San Francisco: Jossey-Bass, 1992.
- Schwarz, Roger. *The Skilled Facilitator: Practical Wisdom for Developing Effective Groups*. San Francisco: Jossey-Bass, 1994.
- Tucker, Allan. *Chairing the Academic Department: Leadership Among Peers*. Washington, DC: American Council on Education, 1981.

GENERAL AND NETWORKING

The following general books also deal with networking by joining, making contacts, and participating in conferences. Networking is important to increase one's success in funding, publishing, obtaining jobs, teaching, and chairing. Having something worthwhile to say, however, is more important than one's communication system or packaging, but they are all important.

- Gaff, Sally, Conrad Festa, and Jerry Gaff. *Professional Development: A Guide to Re-*

- sources*. New Rochelle, NY: Change Magazine Press, 1978.
- Nagel, Stuart. *The Policy-Studies Handbook*. Lexington, MA: Lexington Books, 1980.
- Nagel, Stuart, and Miriam Mills. *Professional Developments in Policy Studies*. Westport, CT: Greenwood, 1993.
- Sindermann, Carl. *Winning the Games Scientists Play*. New York: Plenum, 1982.
- van den Berghe, Pierre. *Academic Gamesmanship: How to Make a Ph.D. Pay*. New York: Abelard-Schuman, 1970.
- Zanna, Mark, and John Darley, eds. *The Complete Academic: A Practical Guide for the Beginning Social Scientist*. New York: Random House, 1987.
- Oral Histories of a Discipline*. Lexington: University Press of Kentucky, 1991.
- Dunn, William, and Rita Mae Kelly, eds. *Advances in Policy Studies Since 1950*. New Brunswick, NJ: Transaction Books, 1992.
- Eulau, Heinz, and James March, eds. *Political Science*. Englewood Cliffs, NJ: Prentice Hall, 1969.
- Finifter, Ada, ed. *Political Science: The State of the Discipline*. Washington, DC: American Political Science Association, 1983 (2d ed., 1993).
- Hyneman, Charles. *The Study of Politics: The Present State of American Political Science*. Champaign: University of Illinois Press, 1959.
- Nagel, Stuart, and Miriam Mills. *Professional Developments in Policy Studies*. Westport, CT: Greenwood, 1993.
- Ricci, David. *The Tragedy of Political Science: Politics, Scholarship, and Democracy*. New Haven, CT: Yale University Press, 1984.
- Somit, Albert, and Joseph Tanenhaus. *American Political Science: A Profile of a Discipline*. New York: Atherton, 1964.
- Somit, Albert, and Joseph Tanenhaus. *The Development of Political Science: From Burgess to Behaviorism*. Boston: Allyn & Bacon, 1967.

THE POLITICAL SCIENCE PROFESSION

New graduate students might find it worthwhile to read such introductions to the political science profession as the books listed in this section. A *profession* can be defined as an income-producing activity that requires (a) a special training program and credentialing; (b) jobs that refer to the profession in the job descriptions; (c) organizations of people in the profession who produce a literature of journals, books, and conferences; and (d) an enforced code of ethical behavior. These and other related subjects are discussed in the following books, specifically in the context of political science.

- Almond, Gabriel A. *A Discipline Divided: Schools and Sects in Political Science*. Newbury Park, CA: Sage, 1990.
- American Political Science Association. *A Guide to Professional Ethics in Political Science*. Washington, DC: American Political Science Association, 1990.
- Baer, Michael, Malcolm Jewell, and Lee Sigelman, eds. *Political Science in America:*

TENURE ISSUES

- American Association of University Professors. *Defending Tenure: A Guide for Friends of Academic Freedom*. Washington, DC: American Association of University Professors, 1997.
- Eames, Patrica, and Thomas Hustoles, eds. *Legal Issues in Faculty Employment*. Notre Dame, IN: National Association of College and University Attorneys, Notre Dame Law School, 1989.
- Finkin, Matthew. *The Case for Tenure*. Ithaca, NY: Cornell University Press, 1996.

Survey on Running a Policy Program

To: People Associated With Policy Programs
From: PSO [Policy Studies Organization]
Date: 05/17/01
Subject: Running a Policy Program

policy school or to typical faculty members.)

2. How do you recruit new faculty?
3. How do you get funding for research, teaching, and service projects?

We would especially welcome whatever you can do in answering the enclosed open-ended items that relate to public policy teaching and schools.

We have been told by various deans and administrators that this kind of information will be mutually helpful, even more so than exchanging catalog information or dry statistics.

I shall be pleased to respond to any questions, comments, or suggestions you might have. Please return to PSO Networking Directories, 361 Lincoln Hall, University of Illinois, Urbana, Illinois 61801.

Thank you for your helpfulness. Best wishes for our related interests in seeing political and social science applied to important policy problems.

Recruiting People and Funds

1. How do you recruit students? (On all questions, “you” refers to your public

Criteria for Allocation

1. What criteria do you use in deciding what to research?
2. What criteria do you use in deciding what courses to teach?
3. What criteria do you use in deciding what public or professional service projects to encourage?

Past, Present, and Future

1. How did your school get started and/or restarted?
2. What are you presently implementing to make your school different from most other policy schools?
3. What approximately are your plans for the future?

The Three I’s

1. What is your school doing of an *international* nature?

2. What is your school doing to have an *impact* on public policy?
3. What is your school doing to involve *interdisciplinary* people and ideas from natural science, philosophy, arts, communication, business, education, social work, agriculture, and other disciplines?

Miscellaneous

What suggestions do you have for follow-up subjects that you would like to see covered?

Academic Tyranny

*The Tale and the Lessons*¹

ROBERT WEISSBERG
University of Illinois, Urbana

If an impartial Martian visited the typical American university, he or she would undoubtedly conclude that democracy flourished. After all, do not majority votes decide issues of consequence? Is it not true that representative bodies such as faculty senates abound? Is it not true that thick rule books proclaim rule by law and offer endless democratic protections? Conversations with all parties, from assistant professors to college presidents, would surely reveal great pride in institutional democracy. Occasional breakdowns happen, admittedly, but they are—allegedly—more inadvertent than mischievous. Indeed, it is commonplace to hear freshly appointed outsider “take-charge” administrators wail that today’s fetish with democracy renders the academy virtually ungovernable. Everything, goes the grumbling, must be discussed ad nauseam and voted on by innumerable committees, and even the slightest action may well elicit howls of outrage if an obscure procedural safeguard is violated.

Although our Martian visitor might return home satisfied, this glowing assess-

ment is undoubtedly overdrawn. After all, the Martian is but a hurried tourist ill prepared to peek below the veneer and, more important, unfamiliar with the odd, often deceptive world of contemporary campus life. Stated sharply, today’s centers of higher learning are more blemished than superficial appearances suggest, and what often seems “democratic” is little more than contrived public displays. To be sure, a “People’s Republic of Harvard” remains far distant, but as all the mounting imposed political correctness stories testify, let us not confuse graduation speech rhetoric with pedestrian reality. Perhaps “limited democracy” or “managed democracy” better captures the spirit of actual governance. The totalitarian impulse in myriad forms is making inroads, although it is often artfully disguised as utopian idealism.

Alerts to these mounting nefarious tendencies issue from multiple perspectives, but they all share a common approach: They derive from a medley of incidents across multiple campuses involving an ever-changing cast of characters and circumstances. Accounts are thus riveting

snapshots, and the resultant understanding is little different from gaining an understanding of a family by perusing a professionally edited photo album. We derive “a sense” of the sweeping picture but little insight into the particulars. Here, we take a different tack in exposing the anti-democratic impulse by concentrating more microscopically. Ours is a case study of a single individual who inadvertently ensnarled himself in an “incident” that eventually escalated into the proverbial nightmare. This episode might even be better described as a German surrealist novella than a typical Ivory Tower conflict. As a result of untold memos, several unpleasant confrontations, two federal trials, and more than \$100,000 in legal defense fees, some unique insights into the true state of democracy on at least one campus have been gained.

Our story offers no grand theories explaining academic life and democratic abuses. We can only conclude with a few sensible lessons drawn from somber experience. Nor do we recount dramatic events, heroic accomplishments, or the fashioning of elegant legal doctrine or expose devious conspiracies and munificent corruption schemes. Beyond the immediate parties involved, moreover, all is quickly being obscured by time. Nevertheless, as we shall see, the very humdrum quality of events makes them so pertinent. There is scarcely an academic alive who could not nervously exclaim “Why, that could be me.” To invoke Hannah Arendt’s famous term, it is the banality of the tale that catches our attention. Everything about this travesty, from the ironic innocuousness of its origins to the ordinariness of the participants, suggests lessons of near universality. In an odd way, our saga resembles a medieval morality play in which a humble villager is unexpectedly hauled before a judging god. Here, however, our “Everyman” facing the wrath from on high is a distinguished full professor at a Big Ten university, and those who call the shots are hardly benign.

THE TALE

Background

Our Everyman drama begins by depicting its chief protagonist, Stuart Nagel, who is now retired associate dean of international policy studies but was professor of political science (University of Illinois, Urbana) at the time when our narrative commences. By all measures, he has proven himself a model disciplinary and departmental citizen. During more than three and a half decades, he has written or edited 65 books and more than 100 articles. Indeed, innumerable publications of his departmental colleagues are wholly due to his helpful efforts. On top of this prodigious scholarly output, he long edited two journals and a newsletter, and he gave hundred of presentations worldwide while serving as secretary of the Policy Studies Organization. Moreover, time has not slowed him down one iota: Among his many recent accomplishments has been the publication of the *Encyclopedia of Policy Studies* (New York: Dekker, 1994) and *Super-Optimum Solutions and Win-Win: Policy Basic Concepts and Principles* (Westport, CT: Greenwood-Quorum, 1997).

If this were insufficient, Nagel has regularly taught a full teaching assignment (two courses per semester) in a department of commonplace partial teaching loads. Assessing teaching performance is complicated, but by the usual performance measures—class enrollment, student evaluations, and seriousness of assignments—his performance has always been at least adequate. Of course, room for improvement always exists. Like all passionate scholars, Nagel would sometimes enthusiastically get carried away with obscure details or explore topics that might initially puzzle students. This “professor-centric” style should be quite familiar to any student at a research-oriented university. Especially notable, the lure of scholarship never detracted from his accessibility or caused him to avoid his instructional re-

sponsibilities. The bottom line is that in more than 35 years of teaching, deficient instructional performance was never a formal or informal problem.

The final relevant background element is Stuart Nagel's strong, vocal support of African American civil rights. After graduating from Northwestern University Law School, he joined the Legal Service Program of the Office of Economic Opportunity and spent a year working on behalf of African Americans in the Mississippi Delta. His sympathies here are unequivocal, and anybody who has discussed race-related issues with him cannot doubt his sincerity. To even hint that Nagel has even the smallest racist bone in his body is ludicrous. Keep this in mind as we later venture into the murky waters of alleged racial confrontation.

The Triggering Incident

The next player in our drama is "the university." The university (actually some unnamed administrators) has recently become desirous of enticing senior faculty into early retirement. Given that, at least in principle, faculty can now teach until senility, this policy is reasonable and perhaps even advantageous for collective intellectual vitality. There is nothing wrong with offering handsome retirement benefits to those possessing more attractive opportunities elsewhere. All parties would benefit. The voluntary nature of this arrangement is critical. Pushing senior faculty off the iceberg is not only unethical but also illegal.

Although the line dividing voluntary and coerced retirement may be clear abstractly, haziness prevails in practice. Universities abound with anecdotes of once distinguished scholars prodded into leaving via unwelcome teaching assignments or tiny offices under stairwells. In the case of Nagel, this retirement issue surfaced beginning in 1994. At that point, due to the intricacies of the state pension system and Nagel's long service record, retirement be-

came a broached possibility. In fact, the department head offered a retirement package, but it was eventually rejected. The reason was simple: Nagel was then still only 60 years old and believed scholarship and teaching were as productive as ever. Why abandon intellectual activity for lolling about in Leisure Village?

In most circumstances, this "no thank-you" to ending a career would settle the discussion. Perhaps the offer would be sweetened or arguments made more persuasive, but to proceed further ventures into troubled terrain. As fate would have it, however, just as World War I began with an unanticipated "minor" event, an alleged classroom incident would breathe new life into the possibility of a "voluntary" Nagel departure. In effect, this occurrence offered an opportunity for those in power to resurrect a previously rejected severance possibility. This confrontation involved Nagel mentioning the predicaments of black businesses in Africa, black students clashing with Nagel's interpretation, and a postclass heated exchange between Nagel and the upset students.² On its face, nothing inflammatory. According to witnesses, no physical contact occurred and the matter dissipated within minutes. No doubt, in times past, the entire matter would quickly become a dim memory.

Two points about this "incident" are critical over and above its fundamentally inconsequential character. First, Nagel's classroom comments, regardless of their unintentional impact, were wholly protected by academic freedom. His analysis was integral to course content, and he was well within his disciplinary expertise (the Kenyan government even invited him to address this issue in Kenya). Second, heated student-professor interchanges, although not daily occurrences, are integral to academic life. To teach political science in a lively fashion encourages contentious debate, and spiritedness is typically a plus in the classroom. If classroom controversy were an actionable offense, the university would collapse into terminal boredom.

Until this point, nothing especially noteworthy had transpired. It is in the next sequence of events that our tale pertains to academic democracy. Here, the line between honest differences of interpretation and tyrannical harassment is crossed. In a matter of weeks, a seemingly forgotten rejected offer of retirement would transform itself into a rapidly escalating jihad pitting Nagel and a tiny handful of allies on one side against nearly the entire department energetically reinforced by the administration and its well-provisioned Office of Legal Counsel. An unsubstantiated letter of complaint by two students (supplemented by an anonymous letter), appended with vague charges of bad teaching, would serve as the ever so convenient “smoking gun” that would, it was hoped, push this hesitant potential retiree over the brink. The phrase “workplace violence” also infiltrated the complaint, although this was pure allegation if not fantasy. That this pretext was imbued with the hot-button issues of “racial insensitivity” made it all the more promising.

The intended “script” here is hardly novel and has proven successful elsewhere. To wit, a senior professor is confronted with a medley of grave and difficult to refute changes of a personal nature and, in effect, told “you can fight or leave quietly with a handsome reward.” Faced with the prospect of lawyer bills and unpleasant confrontation, the bribe is usually grudgingly accepted. If the intended victim is slightly obstinate, a few preliminary hearings or threats of unsought publicity will often do the trick. After all, why spend a small fortune and risk sullyng a reputation to avoid what will inevitably occur anyhow? That Nagel had already once contemplated the possibility of leaving made this “push over the edge” strategy particularly attractive. No doubt, the prospect of defending oneself against “racism” and workplace violence would impel a less hardy soul to abandon ship and head straight to Leisure Village.

Memos, Investigations, and Injunctions

During the time between the November 1995 incident and the subsequent spring semester, the demands on Nagel increased. Among other things, he was asked to provide syllabi from past years, faculty attended his class (with threats of more visits to come), and students were interviewed about his teaching performance. Needless to say, this sudden scrutiny is highly unusual and was reasonably interpreted as “something bad is in the works.” Surprisingly, the actual investigation of the alleged incident never occurred. Evidently, this was an issue not to be resolved by marshaling evidence: The desired outcome (resignation) was to be accomplished by intimidation. What else explains the lack of formal inquiry coupled with ad hoc inquisition? The upshot of this pressure sans corroborating evidence or due process was a blizzard of memos from Nagel to colleagues and administrators providing his reaction. In effect, it was the time-honored stratagem of appealing one’s case to the court of public opinion—a “look at what they are trying to do to me!” Departmental reaction was annoyance at all the commotion. Ironically, Nagel’s unexpected resistance was often depicted as “damaging” the department’s reputation. If there were those who sympathized, they almost entirely remained publicly silent.

While this “memo war” escalated, Nagel made a good-faith effort to improve his teaching. He voluntarily contacted the university’s Office of Instructional Resources (OIR) and arranged for videotaping of his classes and consulted with OIR experts on improving lecture quality. This remediation effort lasted several weeks. Because frankness is essential to progress, all discussions with the OIR were understood to be confidential. Moreover, and this becomes important later, student evaluations collected by the OIR are also confidential and can be released only with the instructor’s permission. Notable here is

the evidence of “good faith” in addressing an allegation.

Despite this teaching remediation effort, Nagel now honestly believed that his tenure was under threat of revocation. Indeed, the language of the department head’s complaint against him went well beyond the specific incident and instigated an investigation that “must transcend the particulars raised in that attached documents (words, examples) and the particular style of Professor Nagel” (Nardulli memo, January 29, 1996). This memo also called for a sweeping investigation of past teaching, although there was no evidence of previous difficulties. Nor, in principle, was this investigation time bound: It could continue indefinitely until the hoped-for smoking gun was uncovered. Obviously, more was being launched here than an attempt to calm one or two agitated students. Few university teachers with comparably long teaching careers could emerge perfectly blameless in such a review: There will always be a few disgruntled students eager to settle scores. If tenure was not to be revoked then and there, perhaps the anti-Nagel campaign would be more incremental, namely, removing him from the classroom and curtailing access to resources—retirement on the installment plan. Nevertheless, whatever the precise design, Nagel felt sufficiently threatened to seek a federal court injunction to prevent the university from proceeding further with their open-ended intimidation. In March 1996, Nagel went to federal court in Peoria, Illinois, seeking protection. By now, the university had hired an outside law firm to supplement its in-house counsel. After some impassioned testimony from both parties, Judge Michael Mihm denied Nagel’s request on the grounds that nothing tangible to that date had been done to harm Nagel. He assured the court, however, that if something were done, he was confident that Nagel would return and injunctive relief would then be granted.

Two subsequent events supply further insight into how a modern university can operate. The first was the long-delayed “investigation” of the original incident (approximately 6 months after it occurred). This inquiry soon expanded well beyond the initial incident and encompassed Nagel’s teaching performance in general. It was quite clearly a one-sided search for ineptitude apart from any pedagogical accomplishment. Nagel’s adversaries went so far as to contact OIR to obtain teaching deficiency material. This was information explicitly protected by the confidential principle, but this regulation was easily abandoned in the rush to obtain damaging evidence. When one OIR administrator was asked why these data were released despite the restrictions, she lamely responded, “Well, we [referring to the department head] both work for the same university.”

The heart of this investigation was a questionnaire haphazardly distributed to Nagel’s former students. The stilted nature of the inquisition is apparent by examining specific questions. For example, one question asked if Nagel made himself available to students in his office. The use of the word “office” might seem absolutely innocuous, but it was generally known by faculty (and all Nagel’s students) that Nagel did not consult with students in his office, preferring instead to meet elsewhere or to consult via telephone or e-mail. Hence, office unavailability appears as indifference to student concerns. When outside experts gave their opinion of this “assessment,” judgments were especially damning. Seymour Sudman, a University of Illinois marketing professor and renowned questionnaire expert, explicitly cautioned against using the proposed questionnaire on the grounds that it had never been employed elsewhere and thus the results lacked a clear baseline meaning. He also noted that the instrument’s design (no precoded categories for open-ended responses) made it especially vulnerable to

biased interpretation and could easily be construed as a search only for negative student comments (Sudman, letter, April 22, 1996). This suspicion of wrong doing was seconded by Michael Scriven, a consulting professor at the School of Education, Stanford University, and a widely recognized expert on teaching evaluation. Scriven characterized this investigation of Nagel as “an unseemly rush to an inappropriate judgment and highly adverse personnel action, amounting to public humiliation that is completely unjustified given the proceedings, report, and circumstances.” Scriven also noted the “vagueness of the charges,” a sure indicator of due process violation (Scriven, memo, May 1996). Note that this inquiry exclusively focused on Nagel’s absolute classroom performance and not on his proficiency relative to that of others in the department. Perhaps other instructors were equally inept, but this was never broached. Reinforcing a predetermined outcome was hardly subtle.

The second event was Nagel’s actual removal from his two courses. How this was mysteriously implemented would rival anything imagined by Franz Kafka. It was done invisibly and by “accident.” Specifically, quite by chance and acting on a hunch, Nagel discovered that his fall offerings had been silently delisted from the electronic timetable employed for student registration. Just how this happened remains unclear, but their removal is uncontested. To invoke an old Soviet expression, Nagel had been officially airbrushed out of educational history. At this point, the dispute had shifted from name-calling to concrete action: The once hypothetical easing out of the department was now real.

Nagel was quickly back in federal court on April 15, 1996, and this time the injunction to protect Nagel’s First Amendment rights was granted. What makes this judicial intervention to protect free speech especially noteworthy is that it pertained to an internationally famous “liberal” research-oriented school, not some obscure backward school out of touch with

modern democratic governance. The judge specifically ruled that “Nagel cannot be deprived of his teaching activities without appropriate due process.” When the political science department head professed that this removal was a minor administrative glitch performed by a subordinate, the judge characterized this rejoinder as “not credible.” Regarding the results of the investigation that wandered off well beyond the initial accusation, Judge Mihm remarked, “It’s rather amazing to me that this incoherence that is being investigated apparently dropped out of the sky.”

If this saga were a Hollywood movie, it might have a more upbeat ending. We might envision Nagel triumphantly returning to the department, a statue erected in his honor, the shamed evil-doers fleeing to the hinterland, a new regime installed, and Nagel happily ever after teaching his beloved win-win nostrums to attentive undergraduates. After all, any number of others could be brought up on similar charges at any moment. Alas, Urbana, Illinois, is not Hollywood, California. The upshot was a complex negotiated settlement whereby Nagel agreed to relinquish teaching in exchange for a 2-year appointment as associate dean of international policy studies. A substantial salary increase further sweetened the retirement package. Strictly in financial terms, when large legal bills were factored in, this arrangement was at best a wash. The university did “win” insofar as Nagel would leave, but only after 2 more years. Given Nagel’s eventual retirement, this only sped up the inevitable by a few years at most.

But, apparently, this “war” had not been concluded. As in the Balkans, enduring and often pointless animosities seem culturally endemic. Shortly after this legal agreement, at the instigation of the political science department head, Nagel’s departmental voting rights were withdrawn (two other senior faculty were similarly disenfranchised). Given Nagel’s singular marginalization and his zero influence in departmental decision making, this gesture

can only be interpreted as retribution, not a political maneuver to tip a delicate balance of power. Moreover, recent disclosures made available through the federal Freedom of Information Act and the Illinois Personnel Review Act have raised the possibility of legally relevant information being hidden or even destroyed during the federal trial period. In the fall of 1998, the department acted to deprive Nagel of a mailbox with his organizational affiliation (the Policy Studies Organization [PSO]) listed next to his name. At one point, a threat was made that if he insisted on receiving PSO mail at the his departmental mailbox, first-class mail would be opened by the secretary and returned to sender if it involved PSO business. Perhaps more battles and court orders loom as new evidence surfaces.

LESSONS FOR DEMOCRACY AND THE ACADEMY

What might we glean from this sordid tale involving one's person's travail? Obviously, to the extent that history never repeats itself exactly, all can be dismissed as idiosyncratic. To reaffirm an earlier point, however, what transpired was profoundly ordinary: a few misconstrued lecture remarks, two disgruntled students, an ambitious administrator searching for "opportunities" to thin out senior faculty, and a powerful university dedicated to self-protection. All these ingredients, no doubt, are abundantly plentiful elsewhere. It is merely a matter of time before the basic drama is repeated, although the details will naturally be unique. If it does not escalate to these absurd proportions, this will probably be more a factor of resource commitment than the situation's inherent tyrannical character. Few academics can afford \$100,000 legal bills or possess the requisite fortitude to resist. What, then, can we advise those who await this possible event? Five lessons are easily offered.

Nobody Is Safe

First, there is no absolutely secure protection from incidents that can be manipulated to one's disadvantage. The menu available to devious administrators is bountiful: offensive off-hand classroom commentary, assigning the "wrong" reading material, not taking silly classroom comments seriously, an odious public remark, alleged grading favoritism, sexual innuendoes (real and imaginary), displaying controversial pictures in one's office, endorsing a heretical political sect, and so on. Nearly every utterance can potentially end a career. Regardless of paranoid prudence, we are all "sitting ducks," and if the intended victim is too circumspect, he or she perhaps can be "set up" in the same way that the police use entrapment. Just ask willing accomplice students to keep asking loaded questions on provocative topics and eventually the "crime" will occur, or, as recently happened to Lino Graglia, a distinguished University of Texas law professor, take an innocuous statement out of context and call it inflammatory hate speech. It also hardly matters if accusations are anchored in reality; in today's lingo, "perceptions" can be just as devastatingly valid as a smoking gun. Even the most hard-edged scientific item, after all, can be offensive, and today it is feelings that count.

Exacerbating this vulnerability is the fact that energetic bureaucracies now exist to expose even the slightest infractions. Without incidents, there can be no programs, and without programs there are no administrative careers; therefore, economic self-interest is yoked to uncovering "dangerous heresy." The traditional approach of informally settling misunderstandings over coffee is less available when a sensitivity apparatchik is building a formal record that might end up in court. Escalation, then, becomes built into the disputational process: Hire a lawyer immediately, and hope that a scorched-earth campaign will intimidate the enemy. To

trust passively in good faith to dissolve the acrimony may well invite ruin.

Do Not Count on Friends

Do not expect colleagues, even alleged friends, to rally to your cause when calamity strikes. Stories from dictatorships of bystanders “not getting involved” when dissidents are dragged off by the secret police are depressingly relevant. The term *courage* does not immediately come to mind when describing today’s faculty. Expect little more than a silent pat on the back, a “confidential” missive to keep the faith, or some vague consolidation in hushed hallway gossip. That potential supporters are all tenured, enjoying handsome guaranteed salaries, makes scant difference. Indeed, it is equally plausible that their very security paralyzes any interventionistic urge. In their thinking, misfortune is not a communicable disease. A recent nature program on a cable TV channel exemplified this mentality. A crocodile tried to devour a monkey while other troop members looked on in amusement. Not a single fellow monkey came to the rescue (eventually, the intended victim escaped without assistance).

Today’s university incentive structure explains much of this indifference. Especially relevant is that onlookers, potential allies, seldom escape the enticements of the powerful. This indifference is often economically driven. Joining the academy no longer requires vows of destituteness. Even mediocre faculty can maneuver handsome salaries—easily in excess of \$90,000—independent of conspicuous accomplishment. After all, who is to say that a particular trifling research note is not “pathbreaking” and thus worthy of a huge bonus? An alleged precise salary standard may well be post hoc impromptu rewarding of confidants. Ample nonmonetary rewards abound to bestow to the faithful—reduced teaching loads, a new computer, invitations to exclusive occasions, and prestigious appointments. One need not be

a skilled Machiavellian to manipulate the levers to muzzle potential troublemakers. A few dollars here, a course reduction there, and vague hints of future generosity are often sufficient to purchase acquiescence. In fact, what is truly depressing is how effortlessly faculty can be lured into careers as spies and double agents. To an insecure professor, a raise of a few thousand dollars can have a remarkable transforming effect on loyalty. That all this bribery is done slyly and may be indistinguishable from the normal flow of benefits reinforces its effectiveness.

University Amoral

Today’s universities are fundamentally amoral. These institutions may inhabit a moral society, and nearly all their employees may be exemplary human beings, but as a collectivity that must be confronted the palaces of higher learning are as virtuous as a rock. To hope that righteousness will inevitably triumph over evil is almost always delusional. The most vigorous appeals to venerated statutory requirements easily fall on deaf ears. To assume an inherent honorableness invites disappointment. No matter how right one’s case, it is far more prudent to presuppose the worst, prepare for deceit, and hire a belligerent lawyer.

A little reflection will convince that such amorality is predictable and not a momentary lapse. As administrative bureaucracy grotesquely expands, responsibility grows ever more defuse. If a dirty deed is to be done, it can be executed almost invisibly, incrementally with a paper trail so cluttered that in the final analysis nobody is responsible. A document signature means nothing because the “real” command may have originated elsewhere and in multiple committees. As in a well-performed Mafia hit, no witnesses come forward, evidence mysteriously vanishes, and inquires are met by stone silence. If this were insufficient, add ample discretionary funds useful for quieting the disgruntled. Modern uni-

versities abide by a unique form of punishment: Generously remunerate all parties to a misdeed. If a fellow administrator screws up, calm the troubled waters by a promotion to a less challenging position or encourage a generous early retirement. If a professor cannot control scatological urges, “deprive” him or her of teaching responsibilities but continue the salary. No wonder complaints are few. One can only imagine the howls of derision if such a “punishment” system were applied to our criminal population.

The upshot is a culture that inhibits the virtues of honor and responsibility. As in the long-gone urban machines, “make no waves, back no losers.” Displaying a moral backbone or a proclivity for forthrightness quickly disqualifies one from upward mobility. Such an upright individual is “difficult” and may even be considered “untrustworthy” by administrative peers. Why invite into the clique possible whistleblowers inclined to go public with lurid tales of financial irregularity or hushed-up incidents of sexual exploitation? Better to recruit the colorless who embrace the code of silence or who conveniently cannot tell right from wrong. Also, given the financial rewards that now accrue to those who advance administratively, why seek trouble? Dutiful soldiers are generously rewarded; the incentives for seeking the moral high ground, in contrast, are miniscule.

Do Not Count on Outsiders

Do not expect to be rescued by the cavalry from outside the university. Numerous organizations exist to protect citizen rights (e.g., the American Civil Liberties Union), and a few specialize in academic plights (notably the American Association of University Professors). Although these safeguarding organizations certainly play a vital role in sustaining our liberties, they hardly constitute the local 911 emergency professorial police service. If contacted with pleas for aid, many would no doubt

beg off, claiming heavy case burdens, inadequate resources, and uncertainty regarding the gravity of one’s plight. They cannot be compelled to intervene, and one’s own desperation does not certify worthiness to an organization bombarded with petitions. Properly understood, such assistance must be judged an unexpected bonus. Perhaps the same could be said of academic unions: Even if they did offer friendly advice, they are hardly the Teamsters, ever ready to strike over some alleged violation.

The predictable lack of rescue efforts by these outsiders makes the indifference by one’s colleagues and friends all the more noteworthy. In a nutshell, one must fight a solitary battle, and this is highly consequential. Potential allies currently outside the academic milieu (e.g., the Individual Right Foundation) can thus easily go unnoticed, as can critical information and court decisions. Strategy and tactics must be improvised or provided by paid legal counsel more adroit at house closings and divorces. Intricate questions will be resolved ad hoc in one’s spare time. The entire defense enterprise will surely be amateurish. More important in the long run, deprived of daily support and encouragement, the will to resist atrophies. After a point, the only sure allies helping to keep the battle going may be family. This isolated wariness is well understood by one’s bureaucratic enemies: Unlike yourself, they can continue the battle virtually forever.

Surrender Only Exacerbates

Finally, appeasement or quiet surrender only exacerbates. As cities often become accustomed to blatant crime, universities may well expand their comfort zones to permit regular abuses of power. This all-too-familiar pattern is hardly confined to educational governance. Fresh from a minor triumph, the petty tyrant becomes emboldened, turning his or her sights on larger pray. Today, banish a troublemaker

to an office in Siberia; tomorrow, remove voting rights. Eventually, with a few artful maneuvers, cranky colleagues will be consigned to the dustbin of departmental history. With practice, abuses become better executed and more skillful, and cover-ups become more adept. Top administrators, ever anxious to avoid awkward publicity, pretend not to notice. Potential opposition becomes disheartened and retreats to therapeutic gossip. That anxious bystanders can seek employment elsewhere or retreat into a monastic existence is all the better because this removes potential resisters.

Eventually, a point is reached at which aberrations become routine, even tolerated. In the language of political science, abuse becomes institutionalized. Rules are now rewritten to provide a legitimate patina to the once unthinkable. This is not nearly as difficult as it might seem in environments in which precepts typically prevail as an unwritten consensus. A clever administrator might, under the guise of “democracy,” award votes to those wholly dependent on his or her whim. New faculty might be compelled to pledge loyalty oaths. Election results can be altered via interpretation; for example, with a little verbal messaging, an 11 to 9 vote can be disregarded entirely as “ambiguous” (although in other situations it may be “close but decisive”). Key positions can be filled by those too inept to resist these subversions. Those familiar with academic life could, no doubt, add innumerable more ruses that can be moved from the shadows to certified respectability. Once the initial inertia is overcome, the usurpation grows easier by the day.

Hope?

Is there no hope? Might we have uncovered some “iron law” in which academic democracy inevitably deteriorates? To be perfectly forthright, the situation is glum. If it were merely a matter of replacing “bad” people with “good” people, we

could express optimism. As has been repeatedly intimated, however, the faults lie more in the nature of modern higher education and less so in the people staffing the institutions. It is the triumph of what sociologists call “role socialization”—the job shapes the person, not vice versa. The vastness of bureaucracy and the comforts of an administrative career path offer little incentive to stand up for what is right. That irritants can be eliminated by financial generosity only further encourages the flight from responsibility. Also, short of blowing up buildings, there seems little risk of those in charge destroying their institutions. A modern-day Hitler or Stalin as dean or even president would cause only a few ripples before being retired with a most generous settlement package. In such circumstances, it is no wonder that proponents of the highest principles are unwelcome nuisances.

If change is to occur, it will probably occur by forces far distant from the current academy. A certain irony presents itself here. Traditionally, financial generosity has been promoted as the handmaiden to educational expansion, which in turn was considered integral to the survival of democracy. Thus, a dollar spent on learning was further insurance for the preservation of democratic life. As any social scientists will attest, however, what is a linear relationship over one portion of the data may not be so over a different portion of the data. Unfortunately, this may now be true for democracy, education, and spending. After some point, the *embarras de richesse* now enjoyed by contemporary higher education becomes a source of corruption. Ample funds easily permit escape from making the right, but often difficult, choice.

Perhaps the downsizing mentality, especially its emphasis on personal accountability, that now infuses corporate America has something to teach the academy. The recent collapse of several Asian economies confirms this message: Building enterprises on insider deals, cronyism, bribery, and du-

plicity all supported by pecuniary extravagance is not a guaranteed long-term solution. Allowing petty tyrants to escape responsibility, saying “yes” to every hare-brained proposal, or hushing misdeeds with largesse only feed the monster. The clamor for funds to cover such excesses cannot continue endlessly. At some point, perhaps in a scene resembling a 1930s grade B monster movie, the humble town-folk will become outraged and, pitchforks in hand, turn on the institutions that for decades they have so copiously supported. This will not be a happy time for higher education.

NOTES

1. All references in this chapter are from material contained in *Academic Witchhunt: The Federal Courts Versus a University Inquisition* (www.u-reform.org) (University Reform, 1997).

2. Specifically, Nagel suggested that local black businesses were at a competitive disadvantage vis-à-vis their Indian counterparts because they were more generous in extending credit and discounts to friends and relatives. The solution suggested by Nagel was for instruction in modern business practices to make black businesses more competitive. Needless to say, the racism of this argument is hardly self-evident.

Part 5

POLICYMAKER PERSPECTIVES

Public Health Challenges

DONNA E. SHALALA

Former Secretary of Health and Human Services

I have spent most of my adult life on the borderline between making public policy and being a student of public policy. After years of doing both, I have learned that solutions rarely rise to the surface with mathematical precision. Yet time and again, I have seen leaders from both political parties put nation above party and better the lives of millions of Americans.

My years as Secretary of Health and Human Services were an exhilarating ride with many accomplishments that make me proud to have improved the lives and health of Americans. For me, the lessons of being a cabinet member came fast—and on occasion painfully. I learned quickly to be flexible and realistic.

In 1994, we lost on universal health care, in part because the other side organized quickly and framed the debate. We learned our lesson. In 1996, we were flexible enough to find a slower, more tar-

geted—and successful—approach. That year, under the great leadership of Senator Kennedy, we passed the Kassebaum-Kennedy law so people who lose their jobs or have a preexisting condition will not have to live in fear of losing their health insurance. In 1997, we passed our Children's Health Insurance Program (CHIP), which is a \$24 billion dollar program to provide coverage for up to 5 million uninsured children.

Both these legislative accomplishments came after the Republicans took over Congress in 1995. Although people feared that divided government would cause gridlock, that did not happen. Instead, the change in Congress led to what I think was a very healthy national debate about the role of government. The American people said they wanted limits on the size and cost of government. President Clinton heard that message and declared, “The era of big gov-

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ernment is over.” President Clinton, however, also believed—and still believes—that government has an important role to play in protecting the health and well-being of our children, opening the door of America’s economic bounty to all who are locked out, preserving the promise of Medicare and Medicaid, and ensuring that the root of basic research becomes the flower of life-saving medicine. We fought hard for this vision of America—an America that would live within its means without sacrificing its principles or its soul.

That fight was worth having. After we got through the government shutdown, we had a period of almost unparalleled legislative achievement. We passed major welfare reform legislation that, along with the booming economy, has brought the number of welfare recipients below 10 million for the first time in more than 25 years. We expanded the earned-income tax credit in 1994, and we increased the minimum wage in 1996. We approved tough new child support measures that are expected to increase collections by \$24 billion dollars from 1998 to 2008. Also, as mentioned previously, we passed CHIP, which is the largest expansion in health care since we created Medicare and Medicaid more than 30 years ago.

At the same time, we strengthened Medicare and Medicaid, adding important new benefits and extending the life of the Medicare Trust Fund to 2007. Head Start was restructured, and we invested in a quality strategy. We cracked down on fraud and abuse, and we are still cracking down.

Childhood immunization rates soared to record highs, and the infant mortality rate hit a record low. Teen pregnancy rates have declined for 5 straight years, from 1993 to 1998, paternity establishments are up, and overall drug use among younger teens leveled off last year for the first time since 1992. We are starting to see real results from new AIDS-fighting drugs. AIDS deaths decreased 44% in the second half of last year. Also, cancer incidence and death rates decreased from 1990 to 1995.

Through all these accomplishments, President Clinton submitted to Congress the first balanced budget in 30 years. All of this happened despite conventional wisdom and with the smallest government since the Kennedy administration.

This is the era of closing deficits. We have done it with the budget, and now we must do it with our health. For America’s racial and ethnic minorities, the health deficit is all too real. Racial and ethnic minorities suffer from many diseases at higher rates than whites. For example, infant mortality is 2½ times higher for African Americans and 1½ times higher for Native Americans than it is for whites.

We have a moral obligation to close these gaps, and by focusing on the health needs of minority Americans, we will improve the health of all Americans. We also need to balance the books on access and quality by extending Medicare benefits to Americans 55 to 65 years old. This Medicare buy-in will not raise taxes or negatively affect the trust fund. But it will do what is right.

We also need to do what is right to ensure quality in our health care system. Managed care is here to stay, but we must never, ever sacrifice quality for efficiency. That is why the president’s commission studying health care quality recommended including a Patient’s Bill of Rights that will ensure greater choice, better information, emergency care, privacy of health records—and much more. We’ve already given these rights to every person with federally subsidized health insurance. That’s one third of all Americans. Private insurers are called on to sign on and do the same.

When the president announced the first balanced budget, he said he wanted the surplus—and future surpluses—to go to saving Social Security. That is because closing the health deficit not only means paying up today—it means investing for tomorrow. That is exactly what the Clinton administration did—invested in the children of the millennium and their children. First, we

proposed the largest single investment in child care in our nation's history—almost \$22 billion over 5 years to make child care more available, more affordable, and more trustworthy for millions of working families. And second, we tried to make sure these children of the millennium grow up safe from today's most dangerous diseases.

To do that, we proposed a new 21st Century Research Fund to infuse millions of dollars into a prevention research program. The fund would give our National Institutes of Health (NIH) the single largest budget increase in its history: \$1.1 billion next year as a down payment on a historic 5-year, 50% expansion. These new resources would allow us to boost the number of funded research grants to an all-time high and increase NIH cancer funding by 65% by 2003.

Recently, I sat for 6 hours being photographed with a milk mustache. I did the ad as part of my strategy of going where no Health and Human Services secretary has gone before to communicate important

public health messages. Teaching teenage girls that they can prevent osteoporosis by drinking milk is just one piece of a much larger agenda for living longer and healthier lives in the 21st century.

As we near the end of what has come to be called the American century, we have the chance to plant the seeds of an American millennium. Where the burden of history—and the yoke of disease—is finally lifted from our children. Where every child can grab the baton of education and sprint to a prosperous future. Where equality and economic opportunity are a certainty—and intolerance a long-ago memory. Where we refuse to forego our principles or make others forego their dignity.

Is this too idealistic for the hardball world of politics and policy—budgets and bureaucracy? No. In the 20th century, millions died because government thought they could impose a utopia, the lesson for the 21st century is unmistakable: Policies that move the human spirit are policies that change us for the better and forever.

Section



POLICY
EVALUATION
AT THE
CUTTING EDGE

Part **1**

BASIC CONCEPTS

Policy Theory

Policy theory can be divided into conceptual theory, theory of knowing, causal theory, and normative theory. They all have in common a high level of generality about public policy—higher than methods, process, or substance.¹

CONCEPTUAL THEORY AND POLICY ANALYSIS

Defining Policy Analysis

Public policy analysis can be defined as determining which of various alternative public or governmental policies will best achieve a given set of goals in light of the relations between the policies and the goals. This definition brings out the five key elements of policy evaluation:

1. Goals, including normative constraints and relative weights for the goals
2. Policies, programs, projects, decisions, options, means, or other alternatives that are available for achieving the goals
3. Relations between the policies and the goals, including relations that are established by intuition, authority, statistics, observation, deduction, guesses, or other means

4. Drawing a tentative conclusion regarding which policy or combination of policies is best to adopt in light of the goals, policies, and relations
5. Determining what is necessary for a second best or other alternative to become the best alternative

Other concepts that are often used to mean public policy analysis include policy evaluation, policy studies, program evaluation, public management science, and policy science. One can make distinctions between these concepts as follows²:

Policy evaluation emphasizes evaluating alternative public policies, as contrasted to describing them or explaining why they exist.

Policy studies includes describing policies, explaining their existence, and evaluating them.

Program evaluation emphasizes evaluating a specific program, such as that for a halfway house in Chicago in 1984, as contrasted to developing general principles of how to evaluate.

Public management science emphasizes decision making that is involved in implementing broader decisions, generally made by legislatures and agencies that have quasi-legislative authority.

Policy analysis emphasizes systematic analytic methods that can be quantitative or qualitative.

Policy science emphasizes quantitative methods.

Methods of public policy analysis refer to

1. How to draw a conclusion regarding which policy to adopt from information on goals, policies, and relations
2. How to establish the relations between policies and goals
3. How to determine what policies are available for adoption and what goals are appropriate to consider

Defining Good Policy Analysis

The key characteristics of good policy analysis relate to validity, importance, usefulness, originality, and feasibility.

Validity

Validity in general refers to being accurate. In the context of policy evaluation research and its key elements, validity refers to the following:

1. The listed goals should include all the major goals and no non-goals of the relevant policymakers in this context.
2. The policies being considered should encompass the total set of feasible alternatives and no infeasible alternatives. *Feasibility* in this context refers to the capability of being adopted and implemented by the relevant policymakers and policy appliers.
3. There should be external consistency with empirical reality in describing the relations between the alternative policies and the goals.
4. There should be internal consistency in logically drawing a conclusion that fol-

lows from the goals, policies, and relations.

Validity can occur in degrees, or at least nonvalidity can do so. A valid study meets all four of the previously mentioned requirements. An invalid study fails to meet at least one of the four requirements. A study is even more invalid if it fails to meet more than one of the requirements or fails to meet a requirement by a large margin. Validity in policy evaluation is thus like equity, where equity is defined as providing a minimum benefits level for all relevant persons, groups, or places. Thus, if the minimum level is met, equity is present, although equality may not be present. There can be degrees of inequity, however, depending on the size of the individual deviations from the minimum level and the number of people involved, as is the case with nonvalidity.

Importance

Importance can be defined in two ways:

1. Does the research deal with issues in which major societal benefits or major societal costs or both are being analyzed? For example, research on avoiding nuclear war is more important than research on whether a city should have a strong mayoral form of government or a city manager.
2. Does the research deal with a subject matter or a set of causal hypotheses that potentially have broad explanatory power? This is theoretical importance, as contrasted to policy importance.

There can be degrees of policy importance depending on the product of the total benefits multiplied by the total costs that are at stake. This benefits \times costs criterion makes sense in judging the relative importance of two research projects, even though benefits–costs is the criterion for judging

which of two investments or alternative policies to adopt. In other words, if one research project has benefits of 100 units and costs of 150 units, and a second project has benefits of 10 units and costs of 8 units, then the first project is more important given the amount of the benefits and the costs, even though the second project would be a better or more profitable investment. We would not want to add benefits to costs to judge importance because those variables are likely to be measured in different units that cannot be meaningfully added. In this context, however, different units can be meaningfully multiplied.

Usefulness

Usefulness should be considered a continuum concept rather than a yes/no concept. Usefulness at its lowest level involves doing a policy research project that is not in any way referred to by the people who make policy in the subject matter area. Not only is the research project not referred to, but also there is no evidence that the policymakers were even aware of the project. It is sometimes possible that a research project is not explicitly cited but that it was referred to in hearings, preliminary discussions, or other oral or written asides. When none of this occurs, this is clearly nonuse.

At the other extreme or next highest level is research that reinforces preconceived decisions. This is reasonably common. Some skeptics of the value of systematic policy analysis consider this occurrence not to be utilization. Policy researchers, however, should be quite pleased if their research accelerates a worthwhile decision that otherwise might not be made for awhile. An example is the research that showed that more defendants can be released prior to trial without increasing the no-show rate, provided there is some systematic screening to determine who is to be released. Liberals found support in such studies because they wanted more defendants released in view of the presumption

of innocence. Likewise, conservatives also found support in such studies because they wanted a reduction in the expensive jail burden on the taxpayers. This kind of reinforcement did accelerate the presumably desirable occurrence of increased pretrial release with a constant or lower no-show rate.

At the next to the lowest level is research that is referred to by policymakers orally or is officially cited. The citing could be by either the majority group among the decision makers or the minority group or dissenters. Either kind of citing is an example of low-level use, even if the research cited was not on the winning side and was not influential enough to convert opinions or even reinforce preconceived opinions. This is also a common occurrence. People who are skeptical of the value of policy research tend to emphasize the commonness of the lowest categories of no citing or citing but no influence. One should recognize, however, that progress in dealing with policy problems may require many unused research projects before a research project is developed that does become well used. The policy research system is still a success if only 1 in 10 projects is used, if that project tends to produce benefits that outweigh the costs of the other 9.

Other Criteria of Good Policy Analysis

In defining good policy evaluation, one should add as a criterion the concept of originality to the concepts of validity, social and theoretical importance, and usefulness. Originality can be measured in degrees because all research differs to some extent from previous research, unless an exact plagiarism is involved. Even highly original research builds on and synthesizes prior research. Feasibility is an additional criterion for judging proposed policy research compared to completed policy research. Feasibility is concerned with how easily the research can be implemented

given the limited time, expertise, interests, funds, and other resources of the researcher.

In defining good policy evaluation, we should also indicate certain criteria that should probably be considered irrelevant. One such criterion is whether the recommendations of a research study have been adopted by policymakers, even though policymakers show no awareness of the existence of the research. To be considered useful, the research must at least be referred to by policymakers. A second irrelevant criterion is the direction of the research recommendations in terms of being liberal or conservative. This criterion is not relevant to good policy analysis in an objective scientific sense because there is generally no objectivity regarding whether a liberal or a conservative recommendation is better. One could argue that liberal recommendations tend to directly benefit more people given their mass orientation. On the other hand, one could argue that conservative recommendations benefit more people in light of the trickle-down theory, which states that the masses are better off if well-to-do potential investors are encouraged to develop new technology and businesses. The other criteria of validity, importance, and usefulness do have some objective reality on which both liberals and conservatives can agree.³

THEORY OF KNOWING AND POLICY ANALYSIS

Sources of Policy Analysis Elements

Where do goals, policies, and relations come from? The answer includes the following main possibilities:

1. Authority: One or more persons, books, articles, or other reliable sources of information regarding the relevant goals, policies, or relations
2. Statistical or observational analysis: Analyzing specific instances to generalize what the goals, policies, or relations might be
3. Deduction: Drawing of a conclusion from premises that have been established from authority, observation, intuition, or all three
4. Sensitivity analysis: Estimating the goals, policies, or relations and determining what effect, if any, the estimated values have on the final decision regarding which policy is best

The four basic sources can be subclassified in various ways. For example, authority can be meaningfully discussed in terms of expert authority and general public opinion. Authority can also be contemporary or historical. Observation can be impressionistic or systematic, including statistical. Deductive approaches can be based on intuitively accepted or empirically validated premises. Sensitivity analysis is threshold analysis in which we want to know the break-even point, above which we should take one course of action and below which we should take another.

What constitutes an authority on goals, policies, or relations? The answer depends on the subject matter. For example, the Supreme Court is an authority on what goals are legitimate in satisfying the right-to-counsel clause of the Sixth Amendment to the Constitution. The Court has said that saving money is not an appropriate goal but that saving innocent persons from being convicted is appropriate. If, however, the issue is not whether right to counsel should be provided but, rather, how it should be provided, then saving money is an appropriate goal. For this issue, the goals of a county board would be relevant because it generally appropriates money to pay court-appointed lawyers to represent the poor. Such goals might include satisfying the local bar while minimizing expenditures. The board might therefore decide to use a salaried public defender system

rather than a less expensive but less politically feasible assigned-counsel system or a less legally feasible volunteer system. For other policy problems, the key authorities might be legislative opinion, public opinion, the head of an administrative agency, and so on.

Accounting is a variation on statistical analysis. Like statistical analysis, it involves aggregating data, but accounting data are generally more precise than statistical analysis that is based on averages or the fitting of curves to scattered data points. A public opinion survey is not a variation on statistical analysis in the context of the typology of sources. Rather, it is a form of consulting authority in which the authority is the general public or a special segment of it. A statistical analysis (as a distinct source of information on goals, policies, or relations) involves a cross-tabulation, an analysis of the variation between averages, or a regression equation analysis. These forms of statistical analysis involve determining a relation that is relevant to weighting goals, deciding which policies are feasible to choose among, or relating a policy to a goal.

Deduction involves deriving a conclusion from premises that have been established by way of authority, empirical validation, prior deduction, or intuition. The more acceptable the premises, the more acceptable the conclusions should be, assuming the conclusions have been validly deduced from the premises. Deduction is especially helpful when there is no authority and no empirical data for determining the information desired.

In policy evaluation, sensitivity analysis is a useful source of information about goals, policies, and relations when authority, statistics, and deduction do not provide clear answers regarding them. Sensitivity or threshold analysis enables one to determine the amount of room for error in weighting the goals, listing the policies, or measuring the relations. Often, the controversy regarding precision in these matters is wasted because, within the range in

which the controversy occurs, the overall conclusion regarding which policy or combination is best is still the same. Sensitivity analysis also enables the policy evaluator to convert difficult questions about goals, policies, and relations into relatively easy questions, such as “Is a given weight, policy, or relation above or below some threshold?” rather than “What is the exact weight, policy, or relation?”

There is no need to argue about which source between authority, statistics, and deduction is the most desirable. Authority is clearly a major time-saver if an accessible and respected authority is involved. Deduction enables one to draw conclusions about goals, policies, and relations without having to gather original data but instead by synthesizing already known information. Statistical analysis does constitute a more ultimate, but more difficult, form of proof. In any concrete policy evaluation situation, the best source depends on the subject matter and what is to be done with it. If the policy evaluation involves constitutional policy, an appeal to Supreme Court authority may be most relevant. If it involves the effects of a strike in the coal industry on another segment of the economy, a deductive input-output model may be the preferable type of analysis. If it concerns the trade-off of inflation and unemployment, a time-series statistical analysis may be especially appropriate in relating inflation and unemployment to suicide rates, the percentage of the two-party vote that goes to the incumbent party, or other social indicators.

Overcoming Obstacles to Policy Analysis Knowledge

There are five key methodological problems in decision making:

1. Multiple dimensions on multiple goals (the “apples and oranges” problem)
2. Multiple missing information

3. Multiple alternatives that are too many for one to be able to determine the effects of each
4. Multiple and possibly conflicting constraints
5. The need for simplicity in drawing and presenting conclusions despite all this multiplicity

Decision-making problems often involve multiple goals measured on a variety of different dimensions, such as miles, hours, dollars, 1-5 attitude scales, and yes-no dichotomies. Multiple dimensions can be handled, for example, by (a) multiplying the apples by 2 if you like each apple twice as much as each orange. Then, all data will be expressed in orange units; (b) asking whether the gain in apples from choosing one alternative is worth more or less than the gain in oranges from choosing a second alternative; or (c) by converting the apple units into percentages by dividing the raw scores on the apples goal by the sum of the apples and by converting the orange units into percentages by dividing the raw scores on the oranges goal by the sum of the oranges.

We often do not know relation scores for each alternative on each goal, and we often do not know the relative weights of the goals. The main way in which missing information is handled is to allow the user to quickly and accurately determine the effects of inserting various values for the missing information. Specific techniques include

1. “What if” analysis, whereby the computer shows what would happen if changes were made in the goals, alternatives, relations, or all three
2. Threshold analysis, whereby the computer shows for each relation score and goal weight the value that would cause a tie between the second best alternative and the best alternative

3. Convergence analysis, whereby the computer shows for each goal weight at what magnitude the goal tends to dominate the other goals, such that nothing is to be gained by increasing the weight
4. Best-worst analysis, whereby the computer first shows what the conclusion would be using values that most favor a given alternative and then the values that least favor a given alternative. The two conclusions are then averaged.

Decision-aiding software can help in allocating resources, in contrast to the generally easier problem of simply finding a best alternative or combination. A good way to allocate resources is to convert into percentages the raw merit scores of the objects to which the resources are to be allocated. One can then apply the percentages to the grand total available to be allocated. A good way to convert the raw scores into percentages is to divide them by their total within the same goal to get part-whole percentages. These percentages can then be summed across the goals using a weighted sum in which the goals have different weights.

Decision-aiding software can help in dealing with constraints that require minimums or maximums on the alternatives or the goals or other conditions that must be met, regardless of how high the scores are for an alternative or for the goals. The constraints can be met before one allocates scarce resources or determines the relation scores. Doing so tends to result in giving an alternative more than it is entitled to when it deserves only the minimum. This result cannot occur if adjustments are made after allocating so as to bring alternatives up to their minimums. The best ways to resolve conflicting constraints are either to expand the total benefits available or to reduce the total costs to be imposed so that all the constraints can be satisfied simultaneously. If this is not possible, then one can resolve conflicting constraints by developing compromises that satisfy each constraint in

proportion to its importance. Other, less desirable alternatives involve partially satisfying all constraints equally or fully satisfying certain constraints in the order of their priority.

Decision-aiding software that is based on multicriteria decision making (MCDM) can greatly simplify the analysis of a variety of decision-aiding problems that have traditionally used more complicated and often less valid methods, such as arrow diagrams, payoff matrices, decision trees, optimum-level curves, indifference curves, functional curves, and multiobjective programming. The essence of MCDM software is that it works with a table, matrix, or spreadsheet, with alternatives on the rows, evaluative criteria on the columns, relation scores in the cells, and a summation column at the right showing the overall score or allocation percentage of each alternative.⁴

CAUSAL THEORY AND POLICY ANALYSIS

Adopting Versus Rejecting Proposed Policies

A fundamental distinction in public policy analysis is that between policy formation and policy implementation or that between policy causes and policy effects. This distinction is relevant to the concept of policy failure and the counterpart concept of policy success. Policies can thus be failures in the sense of never being adopted or in the sense of being adopted but having unsatisfactory effects. The failure to get a policy adopted is a subject of particular relevance to political science because adoption failure tends almost always to be due to a lack of interest-group support relative to the opposition for the policy being considered. Studying the interaction of interest groups is an important part of mainstream political science. This kind of awareness could be helpful in developing policies that are more likely to be adopted. Numerous ex-

amples could be given of highly praised policies that were adoption failures due to interest-group opposition that was not adequately won over, such as tariff removal in the 1930s, free-market farm pricing in the 1950s, and pollution taxes in the 1970s.

Success Versus Failure Among Adopted Policies

There are a variety of ways to classify postadoption policy failures. One dimension is in terms of the subjective intent of the decision makers versus the objective reality. In terms of intent, a policy is a success if it achieves its goals, and it is a failure if it does not. In terms of reality, a policy is a success if its benefits minus its costs are maximized, or at least positive, regardless of whether the benefits or costs were intended. A second dimension is in terms of quantity and quality. A policy is a quantitative failure if its achievement units fall below an intended or objective standard, even though there is some net achievement. A policy is a qualitative failure if it produces more undesirable than desirable results, as measured either by the intentions of the decision makers or by the objective effects regardless of intent. Because each of these dimensions has two categories, it is possible for four types of policy failures to occur by combining the two pairs of categories into a four-cell table.

Prohibition and Allocation Policies

A good set of categories, however, is one that suggests meaningful ways of reducing policy failure. The previously mentioned categories may lack this characteristic. Showing too much concern for the intent of decision makers may, for example, lead one to suggest reducing policy failure by lowering one's goals, which is analogous to reducing crime by legalizing all activities that were formerly criminal. A more useful classification of postadoption failure

might be in terms of policies that prohibit or legitimize certain activities versus policies that involve allocating resources or effort. Prohibition or legitimation policies can relate to criminal activities, negligent behavior, breach of contract, economic regulation, transferring property, unconstitutional administrative practices, or other activities in which legal policies specify what is right and what is wrong. Postadoption failure in this context refers to noncomplying behavior, which is behavior that does wrong despite the prohibition or nonlegal recognition. Compliance is likely to be facilitated when (a) the legal policies are clearly specified and represent a minimum deviation from custom; (b) the policymakers are highly regarded and maintain a unity of support for the legal policies; (c) the policy applicators have time, financial resources, expertise, positive incentives, and negative sanctions in administering the policies; (d) the policy recipients have attitudes and backgrounds that favorably dispose them toward the policies; and (e) environmental conditions are conducive to compliance, including communications media, education facilities, and business conditions.

Opposite kinds of policies on the prohibition-allocation dimension are those that involve decisions to generate various inputs to achieve various outputs. These policies include allocating resources to places or activities, deciding the degree of enforcement for given policies, or deciding how much due process to provide to protect the innocent from being treated as if they were guilty while simultaneously apprehending and negatively sanctioning the guilty. At least in theory, such policies lend themselves to determining an optimum allocation of resources in which the nonlinear marginal rates of return are equalized across places or activities or to determining an optimum level at which the marginal benefits equal the marginal costs. In practice, it is often quite difficult to use the methods of operations research or related fields to determine the optimum levels be-

cause of the difficulty of measuring the benefits and the costs and of relating them to varying inputs. To the extent that one can at least approximately determine a notion of policy optimum, one can then measure failure for these policies as the difference between the optimum and the actual. Thus, if the optimum allocation of a budget to a given anticrime activity is \$1,000 and the actual allocation is \$800, then the anticrime allocation is \$200 less than optimum. If the \$1,000 allocation would produce 50 crimes and the \$800 allocation would produce 60 crimes, then the anticrime allocation is suffering an opportunity cost of 10 crimes. Perhaps one should generally measure policy failure in terms of the degree of noncompliance, the deviation between actual and optimum, and in terms of opportunity costs rather than on a dichotomy of failure versus success.

Deviation Between Optimum and Actual

The deviation between the optimum and the actual can generally be explained in two ways. The researcher may be wrongly attributing values or intended goals to the decision makers, or the decision makers may be misperceiving the relations between their decisions and their goals. For example, if the optimum percentage of defendants to hold in jail prior to trial is 4%, and the actual percentage is 27%, the deviation may be explained by noting that the optimum was arrived at by using societal costs, such as the costs of incarceration and lost gross national product. The actual decision makers do not bear these holding costs, but they may be quite sensitive to the personal embarrassment of releasing a defendant who fails to appear in court or commits a crime while released. The problem in these common circumstances is how to internalize the external costs that the decision makers generate. Doing so may involve trying to generate some offsetting

embarrassment by publicizing the holding costs that the high holders incur without a commensurate improvement over the low holders in getting defendants to appear.

The alternative or supplementary explanation is that the decision makers do have the goals that the researchers attribute to them, but the decision makers in this context do not have the facts regarding how their own behavior relates to their goals. Specifically, the legal policymakers may lack information on the high percentage of released defendants who appear in court without committing crimes while released, and they may lack information for predicting more accurately the probability that various defendants will appear. There are numerous policy situations in which the degree of failure could be decreased or the degree of success increased if policymakers had additional social science information. When one talks in terms of the deviation between optimum and actual, one can readily see that social science and policy analysis can play a useful role in attempting to determine the optimum and how the actual can be moved closer to the optimum.⁵

NORMATIVE THEORY AND POLICY ANALYSIS

Professional Ethics

An interesting question concerns the ethical obligations of people who do policy analysis research. Such research often involves ethical dilemmas that relate to

1. Whether one's purposes should include prescription or evaluation as well as prediction or explanation
2. Whether or not to work to maximize the interests of a political party or special-interest group or to maximize only general societal interests
3. Focusing on intended consequences versus all consequences

4. Efficiency versus equity as policy goals
5. Evaluation versus evaluation plus diverse replication as an obligation
6. Cost incurring versus cost saving in research
7. Whether or not to share one's raw data
8. Research validity versus questionable findings that are not sufficiently questioned
9. Whether or not to put people at risk in policy evaluation

Openness may be the key factor underlying the resolution of ethical dilemmas in policy evaluation. The situation is similar to that of the blue sky laws that regulate the securities markets. A stockbroker can legitimately sell the blue sky as long as he or she informs potential customers and others what they are buying. Likewise, policy evaluators may be complying with basic ethical obligations when they make clear exactly what they are doing on matters such as the nine dilemmas mentioned previously.

To resolve these ethical dilemmas, however, perhaps more affirmative critique may be needed than just openness in reporting one's research. In the analogy to the blue sky laws, one might argue that a stockbroker should have an ethical obligation not to sell worthless stock rather than merely an obligation to report that he or she is selling stock in a corporation whose liabilities exceed its assets and that has been taking a loss in recent years.

Societal Values

In discussing ethical policy analysis, one should discuss both individual and societal ethics. *Individual ethics* refer to standards of professional behavior, as previously mentioned. *Societal ethics* refer to the goals that society should be seeking and toward which public policy should be directed. On a high level of generality, one can say that

society should be seeking to maximize societal benefits minus societal costs in making policy decisions. The concept of *societal* refers to the collective good in the sense of such ideas as

1. The greatest happiness for the greatest number, as expounded by such utilitarians as Jeremy Bentham and John Stuart Mill and to a lesser extent by American pragmatists such as William James and John Dewey
2. Bringing up the bottom with regard to those who are least well off, as expounded by John Rawls
3. Doing things that make everyone better off or at least no one worse off, as expounded by Vilfredo Pareto

Benefits refer to whatever the society or its leaders or both consider desirable. *Costs* refer to whatever is considered undesirable. Benefits and costs can refer to monetary or nonmonetary effects. Benefits and costs are interchangeable concepts depending on how they are worded. Thus, high employment is a benefit, and high unemployment is a cost, but they are the complements or inverses of each other. It makes more sense to subtract costs from benefits in talking about overall goals than dividing costs by benefits. The subtraction criterion gives more of a net gain to one's original assets when one project is better on $B - C$, but another is better on B/C . Other overall goals are also defective, such as (a) merely maximizing benefits without considering costs, (b) merely minimizing costs without considering missed benefits, (c) maximizing benefits subject to a maximum cost level, (d) minimizing costs subject to a minimum benefit level, or (e) maximizing change in benefits divided by change in costs. The last alternative is only a means to maximizing benefits minus costs. The third and fourth alternatives are sometimes justified because benefits and costs are often measured on different dimensions. There are meaningful ways, however, to

consider nonmonetary benefits and monetary costs simultaneously rather than sequentially.

On a more specific level of generality, one can say that there are six subcriteria to the overall criterion of maximizing societal benefits minus costs. The first three are sometimes referred to as the three Es because they start with the letter E and are associated with the field of economics. They consist of effectiveness, efficiency, and equity. *Effectiveness* refers to the benefits achieved from alternative public policies. *Efficiency* refers to keeping the costs down in achieving the benefits, generally as measured by benefits divided by costs. *Equity* refers to providing a minimum level of benefits or a maximum level of costs across persons, groups, or places.

The other three subcriteria are sometimes referred to as the three Ps because they start with the letter P and are associated with the field of political science. They consist of public participation, predictability, and procedural due process. *Public participation* refers to decision making by the target group, the general public, relevant interest groups, or other types of decision makers whose involvement appeals to our desire to use democratic procedures for achieving given goals. *Predictability* refers to decision making by way of following objective criteria in making decisions so that similar decisions would be arrived at by others following the same criteria. *Procedural due process* or *procedural fairness* means those who have been unfairly treated are entitled to have (a) notice of what they have done wrong, (b) the right to present evidence, (c) the right to confront their accusers, (d) a decision maker who is not also an accuser, and (e) an opportunity for at least one appeal.

On an even more specific level of generality, societal values manifest themselves in specific policy problems, such as how to deal with unemployment-inflation, environmental protection, poverty, crime, health care, freedom of communication, world peace, and reforming government

structures. The goals of societal values at this level may refer to specific aspects of the three Es or the three Ps, such as (a) increasing effectiveness by reducing unemployment and pollution, (b) increasing efficiency by reducing the tax costs of public aid and defense spending, (c) increasing the equitable distribution of crime prevention and health care, (d) increasing public participation in freedom of communication and the reforming of government structures, (e) increasing predictability and stability in crime prevention and the business cycle, and (f) increasing procedural due process in the administration of government programs and criminal prosecution.⁶

NOTES

1. On general aspects of policy theory, see Fred Frohock, *Public Policy: Scope and Logic* (Englewood Cliffs, NJ: Prentice Hall, 1979); William Dunn, ed., *Values, Ethics, and the Practice of Policy Analysis* (Lexington, MA: Lexington Books/Heath, 1982); Stuart Nagel, *Policy Studies: Integration and Evaluation* (Westport, CT: Greenwood, 1988); and Louise White, "Values, Ethics and Standards in Policy Analysis," in *Encyclopedia of Policy Studies*, ed. Stuart Nagel (New York: Dekker, 1994).

2. Modified from Stuart Nagel, ed., *Policy Theory and Policy Evaluation: Concepts,*

Knowledge, Causes, and Norms (Westport, CT: Greenwood, 1990).

3. On conceptual theory in policy evaluation, see Phillip Gregg, ed., *Problems of Theory in Policy Analysis* (Lexington, MA: Lexington Books/Heath, 1976); William Dunn, ed., *Policy Analysis: Perspectives, Concepts, and Methods* (Greenwich, CT: JAI, 1986); and Yehezkel Dror, "Basic Concepts in Policy Studies," in *Encyclopedia of Policy Studies*, ed. Stuart Nagel (New York: Dekker, 1994).

4. On the theory of knowing in policy evaluation, see William Dunn, *Public Policy Analysis* (Englewood Cliffs, NJ: Prentice Hall, 1992); Stuart Nagel, *Evaluation Analysis With Microcomputers* (Greenwich, CT: JAI, 1989); and Jack Rabin and Edward Jackowski, eds., *Handbook of Information Resources Management* (New York: Dekker, 1988).

5. On causal theory in policy evaluation and policy studies, see Thomas Dye and Virginia Gray, eds., *The Determinants of Public Policy* (Lexington, MA: Lexington Books/Heath, 1980); Judith May and Aaron Wildavsky, eds., *The Policy Cycle* (Beverly Hills, CA: Sage, 1978); and Helen Ingram and Dean Mann, eds., *Why Policies Succeed or Fail* (Beverly Hills, CA: Sage, 1980).

6. On normative theory in policy evaluation, see Frank Fischer and John Forester, eds., *Confronting Values in Policy Analysis: The Politics of Criteria* (Newbury Park, CA: Sage, 1987); Ronald Cohen, ed., *Justice: Views From the Social Sciences* (New York: Plenum, 1986); Paul Diesing, *Science and Ideology in the Policy Sciences* (Chicago: Aldine, 1982); and Stuart Nagel, *Public Policy: Goals, Means, and Methods* (New York: St. Martin's, 1984).

Building Frameworks for Policy Analysis

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A certain mystique clings to theorists in the popular imagination: They take the universe as their inspiration and, from their all-too-real flesh and blood, mysteriously alchemize ideas that move humanity forward, or so the legend goes. The myth does accurately reflect a certain ersatz creativity involved in theory building, and it does highlight the importance of intuition.

On the other hand, the myth says nothing about the tedious, technical work that paves the way to rigorous, tightly argued theory: establishing definitions, producing a welter of possible statements and relationships between phenomena, setting assumptions and conditions, refining and clarifying the propositions, checking the theory for internal consistency, operationalizing it, and, finally, illustrating it. The myth is all the more potent because there are few, if any, descriptions of policy-specific theory building. Demystifying the theorizing process is, if anything, even more important.

There is another argument made here: Not only does the theory meet criteria by which scholars judge theory *qua* theory but also it actually exceeds them. The far

greater challenge, in fact, lies in representing a nonlinear method of theory building such as this one with words and two-dimensional figures—a challenge rooted in the very nature of strategy or grand policy-making.

The process of building frameworks for policy analysis can be represented by a six-step, cyclical process. This process moves forward in fits and starts, retracing its own steps as needed. The creativity required in theoretical development is so carefully channeled that the process may sometimes seem rote. Because there has been little or no work on the influence of values on grand policy per se, it might also appear as if the theory is being built in a vacuum. This is not the case. In fact, theory is probably the type of research that uses germane scholarship the most. With regard to theory building, however, the literature is silent. Therefore, the sources of inspiration are very broad.

Generally, the theory develops in six stages: (a) definition of terms, (b) brainstorm, (c) distillation of statements, (d) ordering of statements, (e) testing for internal consistency, and (f) operationalization (Table 21.1).

Table 21.1 STEPS OF THE METHOD*Definition*

Identify primary, secondary, and methodological terms to be defined.
 Delineate and express the essence of the concept.
 Review on the basis of Aristotelian criteria.

Brainstorm

Produce a flood of suggestions, statements, and relationships.

Distillation

Break complex and compound statements down into simple ones.
 Differentiate statements according to type.
 Check for accuracy.
 Choose only central statements.

Ordering

Create a set of statements by ordering by type, eventually clustered around main concepts.
 Establish a genealogy.

Backward test

Verify for completion and parsimony by moving from last-generation proposition to assumptions.

Operationalize

Transform essentialist definitions of hypothesis into observable, measurable operation.
 Apply the theory to an actual country's politics.

Illustration

Illustrate the theory and the empirical hypotheses to the particular case of a country's policy to the hypothesis and, indirectly, the theory.

DEFINING TERMS

Wittgenstein once said that common usage should be the basis of definitions: How much simpler the task would be if that were possible. Terminology is important in any study, but it is even more important for theories that aspire to logic and parsimony but persist in using words. Defining terms, always important, is even more important here because it is the first of six steps that build on each other. Consequences of defining terms reverberate throughout the theory.

There are three kinds of terms to be defined: (a) primary terms, which arise directly from the central hypothesis about

strategic policy and decision making, national values, and national policy; (b) secondary definitions, which are important but less central; and (c) methodological terms—that is, assumptions, conditions, propositions, and hypotheses (defined later).

The role of a definition is usually limited to expressing an idea, but in this theory it must also carefully distinguish it from other ideas. Only essentialist definitions (i.e., definitions that give the nature of the thing defined) can do this. Of the three major types of definition (essentialism, descriptivism, and intentionalism), essentialism works best for conceptual research and to provide criteria according to which defi-

nitions can be improved. These criteria are convenience, freedom from normative concerns, verifiability, and precision. Moreover, neither prescriptivist nor contextualist definitions suit the study of policy.

Essentialism is not without its problems, however. First, it tends to rely on metaphors: “Metaphors are apt or inapt, illuminating or misleading, according to two criteria: (a) the number and importance of the known points of resemblance between the things compared and (b) the number and importance of previously unnoted facts suggested by the metaphor.”¹ Second, there is a greater risk of syllogism with essentialist definitions than there is with either prescriptivist or pragmatic-contextual definitions: “Too often, a single term has been used to symbolize different concepts, just as the same concept has been symbolized by different terms.”² For instance, the theory uses values in the same way that “value systems” is used by the Parsonian school or ideology is used in political culture. Syllogism can also be a problem for methodological terms: The theory uses “assumption” the way other scholars use “postulate” or “premise.”

I am writing a book titled *Analyzing and Building National Policy: France as a Case Study*. It guards its definitions against essentialist problems in two ways: first, it submits the theory to stringent and detailed tests for internal consistency. Second, it develops the definitions by rigorously applying Sartori’s rules of definitions.

BRAINSTORM

A brainstorm is by definition unpredictable: It produces raw insights that need to be reworked to be of any use. It can be done by a single scholar or by a team. It should happen mostly at the start of the process, but it is really always happening. It needs some inspiration—a question of particular interest, an abstract phenomenon, or a complicated or subtle idea.

The result is a motley assortment of ragged, inconsistent, needlessly complicated statements in much greater numbers than are necessary. In fact, a beginner might produce 10 times as many statements as can be included in a theory. Nevertheless, the more raw material, the better the theory. A brainstorm should be a flood of ideas for which accuracy or elegance mean little. There will be time to check and double-check later. The important thing is to get started and to stop only when intuition (or exhaustion) prompts.

DISTILLATION

Distillation is the reiterative process of adding, subtracting, classifying, revising, and clarifying statements. It is governed by a series of checks and balances. For the purpose of explanation, distillation can be divided into a three-step process: (a) Various types of statements are distinguished; (b) statements are refined, usually by breaking them down into a simple standard format; and (c) statements are checked for accuracy.

Two distinctions can be made about statements—between types of statements and between types of propositions.

Types of Statements

The main test for internal consistency is what philosophical logic calls the backward test. The backward test ensures that every statement is in its proper place relative to other statements. That position depends on the role of a particular statement, and that role depends in turn on the type of statement. There are five types of statements—assumptions, conditions, hypotheses, propositions, and definitions—that can be distinguished by their respective characteristics.

Assumptions are the most basic statements. They provide the foundation on which other statements build. There is usu-

ally significant agreement among scholars on either the truth or the plausibility of assumptions, but they cannot be proven directly because they are philosophical in content. They must, however, meet three requirements: (a) Assumptions must be logical (i.e., meet various formal requirements of logic), (b) assumptions must be epistemic (i.e., be consistent with prevailing conventions about knowledge), and (c) assumptions must be substantive (i.e., address some sort of content). The easiest way to recognize an assumption is to search for its origin: If it is derived from any other statement, then it cannot be an assumption.

A condition's role is to reduce the scope of a theory. It does so by specifying which events can be included in the study, such as including policy choices but excluding decisions about means and ways; by singling out particular phenomena for study (e.g., decision-making processes, but not planning or programming); by setting spatial or temporal limits, such as studying only decisions made by France between 1955 and 1970; and, indirectly, by focusing on certain aspects of the research design.

Types of Propositions

If assumptions are the infrastructure of the theory, then propositions are the superstructure. Propositions are deduced from earlier statements, usually other propositions. In theory, a scholar could develop propositions *ad infinitum*, but in practice the capacity to integrate propositions is always limited, sometimes extremely.

Empirical hypotheses are propositions in operational language that can be investigated by empirical research. By their very nature, hypotheses are impossible to confirm absolutely. Evidence supporting them can mount so much that they are generally regarded as being verified, but it is still possible to encounter evidence to disprove it.

Hypotheses, like assumptions, should meet several requirements. First, hypothe-

ses must be deductive: They must be logically necessary derivations of propositions, which means that each hypothesis must be successful (i.e., that it must be possible to work through every statement from assumptions to hypotheses and back again, without finding a gap or skipping a statement). Second, hypotheses generated by this theory must be probabilistic: Although the assumptions formally imply them, the assumptions are probabilistic about individual events or single occurrences. Third, hypotheses are teleological (i.e., they perform one or more functions in maintaining certain traits of a system).

Propositions are divided into generations depending on the statements that inspired them. The first generation is deduced from assumptions and conditions, the second generation from at least one first-generation proposition, the third from at least one second-generation proposition, and so on. Successive generations mold the theory increasingly more closely to the original phenomenon, moving from the general to the specific, the theoretical to the empirical (or the more theoretical to the less so), or the abstract to the concrete. Latter-generation propositions can eventually be operationalized. For the theory to be tested for consistency, the statements must all be of the same format. The basic format uses only one verb to link two phenomena: No complex propositions and no compound sentences are used. While statements are being broken down into the basic format, it is important to keep track of every statement's origin. The basic test for accuracy involves deriving propositions that contradict existing propositions or that are obviously false.

ORDERING THE STATEMENTS

It is possible that portions of the theory have been displayed in orderly successive generations already. The rest also have to be displayed systematically for the theoretical work to proceed. Once this representa-

tion is complete, it is possible to test the theory for internal consistency.

BACKWARD TEST

The backward test is imported from philosophical logic. First, some method of schematic representation, such as cell diagrams, is chosen. Symbols are assigned to each type of statement, and then the generations of propositions are determined. The theorist moves through the statements' template from the late-generation through the first-generation propositions to conditions and assumptions using the cell diagrams or other kinds of abstract representation.

OPERATIONALIZATION

There are three possible outcomes to operationalizing the theory. It can produce feedback that leads either to confirmation of the empirical hypothesis, which is unlikely, or to adjustments of the theory.

If the theory needs to be adjusted, this can mean one of two things. Either national values are not one of the key factors in determining national strategies and the hypothesis is rejected, or only minor adjustments are necessary. Should the hypothesis be rejected completely, the theory can be changed to suit a new independent variable using the same method used to build the theory in the first place. Moreover, the backward test provides all the necessary details about assumptions, conditions, and propositions needed to make these changes. After all, changes to theory are par for the course once empirical research has begun.

There are no criteria specific to policy by which to judge theory, but there are criteria for the theory of international relations due to the work of Kenneth Waltz. When Waltz launched his own theory of international relations in 1979, he listed the following criteria: clarity, accuracy, elegance,

parsimony, and the ability to predict or explain phenomena or both. These criteria now enjoy a broad acceptance within the discipline, even though they leave a great deal to the imagination. The method of theory building outlined previously is geared to meet the following interpretation of Waltz's five requirements.

Solid definitions and consistent terminology are the key to clarity. It is easier to be consistent than it is to use rigorous definitions because definitions rarely inspire any kind of consensus in social science. In addition to terminology, the meaning of each statement has to stand on its own merits and also do so in the context of other statements. Both distillation and the backward test ensure clarity.

It is almost impossible for a theorist to check the accuracy of his or her own work. A process as mechanical as possible is one solution, such as asking "Is it possible to deduce propositions that contradict each other, from an identical set of statements?" or "Is it possible to deduce propositions that are patently untrue (such as reversing the law of gravity or the cycles of the moon)?"

Waltz does not mention it directly, but for a theory to be accurate it also has to be complete. This theory is judged to be complete if it can generate plausible empirical hypotheses from the statements included and if each proposition is supported by other statements. This is a second use for the schematic representation, or template, of the theory. The template's role is to represent the entire theory, making it obvious where there are gaps. The template makes any superfluous statements just as obvious, ensuring parsimony.

Ensuring clarity or accuracy may be very technical, but it is actually easier than trying to make the theory elegant. Elegance is the least tangible of Waltz's requirements, and in some ways it is the most important. Few scholars will be interested in the theory unless it has elegance. Although classics of strategy, the root of policy analysis, provide some models, they do not pro-

vide any real guidance. André Beaufre's work has a carven simplicity that allows the reader an economy of effort. This kind of simplicity is a move in the right direction, but there is more to it than that or elegant theories would all be relatively simple. There are many scholars, such as Raymond Aron or Zeev Maoz, whose theories are not simple at all, but they have an undeniable elegance.

Elegance, I suggest, is actually a balance between the images created in the mind's eye and the sound created in the mind's ear. When image and sound strike some sort of balance, the theory can be understood with

a minimum of effort. This economy of the audience's effort is the most desirable characteristic for theory, and this balance of *melos* and *opsis* is what elegance is about.

NOTES

1. Abelson, Raziell, "Definitions," in *The Encyclopedia of Philosophy*, ed. Paul Edwards (New York: Macmillan/Free Press, 1967), 315.
2. Merton, Robert K., *Social Theory and Social Structure* (New York: Free Press, 1968), 74.

Causal Relations Among Policy Fields

Table 22.1 shows causal relations among four basic policy fields. Each field has an opportunity to be a cause and an effect. This results in 16 relations (4×4), which reduces to 12 after eliminating the possibility of each policy field acting against itself.

Economy Affects Technology. When the economy is prosperous, business firms spend more money on research and development. They less money in times of recession, as is currently occurring in Japan.

Prosperity Affects Social Relations. This includes the divorce rate and the crime rate. Also, people may have more leisure time in times of recession because of unem-

ployment. Prosperity has a mixed effect on education. In a time of recession, people may attend school if they can afford to go to do so instead of trying to find a job. It may have an adverse effect on remaining in high school if one needs to work to support the family in difficult times.

Prosperity Has an Effect on Political Problems. People turn more readily to extreme politics in times of depression or runaway inflation.

Technology Affects Social Relations. Reproductive technology can affect family planning. New technology means new education and leisure time devices, such as television, videotapes, and computers.

Table 22.1 CAUSAL RELATIONS AMONG THE FOUR BASIC POLICY FIELDS

Effects	Causes			
	Economic	Technology	Social	Political
Economic		7	8	9
Technology	1		10	11
Social	2	4		12
Political	3	5	6	

New technology may affect methods used by both criminals and the police.

Technology Affects Politics. It does so by providing new ways of campaigning for office and thereby creating campaign finance problems.

Social Relations Affect Politics. Thus, the occurrence of abortions, crime, leisure, and the need for education have an impact on public policy. A key social relation is ethnic relations. They influence how people vote.

Technology and the Economy. The major impact of technology on the economy is to increase productivity but to displace workers in the process.

Social Institutions and the Economy. Ethnic relations and immigration have an uplifting effect on the economy but also a displacing effect. Education is important for uplifting the economy. Crime, such as drug-related crime, can have an adverse effect on the economy by diverting many resources.

Politics and the Economy. Politics and public policy can stimulate the economy, especially by way of stimulating new technologies and education.

Social Relations Affect Technology. This includes especially education, which makes it possible to benefit from new technologies and to invent them in the first place. Inventiveness may begin at an early age, before formal education.

Politics Affects Technology. It does so by way of the patent system, government subsidies, and tariffs to protect infant industries.

Politics Can Affect Social Relations. It can do so by way of public policy toward the family, schools, crime, and leisure.

Economic and technology fields are especially relevant to prosperity. Social and political fields are especially relevant to democracy. International and legal fields are especially relevant to foreign and domestic peace.¹

WIN-WIN CITATIONS

Talk about win-win. Save on both auto parts and labor.

—Mike Raisor, *Audi Imports*

Energy Department awards \$3.7 million for research to both lift fuel efficiencies and cut emissions.

—*Chronicle of Higher Education*
(November 18, 1998)

A win-win on housing, allowing diversity of public housing tenants.

—*New York Times* editorial, 1998

A win-win offer from Headset Discounters.

—A customer testimonial

The whole idea is to get a win-win situation for the government and Lockheed.

—General Richard Davis, the Pentagon

A win-solution by publicizing sponsors of the IPSA convention.

—John Trent, IPSA convention chair

Elia Kazan could have condemned both Stalinism and HUAC in his *New York Times* ad, instead of just Stalinism.

—Victor Navasky, *The Nation*

NOTE

1. For a broader and more detailed discussion of the reciprocal causal relations among all six policy fields, see “Policies as Causes and Effects of Other Policies,” in *Super-Optimum Solutions and Win-Win Policy*, ed. Stuart Nagel (Westport, CT: Quorum/Greenwood, 1997), 40-49.

Part 2

METHODS AND PROFESSIONALISM

Diverse Methods for Policy Analysis

The purpose of this chapter is to describe five diverse perspectives on public policy analysis. *Public policy analysis* can be defined as the study of the nature, causes, and effects of alternative public policies. An important part of studying the effects is using the information to evaluate alternative policies to determine which ones should be adopted.

(a) societal goals to be achieved, (b) policy alternatives for achieving them, and (c) relations between goals and alternatives to choose the best alternative, combination, or allocation¹

MCDM is closest to what good analysis and decision makers do implicitly. MCDM involves analyzing public policy problems by

THE PERSPECTIVES

The five perspectives are

1. Mathematical optimizing, with an emphasis on operations research, management science, and decision science
 2. An econometric approach, with an emphasis on statistical regression analysis
 3. A quasi-experimental approach, with an emphasis on trying to arrange for a pretest, a posttest, a control group, and a nonrandom, quasi-experimental group
 4. A behavioral process approach, with an emphasis on the process of policy formation and policy implementation
 5. Multicriteria decision making (MCDM), with an emphasis on processing a set of
1. Listing available alternatives on the rows of a two-dimensional matrix
 2. Listing criteria for judging the alternatives on the columns of the matrix
 3. Inserting scores in the cells showing how each alternative relates to each criterion
 4. Transforming the scores, if necessary, to take into consideration that the goals may be measures on different dimensions
 5. Aggregating the transformed scores across each alternative to obtain a summation score for each alternative
 6. Drawing a conclusion as to which alternative or combination should be adopted
 7. Determining what it would take to make a second best or other alternative the best alternative

One form of MCDM is policy/goal percentaging. It relates policies to goals and uses part/whole percentaging to deal with goals that are being measured in different ways.²

The five perspectives on public policy analysis emphasize methodology rather than substance. They are related to various standard disciplines, however. Mathematical optimizing clearly relates to mathematics but also to engineering (because it is a part of industrial engineering) and business (because it is a part of management science). Econometrics is fundamental to contemporary economics. Quasi-experimental analysis is associated with the psychology of Donald Campbell, the sociology of Peter Rossi, and the educational evaluation of the American Evaluation Association. The behavioral process approach goes to the heart of the behavioral and the process orientation within political science. These orientations can be contrasted to the legalistic, journalistic, historical, and philosophical orientations that preceded them and to the postbehavioral policy concerns that followed them. MCDM cuts across all social science disciplines because they all involve people or other entities choosing among alternatives in different subject matters in light of multiple goals.

CRITERIA FOR EVALUATING THE PERSPECTIVES

Key criteria that can be used for evaluating these diverse perspectives relate to how well they handle frequent obstacles to systematic public policy evaluation, including

1. Multiple dimensions on multiple goals
2. Multiple missing information
3. Multiple alternatives that are too many to determine the effects of each
4. Multiple (and possibly conflicting) constraints

5. The need for simplicity in drawing and presenting conclusions in view of such multiplicity

Mathematical optimizing tends to

1. Obliterate multiple goals by forcing a single objective function
2. Wastefully find missing information or make wrong assumptions
3. Allocate through classical calculus optimization, although even approximately accurate elasticity coefficients may not be available
4. Be paralyzed by conflicting constraints
5. Be needlessly complicated in drawing and presenting conclusions

Compared to MCDM prediction, econometric or multivariate statistical analysis also tends to be needlessly complicated without having the offsetting benefits of increased empirical validity.

Quasi-experimentation (like mathematical optimizing and multivariate statistical analysis) may be useful in some circumstances. Often, however, there are no meaningful experimental group, control group, “before” data, or “after” data. Quasi-experimentation also requires the possible harmful adoption of the experimental policies before they can be tested, in contrast to a deductive modeling approach.

Behavior process analysis is valuable for sensitizing policy analysis to the importance of political feasibility, but the best policies are not simply those that are feasible.

Multicriteria decision making (with its explicit emphasis on multiple goals, constraints, policies, relations, and the systematic drawing of conclusions) is generally the approach that can best handle the five key methodological problems.

The most exciting recent occurrence concerning these perspectives is the development of meaningful and easy-to-use microcomputer programs for mathemati-

cal optimizing, multivariate statistical analysis, quasi-experimentation, process simulation, and especially MCDM. This software is helping to bring these diverse perspectives out of the realm of methodological theory and into the realm of useful applications. The perspectives and the software are now in a state of rapid development, with new improvements being adopted as a result of new experiences. These are especially exciting times to be in the field of public policy analysis.³

NOTES

1. On diverse perspectives to public policy analysis in general, see Edward Quade, *Analysis for Public Decisions* (Amsterdam: North-Holland, 1989); William Dunn, *Public Policy Analysis: An Introduction* (Englewood Cliffs, NJ: Prentice Hall, 1981); Duncan MacRae and James Wilde, *Policy Analysis for Public Decisions* (Lanham, MD: University Press of Amer-

ica, 1979); Alexander Mood, *Public Policy Introduction to Policy Analysis* (Amsterdam: North-Holland, 1983); and Stuart Nagel, *Public Policy: Goals, Means, and Methods* (New York: St. Martin's, 1984).

2. On multicriteria decision making, see Ching-Lai Hwang and Kwangsun Yoon, *Multiple Attribute Decision Making: Methods and Applications* (New York: Springer-Verlag, 1981); Milan Zeleny, *Multiple Criteria Decision Making* (New York: McGraw-Hill, 1982); Ralph Steuer, *Multiple Criteria Optimization: Theory, Computation, and Application* (New York: John Wiley, 1986); Tom Saaty, *Decision-Making for Leaders: The Analytical Hierarchy Process for Decisions in a Complex World* (Belmont, CA: Wadsworth, 1982); and Stuart Nagel, *Policy Analysis With Microcomputers* (Westport, CT: Quorum, 1988).

3. For further details regarding diverse methods for policy analysis including multicriteria decision-making, see Stuart Nagel, "Five Great Issues in Public Policy Analysis," in *Handbook of Public Administration*, ed. Jack Rabin, Bartley Hildreth, and Gerald Miller (New York: Dekker, 1989).

Interactive Policy Analysis

Process Methods for Policy Reform

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There are special challenges in applying policy analysis techniques in developing countries. The dominant policy analysis methods are associated with Western social science approaches and neoclassical economics. In addition, analytic methods are often linked to policy prescriptions that developing country officials believe are being imposed on them by outsiders. As a result, much of the policy analysis literature lacks legitimacy for these officials. For these reasons, it is not enough to simply define appropriate methods and concepts and demonstrate their relevance to developing economies and policy choices. It is also important that local officials are able to understand and use these, and that they have some ownership of the choice of methods and concepts. This chapter discusses experience in working with officials in Mozambique and describes a strategy for working with local officials to increase the range of options they consider and to collaborate in designing an appropriate policy response.

The rationale for interactive policy analysis stems from the characteristics of policy reforms. This chapter begins by briefly re-

viewing the lessons of policy reform interventions and summarizing their major characteristics. Second, it analyzes trends in the practice of policy analysis and particularly in donor technical assistance, noting an increasing interest in drawing on interactive approaches in providing technical assistance. Third, the chapter outlines one model for interactive analysis that stresses the importance of cognitive learning. Finally, it describes a modest effort to introduce learning into decision making in Mozambique, noting both the importance and the difficulty of doing so.

CHARACTERISTICS OF POLICY REFORMS

Critically burdened with debt and faltering economies, developing country officials are being strongly encouraged by international donors and lenders to embark on a series of policy reforms to expand the private sector and reduce the role of the government in their economies. These institutional reforms have been largely based on policy analytics drawn from Western social

sciences and neoclassical economics and urge that host governments need to begin by “getting the prices right.” For example, analytic techniques based on macroeconomic analysis predict that farmers are unlikely to use new technology if policy keeps commodity prices low. Policy analytics are then used to propose devaluations of currencies and reductions in subsidies as critically important steps in stimulating development.

This economic emphasis on price incentives and on “stroke-of-the-pen” decisions, however, is incomplete. It has become increasingly evident that the process of change requires a more complex and longer term set of actions than originally thought. Initially, the international community was attracted to economic policy reforms precisely because they did not require the complex set of interventions and assistance long associated with development activities. It is increasingly clear, however, that although economic reforms can trigger major changes in the economy, without additional implementing actions they will have uneven results. Macroeconomic changes are not sufficient to generate growth and development. There is increasing interest in four additional sets of activities: supporting investments, institutional development, development of human resources, and social mobilization.

Macro policy changes are seldom put into place as isolated actions. Rather, they are part of a complex set of supporting actions that the World Bank in 1988 termed “hybrid reforms,” a combination of macroeconomic policies, investment strategies, and project activities. The rationale is simple. Price increases are unlikely to be effective unless complementary actions ensure, for example, that credit is available, that roads and storage facilities are adequate, that research is relevant to farmer needs, and that extension services are available to women producers.

A second change is an increasing realization that policy reforms require changes in institutions or activities to reform the pub-

lic sector rather than simply reduce it. For example, to reduce the role of parastatals, it is not sufficient to simply offer assets for sale on the open market; officials need to create an environment that motivates individuals to enter the private sector and ensure that they can perform effectively. Third, observers are increasingly finding that economic development depends on the education and health of the populace and on human resource development more generally. New technologies, for example, cannot simply be transplanted but depend on an educated workforce. A fourth reason for appreciating that implementing reforms involves long-haul efforts is the need to mobilize communities, particularly the poor, to participate in growth opportunities. For example, officials in Zimbabwe have been promoting agricultural productivity through producer price increases and distributions of seed, fertilizer, and credit. They have benefited enormously from local farmer groups that encourage farmers to use and share knowledge and offer assistance with marketing. They reach farmers not ordinarily reached through the Ministry of Agriculture and create a demand for information and government services by encouraging the use of technical information.

This broader perspective suggests that policy reforms have the following characteristics:

1. They typically require new ideas and ways of viewing problems as well as new roles and new activities.
2. They require specific knowledge of local areas. They are not actions that can be applied across the board; they should take the local setting into account. Thus, they need to draw on local and tacit knowledge of those who are closest to the situation.
3. Such activities can be very threatening to local officials, making it important to elicit the commitment and energy of those who will be involved in carrying them out. Shared ownership is particularly im-

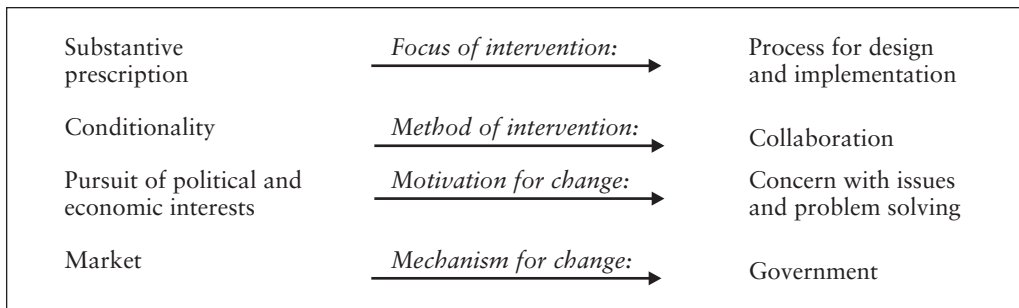


Figure 24.1. Varieties of Policy Interventions

- portant when the changes are viewed as being imposed by outsiders.
- Such activities can be very complex. They involve many interrelated actions, and the results are highly uncertain.
 - They can easily overwhelm the capacity of organizations to collect relevant knowledge and carry them out.

TRENDS IN POLICY INTERVENTIONS

Policy analytics are useful but inadequate tools for helping us deal with these characteristics. The question is not simply what analytic techniques are appropriate to a policy problem. Rather, the issue is how to engage local officials in selecting, using, and supplementing analytic techniques. Such engagement is particularly important to the extent that policy changes require officials to undertake entirely new activities, adopt unfamiliar and perhaps threatening roles, and design policies that will drastically curtail their operations or services. Thus, the analytics need to be part of a broader learning process called *interactive analysis*. There is evidence that donors are moving in this direction.

Focus of the Policy Intervention

One type of intervention focuses on policy content and asks what substantive pol-

icy would be best or would produce the most efficient results (Figure 24.1). Those interested in policy content usually draw on rational techniques and analytic tools to improve the rationality of the design process. Typically, these include statistical analyses of large data sets and macroeconomic models that use cost-benefit analysis to establish which policies will achieve the most efficient result. Alternatively, one can intervene in the process of decision making and in the ways in which information is collected, communicated, and analyzed. What do we need to know? How can we find this information? Who should be part of the process? How can we include multiple perspectives? This alternative emphasis assumes that it is important to ensure that effective processes and institutions are in place for developing an adequate policy. The process typically involves parties with different levels of expertise, and participants may draw on different analytic approaches including macroeconomic analysis. Interventions try to alter processes or institutions or promote new ones, and specific policy plans emerge from this process.

Method of Policy Intervention

A second dimension concerns the method of intervening. Donors often attach strong conditions to their assistance—specific activities that serve as benchmarks to be carried out before another round of funds is released. Although conditionality

may be a useful way to counter domestic political opposition to change, it poses problems. It requires extensive monitoring, which can become an irritant. Leaders may agree to conditions but then downplay them during implementation. Conditions tend to work best for specific actions or policy actions and less well for longer range sectoral adjustments. Another strategy relies more on collaboration to establish new policies. These interventions can be occasions for exchanging views on the problems of economic development and also an opportunity to inform participants about untried strategies. Admittedly, collaboration can include considerable manipulation and serve as a euphemism for donor initiatives, but there are also instances in which good-faith efforts are made to have genuine collaboration.

Motivation for Change

Policy studies applied to developing societies have been heavily influenced by political economy. This approach assumes that policy actors pursue their interests in the political arena just as they pursue economic interests in the economic arena. They are preoccupied with relatively narrow and special interests and with maximizing their positions. The best way to overcome narrow policy solutions is to accommodate as many interests as necessary to develop a feasible policy. Following this logic, however, economic interests tend to be relatively stable, and one can expect only modest or incremental changes. Those who use a political economy model generally predict that change will only occur when crises occur and those in power are most vulnerable. An alternative approach does not deny that interests play a major role in the policy process but argues that there are additional forces at work—that problem solving, idea exchange, and policy learning also take place. To the extent that they anticipate these developments, proponents search for opportunities to bring par-

ties together to wrestle with problems and consider policy options.

Responsibility for Change

One perspective argues that governments are poorly equipped to bring about economic growth. There are several reasons. First, to the extent that governments depend on political support, they are not in a position to carry out the necessary changes because these will threaten their base of support. Second, governments are a major source of inefficiency, if not corruption. In the process of regulating activities, they charge what economists call “rents,” which in turn cause significant inefficiencies in the economy and provide an opportunity for systemic corruption. Long-haul sectoral reforms can make the problem worse by providing an extended series of opportunities for officials to obstruct the reforms. Although markets are not without problems, competitive and market-like arrangements are more appropriate institutions for carrying out public policies, and it is important to promote privatization and decentralization wherever possible. An alternative approach stresses that although market reforms are probably necessary, the state will continue to have a positive role. Political institutions are needed to translate values into policy goals, to ensure there is a social safety net, and to put in place the supporting activities needed to make the reforms work.

Although debate continues on all four of these dimensions, there is a trend to move toward the right on each dimension (Figure 24.1). These developments are evident in the emphases within the traditional policy analysis community, among those specializing in interventions in developing nations, and in the activities of donor institutions such as the World Bank. For example, a review of 55 World Bank sectoral-level reforms noted that reform packages were paying increased attention to such institutional issues as restructuring organizations

and building a greater capacity for conducting policy analysis.

This broad trend is evident for each of the factors. First, there is greater awareness of the role that democratic institutions and processes play in policy making and more concern for institution building. Second, there is increasing sensitivity to the value of collaboration, and more attention is being paid to designing occasions when local officials and donors interact. Third, there is more emphasis on strategies for introducing new ideas into policy discussions and an appreciation that policy processes can be an occasion for groups to use new information and ideas to reshape and redefine their interests. Finally, there is more interest in the role of the state in providing a framework for market processes and for ensuring that issues such as poverty and the environment are taken into account.

A MODEL FOR AN INTERACTIVE PROCESS

One resource for designing an interactive process appropriate to deal with the characteristics of policy reform is strategic planning or analysis. *Strategic* as used here simply refers to an approach or a way of thinking rather than to a specific formal process or set of techniques. According to the International Labor Organization (ILO), “it is a concept, a state of mind, which can be applied in any environment and at any stage of development if the institution is prepared to tackle fundamental questions concerning its purpose, objectives, orientation, resources, competence, performance and effectiveness.” From this perspective, it is a commonsense technique for diagnosing one’s situation and developing a way to cope with it. Its strength is its emphasis on generating new ideas, taking the immediate context into account, eliciting the commitment of those responsible for putting policy reforms into place, and reducing complexity by focusing on a few key issues.

Elements of the Model

Logically, the model involves the following tasks (Figure 24.2):

1. Convene a network of appropriate individuals or stakeholders to find a way to cope with some situation. The purpose is twofold: to gain their commitment and ownership of the plans and to take their immediate knowledge of the situation into account. The concept of stakeholder suggests that one should look beyond the obvious interests that are involved with a policy and include all those potentially affected by it. Ideally it will include those who will be implementing activities.
2. Map the key features of the situation. Assess the immediate situation, available resources, potential opportunities, and threats. This step derives from an appreciation that problems are part of broader systems of interdependent parts and can seldom be dealt with in isolation. The broader the group of stakeholders, the greater and more varied the available knowledge about the situation. This step can include both collecting available information and generating new data.
3. Identify major issues. Try to get the stakeholders to reach a reasonable agreement on the nature of the problem or the hoped-for results. The selection can be guided by a vision or a set of goals or simply by reference to the most salient problem or concern of the group. The results usually reflect what is politically acceptable or what is credible to those involved. This step helps to provide focus and reduce the complexity of the situation by developing a focus.
4. Develop coping strategies. On the basis of mapping, think about strategies to accomplish the goals. Throughout the implementation process, compare the actual results with the goals.

It is always tempting to move quickly to identify the major issues, but a strategic

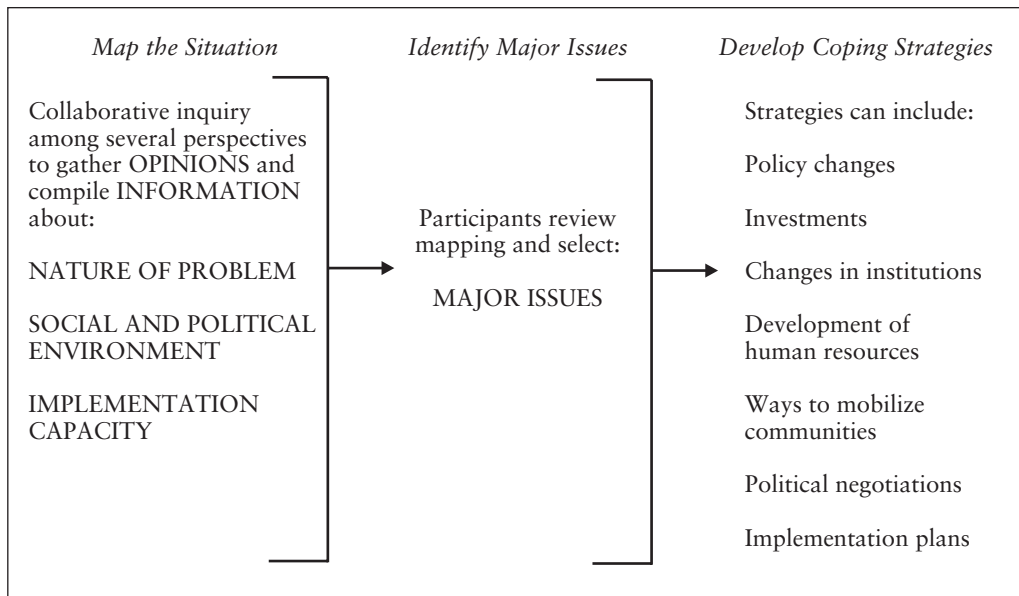


Figure 24.2. A Strategic Approach to Implementation

interactive approach assumes that it is valuable to spend time analyzing and mapping the situation. For example, assume that there is a concern that farmers in an area have no access to credit facilities. If a planning group moves too quickly to identify a solution, it would probably propose a government loan program or turn the problem over to a private bank. A mapping exercise, however, might find that local community organizations had formed savings groups. The group might then develop a strategy to provide seed capital to the nonprofits to develop a revolving credit program and bring in an outsider to train them in monitoring the loans and repayments.

The approach fits with the characteristics of policy reforms in several ways. First, it involves local officials in considering alternative responses and institutions. One is not simply maximizing preferences but is placing stakeholders in a position to learn about and explore options. Classical economic models are designed to search for equilibria rather than change. If new ways to accomplish economic growth are

needed, there is a need to encourage new preferences and options and to talk about learning rather than simply about finding an equilibrium among existing preferences. Second, it enables officials to reconceptualize and examine problems in new ways and from new perspectives. Such reconceptualizing is based on mapping the setting and obtaining different views. It is designed to go beyond simply gathering perceptions; instead, it seeks to infuse new data and information into the process. Third, it offers a way to take the local setting into account and draw on local and tacit knowledge, what might be called “time and place” information. Fourth, it offers a way to build shared ownership, to develop a shared vision or purpose or definition of a task, by including those who will be in charge of carrying it out and who have immediate information about it. Finally, offering a clear logic and a framework provides a vehicle for host officials to understand and own the process. Laying out the logic of the framework enables host officials to understand the process and design it to suit their needs. If this logic is not

clear, it is easy for them to be hostage to donors and external consultants.

Assumptions of the Model

The model makes certain assumptions about both host officials and donor organizations. First, it assumes that host officials will be willing to focus on policy problems rather than, or at least in addition to, pursuing their organizational agendas. Much of the literature indicates that a policy focus is difficult to maintain, and that organizations focus on their own structural needs. The literature on strategic interaction assumes that officials are potentially concerned about issues and will respond to the opportunity to be part of a planning process.

Second, it assumes that ideas are not necessarily fixed and rigid. Officials and community groups can respond to new ideas and ways of thinking about problems and tasks. People are not just creatures of narrow political interests but can respond to new information and new ideas. By extension, officials may entertain changes in their roles and responsibilities, even to the point of decentralizing or contracting out some tasks.

Third, such change is most likely if officials are involved in analyzing and planning their tasks. The implementation literature has been so enamored with the importance of individual incentives that it

has underestimated the role that ideas and involvement in decisions can play.

Finally, there is sufficient time for this process to take place; problems are not so critical that change has to be put in place immediately from the top. Rather, those above will provide support and time to approach activities in new ways.

The model also makes assumptions about donors and expatriate groups. First, it assumes that it is possible for donors to focus on the core and logic of strategic thinking without being engulfed in the details or complexity of the process. This assumption is important because case studies document that it is easy for planning activities to become cumbersome and unduly complex.

Second, donors can play what is in many respects a dual role. Typically, donors will have a particular policy concern and viewpoint about the direction in which to proceed. For example, donors clearly have a strong preference for reducing the size of the civil service and for decentralizing and privatizing activities. An interactive approach assumes that it is possible to combine these policy interests with assistance in developing a planning process, even though participants may not pursue these policy preferences.

Finally, donor institutions can tolerate the open-endedness and long time frame involved so that they can balance their need to be accountable within their own systems with an emphasis on developing shared ownership.

Changing Policy Research

Redistricting is a good subject for illustrating what might be called the old, the middle, and the new in policy research because

1. Redistricting is a metapolicy subject because it determines who the policymakers will be, which in turn determines the policies adopted in many policy fields.
2. This is especially a political science subject unlike other important policy problems, such as (a) economic growth associated with economics, (b) technological innovation and dispersion associated with engineering and science, and (c) education at the preschool, kindergarten through 12th grade, college, and adult levels associated with sociology and psychology.
3. Redistricting is highly emotional in dividing conservatives and liberals, Republicans and Democrats, blacks and whites, and others.

The Old: Correlates of Redistricting

Table 25.1 shows some typical redistricting policy research from the 1960s. The table shows nine redistricting cases from *Colegrove v. Green* in 1946 to *Baker v. Carr* in 1962. Of the nine cases, the side

defending the existing districting won four times. The attacker won four times prior to *Baker v. Carr*. Thus, there was a tie among these cases. Four variables were used to predict the second case from the first case, the third case from the first two cases, the fourth case from the first three cases, and so on. The four variables related to (a) whether the relevant constitution expressly required districts of equal population per representative; (b) whether the territory, state, or congressional districting was being attacked; (c) whether less than 35% of the population could choose more than 50% of the legislature; and (d) whether a federal or a state court decided the case.

Using eight prior cases and four variables, one could do a predictive regression, discriminant, or correlation analysis to predict *Baker v. Carr*. Such an analysis would indicate that the attacker was likely to win in the case of *Baker*, even though the attacker had lost in the classic case of *Colegrove*. *Colegrove*, however, was on the wrong side of three of the four variables. *Baker* was on the proattacker side on all four variables. The analysis would explain a high percentage of the variance across the cases. To be more meaningful, every case could be accurately predicted from the previous cases using this analysis.

Doing a correlation analysis of case facts against judicial decisions served the

Table 25.1 PREDICTING AND EXPLAINING REDISTRICTING CASES

<i>The Cases (Arranged Chronologically)</i>	<i>Who Won</i>	<i>Variables Present^a</i>			
		<i>One</i>	<i>Two</i>	<i>Three</i>	<i>Four</i>
Colegrove v. Green, 328 U.S. 549 (1946) (Illinois)	Defender	No	Congress	No	Federal
Dyer v. Abe, 138 F. Supp. 220 (1956) (Hawaii)	Attacker	Yes	Territory	Yes	Federal
Magraw v. Donovan, 163 F. Supp. 184 (1958) (Minnesota)	Attacker	Yes	State	Yes	Federal
Asbury Park Press, Inc. v. Woolley, 33 N.J. 1, 161 A.2d 705 (1960) (New Jersey)	Attacker	Yes	State	Yes	State
Scholle v. Secretary of State, 360 Mich. 1, 104 N.W.2d 63 (1960) (Michigan)	Defender	No	State	Yes	State
W.M.C.A., Inc. v. Simon, 196 F. Supp. 758 (1961) (New York)	Defender	No	State	No	Federal
Maryland Committee v. Tawes, Circ. Ct. Arundel County (1961) (Maryland)	Defender	No	State	Yes	State
Grills v. Anderson, 29 U.S.L. Week 2443 (1961) (Indiana)	Attacker	Yes	State	No	State
Baker v. Carr, 369 U.S. 186 (1962) (Tennessee)	Attacker	Yes	State	Yes	Federal

a. Variable 1: Did the relevant constitution or organic act expressly require districts of equal population per representative? Variable 2: Was a territorial, state, or congressional apportionment attacked? Variable 3: Could less than 35% of the population choose more than 50% of the legislative membership involved? Variable 4: Did a federal court or a state court decide the case?

following useful purposes in advancing political science and public policy research in the 1960s:

1. At that time, correlation and regression analysis were new to political scientists and especially new in the fields of public law and public policy.
2. One can define the goal of social science as explaining variations in human behavior, including that of judges. Correlation analysis does this to some extent, although correlation is not causation, as frequently noted. Understanding of causation, however, is not necessarily the

same as finding remedies for diseases or social problems, as is less frequently noted.

3. Correlation analysis may be useful to practicing lawyers in predicting cases in a variety of subject matters and useful to law professors in explaining variation across cases or judges.
4. One can define political science as the study of who gets what, when, and how, as Harold Lasswell defined it. Correlation analysis is relevant to this definition, especially given the importance of who wins in redistricting disputes.¹

*The Middle:
Optimizing Redistricting*

One defect in the previous research is that it does not relate to who should get what, when, and how. In other words, the research may have predictive, explanatory, or causal significance, but it lacks prescriptive, evaluative, or normative significance. The second kind of significance is especially associated with policy evaluation.

Table 25.2 shows some redistricting policy research in the 1970s. It is designed to indicate how a change can be made from a current districting pattern to a future districting pattern in such a way as to minimize the average deviations from equality, compactness, and political party proportionality while preserving contiguity and also minimizing disruption to incumbents. Equality is measured by all the districts having the same population as the total population divided by the number of districts. Compactness is measured by how far the center of each precinct or other building block is from the center of the district. Proportionality is measured by noting that if the Democrats have 60% of the states' population, then they should dominate 60% of the districts. Contiguity refers to being able to walk from any point in the district to any other point without leaving the district. A major feasibility obstacle to redistricting plans is the opposition of incumbent legislators or other politicians who generally like to minimize changes in their number of constituents. This is true even if the partisan percentages do not change because a new set of people even from one's own party means new work in constituency massaging. Such changes can be minimized while still satisfying other redistricting requirements by using the current redistricting as a starting point for making changes rather than starting with a blank slate or a totally undistracted state or area to be redistricted.

Achieving these goals and constraints is quite difficult to do by hand. The research from which Table 25.2 derives resulted in

the development of a computerized program for maximizing the product of equality ∂ compactness ∂ proportionality, with various exponent weights for each of these three goals. The example here involves redistricting 90 of the 102 downstate Illinois counties. They originally constituted 21 districts. Due to relative loss of population since 1900, however, they were entitled to only 18 districts by the 1970s. The original 21 districts deviated from perfect equality by as much as 39%. The 18 new districts, however, deviated from perfect equality by a maximum of only 17%, which could have been reduced even further by using units smaller than counties as building blocks.

Doing an optimizing analysis of legislative redistricting in the 1970s served the following useful purposes in advancing political science and public policy research:

1. At that time, the use of computer modeling for either optimizing or causal analysis was new to political scientists, especially in the fields of public law and public policy.
2. The normative goals of political science and public policy in the important subjects of redistricting and representation are goals such as equality, compactness, proportionality, and stability. Trying to develop optimizing models stimulates thinking about how to measure such normative goals. It also stimulates thinking about how to develop alternatives for achieving those goals.
3. Good social and political science can be defined as developing social and political knowledge that has important impacts on decision making. The redistricting models developed in the late 1960s and early 1970s have had important impacts. They have been used for redistricting legislatures, courts, administrative agencies, police departments, fire departments, school districts, business warehouses, and other geographical entities.²

Table 25.2 REDISTRICTING 90 ILLINOIS COUNTIES FROM 21 TO 18 DISTRICTS

<i>District</i>	<i>Population</i>	<i>Population/Average (%)</i>	<i>100 – (Population/Average) (%)</i>
<i>Initial populations</i>			
1	147,422	86	14
2	150,690	88	12
3	168,140	98	2
4	133,812	78	22
5	149,010	87	13
6	143,613	84	16
7	189,044	111	11
8	161,031	94	6
9	129,738	76	24
10	171,475	100	
11	161,161	94	6
12	146,539	86	14
13	155,360	91	9
14	159,562	93	7
15	131,886	77	23
16	152,402	89	11
17	122,491	72	28
18	122,368	72	28
19	104,349	61	39
20	131,842	77	23
21	121,201	71	29
<i>Redistricted populations</i>			
1	163,768	96	4
2	147,422	86	14
3	164,024	96	4
4	150,991	88	12
5	157,275	92	8
6	165,966	97	3
7	189,044	111	11
8	165,314	97	3
9	200,412	117	17
10	156,936	92	8
11	161,161	94	6
12	161,078	94	6
13	172,383	101	1
14	151,325	89	11
15	192,299	113	13
16	196,346	115	15
17	176,356	103	3
18	181,036	106	6

Super-Optimizing or Win-Win Redistricting

A defect in the previously mentioned research is that it results at best only in compromises in redistricting disputes, generally not win-win solutions. For example, for Republicans the redistricting program can indicate the best districting plan in terms of maximizing the number of districts that Republicans dominate given where Republicans and Democrats live. Likewise, for Democrats the program can indicate the best districting plan in terms of maximizing the number of districts that the Democrats dominate. One can then arrive at a compromise between these two extremes.

Partisan Redistricting

A win-win solution might involve the Democrats stating that they want a plan in which they dominate 70% of the districts. Republicans may state that they want a plan in which they dominate 60% of the districts. Both plans are feasible within the guidelines of the Supreme Court that state that all districts should have equal population and be contiguous. The usual solution would be a 65% compromise. The Democrats in Illinois might be willing to give the Republicans a guarantee that the Republicans will win the governorship and many otherwise competitive congressional races if the Republicans will give the Democrats the 70% they want in the state legislature and control over Cook County. The Republicans might consider such a deal to be better than controlling 60% of the state legislature. The Democrats likewise might consider such a deal to be better than controlling 70% of the state legislature. This is similar to the deal that was worked out in the redistricting of 1970.

At first, it seems absurd that one side could get 60% and the other side 70% of some scarce resources. The answer is that one side gets the equivalent of 60% of the

district in terms of other things of value, and the other side gets the equivalent of 70% of the district in terms of still other things of value. Thus, in light of this, some people would say the solution was practically obvious rather than impossible. Some day, win-win analysis will be close to obvious as a matter of foresight, not just as a matter of hindsight.

Black Redistricting

Table 25.3 applies win-win or super-optimizing analysis to the problem of black districting. Assume we are dealing with the city of Chicago or the state of Mississippi, in which blacks constitute about 40% of the population and nonblacks or whites constitute 60%.

Conservatives advocate color-blind districting that allocates people, precincts, or other building blocks to districts with no awareness of where blacks or whites live. Their claimed goal is to reduce racial divisiveness. The result is likely to be relatively little or no black representation, but with every district being about 40% black, especially if the districts are drawn like pie slices out of the center of the city. This is especially true of Mississippi, where blacks are more scattered among whites than they are in Chicago. Having no or few blacks in the legislature (in which 40% of the population is black) is likely to be highly divisive. Some people defend color-blind districting on the grounds that it gives blacks major influence because they cast the swing vote between two white candidates, but blacks want direct and possibly proportionate black representation.

Liberals advocate proportionate districting, which means arranging for 40% of the districts to have a 51% black majority. This is possible to do with computerized redistricting. The claimed goal is to be equitable, although in reality they may be seeking to increase black or Democratic influence, just as the real goal of conservatives may be to increase white or Republi-

Table 25.3 BLACK DISTRICTING

<i>Alternatives</i>	<i>Criteria</i>	
	<i>C</i>	<i>L</i>
	<i>Reduce Racial Divisiveness</i>	<i>Increase Black Influence and Representation</i>
<i>C</i>		
Color-blind districting (0%)	+	-
<i>L</i>		
Proportionate districting (40%)	-	+
<i>N</i>		
Safe black districts (20%)	0	0
<i>SOS or win-win solution</i>		
At-large cumulating voting (40%)	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

can influence. Deliberately arranging for 40% of the districts to be black majority districts, however, may be unconstitutional in light of the latest Supreme Court decisions.

A neutral position might be to have as many safe black districts as possible. A safe black district means that the district is more than 60% black, in contrast to a majority black district, which is slightly more than 50% black. The extra 10% provides safety for black candidates running against white candidates because (a) the black turnout may be lower than the white turnout; (b) blacks in Mississippi and Chicago, at least in the past, may have been fearful of recriminations if they voted for the black candidate; and (c) blacks in Mississippi and Chicago even today may think the white candidate will have more legislative influence than the black candidate. Safe black districts are referred to as neutral because in Chicago, Mississippi, and elsewhere they result in the percentage of black legislators being between the 0% of “color-blind” districting and the 40% of propor-

tionate districting because many black votes are wasted creating safe black districts. Incumbent black legislators tend to favor safe black districts, but so does the Klu Klux Klan in Mississippi. This is so because it results in fewer black legislators than proportionate districting provides, and it gives blacks less swing-vote influence than does color-blind districting.

The objective is to employ a districting system that is even less divisive than color-blind districting and gives blacks even more influence and representation than does proportionate districting, especially if proportionate districting is unconstitutional and if it results in a relatively ineffective minority bloc in the legislature. Such a system is at-large cumulative voting with three seats per district. All the candidates run at large and represent the whole district, which minimizes divisiveness. Black representation, however, may be more meaningful than any single-member districting because of the cumulative voting.

Cumulative voting allows each voter to vote three ways: (a) 1 vote for each of 3

candidates, (b) 1½ votes for each of two candidates, or (c) all 3 votes for one candidate. The result is that one of the three elected representatives will be black if the district has at least 17% blacks who cast all 3 of their votes for the black candidate.

The black candidate may also receive some white votes, which means that blacks will be well represented without any gerrymandering. It also means that there will be no deliberately segregated black majority districts or white majority districts. All the districts could be approximately 60% white and 40% black, with two white representatives and one black one. All three, however, are at-large representatives who represent the whole district.

Cumulative voting with three representatives per district can also provide approximately proportionate representation regarding political parties, ethnic groups, gender, or other group characteristics that can muster 17% of the vote. This occurs without having to use complicated and truly divisive proportional representation lists that give undue pivotal representation to minority political parties that get less than 17% or even less than 5% of the vote.

This kind of cumulative voting was used for years in Illinois but then abandoned. Why was it abandoned? First, it was too equitable for the politicians who wanted no substantial opposition. It was too equitable in the sense that it provided for some intolerable Democratic representation in downstate Illinois and some intolerable Republican representation in the Chicago area. Since the authoritarian one-party days, American democracy has matured enough to be able to tolerate such minority party representation. At the same time, the system as applied was almost totally undemocratic. In downstate Illinois, the Republicans would generally run two candidates in each district, and the Democrats would run one. In Chicago, the Democrats would generally run two candidates, and the Republicans would run one. Thus, the voters had no electoral choices because all three candidates would win by default in

virtually every district. A rule could be established that states that all major parties must run at least two candidates to give the voters some choice.

Thus, the major feasibility problem of cumulative voting (for simultaneously reducing racial divisiveness and providing appropriate representation) is not that the system is inherently too democratic or too undemocratic. The problem is that the system is relatively unknown. It seems to be a truly American Midwest invention. It is very simple and much fairer than the method of single-member districts. It could be a feasible win-win solution if the Supreme Court would at least discuss it as an alternative to color-blind versus deliberate black majority districts. It could especially be a feasible win-win solution if the president or Congress would endorse it. It provides a minimum threat to incumbents because the number of legislators in a legislature would not have to change by more than one or two. The only change would be that the number of districts would equal the number of legislators divided by 3.³

CONCLUSIONS

The purpose of this chapter is not so much to discuss the substance of black districting, partisan districting, or districting in general. It is, however, quite difficult to meaningfully discuss research methods in the abstract without having some substantive concreteness. The research methods illustrated here are the those of (a) prediction, explanation, or causal analysis; (b) prescription, evaluation, or normative analysis; and (c) win-win policy evaluation.

Referring to these as the old, the middle, and the new does not mean that causal analysis is obsolete. We still very much need to know the effects of alternative policies. We also need to know how to make certain desired effects or goals occur. Likewise, win-win policy evaluation does not make

ordinary evaluation obsolete. In ordinary evaluation, X_1 does well on Y_1 but not so well on Y_2 . Likewise, X_2 does well on Y_2 but not so well on Y_1 . Which is better, X_1 or X_2 ? The answer is X_1 if one likes Y_1 better than Y_2 . The answer is X_2 , however, if one likes Y_2 better than Y_1 .

The win-win answer is X_3 if X_3 does well on both Y_1 and Y_2 , especially if X_3 does better than X_1 on Y_1 and X_3 also does better than X_2 on Y_2 . To determine if this is true, one must know what is meant by “doing well” and “doing better.” This is the language of traditional evaluation. Thus, win-win evaluation presupposes and builds on both traditional explanation and traditional evaluation. Combining these two processes simultaneously is a win-win.⁴

NOTES

1. For further details on this application of predictive analysis, see Stuart Nagel, “Applying Correlation Analysis to Case Prediction,” *Texas Law Review* 42 (1964): 1006-1017. The application is based on methods developed in Stuart Nagel, “Using Simple Calculations to Predict Judicial Decisions,” *American Behavioral Scientist* 4 (1960): 24-28. For a book-length expansion, see Stuart Nagel, *The Legal Process From a Behavioral Perspective* (Belmont, CA: Dorsey, 1969). For nonscientific analysis that is older than old, see the analyses of redistricting that are

purely journalistic, historical, legalistic, or philosophical.

2. For further details on this application of prescriptive or optimizing analysis, see Stuart Nagel, “Computers and the Law and Politics of Redistricting,” *Polity* 5 (1972): 77-93. The application is based on methods developed in Stuart Nagel, “Simplified Bipartisan Computer Redistricting,” *Stanford Law Review* 17 (1965): 863-898. For a book-length expansion, see Stuart Nagel, *Improving the Legal Process: Effects of Alternatives* (Lexington, MA: Lexington-Heath, 1975).

3. For further details on this win-win application, see Stuart Nagel, “Political Policy for Democracy,” in *Super-Optimum or Win-Win Society* (Aldershot, UK: Ashgate, 1999). The application is based on methods developed in Stuart Nagel, *Super-Optimum Solutions and Win-Win Policy: Basic Concepts and Principles* (Westport, CT: Quorum/Greenwood, 1997).

4. For other articles that deal with the old (correlation), the middle (evaluation), and the new (win-win), see “The Predecessors of SOS Analysis,” in *Teach Yourself Decision-Aiding Software*, eds. Stuart Nagel and Lisa Bievenue (Lanham, MD: University Press of America, 1992), 221-230, which uses right to counsel for illustrative purposes. Also see Stuart Nagel, “What Is New in Legal Analysis Technology?” in *Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making* (Westport, CT: Quorum/Greenwood, 1993), 181-198, which uses search and seizure for illustrative purposes.

Recruiting People and Obtaining Funds

PEOPLE AND FUNDS

*How Do You Recruit Students?*¹

As of 2001, the Everett Dirksen–Adlai Stevenson Institute of International Policy Studies was mainly recruiting students from the existing student population of the University of Illinois and from the Champaign-Urbana community. We may be writing to heads of political science departments, public administration programs, and public policy schools inviting them to send graduate students who would like to do mainly postdoctoral work relevant to win-win policy analysis. We are anticipating receiving funding to attract at least a few postdoctoral students for a semester or a year. There will be numerous publication, teaching, and service opportunities.

How Do You Recruit New Faculty?

As of 2001, our faculty consisted of participating faculty from the University of Illinois and a few visitors. The Illinois faculty participate by offering seminar ses-

sions rather than by teaching courses. We are anticipating offering fellowships to short-term visiting faculty. They will be mainly invited to participate in brainstorming conferences scheduled for approximately 2 weeks at a time. The conferences will deal with important controversial policy problems and how they might be handled through win-win or other solutions. Visiting faculty will be recruited mainly through the e-mail database of the Policy Studies Organization.

How Do You Get Funding for Research, Teaching, and Service Projects?

As of 2000, our funding mainly came from annuities provided by Miriam K. Mills through Teacher's Insurance Annuity Association, College Retirement Equities Fund, and Prudential Insurance. Funding also came from the State Universities Retirement System. As of 2001, we are anticipating funding from foundations, government agencies, and other universities mainly to cover the cost of the postdoctoral student fellowships and the visiting faculty fellowships.

CRITERIA FOR ALLOCATION

What Criteria Do You Use in Deciding What to Research?

We emphasize various research criteria, including the following:

1. Research should have causal, prescriptive, or explanatory significance in being able to add to our understanding of why people behave the way they do or why policies function as they do. The more that is causally explained, the better.
2. Research should have normative, prescriptive, or evaluative significance in being able to add to our understanding of what people or policies should do to achieve given goals. The more people whose quality of life is improved, the better.
3. Other criteria include (a) ease of research, (b) originality of research, (c) ability to stimulate other research, and (d) degree of controversy.

What Criteria Do You Use in Deciding What Courses to Teach?

For determining what topics to include in our brainstorming conferences, we use the same criteria as mentioned previously in choosing among research projects. They include social utility, theoretical utility, ease, originality, heuristic value, and degree of controversy.

What Criteria Do You Use in Deciding What Public or Professional Service Projects to Encourage?

We use criteria similar to those for deciding what public service activities to undertake. Our public service activities (other than publishing and teaching) mainly include win-win policy mediation and public

analysis consulting, especially for developing nations.

PAST, PRESENT, AND FUTURE

How Did Your School Get Started or Restarted or Both?

The Dirksen-Stevenson Institute began in 1997. It originated at the University of Illinois, with which it is still unofficially connected by way of Professor Emeritus Stuart Nagel. He was appointed associate dean of international policy studies of the College of Liberal Arts and Sciences as part of a litigation settlement involving violations of free speech and due process by the political science department. In his role as associate dean, he pursued the following steps in starting the institute:

1. Establishing a focus on publishing, teaching, and service activities relevant to win-win dispute resolution whereby all major sides could come out ahead of their best initial expectations simultaneously
2. Obtaining not-for-profit incorporation status
3. Making arrangements to house the institute at the Miriam K. Mills Research Center for Super-Optimizing Analysis and Developing Nations
4. Obtaining personnel to staff the institute
5. Obtaining permission from the representatives of the families of Everett Dirksen and Adlai Stevenson to name the institute the Dirksen-Stevenson Institute

The following are reasons that the names of Senator Everett Dirksen and Governor Adlai Stevenson were used:

1. They are the most illustrious policy-makers from the state of Illinois, at least since President Abraham Lincoln and Senator Stephen Douglas.

2. They both had a strong concern for domestic and international policy problems. Senator Dirksen was instrumental in providing President Kennedy with bipartisan support for foreign policy and civil rights. Adlai Stevenson was ambassador to the United Nations and also governor of Illinois.
3. They represent the best traditions of the Republican party and the Democratic party, respectively, and the best traditions of American conservatism and liberalism. This fits well with the bipartisan win-win philosophy of the Miriam K. Mills Center.

The following were initial activities of the institute:

1. Having an all-university faculty seminar one evening per week in the autumn of 1997 to cover a different area of public policy
2. Buying a house on the Miriam K. Mills estate to be used by visiting faculty fellows participating in public policy conferences and to be used by postdoctoral students
3. Offering a community education program in public policy controversies one night per week in the spring of 1999
4. Offering worldwide workshops in win-win policy analysis, including West African regional workshops involving 12 countries held in February 1999
5. Offering win-win policy analysis workshops at annual meetings of relevant associations, such as the American Political Science Association (APSA) in September 1998 and the International Studies Association (ISA) in February 1999
6. Working closely with the Policy Studies Organization in the publication of four journals and other activities
7. Working closely with the Miriam K. Mills Research Center in the publication of various books dealing with win-win analysis and developing nations

What Are You Currently Implementing to Make Your School Different From Most Other Policy Schools?

The Dirksen-Stevenson Institute currently does not offer courses for credit. Instead, it emphasizes noncredit seminars for interested faculty, community members, and students. It is also planning a series of brainstorming seminars. Participation in these teaching, research, and service activities can possibly result in independent study credit at the University of Illinois.

The research and publishing program is oriented around the theme of global win-win policy analysis. This is in contrast to the usual research program of a policy school that tends to be a hodgepodge of miscellaneous individual research projects. Win-win policy analysis, however, is applicable to any substantive or procedural field of public policy. It is a provocative or heuristic tool for stimulating individual and group brainstorming.

The service mission of the Dirksen-Stevenson Institute emphasizes research and publishing designed to train the trainers. This means holding win-win seminars at APSA or ISA for political and social science professors. It also means holding win-win seminars for middle- to upper-level public administrators in overseas governments, especially Africa and Asia.

What Are Your Plans for the Future?

To expand our publishing activities, we have invited policy papers from all the people presenting papers at the annual meetings of (a) political science associations, such as the International Political Science Association, APSA, and Midwest; (b) public administration associations, such as International Association of Schools and Institutes of Administration, International Institute of Administrative Sciences, National Association of Schools of Public Affairs and Administration, and the American Society for Public Administration

(ASPA); and (c) public policy associations, such as the Association for Public Policy Analysis and Management and the Policy Studies Organization (PSO). We received more than 1,000 good papers in 1997. These resulted in the publication by Marcel Dekker of a six-volume set on global economic, technology, social, political, international, and legal policy and also the publication of other more specialized books. This approach can yield edited volumes on numerous policy problems. We are also expanding the symposia that are edited by others that are published in the *Policy Studies Review* or the *Policy Studies Journal*. This expansion has occurred partly as a result of no longer requiring any special funding for symposia issues.

To expand our teaching activities, we have circulated reports on our workshops to government officials and professors throughout the world. In addition to the reports, we have offered to conduct workshops on win-win policy analysis without any honoraria and often without any coverage for travel costs. We are also advertising our community education program, which mainly involves offering public policy courses in a brainstorming salon atmosphere. We are looking forward to the invitational conferences that will also serve for the participants to teach each other and also to teach students and community members who attend.

To expand our service activities, we have offered both Trent Lott (the minority leader in the U.S. Senate) and Tom Daschle (the majority leader in the U.S. Senate) our win-win analysis workshops to help resolve their differences. We have recently conducted win-workshops for government officials and trainers in India, Thailand, Cambodia, Namibia, Gambia, Ghana, and Mexico. Workshops are being planned for South Africa, Japan, Armenia, Brazil, Bolivia, Indonesia, and elsewhere. The institute is also active on a service level in the state of Illinois, including workshops offered through the extramural program of the University of Illinois.

These ideas for being more useful, however, may be limited by our location and auspices. We might do better if the Dirksen-Stevenson Institute were located in Washington, D.C. It could then change its name, for example, to the Ronald Reagan-Jimmy Carter Institute. We would also welcome an affiliation with a major or even a minor university. For nonscholarly reasons that relate to petty academic politics, we have been evicted after almost 40 years from the University of Illinois, or one could say we have evicted the University of Illinois.

THE THREE I'S

What Is Your School Doing That Is of an International Nature?

The institute publishes the journal *Developmental Policy Studies*. It is published in collaboration with the Developmental Policy Studies Consortium of the PSO. The consortium includes representatives from Africa, Asia, Eastern Europe, Latin America, North America, and Western Europe. The editorial board is also organized in terms of cross-cutting issues and specific policy problems as well as regions and nations.

The institute has also published and publishes various books devoted to international policy studies, including

1. A six-volume set titled *Global Public Policy* (Dekker), which covers economic, technology, social, political, international, and legal policy in six regions throughout the world
2. A three-volume set titled *Multi-National Policy Toward Peace, Prosperity, and Democracy* (Macmillan)
3. A set of diverse authored volumes dealing with developing nations published by Ashgate as part of the PSO series
4. A multivolume set titled *Policy Studies in Developing Nations* (JAI), which has to

date covered poverty, political reform, public budgeting, human rights, and policy analysis methods

5. An annual volume titled *Advances in Developmental Policy Studies* (JAI)

The institute also conducts overseas workshops on policy analysis, especially win-win policy analysis in Africa, Asia, Eastern Europe, and Latin America. For example, win-win policy analysis workshops were conducted in February 1999 for 12 countries in West Africa.

What Is Your School Doing to Have an Impact on Public Policy?

Activities of the Dirksen-Stevenson Institute that impact the government include conducting policy analysis workshops for U.S. government agencies, such as the workshops conducted for the Office of Personnel Management. The Dirksen-Stevenson Institute also reaches U.S. government officials by way of workshops conducted at annual meetings of policy-oriented organizations, such as the ASPA.

The book-publishing program of the Dirksen-Stevenson Institute (along with the PSO) covers the work of many government agencies and many specific policy problems. In the past, PSO has received contracts, grants, or at least cooperation from every cabinet-level department in the federal government for the development of one or more edited volumes dealing with policy problems over which they have some authority.

The journal-publishing program of the institute includes cooperation in the writing of the impact-relevant articles that appear in the *Policy Studies Journal*, the *Pol-*

icy Studies Review, and *Policy Evaluation (PE)*. The *PE* journal has recently added articles by governors, cabinet members, and prime ministers.

What Is Your School Doing to Involve Interdisciplinary People and Ideas (From Natural Science, Philosophy, Arts, Communication, Business, Education, Social Work, Agriculture, and Other Disciplines)?

In the short time that the Dirksen-Stevenson Institute has been in existence, it has conducted policy analysis workshops at the annual meetings of scholarly associations other than political science, public administration, or public policy, such as the 1998 annual meeting of the American Association for the Advancement of Science.

The institute has also published books that are of interest to scholars in other disciplines, such as *Applications of Super-Optimizing Analysis* (JAI, 1998), which was favorably reviewed in the *Journal of Economic Literature*.

In autumn 1997, the Dirksen-Stevenson Institute held a weekly public policy seminar for people from all disciplines at the University of Illinois. In January 1999, the institute held an open house for all Illinois faculty designed to further stimulate interdisciplinary interaction toward resolving important public policy problems.

NOTE

1. For all questions, “you” refers to your institutional program or to typical faculty members.

Funding for Policy Evaluation

A. SUBJECTS FUNDED

Funding Sources for Policy Problems

	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	
A1	.	.	.	X	.	X	.	X	.	.	.	X	X	.	.	.	X	.	.	.	(elderly issue only)
A2	.	.	.	X	X	X	.	.	.	.	.	X	X	X	X	.	X	.	.	.	
A3	.	.	.	X	X	X	.	.	.	.	.	X	X	X	X	.	X	.	.	.	
A4	.	X	.	.	X	.	.	.	.	.	.	X	.	.	.	.	X	.	.	.	(Southern California only)
A5	X	.	.	.	.	.	.	.	.	.	X	.	
A6	.	X	.	.	X	X	.	X	.	.	.	.	.	.	.	.	.	.	.	.
A7	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	(graduate grants only)
A8	.	X	.	X	X	.	.	.	.	X	.	X	.	.	.	.	X	X	.	.	(Great Lakes economic development)
A10	.	X	.	X	X	.	X	.	.	.	.	X	.	.	.	.	.	.	X	.	
A11	.	X	.	.	X	.	X	.	.	.	.	.	.	X	.	X	.	.	.	.
A12	X	X	.	X	X	.	.	.	.	.	.	X	.	.	X	.	.	.	X	.	
A13	.	X	.	X	X	X	.	X	.	.	.	X	.	.	.	.	X	.	.	.	
B1	.	.	X	.	.	X	.	X	.	.	.	.	.	.	.	.	.	X	X	.	
B2	.	.	X	.	X	X	X	X	.	.	.	.	X	.	.	X	.	X	.	.	
B3	.	.	X	.	.	X	.	X	.	.	.	X	.	.	.	.	.	.	.	.
B4	X	X	.	.	.	.	.	X	.	.	X	.	
B5	X	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.
B6	(young professionals work in Germany 1 year)
B7	X	.	X	.	.	.	.	.	.	.	.	.	.	.
B8	X	.	X	.	.	.	.	.	.	.	.	.	.	.
B9	X	X	.	.	.	.	X	.	.	.	.	.	.	.	X	.	
C1	.	.	.	X	X	X	.	.	X	X	.	X	.	.	.	.	.	X	X	.	
C2	X	.	.	X	.	.	.	.	.	.	.	.	.	.	X	.	
C3	X	X	.	.	.	.	.	.	.	.
C4	
C5	X	.	.	X	.	.	.	X	X	X	X	.	.	.	.
C6	.	.	X	.	.	.	.	.	X	.	.	.	X	.	.	.	.	.	.	.
C7	X	.	.	.	.	.	X	.	.	.	.	.	.	.	.
C8	.	X	X	.	X	.	.	X	.	X	X	.	.	.	.	.	.	.	.	.
C9	X	.	.	.	.	.	.	.	.	.	.	.	.
C10	X	.	.	.	.	.	.	.	.	.	(libraries needed only)
C11	X	.	.	.	.	.	.	.	.	.	.
C12	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.
C13	.	.	X	.	.	.	.	.	.	.	.	.	.	.	X	.	.	.	.	X	
C14	X	X	.	.	.	.	.	.	.	.	X	X	.	.	X	.	(contact board members regarding policy search)
C15	X	.	.	.	.	.	.	.	.	.	.

M10	X	X	X	X	X	.	.	
	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U		
M11	.	.	X	.	.	X	.	.	.	.	.	X	X	.	.	X	.	.	.	X	(Pacific Northwest only)
M12	.	.	X	.	X	X	X	.	X	.	.	.	X	.	X	.	.	.	.	.
M13	.	.	.	.	.	.	.	X	.	X	X	.	X	.	.	.	X	.	.	.	(autism)
N1	.	X	X	.	X	X	X	.	.	.	X	X	.	.	X	.	.	.	X	.		
N2	.	.	.	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.
N3	.	.	.	.	.	.	.	.	X	.	.	.	.	.	.	.	.	.	.	.	(aging only)
N4	.	.	.	X	X	.	.	.	.	.	X	.	.	X	.	X	.	X	.	X	
N5	.	.	.	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.
N6	.	.	X	.	.	X	.	X	.	.	X	.	.	.	.	.	.	X	.	.	(especially journalism)
N7	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	X	.	.	.	.	(Pacific Northwest only)
O1	.	.	.	.	.	.	.	.	X	.	X	.	.	X	.	.	.	.	.	.
O2	.	.	X	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.
P1	.	.	X	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.
P2	.	.	X	.	.	X	X	X	.	.	.	.	.	.	.	X	X	X	X	.	(and ocean policy)
P3	.	.	X	.	.	X	.	.	.	.	.	X	.	.	.	.	X	.	.	.	
P4	.	.	.	.	.	.	X	.	.	.	.	.	.	.	X	.	X	.	.	.	(especially disadvantaged youth)
P5	.	.	X	.	.	.	X	.	X	.	X	.	.	.	.	X	.	.	.	.
P6	.	.	X	.	.	X	.	X	.	.	X	.	.	.	.	.	.	.	.	X	
R1	.	.	.	.	.	.	.	X	.	.	.	X	.	.	.	.	.	.	X	.	(elderly only)
R2	.	.	.	.	X	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.	(environment, broadly defined)
R3	X	.	.	.	X	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.
R4	.	.	.	.	X	X	.	.	.	X	.	.	.	X	.	.	.	.	.	.
S1	.	.	X	.	.	X	.	.	.	.	.	X	.	.	.	.	X	.	.	.	
S2	.	.	.	.	.	.	.	.	X	.	.	.	.	.	.	.	.	.	.	X	
S3	.	.	X	.	.	.	.	X	.	.	.	.	.	.	X	.	X	.	.	.	(especially Chicago)
S4	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	X	.	
S5	.	.	X	.	X	X	.	.	.	.	.	X	.	.	.	.	X	.	.	.	
S6	.	.	.	.	.	.	.	.	.	.	.	.	.	.	X	.	.	.	.	.	(criminal justice alternatives; Massachusetts only)
S7	.	.	.	.	.	.	X	.	X	.	X	.	.	.	.	.	.	.	.	.
S8	.	.	.	.	.	.	X	.	X	.	.	.	.	.	.	.	.	.	.	.	(history)
S9	.	.	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	(any topic as it relates to education)
T1	.	.	X	.	.	X	.	X	.	.	.	.	X	.	.	.	.	X	.	.	
T2	.	.	.	.	X	X	.	X	.	.	.	X	.	.	.	.	.	.	.	.	(as relates to Latin America, Iberia, Antartica)
U1	X	.	.	.	X	X	.	.	X	.	X	.	.	.	.	.	.	.	.	.
U2	.	.	.	.	X	X	.	X	.	.	.	X	.	.	.	.	.	X	.	.	(Japan-United States related)
U3	.	.	X	.	.	X	.	.	.	.	.	X	.	.	.	.	X	.	X	.	
U4	.	.	.	.	.	X	.	.	X	.	.	.	.	.	.	.	.	.	X	.	
W1	.	.	.	.	.	X	.	.	.	.	.	.	.	.	.	.	.	.	.	.	(archeology and anthropology only)

NOTES:

- | | |
|--|------------------------------------|
| B = agriculture | L = speech and civil liberties |
| C = cross-cultural | M = government |
| D = culture and arts | N = health and biomedical |
| E = dispute resolution | O = housing |
| F = economic regulation and development | P = legal and civil justice issues |
| G = education | Q = minorities and discrimination |
| H = employment and job training | R = population |
| I = environment and energy conservation | S = poverty and welfare |
| J = family, elderly, and youth | T = public policy |
| K = foreign relations, national defense, and world peace | U = science and technology |

B. ADDRESSES

- A1 = AARP Andrus Foundation, 1909 K St., NW, Washington, D.C. 20049.
A2 = Administrative Conference of the U.S., 2120 L St., NW, Ste. 500, Washington, D.C. 20037.
A3 = Aetna Life & Company Foundation, 151 Farmington Ave., Hartford, CT 06156.
A4 = The Ahmanson Foundation, 9215 Wilshire Blvd., Beverly Hills, CA 90210.
A5 = American Defense Institute, 214 Massachusetts Ave., NE, P.O. Box 2497, Washington, D.C. 20013.
A6 = American Express Philanthropic Program, American Express Plaza Tower, New York, NY 10285.
A7 = American Historical Association, 400 A St., SE, Washington, D.C. 20003.
A8 = American Philosophical Society, 104 S. 5th St., Philadelphia, PA 19106.
A9 = Amoco Foundation, Inc., 200 E. Randolph Dr., Chicago, IL 60601.
A10 = ARCO Foundation, 515 S. Flower St., Los Angeles, CA 90071.
A11 = AT&T Foundation, 550 Madison Ave., Room 2700, New York, NY 10022.
A12 = Alcoa Foundation, 1501 Alcoa Bldg., Pittsburgh, PA 15219.
- B1 = Mary Reynolds Babcock Foundation, 102 Reynolda Village, Winston-Salem, NC 27106.
B2 = BankAmerica Foundation, P.O. Box 37000, San Francisco, CA 94137.
B3 = William Bingham Foundation, 1250 Leader Bldg., Cleveland, OH 44114.
B4 = Boehm Foundation, 500 5th Ave., New York, NY 10110.
B5 = Borg-Warner Foundation, 200 S. Michigan Ave., Chicago, IL 60604.
B6 = Boston Foundation, Inc., 60 State St., 6 Floor, Boston, MA 02109.
B7 = Florence V. Burden Foundation, 630 5th Ave., Ste. 2900, New York, NY 10111.
B8 = Lynde & Harry Bradley Foundation, Inc., 777 E. Wisconsin Ave., Ste. 2285, Milwaukee, WI 53202.
- C1 = Carnegie Corporation of New York, 437 Madison Ave., New York, NY 10022.
C2 = Mary Flagler Cary Charitable Trust, 350 5th Ave., Room 6622, New York, NY 10118.
C3 = Center for Study of Human Rights, 1108 International Affairs Bldg., New York, NY 10027.
C4 = Edna McConnel Clark Foundation, 250 Park Ave., New York, NY 10017.
C5 = Robert Sterling Clark Foundation, Inc., 112 E. 64th St., New York, NY 10021.
C6 = Columbia Foundation, 1090 Sansome St., San Francisco, CA 94111.
C7 = Conservation and Research Foundation, Connecticut College, Foundation Call Box, New London, CT 06320.
C8 = Corporation for Public Broadcasting, 901 E. St., NW, Washington, D.C. 2004.
C9 = Council of Foreign Relations, 58 E. 68th St., New York, NY 10021.
C10 = Council on Liberty Resources, 1785 Massachusetts Ave., NW, Ste. 313, Washington, D.C. 20036.
C11 = Charles E. Culpeper Foundation, Inc., 10 Stamford Forum, Ste. 800, Stamford, CT 06901.
C12 = Cummina Engine Foundation, Mail Code 60814, Box 3005, Columbus, IN 47202.
C13 = Center for International Affairs, 1737 Cambridge St., Room 416, Cambridge, MA 02138.
- D1 = Danforth Foundation, 231 S. Bemiston Ave., Ste. 580, St. Louis, MO 63105.
D2 = Shelby Collum Davis Center for History Studies, 129 Dickinson Hall, Princeton, NJ 08544.
D3 = Dayton Hudson Foundation, 777 Nicollet Mall, Minneapolis, MN 55402.
D4 = Dirksen Congressional Center, Broadway & 4th St., Pekin, IL 61554.
D5 = William H. Donner Foundation, Inc., 500 5th Ave., Ste. 1230, New York, NY 10110.
D6 = Geraldine R. Dodge Foundation, Inc., 95 Madison Ave., P.O. Box 1239, Morristown, NJ 07962.
- E1 = Earhart Foundation, 2929 Plymouth Bldg., Ste. 204, Ann Arbor, MI 48105.
E2 = Educational Foundation of America, 23161 Ventura Blvd., Ste. 201, Woodland Hills, CA 91364.
E3 = Environmental Law Institute, 1616 P St., NW, Washington, D.C. 20036.
E4 = Exxon Corporation, 225 E. John W. Carpenter Freeway, Irving, TX 75062.
- F1 = Foundation for Child Development, 345 E. 46th St., New York, NY 10017.
F2 = Frost Foundation, Ltd., 650 S. Cherry St., Ste. 205, Denver, CO 80222.
F3 = Lloyd A. Fry Foundation, 135 S. LaSalle St., Ste. 1910, Chicago, IL 60603.
- G1 = Gates Foundation, 3200 Cherry Creek S. Dr., Ste. 630, Denver, CO 80209.
G2 = General Electric Foundation, 3135 Easton Turnpike, Fairfield, CT 06431.
G3 = General Mills Foundation, P.O. Box 1113, Minneapolis, MN 55440.
G4 = Wallace Alexander Gerbode Foundation, 470 Columbus Ave., Ste. 209, San Francisco, CA 94133.

- G5 = German Marshall Fund of the U.S., 11 Dupont Circle, NW, Ste. 750, Washington, D.C. 20036.
 G6 = William T. Grant Foundation, 515 Madison Ave., New York, NY 10022.
 G7 = Daniel & Florence Guggenheim Foundation, 950 3rd Ave., New York, NY 10022.
 G8 = John Simon Guggenheim Foundation, 90 Park Ave., New York, NY 10016.
 G9 = George Gund Foundation, 1 Erievue Plaza, Cleveland, OH 44114.
- H1 = Hastings Center, 255 Elm Rd., Briarcliff Manor, NY 10510.
 H2 = William & Flora L. Hewlett Foundation, 525 Middlefield Rd., Menlo Park, CA 34025.
 H3 = Hitachi Foundation, 1509 22nd St., NW, Washington, D.C. 20037.
 H4 = Hoover Presidential Library Association, Inc., P.O. Box 696, West Branch, IA 52358.
 H5 = Houston Endowment, Inc., P.O. Box 52338, Houston, TX 77052.
 H6 = Hudson River Foundation, 40 W. 20th St., 9th Floor, New York, NY 10011.
- I1 = Institute for Research on Poverty, 1180 Observatory Dr., 3412 Social Science Bldg., Madison, WI 53706.
 I2 = Inter-American Foundation, P.O. Box 9486, Arlington, VA 22209.
 I3 = James Irvine Foundation, 1 Market Plaza, Spear Tower, Ste. 1715, San Francisco, CA 94105.
 I4 = Ittleson Foundation, 645 Madison Ave., 16th Floor, New York, NY 10002.
- J1 = Japan-U.S. Friendship Commission, 1200 Pennsylvania Ave., NW, Room 3416, Washington, D.C. 20004.
 J2 = J. M. Foundation, 60 E. 42nd St., Room 1651, New York, NY 10165.
 J3 = Robert Wood Johnson Foundation, College Rd., P.O. Box 2316, Princeton, NJ 08546.
 J4 = Fletcher Jones Foundation, 1 Wilshire Bldg., Suite 1210, 624 S. Grand Ave., Los Angeles, CA 90017.
 J5 = Joyce Foundation, 135 S. LaSalle St., Ste. 4020, Chicago, IL 60603.
- K1 = W. K. Kellogg Foundation, 400 N. Ave., Battle Creek, MI 49017.
 K2 = Kraft Foundation, Kraft Court, Glenview, IL 60025.
 K3 = Kresge Foundation, 3215 W. Big Beaver Rd., P.O. Box 3151, Troy, MI 48007.
- L1 = Max & Anna Levinson Foundation, P.O. Box 125, Costilla, NM 87524.
 L2 = Lilly Endowment, Inc., 2801 N. Meridian St., P.O. Box 88068, Indianapolis, IN 46208.
 L3 = Henry Luce Foundation, Inc., 111 W. 50th St., New York, NY 10020.
- M1 = J. Roderick MacArthur Foundation, 9333 N. Milwaukee Ave., Niles, IL 60648.
 M2 = John & Mary R. Markle Foundation, 75 Rockefeller Plaza, New York, NY 10019.
 M3 = James S. McDonnell Foundation, 1034 S. Brentwood Blvd., Ste. 1610, St. Louis, MO 63117.
 M4 = McDonnell Douglas Foundation, P.O. Box 516, St. Louis, MO 63166.
 M5 = Andrew W. Mellon Foundation, 140 E. 62nd St., New York, NY 10021.
 M6 = Richard King Mellon Foundation, 525 William Penn Place, 39th Floor, Pittsburgh, PA 15219.
 M7 = Mexican-American Legal Defense & Educational Fund, 634 S. Spring St., 11th Floor, Los Angeles, CA 90014.
 M8 = Meyer Memorial Trust, 1515 SW 5th Ave., Ste. 500, Portland, OR 97201.
 M9 = Mobil Foundation, Inc., 3225 Gallows Rd., Room 3D809, Fairfax, VA 22037.
 M10 = Charles Stewart Mott Foundation, 1200 Mott Foundation Bldg., Flint, MI 48502.
 M11 = M. J. Murdock Charitable Trust, P.O. Box 1618, Vancouver, WA 98668.
 M12 = Metropolitan Life Foundation, 1 Madison Ave., New York, NY 10010.
 M13 = John Merck Foundation, 11 Beacon St., Ste. 600, Boston, MA 02108.
- N1 = National Endowment for Democracy, 1101 15th St., NW, Ste. 203, Washington, D.C. 20005.
 N2 = National Endowment for the Humanities, 1100 Pennsylvania Ave., SE, Washington, D.C. 20506.
 N3 = National Institute on Aging, 9000 Rockville Pike, Bldg. 31, Bethesda, MD 20892.
 N4 = National Science Foundation, 1800 G St., NW, Washington, D.C. 20550.
 N5 = Newberry Library, 60 W. Walton St., Chicago, IL 60610.
 N6 = New York Times Co. Foundation, Inc., 229 W. 43rd St., New York, NY 10036.
 N7 = Northwest Area Foundation, W. 975 First National Bank Bldg., St. Paul, MN 55101.
- O1 = John M. Oliln Foundation, 100 Park Ave., Ste. 2701, New York, NY 10017.
 O2 = Ottinger Foundation, 1601 Connecticut Ave., NW, Ste. 803, Washington, D.C. 20009.

- P1 = Pacific Telesis Foundation, 130 Kearny St., Room 3351, San Francisco, CA 94108.
 P2 = David & Lucille Packard Foundation, 300 2nd St., Ste. 200, Los Angeles, CA 94022.
 P3 = PPG Industries Foundation, 1 PPG Place, Pittsburgh, PA 15272.
 P4 = Pillsbury Co. Foundation, 200 S. 6th St., Pillsbury Center, Minneapolis, MN 55402.
 P5 = Prospect Hill Foundation, 420 Lexington Ave., Ste. 3020, New York, NY 10170.
 P6 = Pew Charitable Trusts, 3 Parkview, Ste. 501, Philadelphia, PA 19102.
- R1 = Retirement Research Foundation, 1300 W. Higgins Rd., Ste. 214, Park Ridge, IL 60068.
 R2 = Resources for the Future, 1616 P St., NW, Washington, D.C. 20036.
 R3 = Rockefeller Bros. Fund, 1290 Ave. of the Americas, New York, NY 10104.
 R4 = Samuel Rubin Foundation, 777 UN Plaza, New York, NY 100017.
- S1 = Shell Oil Co. Foundation, 2 Shell Plaza, P.O. Box 2099, Houston, TX 77252.
 S2 = Social Science Research Council, 605 3rd Ave., New York, NY 10158.
 S3 = Sara Lee Foundation, 3 First National Plaza, Chicago, IL 60602.
 S4 = Sarah Scaife Foundation, P.O. Box 268, Pittsburgh, PA 15230.
 S5 = Dr. Scholl Foundation, 11 S. LaSalle St., Ste. 2100, Chicago, IL 60603.
 S6 = Gardiner Howland Shaw Foundation, 45 School St., Boston, MA 02108.
 S7 = Florence & John Schumann Foundation, 33 Park St., Montclair, NJ 07042.
 S8 = L. J. Skaggs & Mary C. Skaggs Foundation, 1221 Broadway, 21st Floor, Oakland, CA 94612.
 S9 = Spencer Foundation, 875 N. Michigan Ave., Chicago, IL 60611.
- T1 = Texaco Philanthropic Foundation, Inc., 2000 Westchester Ave., White Plains, NY 10650.
 T2 = Tinker Foundation, Inc., 55 E. 59th St., New York, NY 10022.
- U1 = U.S. Information Agency, 301 4th St., SW, Washington, D.C. 20547.
 U2 = U.S.-Japan Foundation, 145 E. 32nd St., New York, NY 10016.
 U3 = USX Foundation, Inc., 600 Grant St., Room 2649, Pittsburgh, PA 15219.
 U4 = U.S. Institute of Peace, 1550 M St., NW, Ste. 700, Washington, D.C. 20005.
- W1 = Wenner-Gren Foundation for Anthropological Research, 220 5th Ave., 16th Floor, New York, NY 10001.

Part 3

POLICY
EVALUATION
TRENDS

Trends in Cross-Cutting Procedural Policy Issues

This chapter is concerned with projecting trends in public policy. It is specifically concerned with trends in the cross-cutting issues of incentives for encouraging socially desired behavior, government structures for more effective goal achievement, the coordination of public-private relations, and systematic methods of public policy evaluation. These issues cut across the specific policy problems of economic, technology, social, and political policy. Trends in these substantive issues were discussed in the spring 1999 issue of *Policy Evaluation*.

INCENTIVES

Table 28.1 summarizes some of the trends regarding incentives for encouraging socially desired behavior. An overall trend is an increasing reliance on rewarding the rightdoer in contrast to punishing the wrongdoer. The emphasis on rightdoing manifests itself more in decreasing the costs of rightdoing (such as tax deductions) than in increasing the benefits of rightdoing (such as reward subsidies) because tax deductions are more politically feasible. For wrongdoers, there is an increasing emphasis on penalties other than tradi-

tional jailing and fining, such as confiscating profits or property, reimbursement of victims, and penalties by way of missed opportunities that might otherwise be meaningfully available.

Incentives work better when the probability of benefits being received for rightdoing and costs occurring for wrongdoing is increased. Benefits are more likely to be received for rightdoing if negotiable vouchers are used rather than subsidies that have to be applied for with red tape. Likewise, costs are more efficiently inflicted on wrongdoers as our criminal justice system becomes more efficient through modern management and forensic science. On the other hand, the role of socialization to make various kinds of wrongdoing unthinkable has lessened with the decreased impact of the family and school. There is a trend toward more physical structuring to make wrongdoing difficult, such as better street lighting to discourage muggings and rapes, more areas within the control and responsibility of individual apartments, and more gun control to reduce the availability of lethal weapons. The major overall trend is the combining of an increased variety of approaches for dealing with wrongdoing across all policy problems, including pollution and discrimina-

Table 28.1 TRENDS IN INCENTIVES FOR ENCOURAGING SOCIALLY DESIRED BEHAVIOR

<i>Incentive</i>	<i>Example</i>	<i>Trend</i>	<i>Advantage</i>
Increase benefits of rightdoing	Reward subsidies	Increase	Can buy cooperation but expensive and politically unpopular
Decrease costs of rightdoing	Tax deductions	Larger increase	Buys less cooperation but politically feasible
Decrease benefits of wrongdoing	Confiscate profits	Increase but only in criminal activities	Could change behavior but difficult to apply
Increase costs of wrongdoing	Large penalties	Increase	Penalties usually absorbed as an expense and hemmed in by due process
Increase probability of benefits and costs occurring	Better monitoring and bounties	Increase through improved personnel	Essential for benefits and costs to be meaningful, but worthless if benefits are not substantial
Socialization to make wrongdoing unthinkable	Street crimes among middle-class people	Decreases in the importance of conscience	May require special upbringing
Physical structuring to make wrongdoing difficult	Gun prohibition or control	Mild increase	Effective but may not be politically feasible

tion, not just traditional criminal behavior.¹

GOVERNMENT STRUCTURES

Table 28.2 summarizes some of the trends in the roles of different levels and branches of government regarding the formation and implementation of public policy. The overall trend is an increase in activity at all levels and branches of government for reasons mentioned in the following section. Within this overall trend, the national government has increased its role largely as a result of the increased geographical broadness, complexity, and expense of public policy problems. Also within the overall

trend, especially the executive branch of government has increased in size, largely as a result of the need for speed, technical specialization, and a broader constituency.

Stating that there has been an increase in roles at the national level and in the executive branch may tend to oversimplify because the policymaking role of states, cities, legislatures, and courts has also increased. It is also an oversimplification because it does not adequately recognize that some public policy fields are very much in the domain of (a) the states regarding contracts, property, torts, and family law; (b) the cities or other local governments regarding zoning, sanitation, policy, and schools; (c) the legislatures, such as taxing-spending policy; and (d) the courts

Table 28.2 TRENDS IN THE ROLES OF LEVELS AND BRANCHES OF GOVERNMENT

<i>Level or Branch</i>	<i>Trend</i>	<i>Advantage</i>
Level		
National	Increasing, especially on unemployment-inflation, foreign-defense policy, and civil liberties	Coordination and uniformity across states
States	Increasing, but not as much, with an emphasis on criminal justice, property rights, and family relations	Coordinated across cities and counties, plus being closer to where programs are implemented
Cities	Increasing, especially regarding zoning, sanitation, police, fire, and schools	Closer to where programs are implemented
Branches		
Executive	Increasing, especially regarding foreign-defense policy and unemployment-inflation	Speed, unity, and possibly decisiveness
Legislative	Increasing, but not as much, with an emphasis on taxing-spending policy	Debate and diversity of viewpoints
Judicial	Plateauing after previous increases, especially in civil liberties and liability	Relative immunity from the pressures of reelection

regarding free speech, criminal justice, and equal protection under the law.²

PUBLIC-PRIVATE RELATIONS

Table 28.3 summarizes some of the trends concerning various public-private sector activities. The overall idea is that we are moving away from the more extreme activities toward more pragmatic intermediate approaches. This can be seen at both ends of the five-point continuum. The influence of the pure marketplace as an approach for dealing with public policy matters has greatly lessened. If one looks at a list of policy fields, none of them are being handled

from a pure marketplace perspective, even though the marketplace was substantially more important a generation or two ago. Thus, there is more government regulation, litigation, and use of subsidies and tax breaks in all the major policy fields: labor, consumer, free speech, criminal justice, merit treatment, government reform, world peace/trade, poverty, education, environment, and health.

For example, labor was almost completely a marketplace matter until the 1930s. The Supreme Court had held that minimum wage laws, maximum hour laws, and child labor laws were all unconstitutional. There were no laws for the Supreme Court to hold unconstitutional regarding

Table 28.3 TRENDS IN PUBLIC-PRIVATE SECTOR ACTIVITIES

<i>Activity</i>	<i>Trend</i>	<i>Advantage</i>
Pure marketplace	Decreasing except where competition benefits consumers or where government contracts out government functions	Good for prices, quality, and safety where competition is present
Subsidies and tax breaks	Increasing to encourage socially desired behavior	Good where politically feasible and where discretion is allowable
Litigation	Increasing as injured persons acquire more rights and relations become more anonymous	Good for compensating injured persons, especially if on a no-fault basis
Government regulation	Plateauing after previous increases	Good for controlling practices especially dangerous to others
Government ownership	Decreasing in advocacy	Good for activities that private enterprise does not want to conduct

race or sex discrimination. In 1938, the Fair Labor Standards Act governing wages, hours, and child labor was implemented. In 1964, the Civil Rights Act, which contained prohibitions against race and sex discrimination, was enacted. In 1980, the Reagan administration introduced enterprise zones designed to provide subsidies and tax breaks for business firms that reduced unemployment in the inner city.

At the opposite end of the continuum, one should note the reduced advocacy of government ownership even by those associated with socialist politics. The Socialist Party of Eugene Debs in the early 1900s and that of Norman Thomas in the 1930s received many votes when advocating government ownership and operation of the basic means of production and distribution in America. Many people believe that the Democratic Party destroyed the Socialist Party by adopting socialist ideas concerning social security and labor legislation, but the Democratic Party never pushed the idea of government ownership, with the possible exception of the Tennessee Valley

Authority. This lessening of advocacy of government ownership is not peculiar to the United States. The idea has been substantially decreased in the program of the British Labor Party, the German Social Democrats, and the French Socialists. It has been decreased in various aspects of agriculture and retail sales within Eastern Europe and China. Even traditional government functions are now sometimes being contracted out to private enterprise, such as the operation of some prisons, although the government retains control and responsibility.³

METHODS OF POLICY EVALUATION

Table 28.4 summarizes some of the trends regarding methods of public policy evaluation. The key overall trend is toward new ideas that combine both simplicity and validity. There is a trend toward the use of microcomputer software that facilitates systematic trial-and-error experimentation.

Table 28.4 TRENDS IN METHODS OF PUBLIC POLICY EVALUATION

<i>Method</i>	<i>Example</i>	<i>Trend</i>	<i>Advantage</i>
Multiple dimensions on multiple goals	Multicriteria decision making	Increase	Can deal with non-monetary benefits, monetary costs, and multiple goals
Missing information	Break-even analysis, best-worst scenarios, and graphics	Increase	Can deal with missing information without having to gather the information
Allocation analysis	Part/whole percentaging	Increase	Avoids assumptions and measurement needs of operations research/management science
Multiple and conflicting constraints	Prioritizing, compromising, or expanding the constraints	Increase	Expanding approach encourages growth where everyone benefits
Multiple prediction	If-then analysis	Increase	Fits what good decision makers actually do
Simplicity	Spreadsheet analysis	Increase	Easy to manipulate, including what-if analysis

There is also a trend toward an expert systems perspective that seeks to develop methods by analyzing how good decision makers implicitly decide rather than by trying to deduce how they should decide in light of unrealistic or unfeasible premises or both that relate to calculus optimization or mathematical programming.

Specific trends relate to how to deal with each of the six major obstacles to systematic evaluation shown under Method in Table 28.4. These trends involve moving toward (a) multicriteria decision making rather than single objective functions, (b) variations on breakeven analysis to determine critical values of missing information rather than trying to devise expensive ways to not have missing information, (c) the use of percentaging methods to deal with allocation problems, (d) an expansionist philosophy to deal with conflicting constraints, (e) variations on if-then analysis for multiple prediction, and (f) spreadsheet

analysis as the most popular decision-aiding software.⁴

OVERALL TRENDS

The post-1985 period can be characterized as one in which (a) there are higher goals for public policy, including the goal of satisfying both liberals and conservatives; (b) there are more positive incentives, more sources of ideas among government levels and branches, and more pragmatic relations between the public and private sectors for achieving those goals; and (c) there is a trend toward multicriteria decision making and spreadsheet analysis.

Instead of talking in terms of goals, means, and methods, one could discuss the trends in policy studies in terms of substance and process. With regard to substance, there has been a trend from a concern for how to allocate resources to a

Table 28.5 ELEMENTS OF POLICY ANALYSIS IN FOUR RECENT TIME PERIODS

<i>Period</i>	<i>Goal</i>	<i>Means</i>	<i>Methods</i>	<i>Institutions</i>
Pre-1960	Good government	Describing policies	Journalism, history, and philosophy	American Political Science Association and American Political Science Review
1960-1975	Goals as being unscientific	Correlating policies	Statistical analysis	Behavioral and regional journals
1975-1985	Goals as variables	Feasible and interdisciplinary policies	Benefit-cost analysis	Policy journals and courses
Post-1985	Questioning goals	Incentives, multiple government foci, and pragmatism	Multicriteria decision-making spreadsheet analysis	Design science

greater concern for how to increase the resources to allocate. This trend can be seen in supply-side economics, industrial policy, win-win mediation, and non-zero-sum games. With regard to process, there has been a trend from talking about the process of policy formation to talking more about the process of policy implementation. Along with implementation is a concern for impact and how to improve impact or goal achievement (Table 28.5).

NOTES

1. For further details on trends regarding incentives to encourage socially desired behavior, see Barry Mitnick, *The Political Economy of Regulation: Creating, Designing, and Removing Regulatory Forms* (New York: Columbia University Press, 1980); William Hamilton, Larry Ledebur, and Deborah Matz, *Industrial Incentives: Public Promotion of Private Enterprise* (Washington, DC: Aslan Press, 1984); and Alfred Blumstein, ed., *Deterrence and Incapacitation* (Washington, DC: National Academy of Sciences, 1978).

2. For further details on trends in the division of labor among levels and branches of government, see James Sundquist, *Constitutional*

Reform and Effective Government (Washington, DC: Brookings Institution, 1985); David Walker, *Toward a Functioning Federalism* (Boston: Winthrop, 1981); and Michael Reagan and John Sanzone, *The New Federalism* (New York: Oxford University Press, 1981).

3. For further details on trends in the division of labor between the public and private sectors, see Martin Rein and Lee Rainwater, eds., *Public/Private Interplay in Social Protection: Comparative Study* (Armonk, NY: Sharpe, 1986); David Linowes, ed., *Privatization: Toward More Effective Government* (Washington, DC: Government Printing Office, 1988); and Dennis Thompson, ed., *The Private Exercise of Public Functions* (New York: Associated Faculty Press, 1985).

4. For further details on trends regarding methods of public policy evaluation, one can compare relevant books from the 1950s, 1960s, 1970s, and so on, such as Daniel Lerner and Harold Lasswell, eds., *The Policy Sciences* (Palo Alto, CA: Stanford University Press, 1951); Raymond Bauer and Kenneth Gergen, eds., *The Study of Policy Formation* (New York: Free Press, 1968); Irving Horowitz and James Katz, *Social Science and Public Policy in the United States* (New York: Praeger, 1975); Nick Smith, ed., *New Techniques for Evaluation* (Beverly Hills, CA: Sage, 1981); and Stuart Nagel, *Evaluation Analysis With Microcomputers* (Greenwich, CT: JAI, 1988).

Public Policy in the 20th Century

This chapter describes some of the major changes that have occurred in the main fields of public policy since 1900. These major changes generally occurred during three time periods. The first period was the era of Woodrow Wilson, partly continuing with the public policy program of Theodore Roosevelt. The second period was the era of Franklin Delano Roosevelt, partly continued by Harry Truman. The third time period was the 1960s during the presidencies of John F. Kennedy and Lyndon Johnson. The intermediate time periods tended to legitimize the policy changes that had occurred during the 1910s, 1930s, and 1960s. Thus, the subsequent nonrepeal of (a) the Wilson legislation in the 1920s, (b) the FDR legislation in the 1950s, and (c) the Kennedy-Johnson legislation in the 1980s has served to make these changes less controversial and more accepted.

Cycles in policy change can also be considered as periods that promote greater equality or sharing of productivity advances in contrast to periods that concentrate on technological improvements for increasing national productivity. Thus, the 1910s, 1930s, and 1960s were periods in which rights to consumers, workers, minorities, and other nondominant groups

were emphasized. The 1920s, 1950s, and 1980s were periods in which there was a relative emphasis on economic growth rather than equalizing previous gains.

In discussing each policy field, one can ask what happened in that field in the 1910s, 1930s, and 1960s to better determine how things have changed, although important changes may have also occurred in the intermediate periods. Some fields underwent substantial change as early as the 1910s or 1930s, such as consumer and labor matters. For others, such as poverty discrimination, environment, and energy, there was not much activity until the 1960s or later.¹

ECONOMIC ISSUES

Unemployment and Inflation

Regarding unemployment, inflation, and regulating the business cycle, the major contribution of the 1910s was the establishment of the Federal Reserve system. This system allows for stimulating the economy to reduce unemployment by lowering interest rates and by lowering the cash requirements banks need to keep on reserve. The opposite is to be done in time

of inflation to dampen the economy. It is interesting that this kind of monetary policy, which had been a radical proposal during the Wilson administration, is now conservative economics, especially associated with Milton Friedman.

The contribution of the 1930s was the explicit establishment of Keynesian economic policy. It involves stimulating the economy to reduce unemployment by decreasing taxes and increasing government spending. The opposite is to be done in times of inflation to dampen the economy. Keynesian economics largely replaced Federal Reserve monetary policy for dealing with the depression due to the fact that no matter how low interest rates are and how much lending money is available, businesses are unwilling to borrow to expand their plants if they are currently operating at substantially less than 100% of capacity.

The contribution of the 1960s and later to the handling of unemployment and inflation is the increasing adoption of a more focused incentives approach. Keynesian policy did not work well for dealing with inflation of the 1960s or later because it is politically unfeasible to sufficiently increase taxes and decrease government spending. Worse is the fact that in the 1970s, we were faced with increased unemployment and increased inflation simultaneously due to the ability of businesses and unions to keep prices and wages high even though demand had decreased. Monetary and Keynesian approaches advocate stimulating the economy to deal with unemployment and dampening the economy to deal with inflation, but both cannot be done simultaneously.

The more contemporary Reagan and Carter administrations increasingly looked toward using a system of incentives to stimulate potential employers to hire the unemployed and aid to stimulate unemployed people to obtain jobs and training. The incentives system can also help stimulate new technology and increased income, thereby increasing the need to hire people. The in-

centives system can also be used to reduce inflation. In this regard, tax breaks can be given to businesses and labor unions for not raising prices or wages. This has been discussed in the economic policy literature but not implemented. The inflation of the early 1980s was dealt with mainly by increasing interest rates, but this may be too costly an approach in terms of negatively affecting economic growth.

Consumer Policy

Prior to approximately 1910, consumer-business relations in the United States were controlled almost completely by the marketplace and a probusiness legal system. In the Woodrow Wilson years, the Clayton Anti-Trust Act was passed. It was slightly more consumer oriented than the previous Sherman Anti-Trust Act, which emphasized protecting businesses from monopolies, although businesses are important consumers for other businesses. More important was the establishment of the Federal Trade Commission and the Pure Food and Drug Administration, which had a definite consumer orientation. In the field of common law, Justice Cardozo of the New York Court of Appeals established the principle that the consumer could sue manufacturers for defective products even if the consumer had not dealt directly with the manufacturer and even if the consumer could not prove the manufacturer was negligently responsible for the defect except by circumstantial evidence. This was the beginning of effective products liability litigation. Consumer rights were strengthened in the 1960s as a result of congressional legislation establishing the Products Safety Commission. The common law courts also established the idea that a consumer contract could be too unconscionable to be enforced and that consumers must be given minimum due process before they can be subjected to product repossession or a lien on their wages or property.

Labor Policy

Prior to approximately 1910, labor-management relations in the United States were controlled almost completely by the marketplace and a promanagement legal system. Some gains were made during World War I in essential industries such as railroading, in which strikes could be highly effective because there was no product to be stored and competitive trucking was just beginning. The most important legislation, however, was not implemented until the 1930s, partly because the Supreme Court found wage, hour, and child labor legislation to be unconstitutional. The key 1930s legislation was the National Labor Relations Act (NLRA). It allowed workers to petition for a secret ballot election to determine whether they wanted to be represented by a union, and it prohibited management from firing workers simply because the workers wanted to join a union. Also highly important was the Fair Labor Standards Act, which provided for minimum wages, overtime pay, and a prohibition on child labor. There have been amendments to the NLRA in subsequent years, but the extremely emotional and sometimes lethal battles between labor and management that occurred in the 1930s are now relatively noncontroversial.

SOCIAL ISSUES

In the development of public policy, the have-not groups that have relatively greater power are more likely to achieve their policy goals first. Thus, consumers succeeded in obtaining important legislation and judicial precedents in the 1910s because most people considered themselves consumers. Labor succeeded in obtaining important policy changes in the 1930s. Labor has less political influence than do consumers collectively. It was not until the 1960s, however, that poor people and race and sex minorities succeeded in

obtaining important policy changes because they have the least power of the three sets of interest groups.

Poverty

The war on poverty was an important policy activity of the 1960s. Perhaps its greatest gains were in the form of judicial precedents that held that (a) welfare recipients were entitled to at least minimum due process and nonarbitrary classification before they could be terminated; (b) indigent defendants were entitled to court-appointed counsel in felony and misdemeanor cases; (c) delinquents, illegitimate children, and neglected children were entitled to hearings with at least minimum due process and no arbitrary denial of equal protection; and (d) tenants could withhold rent if landlords failed to satisfy minimum implied warranties of habitability. Also important was the beginning of work incentive programs providing that employees (a) be allowed to keep a portion of their earning without losing welfare benefits, (b) be provided with day care facilities so that mothers of preschool children could work, and (c) be provided with meaningful training. Also important was legislation for rent supplements to rent economic housing in the marketplace and for food stamps to buy food in the marketplace rather than rely on federal commodities or food handouts. The Reagan administration added an increased emphasis on the importance of economic prosperity and growth for dealing with poverty, in contrast to specific antipoverty programs, and also the importance of incentives to business to provide on-the-job training and to hire welfare recipients.

Discrimination

In the realm of race discrimination, mainly at the Supreme Court and congress-

sional levels during the 1960s, gains were achieved in (a) voting rights by abolishing the poll tax and racial malapportionment; (b) criminal justice by abolishing discrimination in becoming a juror, lawyer, or a judge; (c) education by prohibiting legally required segregation and providing federal aid to education that stimulates compliance with desegregation guidelines; and (d) housing by prohibiting race and sex discrimination in job activities. Any judicial precedent or legislation that benefits the poor is likely to benefit blacks and vice versa, given the correlation between these two policy fields.

Criminal Justice

Regarding criminal justice, in the early 1900s the Supreme Court first stated that the Bill of Rights was applicable to the states, beginning with the principle against double jeopardy. In the 1930s, right to counsel was established but only for capital and serious felony cases. In the 1960s, the important right to counsel was extended to misdemeanor cases, pretrial interrogation, and posttrial appeal. The establishment of the rule excluding illegally seized evidence on a nationwide basis also occurred in the 1960s. This was also a time for bail reform, which involved releasing more defendants prior to trial accompanied by screening, periodic reporting, notification, and prosecution for jumping bail. There were also increased experiments and concern for reducing delay in the criminal and civil justice process. The Supreme Court established minimum rights for people on parole, on probation, or in prison.

TECHNOLOGY AND SCIENCE POLICY ISSUES

Environment and Energy

At the end of the 1960s, there was an increased concern regarding two sets of pol-

icy problems that had not previously been salient. The first was environmental protection. Prior to approximately 1970, people tended to consider air, water, and landfills as virtually unlimited goods, unless they lived in an area in which there was a water shortage. After 1970, people became much more concerned with the public health aspects of air pollution, water pollution, and solid waste disposal. Federal legislation was passed providing for standard setting, permits, inspections, hearing procedures, and other rules designed to protect the environment. Along related lines, prior to 1970, energy was also thought of as an almost unlimited inexpensive product. Since 1975, however, there has been increased legislation designed to stimulate energy conservation and regulate new forms of energy production, such as nuclear energy.

Health Policy

Prior to the 1960s, health policy was largely left to the marketplace and private charity. Probably the first major breakthrough with regard to government responsibility was the establishment of Medicare for the aged and Medicaid for the poor. Such programs might have been established sooner, but they required mustering sufficient public support to overcome the power of the American Medical Association. As the elderly have increased in absolute and percentage terms, increased pressure has been placed on Medicare funds. The idea of federal funding is now well accepted, and even the Reagan administration proposed federally funded catastrophic health insurance. Someday, there may be government-salaried doctors for Medicaid and Medicare patients, just as there are government-salaried lawyers under the Legal Services Corporation. Employing government-salaried doctors is substantially less expensive to the taxpayer than reimbursing the private health care providers.

POLITICAL POLICY ISSUES

Free Speech

The previously discussed economic, social, and technology-science issues tend to have a chronological relation in the order of consumer issues (Woodrow Wilson), labor issues (FDR), poverty and discrimination issues (Kennedy-Johnson), and the issues of the environment and the elderly (Nixon and after). The political issues of free speech, world peace, and government reform tend to be more constant throughout the 1900s, like the economic issues of unemployment and inflation. One can argue that free speech is the most important public policy issue because all the other policy problems would be poorly handled if there were no free speech to communicate the existence of and possible remedies for the other problems. Free speech, however, was not recognized as a national right in the sense of being applicable to the states by way of the First and the Fourteenth Amendments until the 1930s. At that time, the Supreme Court first declared that the states had an obligation to respect First Amendment free speech. The early cases, however, involved blatant forms of government censorship and suppression of ideas, including criticism of the mayors of Minneapolis and Jersey City. In the 1960s, the Supreme Court declared unconstitutional less severe nonpolitical activities, such as restrictions on most pornography, allowing ordinary libel suits by public figures instead of requiring intentional libel or gross negligence, and restrictions on commercial speech such as lawyer advertising.

World Peace

Regarding world peace, the time periods of expansion in public policy were also periods during which the United States became involved in World War I (1910s), World War II (1930s), and the Vietnam War (1960s). Part of the explanation may

be that the liberal Democrats of the 1910s and the 1930s were more prone to go to war with the reactionary governments of Kaiser Wilhelm, Adolf Hitler, and Hideki Tojo. In the 1960s, the liberal Democrats may have been trying to avoid appearing to be soft on communism more than were the Republicans, which could have been a factor leading to the Vietnam War. More important in terms of current trends is the fact that there was no international war comparable to World War I or II in the second half of the twentieth century, and the likelihood of such a war may be decreasing as a result of recent changes in Russia and agreements between Russia and the United States. This trend could be very desirable in terms of making funds available for economic growth that would otherwise be wasted on armament.

Government Reform

Government reform can be subdivided into legislative, judicial, and administrative reform. Government reform refers to changes in the structures and procedures of institutions so as to make them more effective in achieving their purposes and more efficient in doing so in less time and with less expense. Effective and efficient functioning of government structures affects all public policies. During the twentieth century in the United States, there were significant challenges in all three sets of institutions.

At the congressional and state legislative level, reforms include (a) redrawing legislative districts so as to provide for equal populations per district; (b) the lessening of the filibuster, whereby a minority bloc of the U.S. Senate could prevent a bill from coming to a vote; (c) an overemphasis on the power of seniority in choosing committee chairs, in contrast to merit or a vote by committee members; (d) less power to the House speaker and committee chairs to make binding agenda decisions; (e) more voting rights for women, blacks, poor

people, and young people; (f) more technical competence available through legislative staffs; and (g) more open disclosure of activities of interest groups and income of legislators. An especially important reform for the future that relates to legislative representation is the idea of expanding representation and participation to provide for voter registration by way of the census and vote casting at any polling place in the country on election day.

At the judicial level or branch, reforms include (a) free counsel for the poor in criminal and civil cases; (b) encouraging out-of-court settlements through pretrial procedures; (c) shifting cases away from the courts to administrative agencies; (d) computerizing court records for increased efficiency; (e) encouraging alternative dispute resolution through ad hoc arbitration; (f) clearer guidelines for more objective sentencing and the determination of damages; and (g) higher standards for admission to the bar and the bench, with more emphasis on professional responsibility. An important reform for the future that relates to the judicial process is the idea of selecting judges on the basis of their having been specially trained and tested for the bench in law school, like high-level civil servants, rather than through a system of political appointment or election.

At the administrative level or branch, reforms include (a) increased emphasis on hiring on the basis of merit rather than political considerations; (b) more performance measurement and evaluation of government programs; (c) more professional training, especially in schools of public affairs and administration; (d) a lessening of elected department heads in state government to provide better coordinated control by state governors; (e) increased use of professional city managers to supplement mayors at the municipal level; (f) improved grievance procedures, collective bargaining, and working conditions; (g) the development of the field of administrative law for clarifying due process in administrative adjudication, rule mak-

ing, and judicial review; (h) better coordination of administrative agencies across different levels of government; and (i) more freedom of information so that the public can obtain access to administrative records.

MUTUALLY BENEFICIAL RESULTS

Table 29.1 summarizes some of the trends in specific policy fields. The main idea is that there have been increased benefits for people who had few rights as of the base years of 1910, 1930, or 1950. These people have been the immediate beneficiaries of the policy changes. It is unduly narrow, however, to limit the analysis to those immediate effects. The longer term and broader effects have generally also benefited the dominant groups or the total society. For example, as indicated in Table 29.1, labor has benefited from better wages, fewer hours, better working conditions, the end of child labor, and a decrease in race and sex discrimination. Also highly important is the stimulus that labor policies have had on encouraging the development and adoption of labor-saving technology. As of 1980, the United States might still have been using slave labor or cheap immigrant labor and have been a backward, low-technology country if it had not been for the successful efforts of labor unions and working-class people to increase the cost of their labor. Another result is that the labor-saving technology has made labor more productive and more skilled. This has the effect of increasing wages further, thereby stimulating greater consumption and the creation of new jobs, especially in service fields.

Likewise, it can be seen from each of the 11 policy fields in Table 29.1 that the initial policy changes have tended in a direction of increasing the rights of the have-nots. These have in turn stimulated benefits for the total society, regardless of the policy field.

Table 29.1 TRENDS IN SPECIFIC POLICY FIELDS

<i>Policy Field</i>	<i>Benefits for the Have-Nots</i>	<i>Benefits for the Haves or All</i>
<i>Economic policy</i>		
Labor	Better wages, hours, working conditions; no child labor; less discrimination	Stimulus to labor-saving technology; happier and more productive workers
Consumer	More rights concerning product liability	Stimulus to providing better products and increased sales
<i>Political-legal policy</i>		
Free speech	More rights in politics, art, and commerce	Stimulus to creativity
Due process and criminal justice	More rights to counsel, notice, hearings	More respect for the law
Equal treatment	More rights to blacks, women, and the poor on voting, criminal justice, schools, employment, housing, and as consumers	More equality of opportunity and allocation on the basis of merit
Government reform	Less corruption, intimidation, and incompetence	More effectiveness and efficiency
World peace and trade	Increased standards of living for developing countries	Uplifted countries become good trading partners
<i>Social policy</i>		
Poverty	More rights as employees, consumers, tenants, welfare recipients, and family members	The same rights apply to middle-class employees, consumers, tenants, and family members
Education	More access to more education	More efficient economy from better training; less welfare
<i>Science policy</i>		
Environment	More rights with regard to cleaner air, water, solid waste disposal, noise, radiation, and conservation	The same rights are important to all people
Health	More access to medical help	Includes catastrophic help from which even the rich benefit

PREDICTING AND PRESCRIBING FUTURE PUBLIC POLICY

Table 29.2 summarizes the ideas presented with regard to doing better than the optimum. It shows how this kind of thinking can apply to all policy problems, including

(a) economic problems, such as unemployment, inflation, and consumer rights; (b) political problems, such as world peace, free speech, and government reform; (c) social problems, such as crime, poverty, discrimination, and education; and (d) science policy problems, such as health policy and environmental policy.

Table 29.2 DOING BETTER THAN THE BEST

<i>Policy Problem</i>	<i>An Optimum Society</i>	<i>A Better Than Optimum Society</i>
<i>Economic problems</i>		
Unemployment	Zero unemployment	Zero unemployment plus a higher percentage of adults in the labor force and fully employed
Inflation	Zero inflation	Zero inflation plus increased benefits for prices paid
Consumer	Zero fraud	Zero fraud plus giving useful information
<i>Political problems</i>		
World peace	Zero casualties	Zero casualties plus world cooperation
Free speech	Zero interference	Zero interference plus providing a supportive atmosphere for innovative ideas
Government	Zero waste and corruption	Zero waste and corruption plus creativity, popular participation, equity, and due process
<i>Social problems</i>		
Crime	Zero crime	Zero crime plus zero civil wrongdoing and job wrongdoing
Poverty and discrimination	Zero poverty and discrimination	Zero poverty and discrimination plus productive job satisfaction
Education	Zero functional illiteracy	Zero functional illiteracy plus rising to one's maximum, with broadness and inquisitiveness in education
<i>Science problems</i>		
Health	Zero nonaging diseases	Zero nonaging diseases plus health robustness and greater longevity
Environment	Zero pollution	Zero pollution plus reclamation and renewal

Table 29.2 does not indicate the trend in defining goals for each policy problem. The implication, however, is that if one goal is better than another, there would eventually be a trend toward the better goal. “Better” in this sense has a high level of generality, such as the standard of the greatest happiness for the greatest number. There is a trend toward higher goals, although this varies depending on the policy field. Goals in civil liberties, education, and health are frequently being raised. Other fields may

involve some reduction in goals to accommodate problems that have become more severe, such as pollution and drug-related crime.

Table 29.2 is appropriate for this section not so much because it indicates what will be but because it implies what should be. One can make a case that the world is getting better on many important dimensions. This is a key idea of Table 29.1 on trends in specific policy fields. It is even easier for one to make a case that the world should be

getting better. Both optimists and pessimists are likely to agree that there is room for improvement. Optimists believe that the improvement can occur more readily than do pessimists. Table 29.2 could be interpreted from an optimistic perspective as at least a partial projection of future trends in public policy. It can more easily be interpreted from either perspective as a worthy agenda for the future of public policy.

It is hoped that this book will stimulate additional ideas about what will be and why. Even more important, it is hoped that this book will stimulate additional ideas about what should be and how. On this matter, perhaps there has traditionally been too much emphasis on the idea of being satisfied with less than with the best. It has become almost commonplace to talk about having a positive attitude that emphasizes “Why not the best?” What may be needed (as emphasized in Chapter 1 and other chapters in this book) is a realistic desire to do better than what has traditionally been considered the best, along with realistic ideas for achieving these higher goals.²

NOTES

1. For further details on the recent history of developments in the fields of public policy, see Theodore J. Lowi and Alan Stone, eds., *Nationalizing Government: Public Policies in America* (Beverly Hills, CA: Sage, 1978); John Schwarz, *America's Hidden Success: A Reassessment of Public Policy From Kennedy to Reagan* (New York: Norton, 1988); Robert Bremmer et al., eds., *American Choices: Social Dilemmas and Public Policy Since 1960* (Columbus: Ohio State University Press, 1986); and David Rothman and Stanton Wheeler, eds., *Social History and Social Policy* (New York: Academic Press, 1981).

2. For further details on trends regarding the development of higher goals for America and elsewhere, one can compare relevant books from the 1960s, 1970s, and 1980s, such as Henry Wriston, ed., *Goals for Americans: The Report of the President's Commission on National Goals* (New York/Englewood Cliffs, NJ: American Assembly/Prentice Hall, 1960); Kermit Gordon, ed., *Agenda for the Nation* (Washington, DC/New York: Brookings Institution/Doubleday, 1968); Henry Owen and Charles Schuitze, eds., *Setting National Priorities: The Next Ten Years* (Washington, DC: Brookings Institution, 1976); and Isabel Sawhill, ed., *Challenge to Leadership: Economic and Social Issues for the Next Decade* (Washington, DC: Urban Institute, 1988).

The Future of the Policy Studies Organization

INTERNATIONAL AND CROSS-NATIONAL ACTIVITIES

International and cross-national dimensions of public policy will increasingly impact policy studies. The Policy Studies Organization (PSO) will be called on to undertake an expanding role in promoting international and cross-national policy studies in its publication, training, and organization activities. The PSO has already undertaken a “developing nations” focus under the direction of the secretary/treasurer.

The PSO is embarking on an expanded program of professional developments directed toward applying policy studies to the problems of developing nations. There are four key PSO activities in that regard, for which the PSO is in the process of seeking additional funding and especially participation by interested PSO members. They include

1. A research annual on policy studies and developing nations to be published by JAI Press that will contain the best long papers of the previous year or so (further details are given in *Policy Studies Journal*, 17, Issue 4, p. 1002)
2. The establishment of a JAI Press multivolume treatise on policy studies and developing nations (further details are given in *Policy Studies Journal*, 17, Issue 4, p. 1003 and *Policy Studies Review*, 19, Issue 2, p. 433)
3. The coordination of a set of volunteer instructors to teach short courses in policy analysis skills in developing nations and Eastern Europe as part of a Peace Corps program (further details are given in *Policy Studies Review*, 9, Issue 2, pp. 426-427)
4. The establishment of a new journal of *Policy Studies* and *Developing Nations*

EDITOR'S NOTE: This chapter is adapted from the “Report of the Futures Committee of the Policy Studies Organization” chaired by Tom Dye. Committee members included Martha Derthick, Yehezkel Dror, Don Hadwiger, and Alexander Hicks. This chapter deals with the committee’s advocacy that the Policy Studies Organization should become more involved in the three I’s of international, impact, and interdisciplinary. A key way in which the Policy Studies Organization has done this is by way of newsletter journals. *Developmental Policy Studies* is international oriented, *Policy Evaluation* is impact oriented, and *Creativity Plus* is interdisciplinary oriented.

GOVERNMENT-IMPACT ACTIVITIES

The PSO should continue to develop its governmental relations program—training workshops with government agencies in the United States and in other nations. These activities were recently described by the secretary/treasurer as follows:

Training

Workshops for public administrators, such as the all-day workshop on policy analysis for administrative agencies held at the 1991 annual meeting of the American Society for Public Administration, as described on page 1065 of Volume 18 of the *Policy Studies Journal*

Workshops for judicial personnel, such as the four half-day workshops on judicial decision making for judges and judicial administrators held at the 1991 annual meeting of the Judicial Administration Division of the American Bar Association, as described in Volume 19, Issue 2, of the *Policy Studies Journal*

Workshops for legislative personnel, such as the workshop for legislators and staff members held at the Philadelphia headquarters of the Committee on Professional Education of the American Law Institute and the American Bar Association in autumn 1991

Workshops for government personnel and trainers of government personnel in Africa, Asia, Eastern Europe, and Latin America, such as the workshops conducted in South Africa in 2000, India in 2000, China in 1997, and Mexico in 1998

Publishing

Numerous books funded by government agencies and/or edited by practitioners from government agencies, dealing with the global, U.S. national, or

state-local levels of government, as described on pages 813 and 814 of Volume 18 of the *Policy Studies Journal* and page 856 of Volume 9 of *Policy Studies Review*

Numerous books dealing with legislative, judicial, administrative, and chief executive branches of government, as described in Volume 19, Issue 2, of the *Policy Studies Journal* and Volume 10, Issue 2, of *Policy Studies Review*

Numerous books dealing with the specific policy problems of all federal departments and their state counterparts, as described on pages 676 and 677 of Volume 9 of *Policy Studies Review*

The PSO should endeavor to include more of its members in these activities. The PSO should consider publishing a current directory of its members with references and cross-references to their policy interests and specializations. Rather than the PSO, as an organization, suggesting individuals for specific political or governmental posts, the PSO could provide all interested agencies, groups, parties, and so on with its directory. (The Heritage Foundation has a policy specialist directory that is popular among its constituent groups.) The directory should be published at least biennially and should be made as attractive as possible. It should be distributed as widely as possible to government agencies and media organizations both in the United States and abroad.

INTERDISCIPLINARY ACTIVITIES

The PSO is dedicated “to promote the application of political and social sciences to important policy problems.” This expands the original 1972 mandate “to promote the application of political science” to policy studies.

A recent overview of PSO interdisciplinary activities stated

1. The purpose of this report is to clarify the interdisciplinary training and publishing activities of the PSO. In this context, interdisciplinary mainly means outside of political science. It would also refer to relating political science and other disciplines (or fields of knowledge) to public policy studies.
2. The training activities mainly take the form of conducting workshops at the annual meetings of scholarly or practitioner associations other than political science meetings.
3. The publishing activities mainly take the form of developing relevant symposia for publication in the *Policy Studies Journal*, the *Policy Studies Review*, or other journals and subsequent book-length publications in the PSO series of Macmillan, Greenwood, or other PSO publishers. Publishing can also include drafting articles and book chapters dealing with policy studies for inclusion in books published by people in fields other than political sciences.
4. This report is the third of three reports on the new interactions of the PSO. The first deals with international activities, especially developing nations. The second deals with government-impact activities, including administrators, legislators, and judges at international, national, state, and local levels of government.

Part 4

POLICY
EVALUATION
SUBSTANCE

Welfare Reform

JOHN ENGLER
Governor of Michigan

MICHIGAN WELFARE REFORM: A NATIONAL LEADER

The goal of welfare reform is to reduce the number of families receiving assistance by requiring work and providing the tools for them to become self-sufficient. In Michigan, we achieved that goal through the persistent application of commonsense principles. Our Michigan reforms require personal responsibility, encourage employment, and involve the community. Due to reform, the number of welfare recipients in Michigan receiving cash assistance has decreased to below 200,000—the lowest level since 1968.

A BRIEF HISTORY

Our welfare reform strategy—“To Strengthen Michigan Families”—began in 1991 with the elimination of general assistance for 82,000 single, able-bodied, childless adults. In October 1992, the pace of reform accelerated when Michigan earned several federal waivers. The waivers allowed us to provide incentives to eliminate “marriage penalties,” disregard earned monthly in-

come of \$200 plus 20%, and give transitional child care and medical coverage when cash assistance stops due to earnings. In 1995, this program continued with the addition of a new policy encouraging clients of Aid to Families With Dependent Children to increase their earned income: clients who did not seek employment or retraining or both would have their grants and food stamps reduced by 25%. After a 12-month period of noncooperation, their cases would be closed, enforcing the point that welfare is a two-way street. Those in need can receive public assistance if they are willing to become productive members of the community.

The following year (1996) marked the next exciting stage of welfare reform in Michigan—block grants as a part of federal welfare reform. Block grants are an important step in restoring federalism, shifting money and power back to the 50 “laboratories of democracy.” Block grants promote greater simplicity, flexibility, and efficiency in administering welfare programs.

We also changed the Michigan Department of Social Service into the Family Independence Agency (FIA). FIA clients are

assigned one caseworker or employment services, given financial assistance, and provided with child care services. Each adult client must meet the requirements of a customized contract outlining specific areas of responsibility to receive assistance. The ultimate goal of each contract is independence. Other policy changes in 1996 confirmed our commitment to making families financially independent: a minimum work requirement for food stamp eligibility and a cutoff of all cash grants after 60 days for those not fulfilling employment or training expectations.

A CASE STUDY

Why has “To Strengthen Michigan Families” worked so well? Project Zero is a case in point; it comprehensively illustrates the reasons behind our success. The dual purpose of Project Zero is (a) to identify barriers to employment that are unique to welfare recipients who are not earning income and (b) to assist state agencies and community organizations in developing programs and services that increase the number of recipients with earned incomes. Everyone works.

Project Zero clearly shows the three principles behind welfare reform at work. Each recipient is held personally accountable. Each recipient must maximize his or her effort to work, be retrained, or perform community service. Each recipient benefits from community involvement. Project Zero cannot function without community organizations initiating local programs and services for the unemployed. The results have been impressive. In fact, since beginning in six test areas in 1996, Project Zero has expanded statewide and nearly three of four targeted recipients are working. Even more impressive is the fact that dozens of communities throughout Michigan—from neighborhoods in Detroit to the rural Upper Peninsula—have achieved the goals of 100% employment.

STATISTICS

Since the launch of Michigan’s welfare reforms in 1991 and 1992, the welfare caseload has decreased to its lowest level in more than 30 years. Dependency on cash welfare in Michigan has declined nearly 70%. More than 275,000 families have achieved independence from cash welfare. Making a first step toward self-sufficiency, nearly 70% of welfare recipients in the state are currently working and earning a paycheck.

The Michigan budgets during the mid-1990s also indicate the commitment that legislators have to long-term welfare reform. For example, hundreds of millions of dollars have poured into increasing investment in child care and into transportation. In fact, nearly 65,000 families receive help with child care. Many politicians have talked about “ending welfare as we know it.” In Michigan, we have done it.

CONCLUSION

Michigan’s remarkable successes with welfare reform offer many lessons to other states. Our principled approach has proven both necessary for and consistent with real welfare reform. Of prime importance is the concept of personal accountability. Without it, the welfare system descends into a vicious cycle of dependence and poverty.

In Michigan, a broken system needed to be fixed. Due to committed leaders, our state led the way when reform legislation passed with strong and often overwhelming bipartisan support. I am confident that Michigan’s success signals a spirited, nationwide attempt to open a new phase in history of welfare. Our success in empowering thousands of independent strong families should provide Congress ample reason to renew federal welfare reform and to encourage other states to continue on the path to reform.

*“Ordinary” Injustice**A Memo to the Editor*

CHARLES H. MOORE
Millsaps College

I have been reviewing law cases regarding college and university personnel practices as of spring 2000 in preparation for filing a lawsuit against Millsaps College, a United Methodist Church-related liberal arts college that is my undergraduate alma mater, the college that employed my father and mother for 25 years until their retirement, and the college that currently employs me. The lawsuit is a breach of contract lawsuit, including a claim for “tenure by default.” The college has broken many of its personnel policy rules and, in my case, violated national American Association of University Professors (AAUP) standards. It is puzzling why college administrators continually behave this way and why faculty members generally let them get away with it.

This is not a tragedy. A tragedy is an unexpected or a systematic disaster. Tornadoes bring tragedy; ethnic cleansing in Kosovo is a tragedy. I can recognize tragedy: I lost my wife and daughter in an automobile accident in 1972. This personnel case is rather an ordinary injustice, but it is an injustice that is becoming more widespread. In the private sector, we have en-

dured 15 years of firms’ “downsizing,” “right-sizing,” “down-waging,” and “down-benefiting,” accompanied by plant closings and relocations that have adversely affected whole communities in economic terms. Economic insecurity has substantially grown for much of the American labor force. Academia in the 1990s rapidly emulated this corporate behavior, shoving more of its basic functions off on graduate students, adjunct faculty members, and term hires for the same reason—to save money on personnel costs and generate turnover at the bottom to save long-term expenditures. Never mind the benefits of continuity of personnel or program; “saving” money is all that is important. As a result, I find myself a 56-year-old academic, who just devoted 8 years of professional life to an institution I care much about, potentially out on the street searching for a job.

My personnel case is an ordinary injustice—an unjust attempt by the president and dean to terminate me. As Robert Weissberg (1998) says in writing about Stuart Nagel’s case at the University of Illinois, it is the “humdrum quality of the

events [that] makes them so pertinent” (p. 100). The first impression that reviewing recent law cases concerned with college and university personnel practices leaves is the sheer variety of ways in which college and university administrators have tried to undo, evade, or abridge faculty members’ personnel policy rights under both local and national standards. Sometimes, the affected faculty members challenge these efforts; often, they simply go away, daunted by the array of officialdom ordered against them and the prospect of lengthy and costly battles to try to realize the rights they thought they had.

What are my issues? AAUP Associate General Secretary Jordan E. Kurland summarized them succinctly in his letter to President George Harmon:

We note at the outset that Professor Moore, who began on the Millsaps College faculty with 3 years of probationary credit for prior service elsewhere and is now concluding his fifth Millsaps probationary year, has already served beyond the maximum period of probation called for in the 1940 “Statement of Principles.” Of immediate concern to us, however, is the apparent discrepancy between the content of your May 1 [1999] letter and the commitment the college had previously made to Professor Moore. It is our understanding that during the 1996-1997 academic year, when a decision on granting tenure to Professor Moore should have been made, his probationary period was extended. . . . A plain reading of the above-quoted [Dean Richard A.] Smith letter indicates to us that the administration made a commitment to Professor Moore for him to be evaluated for tenure during 1999-2000. Your May 1 letter, stating that his 1999-2000 appointment is terminal and he will not be evaluated for tenure, appears to us to disregard that commitment.

I have two grievances: a serious breach of academic due process in offering me a terminal contract for 1999-2000, so serious as to amount to an illegal breach of

contract, and my attainment of “tenure by default” under national AAUP standards. When I tried to ascertain the reasons for a terminal appointment (I have been involved with Millsaps in one way or another since 1961), Dean Smith said to me, “President Harmon instructed me not to say [what they are].” In brief, the college illegally extended my 6-year probationary period, first by 2 years and then by an additional year, with promise to complete my tenure review at the end of the extension. The college is now attempting to terminate me before I can complete tenure review. My original grievance stated,

President Harmon and [then] Dean Robert King invented a new procedure for me, applied it only to me out of all Millsaps faculty members, gave me explicit professional performance charges, changed the “rules” of performance measurement halfway through the extension, set another end date for me to complete tenure review, and now, by this terminal contract, President Harmon unilaterally denies me tenure by violating his own invented process by denying me the opportunity to get to the end date contractually specified for me to complete the tenure process.

Both these grievance claims were summarily denied on my appeal to the Millsaps College Board of Trustees. During the internal grievance process, two other issues appeared in the administrative officers’ and board’s implementation of personnel policy that made a bad situation worse. The first is that current Dean Fichard Smith denied the validity of 3 years credit for prior teaching service at other institutions (I have had 15 years experience at five other institutions) explicitly given me in my initial contract at Millsaps. The second is the “kangaroo court” summary denial of my appeals by someone on the board of trustees, with no appearance or presentation of the issues by me or my attorney and no assurance that the grievance record was even considered by the board. This sum-

mary dismissal violated the board’s own precedents, it having had such hearings in another similar case to mine in the 1980s. The local AAUP president, in a letter to the board of trustees’ executive committee, in whose name the summary denials were made, called this action “deeply shocking” and destructive of academic community.

Why do I write about this? I do so partly because of Weissberg’s (1998) characterization of the Nagel case: “There is scarcely an academic alive who could not nervously exclaim ‘Why, that could be me’ ” (p. 100). Partly, it is an expose of unethical, illegal personnel practices of academic administrators that we must be reminded of occasionally lest they proliferate further. My unilateral termination breaks both Millsaps and AAUP personnel policy rules and is exceedingly unfair. I was doing the job I was hired to do. I have received merit recognition in teaching, community service, and personal research from division personnel committees while at Millsaps. I compiled a record of meeting the new criteria that were applied to me after a 6-year probationary term as best I could. Now, I have no way of presenting this new performance evidence because this process is summarily cut short by administrative decision (and board decision, on appeal), giving me no way to present the additional performance evidence to the appropriate personnel decision-making bodies. Modern personnel policy administration, aiming to enhance employee performance, calls for communication and mutual understanding between employer and employee regarding job performance evaluation criteria and evidence of performance. At Millsaps, to the contrary, beginning with my exceptional extension past the probationary time in April 1997, I have had a series of surprises as rules have shifted, changed, and been made up. The documentation of these surprises gives every appearance of administrative officers’ effort to make up an adverse case against me to apply whenever they want. President Harmon’s “terminal contract,”

at the end, even denies me knowing the reason for my “termination” (contrary to AAUP guidelines on faculty terminations). How is any faculty member supposed to know what the institution expects regarding job performance if the administrative officers and board implement a personnel policy such as in my case?

What is the point? Weissberg (1998) tries to draw some general lessons from Nagel’s travail at Illinois. They certainly are generally applicable to all faculty. First, Weissberg says, nobody is safe—that is, there is no absolute secure protection from incidents that can be manipulated to a faculty member’s disadvantage by a devious administrator. In my case, rules were bent, broken, and made up. Why did I not enter formal grievances sooner? I can only say that I had returned to my alma mater and was assuming the good will of all parties to personnel decisions at an institution my parents and I esteemed. It took me some time to give up the assumption of good will. If other faculty can learn from cases such as this, one lesson should be that one should not assume good will; document and record everything having to do with one’s personnel case. I realize the cost of this to all concerned, but any other operational assumption is naïve at best.

Another lesson that Weissberg (1998) draws is that one should not count on friends or outsiders to come to one’s rescue once such an adverse personnel action has begun. In my case, happily this lesson does not apply. It remains to be seen whether internal action by other faculty or active interest and oversight by outside agencies will make any difference to the ultimate disposition of my case.

Weissberg’s (1998) last lesson is that surrender only exacerbates. Surely, this is accurate. Attempts at appeasement, or quiet surrender, to such manipulation of personnel policy surely only encourage the administrators. Petty tyrants become emboldened. Abuses become better executed, and more skillful, until abuses of personnel rules become institutionalized. Weissberg

concludes by seeing little hope for changing such a pattern of abuses. This is why I write publicly about my case: Unless faculty members affected by such abuses stand up and document their cases, such abuses will continue. This is difficult because faculty members are used to working (and suffering) individually. Personnel disputes are embarrassing, particularly when things can be made up about individuals. Little support for faculty members affected is perceived until too late (“I might be next”). If colleges and universities—in my case, a church-related college—are to have ethical, modern personnel systems, however, then unethical abuses and the use of outmoded industrial personnel practices (“I’m president, and I can fire anybody I want”) must be exposed. For faculty members,

whom administrators count on to pay little attention to personnel rules, procedures, and practices (until too late), forewarned is forearmed. To begin to reduce such abuses, vigilance must begin in one’s own case and with the involvement in personnel policy administration at one’s home institutions.

REFERENCE

- Weissberg, Robert, “Academic Tyranny: The Tale and the Lessons,” *Policy Studies Review*, 15 (1998): 99-108. [See also www.u-reform.org]

Congressional Campaign Reform

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DONALD A. GROSS
University of Kentucky

TODD G. SHIELDS
University of Arkansas

IS THERE A NEED FOR COMPREHENSIVE REFORM?

Overall, we are convinced that the optimal solution to the campaign finance problem in America is full public financing of congressional elections with provisions that would ban soft money and independent party expenditures and place McCain-Feingold-type limits on issue advocacy campaigns. There are many reasons that suggest the need for such comprehensive reform. First, by removing the specter of private money, full public financing of con-

gressional elections removes, as completely as possible, the perception that money buys political influence. Although we are not so optimistic as to assume that public financing will create a clean, new world for politics, public financing does more to reconcile the democratic value of the one person-one vote ideal with economic inequality than does any other approach.

Second, although some academics and politicians have long derided public funding proposals as “incumbency protection acts” that would reduce electoral competition, the findings suggest that such a view is

EDITOR'S NOTE: This chapter is modified with permission from Robert K. Goidel, Donald A. Gross, and Todd G. Shields, *Money Matters: Consequences of Campaign Finance Reform in U.S. House Elections* (Lanham, MD: Rowman & Littlefield, 1999).

misinformed. Largely due to campaign funding practices, electoral politics in the United States is biased in favor of incumbents and the majority party. Public funding enhances the electoral prospects of challengers and of the minority party, thereby enhancing partisan competition.

Third, we reject the argument that many critics of full public financing make regarding the effects of public financing on citizen participation and information. Pointing to some academic studies demonstrating correlations between spending and voter turnout and between spending and candidate recognition, critics of reform argue that the end result of public financing would be less citizen participation and less citizen information. On closer inspection, however, such a view appears to be largely without merit. Although spending can potentially increase citizen participation and information levels, there is little reason to believe that it normally does so. Increased spending is not a magic bullet that naturally leads to a more involved and informed electorate, nor is it necessarily true that reduced spending will lead to a less informed and less involved citizenry.

We recognize that campaign finance reform may not lead to a more informed and more involved citizenry. The central question is whether any positive effects that reform may have in reducing public cynicism and apathy will be outweighed by any negative effects that may arise from reducing candidate expenditures and, as a result, possibly limit candidate mobilization efforts. Our analyses indicate that this much is clear: Arguments that reform would have dire consequences on citizen participation and information levels simply do not stand up to scrutiny.

Returning to a consideration of the criteria for evaluating campaign finance reform, our best evidence suggests that only the comprehensive approach would have modest to strong positive effects for all the criteria. Tensions between economic inequality and political equality would be

strongly reduced because the influence of private money would be massively reduced. Removing private money would significantly reduce public perceptions that government is controlled by special interests. Voter information would likely increase because increased challenger spending should increase challenger name recognition and attentiveness to issues on the part of citizens. Providing challengers with money so that they can actually run serious campaigns is likely to be the only way that competition in congressional elections can be significantly increased. Voter turnout would likely increase in such a setting, and political accountability would receive a major boost. Overall, almost all money spent during the electoral season would be regulated and disclosed; voter information would increase; elections would become more competitive; and in each congressional election, there would be a loyal opposition financially capable of providing the citizen with alternative perspectives on governing.

Of course, much of this may be considered immaterial for the practical politician if Congress continues its stalemate regarding the issue of campaign finance reform. Given this scenario, it is important to consider the politics of reform and the reasons that we think that the reformist agenda will eventually succeed.

CAN CONGRESS PASS REAL CAMPAIGN REFORM?

Given the current political climate and the behavior of Congress during the past several decades, one might conclude that our call for comprehensive reform instead of moderate reform is actually immaterial because the prospects for the implementation of either type of reform is near zero. For long-time observers of American politics, the failure of campaign finance reform efforts, following a presidential election with the most serious violations of campaign fi-

nance laws since Watergate, is hardly surprising. It was no less surprising when the 103rd Congress (1992-1994) failed to enact campaign finance reform despite having a president who promised to sign the legislation. For Democrats, reform has always been easier to pass when it was assured of a veto by a Republican president. Nor was it surprising when, in 1995, the infamous handshake between Bill Clinton and Newt Gingrich not only failed to result in reform but also never even resulted in a bipartisan commission to recommend solutions. Many cynics would simply argue that although campaign finance reform rhetoric makes good politics, there are simply too many reasons why Congress is incapable of passing meaningful campaign finance reform.

First, there are serious partisan and ideological differences between Democrats and Republicans regarding both the nature of the problem and the acceptability of various solutions. As the party of smaller governments, Republicans are naturally inclined to oppose public funding of election campaigns. Mitch McConnell (Republican, Kentucky) illustrates this type of opposition to campaign finance reform. He is a staunch believer that such reform efforts involve the government in free speech issues, in which the government does not rightfully belong. Other Republicans oppose reform for partisan as opposed to ideological reasons. Despite President Clinton's flouting of existing election laws, it is the Republicans who reign supreme as kings (and queens) of campaign fundraising. As a result, limits on such activities may cut into a clear partisan advantage enjoyed by the Republican Party.

Second, many Democrats support election reform primarily so that they can lay claim to the "good government" mantle during election campaigns. Their interest in true reform, however, is often less than sincere. As a result, they may vote for reform on the floor, but they also count on Republican opposition, whether such op-

position comes in the form of filibuster in the Senate or, as in 1992, a presidential veto.

Third, public opinion on the issue is permissive but not demanding, meaning that although there is broad public support for reform, the issue is not highly salient to individual voting decisions. One might be tempted to conclude from opinion polls that politicians have not been responsive to public opinion on the issue of campaign finance reform. This is only partly true. Public opinion polls routinely show that the public favors some type of reform and that politics is dominated by special interests. It is considerably less clear as to whether public opinion would support full public financing, particularly once it is labeled "welfare for politicians" by opponents. More important, although public opinion polls show support for reform, they also show that campaign finance reform is not an issue that drives voting decisions for individual voters. The Republican Revolution of 1994, for example, followed a Republican-led Senate filibuster of campaign finance reform. Citizens may want the system cleaned up, but they are not demanding political action.

Finally, many suggest that the Buckley decision and subsequent Court decisions establish a fundamental constitutional wall that prevents the implementation of any meaningful campaign finance reform. Senator McConnell has been the leading opponent of comprehensive campaign finance reform for many years. His strategy to stop such reform relies heavily on the Buckley decision. Not only does it give him a theoretical justification for his opposition but also it has the practical appeal of suggesting that even if comprehensive reform were desirable (which, according to him, it is not), it makes no sense to pass legislation that the Supreme Court will declare unconstitutional. It is in many ways a compelling logic, and the Buckley decision is an important impediment to comprehensive campaign finance reform.

WILL FINANCE REFORM EVENTUALLY PASS?

The reality of the political landscape does make the immediate prospects of comprehensive reform seem weak. We argue, however, that comprehensive campaign finance reform will eventually be passed into law. The current system is so scandalous and is deteriorating so quickly that the arguments in favor of reform become more compelling each year. The systemic problems in the current campaign finance system cannot simply be wished away, and ignoring them virtually guarantees they will reach crisis proportions. Although Congress has failed to pass any meaningful campaign finance reform in recent memory, the political tide seems to be slowly moving toward reform efforts. In the last Congress, McCain-Feingold was stopped in the Senate through the use of a filibuster. When Newt Gingrich used parliamentary tactics to stop a vote on similar legislation in the House of Representatives, supporters successfully used the discharge petition to force House action. Although this is certainly no guarantee of success, it is an indication that the tide may be turning on the issue of campaign finance reform at the federal level.

Campaign finance reform is proceeding even more rapidly at the state level. Twenty-four states already have some provision for public funding of state legislative campaigns. As laboratories of democracy, the states provide a testing ground for policy innovation. They can acquaint citizens and the politicians of the future with significant campaign reform, making similar efforts at the federal level appear less threatening.

Of course, without significant pressure from “outside the Beltway,” reform is unlikely, even if it appears to enjoy fairly wide public support in public opinion polls. As scandals continue to mount, the public becomes ever more cynical and distrustful of the current campaign finance system.

Throughout the history of the United States, corruption has bred public cynicism and mistrust until a major scandal has pushed the public beyond the breaking point and government has been forced to reform itself. The current campaign finance system is no different. Eventually, a crisis will be so severe that the public will demand reform. For this reason, it is not a question of whether or not reform will eventually be passed. The question is whether we reform in the near future, when we can carefully reform in response to systemic problems, or whether we reform in a crisis atmosphere, when ill-advised reform efforts are more likely.

We suggest that the Buckley decision, although a significant impediment to reform, is not the insurmountable wall suggested by the critics of reform. First, we reject the rhetorical arguments by apologists such as Senator McConnell who equate money with free speech. Money is not speech. If you talk or write to someone encouraging him or her to vote for a candidate, you have broken no law. If you pay someone to vote for a candidate, you have broken a law in every state in the Union. Second, we are uneasy with the Supreme Court’s proposition that money used for campaign expenditures is a form of constitutionally protected expression. Limiting campaign expenditures does not limit speech but, rather, limits the amplification and dissemination of speech through the mass media. The Court’s decision equating candidate expenditures with free speech guarantees access to the media and the amplification of speech to those who can afford it. Those who cannot afford such access may say whatever they want, but they will say it much more softly.

Finally, even if we did accept the approximate equivalence between campaign expenditures and free expression, we argue that the Supreme Court is simply wrong in how it views the balance among constitutional rights in the Buckley decision. As in many civil rights questions, the Court often

has to balance constitutional rights when evaluating electoral laws. Contribution limits, laws prohibiting vote buying, laws prohibiting the intimidation of voters, and regulations prohibiting electioneering near a voting booth have all been upheld by the Supreme Court as necessary to protect the integrity of the electoral process. We view the current campaign finance system as no less a threat to the integrity of federal elections.

To have meaningful campaign finance reform, the Buckley decision needs to be reversed, just as Supreme Court decisions that gave constitutional approval for slavery and segregation were eventually overturned. Appropriate Supreme Court appointments could be used to allow the Court to slowly modify Buckley or to simply reverse it, as the Supreme Court did with the *Plessy v. Ferguson* (1896) decision, which upheld segregation through the *Brown v. Board of Education* ruling. The second alternative is to pass a constitutional amendment in all effort to overturn Buckley. Such an amendment has been introduced during recent sessions of Congress. Buckley is an impediment to meaningful campaign finance reform, but it is not an insurmountable obstacle.

Overall, the politics of reform ensure that reformist rhetoric will remain on the public agenda, but that immediate reform is not likely. Republicans wanted to nail President Clinton and Vice President Gore for campaign finance violations, but they were largely uninterested in altering a system that favors these violations. Although this does not excuse the Clinton-Gore indiscretions, it is reasonable to assume that had Bob Dole won the presidency in 1996, there would have been no congressional or

Justice Department investigations of campaign fund-raising practices. Democrats, on the other hand, claimed to want reform but were more interested in portraying Republicans as puppets bought, owned, and controlled with corporate dollars. Democratic claims that the system is corrupt and in need of reform are true, but Democrats should at least acknowledge that they have played an important role in further corrupting the system.

Even if the immediate prospects for campaign finance reform seem slight, reform will eventually occur because the problems in the current system of campaign finance are so fundamental that citizens will eventually demand action. The status quo in campaign finance is unacceptable. Large contributors, including individuals, corporations, and labor unions, dominate American politics in a manner reminiscent of the pre-Watergate era. Access is bought and sold on a continuous basis. Elections are largely uncompetitive, and citizens are increasingly withdrawn from politics and the electoral process. Without reform, the future promises more of the same: more aggressive pursuit of soft money by political parties and by party leadership, more lucrative spending on issue advocacy campaigns by parties and interest groups, increasingly uncompetitive elections as Republicans learn to fully exploit the advantages of their majority party status, and an electorate that increasingly views politics as best left to those who can afford it. It is unlikely that campaign finance reform can cure all that ails the American electoral process, but the following is clear: Without campaign finance reform, the political system will continue to lurch toward crisis.

Violence, Guns, Media, and Fathers

MIKE HUCKABEE

Governor of Arkansas

It was, without a doubt, the story of the week: Two boys, an 11-year-old and a 14-year-old, were accused of killing four classmates and their teacher at the Westside Middle School near Jonesboro. The shootings spawned a worldwide reaction. Reporters from throughout the world descended on what had been a peaceful community, and the story led the network news for several days. Arkansas had not seen such a media crush since Bill Clinton was elected president in 1992.

It was the third in a series of shootings at southern high schools that involved students in Paducah, Kentucky, and Pearl, Mississippi. Some asked if the “southern gun culture” were to blame. I found the questions hurtful, inappropriate, and wrongheaded. The 14-year-old, after all, had spent most of his life in Minnesota. I also found that the questions smacked of the disdain that some members of the media and academia have for the South. When Los Angeles erupted in flames following the Rodney King verdict, no one asked if this was the result of the “western outlaw mentality.” When Colin Ferguson opened

fire on a Long Island train, no one wondered if this was just another act of “northern aggression.” After these three school shootings, however, pundits were looking down their noses once again at our region and my state.

We have always had guns, but we have not always had students shooting each other in schools. Something has changed above and below the Mason-Dixon Line. Children grow up in a culture of violence, and they are doing it without strong, two-parent families to teach them how to survive it.

MEDIA VIOLENCE

A typical American child will witness 8,000 murders and more than 100,000 acts of violence on television before he or she graduates from elementary school. Worse than the number of violent acts, however, is the way they are portrayed. It has become increasingly difficult to distinguish the heroes from the villains. The violence never has consequences. The person who kills

never shows guilt or remorse and rarely has to explain his or her actions. Often, the death of a human being is portrayed as something humorous, not horrible.

Obviously, it is too simplistic to blame only the media. The old argument that the media merely reflects society and does not shape it is wearing thin, however. Advertisers who paid \$2 million per 30-second spot during the final “Seinfeld” episode were not doing so to “reflect” anything. They were hoping to directly influence society, and they would not pay \$2 million a pop if it had not worked in the past. If television can sell us cars, shampoo, and political candidates, then during the course of 18 years why can’t it sell a young person on the idea that violence pays?

Media violence sows the seeds among young people, but it would not take root if they grew up in strong families in which values were stressed. Unfortunately, many kids grow up in homes in which scenes of violence and conflict are commonplace. Every year, 1 million children watch their parents argue, fight, feud, and then finally divorce or separate. In 1996, 1 million children were abused or neglected.

FATHERLESS FAMILIES

Approximately one third of all births are to unmarried women. For the first time in our nation’s history, we are trying to raise a large part of our population without fathers. Although there are many brave, loving, and committed single mothers, fatherless children are five times more likely to be poor and are more likely to be sick, drop out of school, get depressed, get in trouble, and end up divorced themselves. All these facts contribute to the end result: violence. Sixty percent of America’s rapists, 72% of adolescent murderers, and 70% of long-term prison inmates are males who grew up without fathers.

Fathers are male role models and, when they do their job right, they teach children important lessons moms cannot impart alone. A mother can love her children, provide for their needs, and even teach them to throw a baseball, but she cannot give her son a living example of how a man should treat his wife, his children, and his neighbors. Only a dad can show how a man can be strong without being savage, romantic without being lustful, and competitive without being violent. Likewise, a father is the first, most important man in any daughter’s life. He teaches her important lessons in how to treat the opposite sex and how to expect to be treated. After seeing his high standard of manhood, a daughter is less likely to settle for someone who will use her for her body, beat her up, and then leave her with children she will have to raise alone.

WHAT TO DO?

Want to fix our kids? Let’s fix the culture. Let’s make sure our children spend more time exercising their minds and less time vegetating in front of the television. Let’s reward media outlets that uplift our society and refuse to patronize those that tear it down. Let’s value moms and dads as much as we do quarterbacks and movie stars.

After the Jonesboro shootings, one of the suspect’s fathers was asked what went wrong. He said he and the boy’s mother were divorced, that he did not really know his son very well, and that he could not imagine what happened. This statement revealed a lot, and not just about the shootings. When kids grow up with absent fathers, it is difficult for them to understand that the culture of violence they live in does not have to extend to their homes and schools. This is true in Arkansas, Minnesota, or anywhere else.

Part 5

WIN-WIN THEORY

Super-Optimizing Solution Graphing

This chapter attempts to put super-optimizing or win-win analysis into three different graphic or geometric models. Doing so serves the following purposes:

1. Many people understand simple graphs and notes better than verbose jargon or unnecessary mathematics.
2. The graphs can generate new insights for improving the general methodology.
3. The graphs can facilitate more applications.
4. The graphs lend themselves to developing useful conceptual theory, such as the ways of classifying and generating goals, alternatives, relations, and conclusions.
5. The graphs also lend themselves to developing useful simple equations, such as those associated with pie charts.
6. Graphs have interdisciplinary appeal to economists or other scientists who tend to be more quantitative or more involved with analytic geometry than are political scientists.
7. This may help associate super-optimizing with game theory, operations research, management science, decision theory, and

related approaches to learning to their mutual benefit.

8. This may help facilitate the development of a user-friendly interactive computer program for super-optimizing that is compatible with the Windows operating system.

This chapter deals with super-optimum solutions (SOS) from the perspectives of (a) triangle or pyramid shapes, (b) trade-off or indifference curves, and (c) arrow diagrams. All three perspectives help one to understand the concepts of conservative best expectation, liberal best expectation, traditional compromise, attempted total victory, and SOS as well as other relevant concepts. Two additional perspectives of (a) bar or line graphs and (b) pie charts or circles are discussed in Chapter 5.

A TRIANGLE OR PYRAMID PERSPECTIVE

Basic Concepts and Examples

Traditional policy arguments and litigation negotiations tend to be one-dimensional and result in compromises.

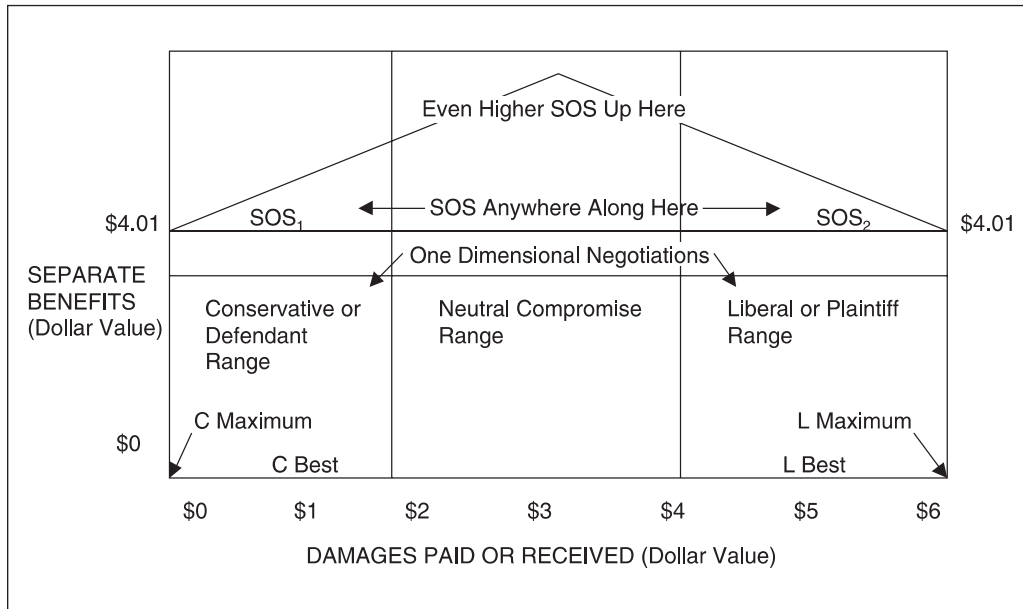


Figure 35.1. A triangle approach. At C best, C pays \$1; at L best, L receives \$6; at C best and L best, neither side is thinking about the possibility of separate benefits. Along the line of one-dimensional negotiations, a \$1 gain is a \$1 loss for L, and vice versa. Along the SOS line, every point is better for C than the previous C best and better for L than the previous L best. For example, at SOS₁, C pays \$1 but gets \$4.01 for a net gain of \$3.01, which is better than the C best of -\$1 or paying \$1. Likewise, L receives \$1 but gets \$4.01 in separate benefits for a total of \$5.01, which is better than the L best of +\$5 or receiving \$5. At SOS₂, C pays \$5 but gets \$4.01 for a net loss of \$0.99, which is better than the C best of -\$1. Likewise, L receives \$5 but also gets \$4.01 for a total of \$9.01, which is better than the L best of \$5. The threshold SOS to L is the L best plus \$0.01. The threshold SOS to C is the C best minus \$0.01 in a negotiation trade-off context.

The defendant (conservative side; C) says “I will give you no more than \$1.” The plaintiff (liberal side; L) says “I must have at least \$5, or I go to trial.” They compromise at \$3 (Figure 35.1).

Both sides should feel cheated out of \$2. The C side consoles itself by saying the situation could have been worse because the L plaintiff might have obtained \$5 or even \$6 by going to trial, war, strike, and so on. The L side consoles itself by saying the situation could have been worse because the C defendant might have been able to get away with paying only \$1 or nothing by winning at a trial. In reality, both sides could suffer great lose-lose losses from the cost of litigation, a war, a strike, or other attempts at a total win-lose victory. There has to be a better way.

Generic and Actual Examples

The better way might be a win-win or super-optimizing solution whereby all major sides can achieve better results than their best (rather than their worst) initial expectations. All the previously discussed solutions involve six incremental units of benefits. The best the C side could do in these negotiations or arguments is \$6 in benefits minus \$0 in costs for a net gain of \$6. The best the L side could do is \$6 in benefits plus \$6 in damages money received for a total gain of \$12. Nonmonetary benefits could be used. We would then talk in terms of benefit-cost ratios rather than benefits minus costs or other ways of combining monetary and nonmonetary measures.

Suppose, however, that a mediator or the parties can offer an idea whereby both sides can obtain about \$7 in benefits rather than only \$6. Then both sides will be able to exceed their best initial expectations. The C side would obtain \$7 minus \$6, which is more than \$0. The L side would obtain \$7 plus \$6, which is more than \$6. Both C and L come out ahead of their perceived best or actual maximum, regardless of which damages figure is used, so long as the separate benefits figure more than covers the damages. The benefits to the C defendant could even be \$0 if the defendant's best expectation were to pay more than \$0. Likewise, the separate benefits to the L plaintiff could even be close to \$0 if the plaintiff's best expectation were to receive an amount of damages that would merely cover the plaintiff's litigation costs.

One example from litigation is the case of Travelers Insurance (TI) versus Sanyo Electronics (SE) in the Chicago Federal District Court in 1989. The SOS idea was that the Japanese insurance company of SE would make TI its agent in the United States for selling marine insurance. It was estimated that doing so would provide a \$10 million net gain in new insurance per year, which could be split evenly between TI and SE's insurance company. TI would then come out way ahead of its initial best expectations. Likewise, so would the Japanese insurance company and SE, who would divide their \$5 million per year.

An example from legislative dispute resolution involves the firm Archer Daniels Midland (ADM), which wanted to spend only \$1 on antipollution devices, versus a regulatory agency (Environmental Protection Agency [EPA]), which wanted the firm to spend \$5. Three dollars was the compromise. An SOS idea might involve a new way of processing soybeans that is more profitable and cleaner. ADM's profits increase from \$6 to \$7. The EPA gets even more cleanliness than the requested \$5 can buy. Both sides then achieve better than their initial best expectations. This is the better way.

Compared With Other Perspectives

One advantage of a triangle perspective over bars, curves, pies, or arrow diagrams is that it emphasizes the multiplicity of conservative, liberal, neutral, and SOS alternatives. Everything to the left of \$2 is conservative, and everything to the right of \$4 is liberal. There is an infinity of dots in both places. Likewise, any dot between 2 and 4 is considered neutral, and any dot above the SOS line is a higher SOS. The peak is the highest SOS within the triangle or pyramid, but one can go beyond that aesthetic point.

Aesthetics is an advantage of (a) pyramids over triangles, (b) cylinders or three-dimensional rectangles over bars, or (c) spheres over pie charts or circles. If one wanted to add a third dimension or goal as in multicriteria decision-making, the best way to do so would be to talk in terms of composite benefits, costs, or profits on the vertical or horizontal axes of a triangle, bar, or indifference graph. Thus, the separate benefits in Figure 35.1 could be a composite measure of Benefits 1 through 3. This is easier than adding a third dimension geometrically, and it is more valid than ignoring an important third or fourth dimension. Additional dimensions can be shown in pie charts by adding additional pies.

Regarding compositing diverse measures, see the following books by Nagel in order of increasing precision: "Combining and Relating Goals," in *Policy Analysis: The Social Science Research* (Beverly Hills, CA: Sage, 1979); "Non-Monetary Variables," in *Policy Making: Goals, Means, and Methods* (New York: St. Martin's, 1984); and "Multiple Dimensions on Multiple Goals," in *Evaluation Analysis With Microcomputers* (Greenwich, CT: JAI, 1989). All three books also include chapters on making decisions with missing information.

The book by Edwin Abbot called *Flatland* (New York: NAL, 1984) depicts a society that knows length, width, planes, and area but cannot conceive height, depth,

solids, or volume. It is, however, ahead of most contemporary thinking about disputes, which tends to be on a one-dimensional level and not even two-dimensional triangles. This distorted thinking has been promoted by the kind of quantitative analysis that cannot deal with both benefits and costs simultaneously because the mathematics is not sufficiently elegant. Instead, such thinkers emphasize the single objective functions of operations research, management science, and most econometrics, which is one-dimensionality on the dependent variable. They pride themselves, however, on understanding continua and calculus. These concepts are above zero-dimensional points. A continuum, however, is just a point that has been spread open to form a straight line, a diagonal, or a curve, like the base of the triangle in Figure 35.1.

TRADE-OFF OR INDIFFERENCE CURVES

Increasing Resources

A second graphic perspective derives from the economics of indifference or trade-off curves, as shown in Figure 35.2, in which the liberal position is shown on the vertical axis and the conservative position on the horizontal axis.

Figure 35.2A shows how one can change a liberal-conservative dispute from a compromise to a win-win or super-optimum solution by increasing the resources available. The curve labeled “before” shows that there are 50 apples available to be distributed between L and C. The maximum position of L is therefore to get all 50 apples and give none to C. The maximum position of C is likewise to get all 50 apples and give none to L.

In the usual political context, a compromise is reached whereby L gets less than 50, and the rest go to C. An even split would be 25 to L and 25 to C. L or C might get more than 25 depending on their relative bar-

gaining power or their ability to give something desired other than apples.

The curve labeled “after” shows that there are now 110 apples available to be distributed between L and C. With this expansion in resources, both L and C could have more than their previous maximums or optimums. L could have 55 and C 55, L could have 51 and C 59, or they could have any combination that adds to 110 in which both L and C get 51 or more. Actually, an increase in resources would be sufficient to provide a SOS if it were 101 apples divided in half or $(\text{Max}_L + \text{Max}_C + 1)/2$.

Either the before curve or the after curve is called a trade-off curve. When there are N apples available, if L gets X apples, then C gets $N - X$ apples. Whenever L gets an additional apple, C gets one less apple, and vice versa. The curve is also called an indifference curve because every point along the curve adds up to N apples. The points are thus indifferent or equal to each other in terms of total resources. Other names include isoquant curve (same total quantity at each point), production possibility function (every point indicates a different combination that can produce the same total produced), and consumption possibility function (every point indicates a different combination that results in the same total consumed).

Increasing Efficiency

Trade-off or indifference curves were used to illustrate how increasing resources can bring about win-win or super-optimum solutions in the winter 1997 issue of *Policy Evaluation*. Such curves can also be used to illustrate how using constant or fixed resources more efficiently can lead to such solutions.

The same before curve that was used to show the effect of increasing resources can be used to show the effect of increasing efficiency. The maximum for L is 50 apples and none to C. The maximum for C is 50 apples and none to L. Suppose, however,

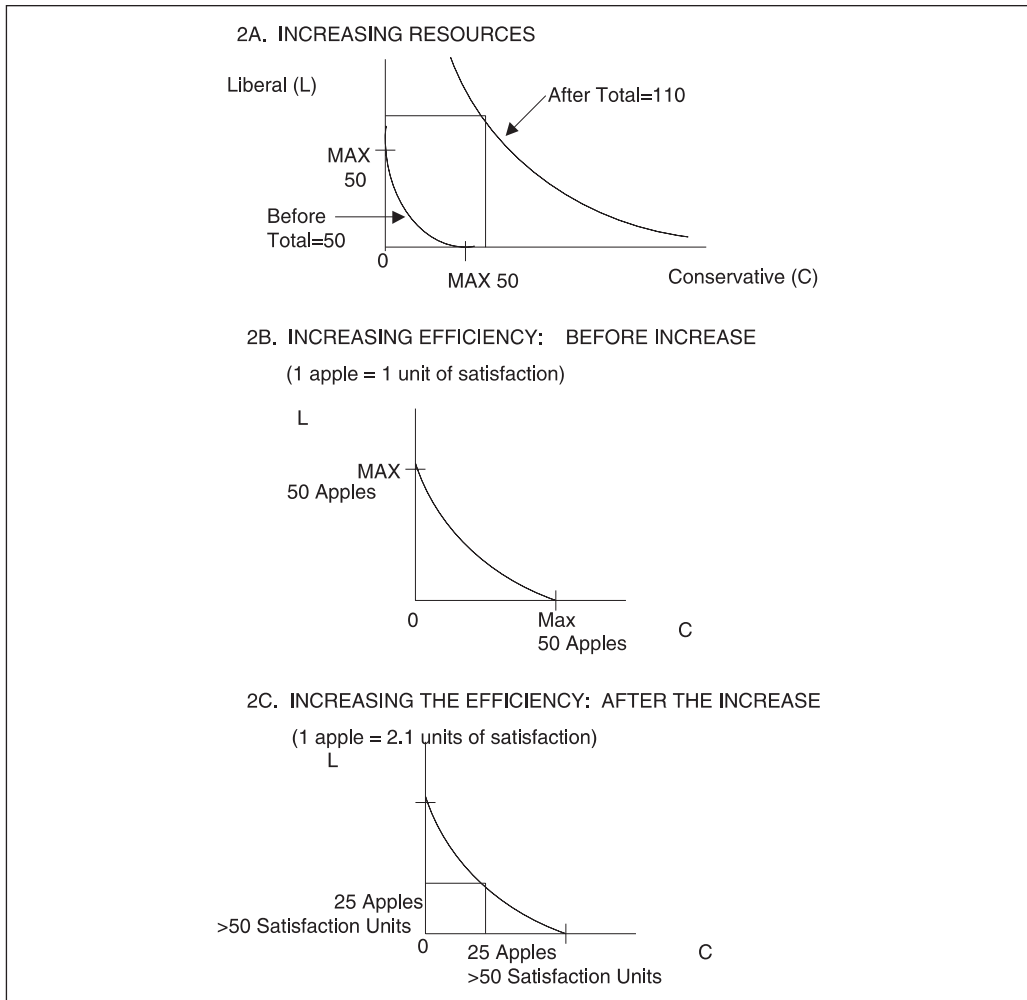


Figure 35.2. Increasing Resources Versus Increasing Efficiency

that we invent a way to more than double the efficiency of apples—that is, we greatly increase their nutrition value, durability, taste, or some other desirable characteristics.

In the before situation, each apple was worth 1 satisfaction unit. In the after situation shown in Figure 35.2C, each apple is now worth 2.1 units of satisfaction. Thus, if L now gets only 25 of the 50 apples, L will be more satisfied than it was with 50 of the before apples. L gets 52.5 satisfaction units or 25×2.1 . Likewise, if C now gets only 25 of the new apples, it will be even

more satisfied than it would with 50 of the old apples. C also gets 52.5 satisfaction units or 25×2.1 . This happens by more than doubling the efficiency of the apples, the products, or whatever L and C are fighting over. One can then divide the new products in half, and each side will come out ahead of their previous maximums or best expectations.

Thus, the trade-off curves illustrate the key approaches to win-win solutions—namely, (a) increasing the resources, (b) increasing the efficiency of the present resources, or (c) a combination of both. The

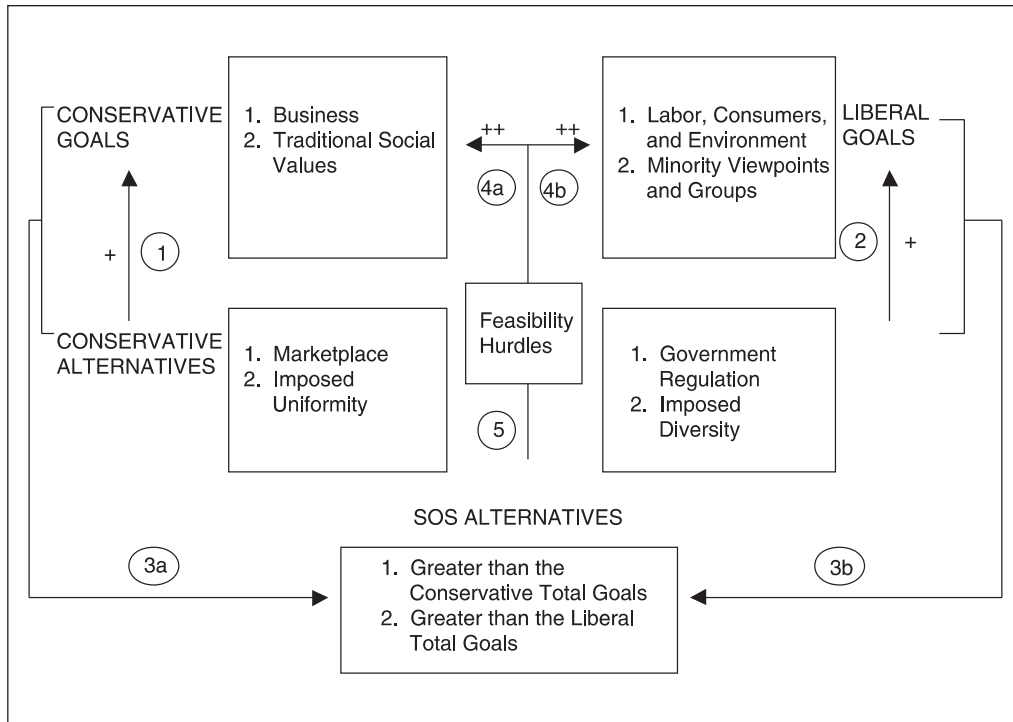


Figure 35.3. Arrow diagram. Arrow 1 indicates that conservative alternatives are directed mainly toward conservative goals. Arrow 2 indicates that liberal alternatives are mainly directed toward liberal goals. Arrows 3a and 3b show that knowing the conservative and liberal goals and alternatives helps develop one or more SOS alternatives. Arrows 4a and 4b show that SOS alternatives are directed toward both conservative and liberal goals. The double plus means that the proposed SOS alternative achieves those two sets of goals even more strongly than the conservative or liberal alternatives. Arrow 5 shows that the SOS alternative has to get over feasibility hurdles to be considered an SOS alternative.

triangle or pyramid approach has the advantage of stimulating thinking along different dimensions or different products than those involved in the original dispute. The arrow diagram approach (discussed next) emphasizes the process or cyclical steps involved in obtaining win-win or super-optimum solutions.

ARROW DIAGRAMS

The triangles, bars, curves, and pies tend to be static graphs. They help define the basic concepts of conservative best, liberal best, compromise, and super-optimum. The arrow diagram, on the other hand, is a more dynamic graph (Figure 35.3). It helps indi-

cate how one gets from one step or element to another, where the elements are conservative and liberal goals, alternatives, and relations. The bottom line toward which these elements are directed is a feasible super-optimum conclusion.

The word *elements* is used rather than *steps* because steps imply a routinized sequence. The process, however, involves frequent recycling. It also involves what could be a leap of creativity in going from the input elements to the conclusions. The creativity, however, is lessened by drawing on prior substantive and procedural experiences.

In addition to a tentative SOS conclusion, the output process elements also involve going through a feasibility analysis

that relates to political, administrative, economic, technology, psychological, and legal feasibility as well as concerns for displaced workers, firms, and other interests. The output process should also involve communication with appropriate decision makers regarding implementation.

The following are the components or arrows in the diagram:

1. Relate conservative alternatives to conservative goals.
2. Relate liberal alternatives to liberal goals.
3. Use these relations and elements to help develop an SOS alternative.
4. Deduce or empirically determine or both whether the SOS alternative does achieve the conservative goals more than the conservative alternatives (4a). Deduce and/or

empirically determine or both whether the SOS alternative does achieve the liberal goals more than the liberal alternatives (4b).

5. Subject the SOS alternative to a feasibility analysis regarding approximately seven feasibility hurdles. Go back to reconsider the goals, alternatives, relations, and tentative conclusions. Keep going back after each change until you are tentatively satisfied that you have found a feasible SOS ready to be implemented.

For further details, see Stuart Nagel, "Generalized Policy Analysis," *Policy Evaluation* (autumn 1996). See also Stuart Nagel, *Win-Win Policy: Basic Concepts and Applications* (Westport, CT: Quorum/Greenwood, 1997).

Win-Win Game Theory

BASIC CONCEPTS

Outcomes and Persons

Game theory is the study of general normative and empirical principles that relate to how people interact with each other when they are seeking either mutual benefit or gain at the expense of the other players. The simplest and most common game theory is *win-lose* or zero-sum, whereby whatever one side wins, the other side loses. We are mainly interested in *win-win* games or interaction involving mutual benefit, especially mutual benefit in which all sides achieve more than their best initial expectations.

Another way of classifying games is by whether they have only two persons, sides, coalitions, or viewpoints or whether they have more than two. We are mainly interested in games that involve two ideologies or interest groups. The groups are usually a liberal group and a conservative group, although each group may have subgroups.

Static and Dynamic

Another way of classifying games is in terms of how they can be graphically analyzed. The main approaches are in terms of a static model and a dynamic one. A *static model* works with the goals and options for each player and seeks to deduce strategies

and likely outcomes. Static models can be in the form of matrices or game trees. Matrices can be four-cell or multicriteria decision-making (MCDM) matrices with multiple criteria and alternative positions. We are mainly interested in MCDM matrices, in which conservative, liberal, neutral, and other goals are shown in the columns and conservative, liberal, neutral, and other alternatives are shown in the rows along with one or more win-win alternatives.

A *dynamic model* tends to have time points along the horizontal axis and alternative positions along the vertical axis. Such a time-path graph shows how the alternatives change as the players move toward a compromise or a win-win solution. A dynamic model may also involve an Edgeworth box diagram in which the players start at diagonally opposite points and proceed to a compromise in the center. A dynamic model may also show graphically the steps whereby one proceeds from a set of goals and alternatives to a win-win solution. This kind of dynamic arrow diagram was provided in the article “More on SOS Graphing” in the winter 1998 issue of *Policy Evaluation*.

Definitional and Probabilistic

Another way of classifying game theory graphs is in terms of whether they facilitate developing strategies and normative

or empirical outcomes as contrasted to merely being useful in defining basic concepts. All the previously discussed game theory graphs can be classified in the facilitating category. In the article “Graphic SOS Approaches” in the winter 1997 issue of *Policy Evaluation*, three *definitional* graphs are given. One is a bar graph showing the liberal and conservative outcomes by how high a bar is above or how low it is below a zero level on benefits minus costs. The second involves trade-off or indifference curves, which show the liberal and conservative outcomes by points on a curve. Any point involves the same total utility. Points higher on the curve, however, allocate more utility to liberals and to the liberal side and less to the conservative side and vice versa for points lower on the curve. Win-win solutions involve moving to higher curves or increasing the utility of what is being argued about. The third definitional graph is a pie chart. It shows that dividing a fixed pie involves win-lose solutions. If the radius of the pie can be increased by approximately 50%, then giving each side half of the new pie will result in each side having more than all of the old pie.

The fourth type of graph is the pyramid or triangle. It is explained in the article “More on SOS Graphing” in the winter 1998 issue of *Policy Evaluation*. Two more definitional graphs are explained here: (a) the teeter totter or scales of justice and (b) the metaphor of all boats rising with the tide.

Game theory graphs can also be classified in terms of whether the relations between the alternatives and the outcomes are reasonably well-known or are probabilistic or chancy. In win-win analysis, the relations are often expressed in mere directional signs, such as pluses or minuses. There is high agreement on direction even though there might not be with regard to specific magnitudes. The magnitudes are unnecessary if the win-win solution dominates on all major goals—that is, the solution scores higher than either the conservative or liberal alternatives. A relation that is

probabilistic substantially adds to the complexity, especially if the probability can be any value from 0 to 1.00. Such less likely situations are not considered here.

MATRIX GRAPHING OR MODELING

Fourfold Table

Figure 36.1 is the classic example of a two-person, non-zero-sum game. It is the *prisoner’s dilemma*. Two people are arrested for attempted murder. If they both confess, they will each receive a 3-year sentence. If A agrees to turn state’s evidence against B, then A will get only 30 days in jail and B will get 10 years. If B agrees to turn state’s evidence against A, then B will get only 30 days in jail and A will get 10 years. If neither confesses or cooperates, then they will get 1 year each for violating the gun laws. The best that A could do is 30 days if B does not testify against A, which A cannot count on. The best that B can do is 30 days if A does not testify against B, which B cannot count on. Thus, the best strategy is to compromise by neither side cooperating.

This is a compromise between 10 years and 30 days. It is a compromise arrived at generally through implicit cooperation without any explicit negotiating between A and B, although sometimes they may have a way of interacting. It is not a win-win solution, which would involve both A and B achieving a better result than serving 30 days each.

Such a win-win solution to the prisoner’s dilemma might involve their agreeing to testify that C committed the attempted murder. They might testify so convincingly that not only do they serve no jail time but also they share a \$10,000 reward. This is a win-win solution, unless they were expecting to do even better. Society would be a loser if A and B really are guilty. Then, this would be only a partial win-win solution: Mr. C would be a loser if he goes to prison for 10 years. Win-win so-

		B	
		Confess	Not Confess
A	Confess	Both: 3 years	A: 30 days B: 10 years
	Not Confess	A: 10 years B: 30 days	Both: 1 year for carrying a gun

Figure 36.1. The Prisoner's Dilemma as a Four-Cell Payoff Table

lutions, however, are only supposed to apply to parties who are in the mainstream. An attempted murderer would not be considered a mainstream person. In fact, we do not want such people to achieve a better result than their best expectations because this would be too contrary to the idea of deterring crime.

The prisoner's dilemma has wide applicability. Instead of talking about two prisoners, one could talk about two people entering into a business or other transaction. Instead of talking about confessing or not confessing, one could talk about cheating or not cheating on the transaction. If one person cheats and gets away with it, he or she will be well off; he or she will be badly hurt, however, if both people cheat and sue each other. Therefore, they implicitly or explicitly decide not to cheat, knowing that there are civil court enforcers just as the two prisoners know about criminal court enforcers.

Even so, the prisoner's or the business-cheater's dilemma is not a useful a way of viewing two-person or multiple-person mutual benefit gains. It is not very useful because what it considers to be a satisfactory solution is a mere compromise rather than a win-win outcome. The graphing leads in this direction because it only provides for two positions: (a) Confess or cooperate with the police or (b) do not confess. There is not a third row or column that relates to joining together in some kind of higher-level mutually beneficial merger, conspiracy, or win-win interaction.

MCDM Matrix

Table 36.1 extends the matrix idea away from one player on the columns and one player on the rows. Instead, it puts the goals of all the major players on the columns and the alternatives of all the major players on the rows. In the cells are shown relation scores between each alternative and each goal. These scores can be shown on a 1 to 5 scale, in which 5 indicates that the alternative is highly conducive to the goal, 4 indicates that the alternative is mildly conducive, 3 indicates that the alternative is neither conducive nor adverse, 2 indicates that the alternative is mildly adverse, and 1 indicates that the alternative is highly adverse. A substitute approach involves using directional signs of ++, +, 0, -, and —.

One can show a totals column to the right, with a total score for the conservative alternative, the liberal alternative, the neutral alternative, and the win-win alternative. This is not necessary if the win-win alternative wins on all the major goals. This goals-alternatives matrix approach is more consistent with spreadsheet analysis, decision-aiding software, MCDM, and especially multiple alternatives including the search for a win-win alternative. One can insert a question mark in the SOS cell at the lower left-hand corner until one derives an appropriate win-win solution, possibly by way of the facilitator's checklist discussed in "Generating SOS Solutions" in the autumn 1998 issue of *Policy Evaluation*.

Table 36.1 WIN-WIN ENVIRONMENTAL POLICY AS AN MCDM MATRIX

	Criteria	
	C	L
Alternatives	<i>Economic Development</i>	<i>Clean Environment</i>
C		
Marketplace	+	-
L		
Antipollution regulation	-	+
N		
Compromise regulations	0	0
SOS		
Improved manufacturing, agricultural, and other processes (more profitable and cleaner)	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum or win-win solution.

DYNAMIC GRAPHS OR MODELS

Time-Path Graph

Figure 36.2 is a time-path graph showing the negotiations between a prosecutor and a defense attorney. The initial demand of the prosecutor at Time 0 is approximately 9 years. The initial offer of the defense attorney is approximately 3 years. The exact figures involve formulas that are discussed in the chapter “The Dynamics of Converging Toward Equilibrium” in Stuart Nagel and Marian Neef, *Decision Theory and the Legal Process* (Lexington, MA: Lexington-Heath, 1979). At one time, the prosecutor demands 6.5 years, and the defense attorney demands 3.5 years. They reach a settlement at 4.72 years or 57 months. This is a compromise between 8 years and 3 years. More important, the prosecutor is happy because he was willing to go as low as 4.34 years. The defense attorney is happy because he was willing to go as high as 5.50 years.

Some people would call this a win-win solution because both sides achieved more

than their worst expectations. We have defined a win-win solution, however, as one in which both sides achieve more than their best expectations. This means that the prosecutor should achieve something that is worth more to the prosecutor than putting the defendant away for 8.68 years. It also means that the defendant should achieve something that is worth more to the defendant than a sentence of less than 2.75 years. Such sentences used to be more common in the Anglo-American legal system. For example, in the 1800s, it was common to send convicted defendants to Australia for the rest of their lives in return for pleading guilty or after a conviction. This might be worth more to the prosecutor than paying to imprison the defendant for 9 years. Likewise, the defendant may be happier to go to Australia than to rot in a British prison for 2½ years. Modern equivalents involve agreeing to join the Marines or to engage in dangerous community service that the defendant considers glamorous.

A time-path graph for a win-win solution would involve the two sides diverging rather than converging. The prosecutor

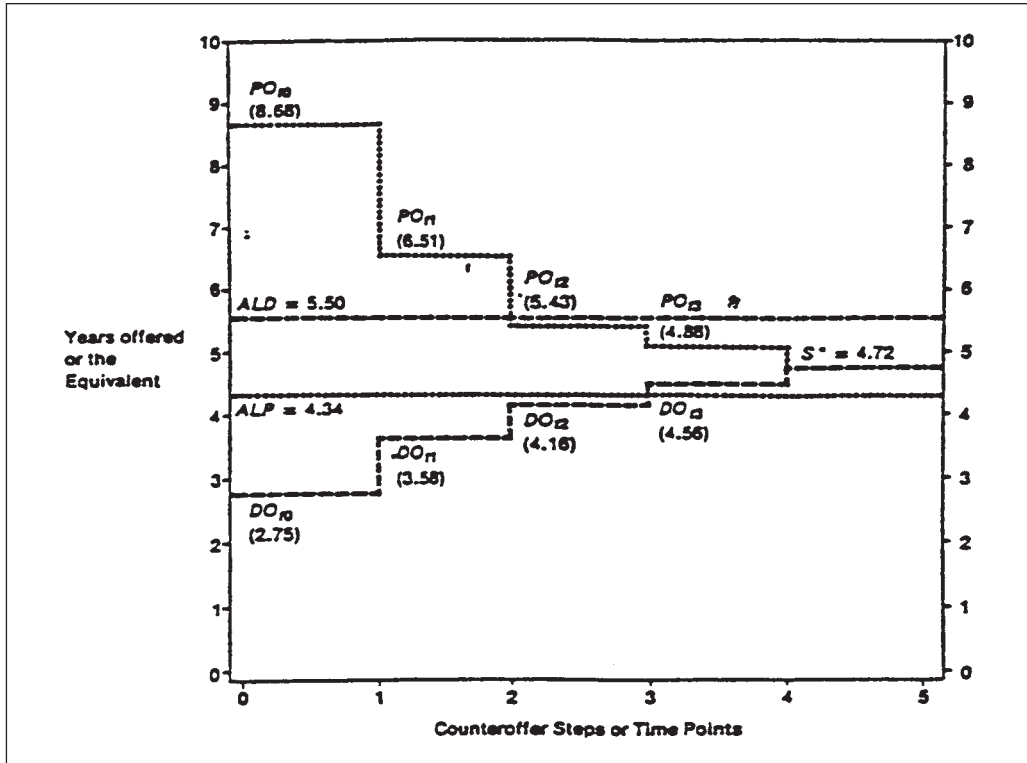


Figure 36.2. Time-Path Graph

might start by demanding 8.68 years and then increase the sentence to lifetime in Australia. The defendant might start at 2.75 years and then decrease the sentence to no prison time at all. This might be called an exploding or diverging time-path graph. The two paths do not explode or diverge forever—just until there is a point of agreement, as in the Australian sentence. One might also note that England saved prison costs and succeeded in colonizing Australia.

To better understand the time-path graph, it is helpful to define the symbols. PO_{t_0} is the prosecutor's offer at Time 0. DO_{t_0} is the defendant's offer at Time 0. ALP is the adjusted bargaining limit of prosecutor. This refers to the prosecutor's perception of the sentence that would be received at trial multiplied by the probability of getting a conviction and or adjusted downward for saving litigation expense. ALD is the adjusting bargaining limit of de-

fendant. S^* is the sentence at the point of convergence, which is Time 4.

Edgeworth Box

Figure 36.3 is an Edgeworth box showing the negotiation between the prosecutor and defense counsel from a different perspective than that of the time-path graph. The prosecutor can be considered like a seller who is trying to increase the price or sentence as high as possible. The defense attorney can be considered like a buyer who is trying to decrease the price or sentence as low as possible. The case is not quite the same as the one in the time-path graph, and the symbols are slightly different. LP is the prosecutor's bargaining limit without adjusting for litigation costs. LD is the defendant's unadjusted bargaining limit. PC is the probability of conviction.

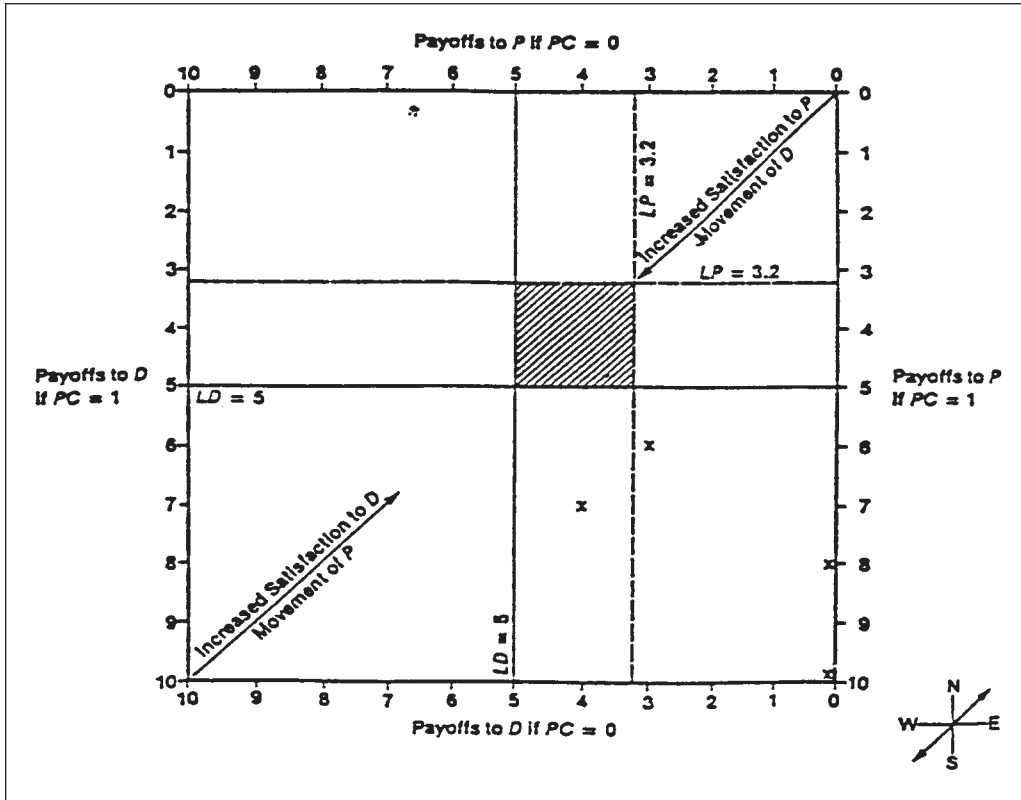


Figure 36.3. Edgeworth Box Diagram

In the Edgeworth diagram, the prosecutor starts in the lower left-hand corner, hoping for a 10-year sentence. The defendant starts in the upper right-hand corner, hoping for a zero sentence. They move diagonally toward the shaded feasible region, which is between their respective limits. They converge within that feasible region at a point that depends largely on bluffing factors. The shaded feasible region is analogous to the horizontal strip in the time-path graph between the limits of the defendant and the prosecutor.

The win-win version of the Edgeworth box involves the defendant moving toward the northeast instead of toward the southwest. It also involves the prosecutor moving toward the southwest instead of toward the northeast. This is the equivalent of their diverging in the direction of the defendant accepting the life sentence to Aus-

tralia. The defendant may consider such a sentence to be better than going to prison. The prosecutor may consider such a sentence to be better than 10 years in prison from the prosecutor's perspective. This is a win-win plea bargain that was often negotiated between arrested defendants and British prosecutors in the days of exile in tropical Australia. It is also like the exile to the Marines during World War II from the perspectives of the defendant and the prosecutor.

A diverging (rather than a converging) time-path graph is contrary to the usual thinking of economists and people who study negotiation for guilty pleas or other matters. Likewise, a diverging (rather than converging) Edgeworth box is also contrary to their usual thinking. The characteristic of being a new paradigm, however, is an important aspect of win-win thinking and win-win game theory.

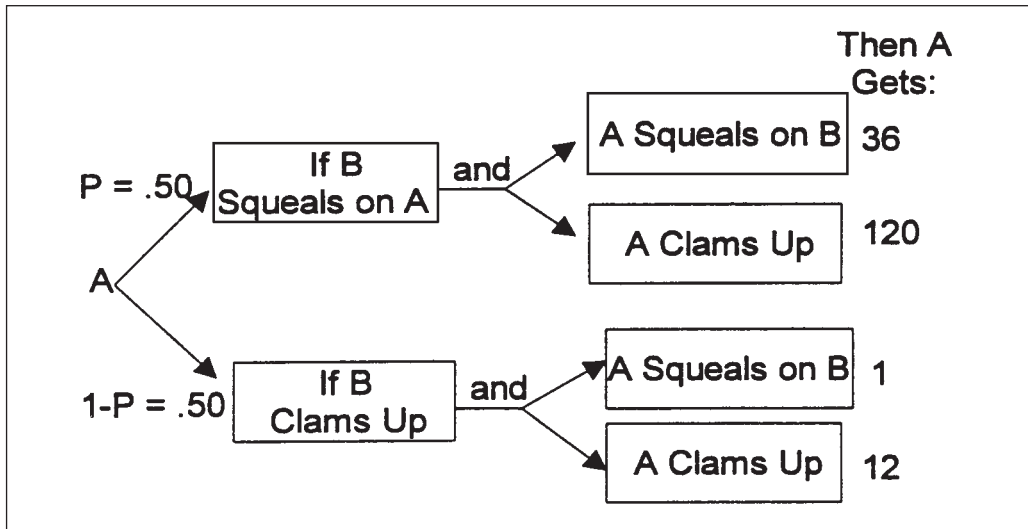


Figure 36.4. Game tree analysis of the prisoner's dilemma. Whole numbers are tentative months. Decimals are tentative probabilities (P or $1 - P$).

PROBABILITY MODEL

Figure 36.4 is a game tree analysis. It shows whether A should squeal on B or clam up in light of the circumstances. The key circumstance is the penalty that A will get if A squeals or clams up. This depends on whether B squeals or clams up. Thus, there are four possibilities. If B squeals and A squeals, then they both get 36 months, as indicated in Table 36.1. If B squeals and A clams up, then A gets 120 months and B gets 1 month. If B clams up and A squeals, then A gets 1 month and B gets 120 months. Finally, if they both clam up, then they each get 12 months.

The ideal solution would be for both to cooperate by clamming up. This is ideal because it promotes the greatest happiness for the greatest number of people involved. There are two people involved. Under the alternative of both clamming up, the sum of the two sentences is only 24 months. This minimizes the total unhappiness. Any of the other three possibilities will result in a greater sum of the two sentences. This is sometimes used to illustrate how cooperation is better than trying to succeed at someone else's expense.

Note that regardless of the ideal group solution, the best thing for A to do is to squeal even if A is certain that B will clam up. By squealing when B clams up, A gets only 1 month, in contrast to receiving 12 months by clamming up. If A squeals when B squeals, A gets only 36 months, in contrast to receiving 120 months by clamming when B squeals. In many decision-making situations, there is a threshold probability. Above this probability, A should squeal, and below the probability A should clam up. A should squeal regardless of the probability of B squealing, however, given the rewards, penalties, or outcomes shown in the last column.

The traditional perspective of the prisoner's dilemma, however, can be easily changed to a possibly more realistic perspective and then to a win-win perspective. The more realistic view is that the alternatives for 36 months and for 1 month are both likely to be understatements. In reality, if A squeals on B, A might be dead after completing the 36 months or the 1 month or even killed while in prison at the hands of B's friends, A's former friends, or others. If A is certain that B will squeal, then A should refrain from squealing if being killed

or extralegally punished is worse than 84 extra months in prison, which is the difference between 36 months for squealing and 120 for clamming up. Likewise, if A is certain that B will clam up, then A should refrain from squealing if being killed or extralegally punished is worse than 11 months in prison, which is the difference between 1 month for squealing and 12 months for clamming up. In this sense, 84 and 11 months are equalizers or thresholds between squealing or clamming. One could also talk about an equalizing probability of B squealing in which the penalties are not equal, but they would be equal if multiplied by their probabilities of occurring.

It might also be realistic to note that there are sometimes rewards for clamming up other than just a shorter sentence or smaller penalty. The rewards may involve going to a resort as part of the victim protection program or getting increased business if this is a business transaction rather than criminal case negotiations.

The win-win counterpart (as mentioned previously) might be to add another alternative to the dichotomy of (a) A squeals on B or (b) A clams up. Another alternative might be that both A and B turn state's evidence against C, who is the real wrongdoer. We are, however, assuming that C's friends will not kill A and B, or that the rewards for successfully fingering C will offset the threat of being terminated. One might argue that this win-win solution is not always available in the prisoner's dilemma context. This is quite true. The more important point, however, is that this type of win-win cooperation (rather than more compromised cooperation) may frequently be available if one thinks positively about the possibilities.

CAUSAL PATH MODELS

Closely related to the game tree graph is the causal path graph, which can be highly useful to understanding win-win analysis. Figure 36.5 contains two examples of win-win causal paths. The first example relates to

the trade-off problem of inflation and unemployment, which is associated with the Phillips curve. Conservatives are especially sensitive about inflation, whereas liberals are especially sensitive about unemployment. The Phillips curve and traditional reasoning argue that reducing inflation requires reducing the money supply by raising interest rates, raising taxes, and decreasing government spending. This, however, causes unemployment. Reducing unemployment supposedly requires increasing the money supply by lowering interest rates, lowering taxes, and increasing government spending. This, however, causes inflation. Thus, we try to compromise between unacceptable inflation and unacceptable unemployment.

If, however, one thinks of reduced inflation and reduced unemployment as co-effects of economic growth, then one has a possible win-win solution to both goals. Inflation is too many dollars chasing too few goods. Economic growth can reduce inflation by providing more goods. Economic growth can also reduce unemployment by providing more income, more spending, and more jobs. Thus, there is no need to think that reducing inflation has to cause increased unemployment or that reducing unemployment has to cause increased inflation. By thinking in terms of a coeffects causal path model, one can achieve a win-win solution. In other words, draw an arrow from a question mark to the conservative goal and an arrow from a question mark to the liberal goal. Then ask what the question mark might be that can cause both the conservative and the liberal goals to be achieved simultaneously.

The bottom of Figure 36.5 deals with environmental policy. Conservatives are concerned with the adverse effect that a strong environmental policy has on economic development, profits, and jobs. Liberals are concerned with the adverse effect that a weak environmental policy has on clean air, clean water, conservation, toxic chemicals, radiation, and other aspects of a clean environment. These two goals are

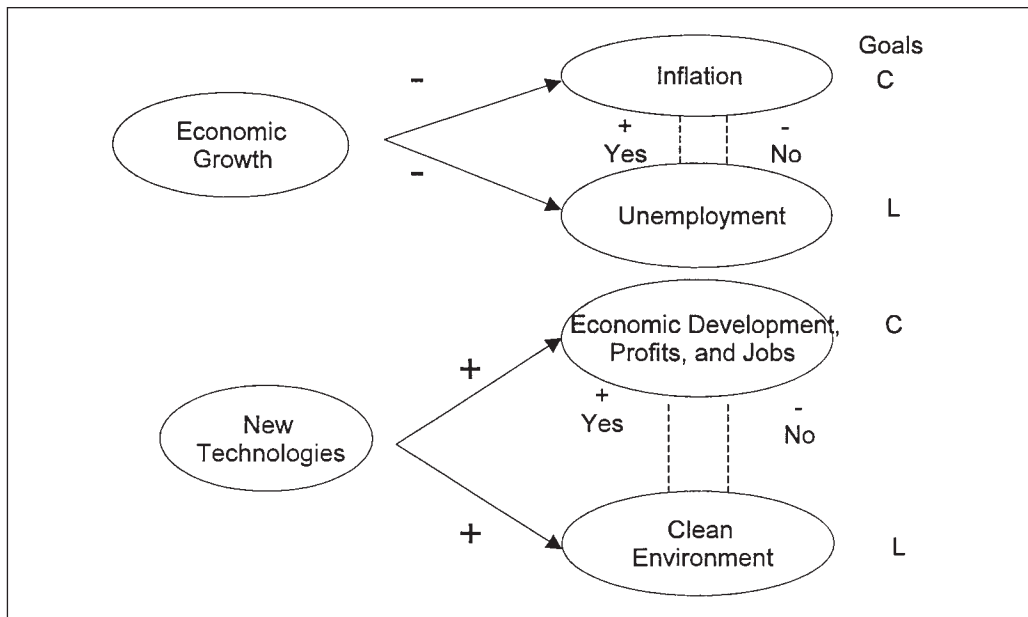


Figure 36.5. Win-Win Causal Paths

frequently viewed as being in conflict, necessitating trade-off compromises. If one uses the coefficients causal path perspective, one might be led to consider the win-win values of new technologies that improve manufacturing, transportation, energy, agriculture, and other processes so as to make them simultaneously more profitable and cleaner. An example is the new hybrid car, which is partly internal combustion and partly electric and can travel 80 miles on a gallon of gasoline. The car is made of polymer materials that are as light as aluminum and as strong as steel. Such a car is less expensive for businesses to maintain in terms of fuel and repairs. It also generates only about one fourth the pollution that a car that gets 20 miles per gallon generates. Japan is already mass producing such cars for the Japanese market. They will soon enter the American market and be promoted as both cost-saving and cleaner.

DEFINITIONAL GRAPHS

Previously published win-win graphing articles have emphasized definitional graphs,

such as bar graphs, indifference curves, pie charts, and triangles (see the winter 1997 and the winter 1998 issues of *Policy Evaluation*). An indifference curve can be any negatively sloping curve for which the meaning of the points can change. A pie chart can be any geometric shape whose area can expand. A triangle or pyramid can be any one-dimensional line or two-dimensional plane in which a second or third dimension was formerly not recognized.

The concept of definitional graph hits close to home in the sense that the *Policy Evaluation Journal* has used the teeter-totter or the scales of justice as its logo ever since it was first published in the summer of 1992. This graph is inherently win-lose rather than win-win. If one side of the teeter-totter goes up, then the other side goes down. This is also the case with the scales of justice. Starting with the summer 1998 issue, we tried to remedy this matter by saying that traditional analysis involves picking one side or the other. Win-win analysis involves determining how to get more benefits minus costs for both sides. This is the equivalent of a teeter-totter in which both sides can go up simultaneously. This is a

bad metaphor because it is contrary to the reality of teeter-totters or scales of justice.

Starting with the summer 1999 issue, the quarterly journal *Policy Evaluation* has used a new logo. The logo shows a boat rising as the tide rises. Beneath the boat is a version of President Kennedy's often quoted statement, "A rising tide can (potentially) lift all boats." The word potentially was added because even with tremendous economic growth, there are many people and groups of people who are largely left behind because they do not have adequate technology with which to work or training to use the technology that is available. Thus, beneath the new logo, it says "but some boats have holes that need refitting," or supplementary training.

The problem of how to provide economic growth while moving displaced workers and firms to more productive uses may be the most important policy problem in the world today. Displacement occurs because of productivity improvements, free trade, immigration, demilitarization, and jobs for women, minorities, the elderly, public aid recipients, the disabled, and other people who have been underemployed. All these displacement factors lead to world economic growth and win-win benefits for most people. Those who are left out can be greatly helped through retraining, temporary wage subsidies, commissioning employment agencies, transportation subsidies, day care, and other job-finding facilitators.

CONCLUSIONS

President Kennedy is credited with the expression, "A rising tide lifts all boats." He did not mention, however, that many persons fall behind due to lack of training, contacts, capital, and other job facilitators. Reagan's Laffer curve theoretically combined a 30% across-the-board tax reduction with increased tax revenue. He provided no specific incentives to spend the

money to improve productivity, however, rather than spend it on items such as real estate, luxury goods, and high CEO salaries.

The Clinton administration appeared to be moving more realistically toward win-win policy. This is indicated by such examples as HMO insurance vouchers that provide universal availability for health care while simultaneously providing quality preventive health care. Clinton's health proposal, however, lacked economic and political feasibility. Clinton had more success in stimulating new technologies that are both cleaner and less expensive, such as the hybrid car.

The future, however, may look good for the win-win thinking of Kennedy, Reagan, and Clinton. The public seems to prefer this attitude over the win-lose attitude associated more with Johnson, Nixon, Carter, and Bush. Contemporary computer-based technology and other technologies are making it more possible to increase benefits and decrease costs. Freedom to compete domestically and in foreign trade is catching on and increasing the win-win atmosphere. Improved training and adult education programs are enabling people to keep up better.

I hope this chapter provided useful new and old perspectives that are helpful in understanding and achieving win-win solutions. A few years ago, the idea of finding solutions to policy problems or decision problems that would exceed the best initial expectations of the major groups or sides was laughed at. Since then, numerous relevant articles, book chapters, and books have been written that include principles, examples, checklists, and facilitators.

Useful facilitators include more realistic win-win game theory, the MCDM matrix, and the coefficients causal path models. They could give win-win analysis a broader theoretical perspective. They could also make game theory and related perspectives more useful. Broadness and usefulness are two win-win goals worth achieving simultaneously.

Win-Win Mediation

The conservative alternative in most civil litigation is for the defendant to win on trial. The defendant is usually an insurance company or some other type of business firm. The liberal alternative is generally for the plaintiff to win on trial. The plaintiff is usually someone who has been injured (a) in an automobile accident, (b) on the job, or (c) in an accident involving a consumer product. The neutral alternative is a compromise settlement between what the plaintiff is asking and what the defendant is offering.

The criteria for deciding which alternative is best include benefits to the defendant, benefits to the plaintiff, costs to the defendant, and costs to the plaintiff. The conservative alternative does well on the conservative totals, with higher weight to the conservative goals. The liberal alternative does well on the liberal totals, with higher weight to the liberal goals.

The object is to develop an alternative whereby both the plaintiff and the defendant can simultaneously achieve better results than their best initial expectations. Such an alternative may involve the defendant giving the plaintiff valuable insurance or other products. Such products may be worth much to the plaintiff in terms of market prices. They may, however, have

only a relatively small cost to the defendant when they are products that the defendant manufactures or sells (Table 37.1).

PRODUCT LIABILITY

Table 37.2, on super-optimizing litigation analysis, illustrates an approach to mediating super-optimum solutions (SOSs) that have major benefits for one side and low costs for the other. SOSs enable plaintiffs, defendants, conservatives, liberals, and other major parties to all simultaneously achieve more than their best initial expectations. Such solutions are facilitated by spreadsheet-based decision-aiding software. Table 37.2 illustrates this analysis using *Traveller's Insurance v. Sanyo Electronics* as a specific illustrative example.

The subject matter of the case was product liability. Traveller's Insurance paid out more than \$900,000 in fine loss claims supposedly due to a defective combustible Sanyo tape deck. Traveller's sued to be reimbursed. The case can be used especially to indicate how win-win mediation can facilitate super-optimum settlements.

Table 37.2 illustrates what is involved in this super-optimum settlement. The plaintiff demands \$700,000 as a minimum to

Table 37.1 RESOLVING TRAVELLER'S-SANYO LITIGATION

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Benefits to Defendant</i>	<i>Benefits to Plaintiff</i>
<i>C</i>		
Defendant wins on trials	+	-
<i>L</i>		
Plaintiff wins on trials	-	+
<i>N</i>		
Settle	0	0
<i>SOS or win-win solution</i>		
Insurance		
Products	++	++
Credit unions		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

settle. The defendant offers \$300,000 as a maximum to settle. The object of a super-optimum settlement is to provide the plaintiff with more than \$700,000 while simultaneously not having the defendant pay more than \$300,000. In other words, the problem is to find a number that is simultaneously more than \$700,000 and smaller than \$300,000, which are approximately the best expectations of the plaintiff and defendant, respectively.

Such a settlement can be arrived at by considering additional settlement criteria beyond the exchange of money. In almost every damages case, the defendant is an insurance company, a manufacturer, a transportation company, or some other kind of company that can offer something of considerable value to the plaintiff but that has relatively low cost to the defendant. In this case, it was possible for the defendant to consider offering electronic equipment, insurance claims, and insurance annuities to the plaintiffs and their insurance companies. The claims were held by Sanyo's Japa-

nese insurance company against Americans but not considered worth pursuing by the Japanese company, although they were of considerable value to the U.S. insurance company. The combination of equipment, claims, and annuities had an estimated cost value of only \$326,000 to the defendant, as indicated in Table 37.2. The package, however, had an estimated purchase value of \$1,099,000 to the plaintiff.

The following solution was suggested by the mediators and seriously considered by the Japanese side:

1. The Japanese insurance company sells marine insurance as one of its specialties but sells almost no marine insurance in the United States, only to Asian shipping companies.
2. There are many shipping companies in the United States, however, including companies that fly the Panama flag or the Liberia flag but are owned by Americans. They fly these flags for the same reason

Table 37.2 WIN-WIN MEDIATION IN A PRODUCT LIABILITY CASE INVOLVING TRAVELLER'S INSURANCE AND SANYO ELECTRONICS

	Goals	
	C	L
<i>Alternatives</i>	<i>Pro Defendant (Pay as Little as Possible)</i>	<i>Pro Plaintiff (Receive as Much as Possible)</i>
C		
Defendant's initial offer = \$300,000	+	-
L		
Plaintiff's initial demand = \$900,000	-	+
N		
Likely compromise settlement = \$500,000	0	0
<i>SOS or win-win solution</i>		
Computers from defendant to plaintiff		
Big-screen TVs from defendant to plaintiff	++	++
Insurance claims from defendant to plaintiff		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

that many corporations incorporate in Delaware—namely, to decrease regulation.

- The Japanese insurance company was willing to make a deal with the Traveller's Insurance Company. The Traveller's Insurance Company would become the agent for selling marine insurance in the United States. The expected sales might be as much as \$10 million a year, with about \$5 million to go to Traveller's Insurance and \$5 million to the Japanese insurance company.

This kind of settlement would put the American insurance company ahead \$5 million a year into the future, although this is a gross figure and some expenses would be involved. The Japanese insurance company would be \$5 million ahead every year as a result of sales it would not other-

wise make. This is a much better win-win solution because both sides receive substantially. In the conventional litigation solution, the defendant gives and the plaintiff receives.

The solution did not work for several reasons. First, the law firm representing the Traveller's Insurance Company is one of the largest in the United States, and the lawyers representing the firm were among the top litigation lawyers in the insurance business. Their minds were so channeled along traditional thinking, however, that they could not conceive of anything other than money coming from the defendant to the plaintiff. It was a mental block situation in part.

Second, there was also quite possibly a violation of legal ethics in that the Traveller's Insurance Company's law firm was thinking of its own interests more than the interests of its client and also thinking very

shortsightedly. Any package arrangement would have to be worked out between the law firm and Traveller's Insurance regarding how the law firm would get paid. The law firm was not willing to wait for a percentage of \$5 million a year. It wanted cash immediately. Traveller's, however, could have paid the firm's fee in full rather than as a percentage of a damage payment. The representative from Traveller's, however, was a bit browbeaten by his attorney. He did not exercise independent judgment but just agreed with his attorney. The deal required some good business sense and not legalistic lawyer sense.

Finally, a solution involving a mutually beneficial business arrangement is definitely more complicated than merely writing a check. It would require people being present from the marine insurance area of the Japanese firm and people being present from Traveller's Insurance who might be involved in selling the marine insurance. No such people were present, at least on the Traveller's Insurance side. The person who was present seemed to have little authority, and he seemed to be unwilling to exercise whatever authority he did have. The person on the Japanese side seemed to have more authority, although there were some language problems. He also seemed agreeable (although this may have reflected a cultural and personality difference) because he appeared to be more willing to listen.

LABOR-MANAGEMENT

The following illustrative example involves leading growers in the Peoria, Illinois, area (that employ approximately 7,000 farm workers a year) being sued by the Migrant Legal Counsel, which is a legal services agency that specializes in the legal problems of migratory farm workers.

The plaintiff's initial expectation is to be repaid approximately \$1 million in wages. This is an unrealistic expectation because the money was deducted for goods, ser-

vices, and advances that had been provided to the workers by the growers but not in accordance with the proper paperwork procedures.

The defendant's initial expectation is to have to pay nothing. This is an unrealistic expectation because the defendant admittedly failed to comply with the proper deduction procedures with no good defense other than that the money was owed. The defendant would thus be likely to lose on the issue of whether it complied with the proper procedures. A penalty is likely to be assessed to deter such improprieties on the part of the specific defendant and other potential defendants. The penalty is likely to be substantial to have deterrent value. There is also likely to be compensation to the named defendants for their efforts plus considerable litigation costs if the case goes to trial (Table 37.3).

The objective is thus to arrive at a SOS whereby the workers in a sense receive more than \$1 million and the defendant pays less than nothing. The key element in the SOS is the establishment of a credit union mainly consisting of \$100,000 from the defendant to be deposited with interest for 5 years (Table 37.4).

The \$100,000 can quickly generate \$2 million worth of housing by serving as a 10% down payment on a mortgage for existing or new housing units for the workers. The housing might be used as collateral for additional capital. It is also possible that a federal or state government agency will match the \$1 million as part of an economic development plan, thereby further increasing the lending opportunities.

The workers thereby obtain multiple family housing and a lending source for business opportunities that may be worth at least \$2 million plus the benefits of an improved grievance procedure, payments to named plaintiffs, and compliance information. The total value is worth more than their best expectation.

The growers thereby obtain the benefits of not having to provide housing for the workers. The growers also receive interest

Table 37.3 WIN-WIN MEDIATION IN A LABOR-MANAGEMENT CASE INVOLVING A FARMWORKER PLAINTIFF NAMED RAMIREZ

	Goals	
	C	L
<i>Alternatives (Damages)</i>	<i>Little Money to Plaintiff</i>	<i>Much Money to Plaintiff</i>
C		
Defendant's best expectation = \$0	+	-
L		
Plaintiff's best expectation = \$1,000,000	-	+
N		
Likely compromise settlement = \$500,000	0	0
<i>SOS or win-win solution</i>		
Credit union, housing, and business opportunities		
Grievance procedures		
Payment to named plaintiff	++	++
Compliance information		
Thus, many benefits for plaintiff and low cost to defendant		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

on their savings and a subsequent return of the principal if requested. The grievance procedures can decrease friction. The compliance information can increase credibility. Payment to the named plaintiffs is a cost rather than a benefit, but it is more than offset by the benefits from the other relevant items of value. Therefore, the growers are making a net gain as a result of this SOS settlement, which is the same as paying less than nothing.

SOME LESSONS

One moral of the story (or the bottom line of the analysis) is that what has been referred to as an SOS may be relatively small thinking compared to what could be developed in SOS dispute resolution. Currently,

there is not a concept that involves a higher level of dispute resolution than super-optimum:

1. In Pareto optimum solutions, the positions of all sides remain constant, but one side may slightly improve its position. This is not very optimum.
2. Compromise solutions are optimum only in a semantic or psychological way. They may really be lose-lose situations. In these solutions, everybody basically achieves more than their worst expectations. This means that everybody could lose badly, but they think they might have possibly lost even worse.
3. In an SOS, everybody achieves more than their best expectations, which sounds good. It is still a relative concept, how-

Table 37.4 AN ALTERNATIVE WAY OF VIEWING A WIN-WIN MEDIATION (THE RAMIREZ CASE)

<i>Alternatives</i>	<i>Criteria</i>					<i>Relevant Totals (\$)</i>
	<i>Relevant Items of Value (\$)</i>					
	<i>Credit Union, Housing, and Business Opportunities</i>	<i>Grievance Procedure</i>	<i>Payment to Named Plaintiffs</i>	<i>Compliance Information</i>		
Plaintiff's SOS settlement (major benefits)	2,000	>0	50	>0	>1,000	
Plaintiff's best expectations = \$1,000	0	0	0	0	1,000	
Likely compromise settlement = \$500	0	0	0	0	500	
Defendant's best expectation = \$0	0	0	0	0	0	
Defendant's SOS settlement (low costs)	<0	<0	50	~0	<0	

ever, dependent on the thinking that initially goes into what constitutes best expectations.

- In a zero-sum solution, what one side gives up, the other side gains. Thus, the sum of the pluses and minuses add to zero. In a non-zero-sum solution or an expanded-sum solution, one side may gain more than the other side loses. This is closely related to an SOS with a product exchange. The maker of the product gives up less in his or her dollar-loss value than the receiver of the product receives in terms of his or her dollar-gain value.
- We need a concept such as positive benefits to all that gets across the idea that all sides could positively gain in an absolute sense and not just relative to their worst or best expectations. For example, in the Sanyo case, if the defendant expected at best to pay \$300,000 in damages and litigation expenses but only paid \$100,000, this is a \$100,000 loss or negative cost.

The marine insurance deal involves a positive gain for both the defendant and the plaintiff.

The SOS may actually not even satisfy Pareto optimally because one side does give up something, and thus this side is worse off in an absolute sense from where it started. If Sanyo gives up a penny, then this is not a Pareto optimum solution, even if the plaintiff gets \$1 trillion dollars. It should not make any difference whether it is Pareto optimum because Pareto optimally is a perversion of common sense. Virtually no one would say that in the following situation, Pareto solution A is better than non-Pareto solution B: Solution A involves one penny to the plaintiff and nothing taken away from the defendant because maybe the government pays the penny to the plaintiff. This is a Pareto optimum. Under solution B, the defendant gives up the penny, and the plaintiff becomes \$1 million dollars richer. This would be considered

unacceptable under Pareto optimally. It is an ideological orientation that is opposed to the rich giving up anything on behalf of the collective good.

The SOS-plus concept to which I refer is one in which all sides positively gain. Complicating this situation is the application of it to litigation as contrasted to applying it to other kinds of disputes, such as policy disputes. In litigation, there is a plaintiff who is suing for damages (i.e., asking for dollars) and a defendant who generally states that the plaintiff is asking for too much: “I will give you less than what you are asking for if you will agree to sign a release and stop suing.” This kind of thinking inherently throws the whole problem into an at least partly negative solution.

The proposed situation, however, should be distinguished from a situation in which the defendant proposes to the plaintiff that they join together in a kind of conspiracy against others. An example is a case in which the defendant insurance company and the plaintiff insurance company agree that they will work together to wipe out

other insurance companies, artificially raise prices to the detriment of the people buying insurance, or decrease the services they provide. By agreeing to such an agreement, both companies may benefit. The concept of superoptimality, however, needs to consider the effect on third parties, such as consumers or other companies.

For further details on win-win mediation, see “Multi-Criteria Dispute Resolution” in Stuart Nagel, *Policy Analysis Methods and Super-Optimum Solutions* (Huntington, NY: Nova Science, 1994). For earlier background, see “Resolving Rule-Appling, Litigation, and Related Disputes” in Stuart Nagel and Miriam Mills, *Multi-Criteria Methods for Alternative Dispute Resolution: With Microcomputer Software Applications* (Westport, CT: Greenwood-Quorum, 1990). For recent applications, see “Computer-Aided Mediation” in Stuart Nagel, *Computer-Aided Judicial Analysis: Predicting, Prescribing, and Administering* (Westport, CT: Greenwood-Quorum, 1992).

Win-Win Allocation

This chapter discusses the debate in the U.S. Senate Judiciary Committee over allocating funds to the Law Enforcement Assistance Administration. Ted Kennedy wanted a high minimum for the courts, whereas Strom Thurmond wanted a high minimum for the police. They agreed that crime reduction and due process were both desirable goals. They basically agreed that the presence of the police is at least twice (2 to 1) as effective in reducing crime as the presence of judges, although judges do sentencing. They also basically agreed that judges are more than twice as important (3 to 1) as the police in separating the innocent from the guilty. Given this information, how should \$200 million be allocated to the police and to the courts?

Table 38.1 shows how the conservative and liberal allocations are determined. Each allocation is determined by (a) multiplying the percentages in the goal columns by the neutral, conservative, or liberal weights; (b) summing across the products; (c) dividing the sum by the total of the appropriate weights to obtain a weighted average allocation percentage; and then (d) multiplying the total budget of \$200 million by that allocation percentage. All dollar values are in millions.

The super-optimum budget is \$243 because this is the minimum amount that will

allow for a larger allocation than the best expectations of both the conservatives (\$112 + \$1 to the police) and the liberals (\$129 + \$1 to the courts). The next step is to analyze various ways of increasing the budget from \$200 to \$243, and then use the best combination of these in light of various criteria.

There is an alternative approach to increasing the budget to a super-optimum solution (SOS) amount that satisfies the best initial expectations of both liberals and conservatives. The alternative involves satisfying conservatives by enabling the police and the courts to be more efficient in crime reduction so they will need less money.

EXPANDING THE BUDGET

A specific purpose that has been achieved is clarifying the conservative allocation that has to be exceeded and the liberal allocation that also has to be exceeded simultaneously. This information is summarized in Table 38.1. The key items are labeled X and Y. X is the amount of dollars that would be allocated to the conservative budget category or categories if the conservatives had their way. Y is the amount of dollars that would be allocated to the liberal budget category or categories if the liberals had their way. The objective is to de-

Table 38.1 WIN-WIN ALLOCATION (ANTICRIME)^a

Budget Categories	Goals		N Allocation Wts. = 2 & 2 C & L	C Allocation Wts. = 3 & 1 C & L	L Allocation Wts. = 1 & 3 C & L	SOS Allocation
	C Crime Reduction	L Fair Procedure				
<i>C item</i>				X		X + 1
Money for police	2 (67%)	1 (25%)	\$92 (46%)	\$112 (55%) ^b	\$71 (35%) ^c	\$113 (46%)
<i>L item</i>					Y	Y + 1
Money for courts	1 (33%)	3 (75%)	108 (54%)	88 (44%)	129 (65%)	130 (54%)
Total	3 = (100%)	2 = (100%)	\$200 (100%)	\$200 (100%)	\$200 (100%)	\$243 (100%)

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution; Wts., weights for multiplying the allocation percentages for each of the two goals. X is the conservative allocation to exceed. Y is the liberal allocation to exceed.

a. Expanding the budget means increasing it from the initial \$200 to \$243. Increasing effectiveness means increasing the relation scores of 2 or 1 or both on crime reduction for conservatives and 1 or 3 or both on fair procedure for liberals. Dollars are in millions.

b. The conservative 55% = $[(3 \times 67\%) + (1 \times 25\%)]/4$.

c. The liberal 35% = $[(1 \times 67\%) + (3 \times 25\%)]/4$.

velop useful and realistic ways of enabling both the conservatives and the liberals to have their ways simultaneously.

Table 38.1 indicates that the conservatives will achieve more than their best expectations if the police are allocated \$113. It also indicates that the liberals will achieve more than their best expectations if the courts are allocated more than \$129. Thus, the problem reduces to finding ways whereby the police can be allocated \$113 and the courts can be allocated \$130, which means finding \$43 more than the initial budget constraint. This satisfies the idea of useful information because it clarifies that we do not need a budget of \$500 or \$800 to exceed the best expectations of both sides. We also will not be able to do it with a budget of only \$210, \$200, or less than \$200, unless we increase the relation scores (discussed later).

To be a meaningful SOS allocation, the recommendation must also be realistic. Therefore, a multicriteria decision-making analysis must be performed to determine the alternative or alternatives that can raise the additional \$43. Possible alternatives of a general nature include the following:

1. The legislature could be convinced to appropriate additional funds in view of the importance of the goals to be achieved and the positive marginal rate of return from investing in each of the budget categories.

2. The executive agency or agencies that are above the police and the courts could be convinced that from the total amount of money that they allocate, more should be assigned to the police and the courts in view of the same considerations that might be presented to the legislature.

These considerations might differ if the legislature is a Democratic Congress and the executive agency is a Republican White House.

3. Funds can be raised through income-generating activities of the courts and the police. This is a well-known alternative in higher education when state universities are turned down regarding budget requests by the state legislature and by the state board of higher education. The universities then do fund-raising among alumni, corporations, and students. The police and courts could charge higher fees for some of their services in the same manner in which state universities charge higher tuition, especially to wealthier students, to cover scholarships for low-income students. The courts could charge higher fees for corporate litigation. The police could conceivably provide special services for fees that would be the equivalent of private security work. There could be political feasibility problems given the frequent unwillingness of private enterprise to tolerate what could be stimulating competition.

4. Another analogous activity is seeking contributions. There is no reason why the courts cannot do a mailing to all lawyers in the jurisdiction asking for voluntary contributions or even involuntary contributions. The lawyers can be asked to pay a practice fee for using the court facilities. The fee could be based on various levels of earnings. The police currently ask for contributions for various police pension activities. This can border on intimidation to noncontributors, especially if it is associated with receiving a bumper sticker that the contributor expects will constitute an exemption from some traffic tickets.

5. Universities raise large amounts of money through grants from foundations. Courts and police forces could do related activities. Doing so would serve two purposes—to raise money and to stimulate innovative thinking on the part of courts and

police forces as to how they could do a better job with regard to fair procedure and crime reduction to get a foundation to bankroll the experiment and implementation.

6. A major source of internal funding at universities is the taxation of academic and nonacademic employees by postponing raises, having ceilings on raises, or offering nonmonetary fringe benefits, such as free education for the children of faculty and staff. Manipulating salaries to deal with a \$43 shortfall would not raise additional income; rather, it would only reduce expenses. What might be needed is the equivalent of passing the hat or selling savings bonds or stamps among the employees to borrow money from them in anticipation that it will be repaid in better times. The internal loan would probably have to be paid back in cash because the traditional services provided by courts and police are like an entitlement, unlike the optional right to attend a university tuition-free because one's parents teach at the university.

7. The idea of obtaining loans internally from the people who work in the system also suggests the idea of obtaining loans externally. It would not be appropriate for the police force to borrow from the syndicate. The police force and the courts, however, could be authorized to issue governmental bonds, just as any governmental agency could be so authorized. There may be plenty of takers if the bonds provide for the usual tax exemption, which is a key factor enabling rich lenders to have large incomes without paying income tax.

Table 38.2 applies the same kind of win-win allocation analysis to the antipoverty problem. Conservatives tend to emphasize training for work as the way to deal with poverty. Liberals tend to emphasize public aid, although they are becoming more supportive of training than they have been in the past. The key conservative goal is putting low-income people to work. The key

Table 38.2 WIN-WIN ALLOCATION (ANTIPOVERTY)^a

<i>Alternatives</i>	<i>Criteria</i>		<i>N Total (Neutral Weights)</i>	<i>L Total (Liberal Weights)</i>	<i>C Total (Conservative Weights)</i>	<i>SOS</i>
	<i>L Minimum Standard of Living (C = 1, L = 3)</i>	<i>C Job Opportunities (C = 3, L = 1)</i>				
<i>C</i>						
Education	1 (33%)	3 (75%)	\$108 (54%)	\$88 (44%)	\$130 (65%)	\$131 (54%)
<i>L</i>						
Public aid	2 (67%)	1 (25%)	\$92 (46%)	\$112 (56%)	\$70 (35%)	\$113 (46%)
Totals	3 (100%)	4 (100%)	\$200 (100%)	\$200 (100%)	\$200 (100%)	\$244 (100%)

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

a. The budget is \$200. Dollar amounts are in millions. For other information, see the notes to Table 41.1.

liberal goal is giving low-income people a minimum standard of living.

The liberal allocation is 67% public aid and 33% education. The conservative allocation is 25% public aid and 75% education. The neutral or average allocation would be \$108 to education out of a \$200 budget and \$92 for public aid. The conservatives, however, would give a weight of 3 to job opportunities and a weight of only 1 to minimum standard of living. This weighted average yields an allocation of \$130 to education and \$70 to public aid. The liberals would give a weight of about 3 to standard of living and 1 to job opportunities. This liberal weighted average yields an allocation of \$88 to education and \$112 to public aid.

The objective of this win-win analysis is to arrange for more than \$130 to go to education to more than satisfy the conservatives and to simultaneously arrange for more than \$112 to go to public aid to more than satisfy the liberals. This requires a

new budget of more than \$242. This also requires developing new ideas, such as the seven ideas discussed previously, regarding where the new win-win budget money will come from.

It is especially necessary for someone to make a thorough survey combined with creative brainstorming of all the devices that various government agencies use to supplement their main source of income—legislative appropriations filtered through higher-level executive agencies. The Reagan administration, for example, experimented with a variety of user fees. It might be interesting to know more about the good and bad experiences with regard to the fees. This is an area in which different government agencies can learn from each other, such as learning from the income-raising methods for state universities. It is also an area in which there may be many analogs between private sector institutions and governmental institutions regarding how to raise income when one is basically

providing a not-for-profit service and not selling merchandise.

The key idea in this context is the importance of thinking beyond the traditional allocation analysis, which tends to take a budget constraint as a given and talks in terms of how to allocate between the budget categories within that dollar amount. One does not want to go to the opposite extreme and totally ignore budget constraints, which is the equivalent of ignoring economic and political feasibility. The SOS analysis based on increasing the budget emphasizes expanding the budget just enough to be able to determine a SOS allocation in which both conservative and liberal best expectations are exceeded rather than one in which each viewpoint gets an infinite, excessive, or unrealistic amount. This provides a meaningful target to seek to reach.

INCREASING EFFECTIVENESS

The next logical question is, what are the substantive answers to improving the relation scores or elasticity coefficients so as to exceed both the conservative best allocation and the liberal best allocation? As with ways of increasing the budget, there are many answers. The alternatives in this context might include ideas that (a) increase police efficiency on crime reduction, (b) increase court efficiency on crime reduction, (c) increase police efficiency on fair procedure or separating the guilty from the innocent, and (d) also increase court efficiency on fair procedure.

Police on Crime Reduction

This means developing suggestions whereby at a given dollar or even a reduced dollar amount, crime reduction can be increased so that the police are even more than twice as effective in reducing crime than are the courts. One proposal that might make sense is to make better use of

modern technology that enables 1 police officer to survey a larger territory than possibly 5 or 10 police officers could in the past.

Again, it is often useful to reason by analogy from the private sector to the public sector and vice versa or from one government agency to another. A good analog in this context is the way in which a large hotel patrols every floor simultaneously with one security guard. This is the equivalent of patrolling 20 streets if the hotel has 20 floors. In the system that is in common use, on each floor a TV camera is mounted out in the open that provides a view of the whole floor with or without the camera turning. A single security guard observes 20 TV screens simultaneously. It is difficult to watch 20 TV programs simultaneously, but it is easy to see in the middle of the night that on Screen 12 somebody is crowbarring open a door or is assaulting someone who just got off the elevator. Better yet, nobody crowbars any doors or assaults people because the TV cameras have a deterrent effect by being out in the open. They have a similar deterring effect as police cars driving on the highway with their lights flashing rather than hiding behind billboards.

The analog is a long-distance TV camera on a high post or rooftop every mile or so on as many streets as one wants to cover. The camera is equipped with a lens that makes it almost the equivalent of a U2 high-flying photography plane, although it does not have to be as powerful. The view of the long-distance camera is fed into the police station, where anything suspicious becomes the basis for directing a police car to go to the scene when police would otherwise not have known about the suspicious event. This does not violate civil liberties. These are not x-ray cameras that see into people's bedrooms. They are not able to see anything that a police officer could not see from a police car, but they substitute for numerous police cars. They thereby increase crime reduction efficiency while saving substantial cost.

Courts on Crime Reduction

One suggestion that might be made is to have the courts give longer sentences. In some other context, this might be a good suggestion. In the current context, however, we are talking about ways of making the legal system more efficient without spending more money and possibly by spending less money. Longer sentences can be very expensive. One could argue that they are not an added expense to a budget that only covers the police and the courts. But whatever budget covers the police and the courts probably also covers the prison system. Longer sentences are thus not appropriate in this context because they would increase the \$200 budget or increase the broader anticrime budget that includes prisons.

We want to find a way that will enable the courts to reduce crime at no substantial extra cost beyond the \$200 budget and maybe even save money. One such suggestion relates to frequent types of crime—namely, crimes that are committed by people who are released on bond pending trial. This kind of crime is especially undesirable because it breeds disrespect for the legal system on the part of both criminals and the citizens whose support the legal system needs. It breeds disrespect by criminals because they often suffer no additional negative sanctions as a result of committing a crime while released because their original crime may be more serious and may be the only one for which they will be prosecuted and imprisoned. It also breeds disrespect because of the belief on the part of criminals that they have gotten away with something extra when they have succeeded in committing a crime even while they are theoretically under court supervision.

When crimes are committed by those released on bond, ordinary citizens believe that the courts are being too soft on arrested people. The general public may not adequately understand the presumption of innocence and believe that it is being

abused by anyone who commits a crime while released on bond and by any judge who releases such a person. As a result, the general public becomes less supportive of other important safeguards for the innocent besides pretrial release, such as right to counsel, right to trial by jury, and right to appeal.

Crimes committed by people released on bond can be reduced by the judicial system by adopting various inexpensive procedures such as the following:

1. Making use of the point systems that other courts have developed for screening arrested people to determine whether they are good risks to release: These point systems take into consideration whether a person is married and has a family, whether he or she has lived in the community for awhile, and whether he or she has a job, in contrast to more subjective and possibly discriminatory criteria that rely on the defendant's appearance. Experienced-based point systems are also better than rules of thumb that relate to the amount of the bond and thus the likelihood of being released. These rules heavily emphasize the severity of the charges rather than the indicators of the probability of crime committing and skipping out.

2. Having the released person report to the courthouse once a week or once every 2 weeks to sign in: This costs virtually nothing, but it is quite meaningful in letting the defendant know that his or her whereabouts are of concern to the court.

3. When it is time for the hearing or trial, reminding the defendant to be in court by mail or phone—doing so substantially reduces the crime of skipping out. It also indicates to the defendant that the court is keeping track of him or her and thereby reduces other forms of crime committing. It costs very little to send a postcard or to make a quick phone call, especially relative to the benefits received.

4. Occasionally going after and prosecuting some of the people who skip out instead of waiting for them to commit a crime while released: By waiting, the criminal justice system encourages crimes by those released. It also encourages skipping out because the odds of being prosecuted for skipping out are low. If one has already been charged with a serious crime for which one was originally arrested and then another serious crime that is part of the second arrest, the crime of skipping out then becomes relatively unimportant.

5. Maybe most important, shortening the length of time between arrest and trial: If the time is short, there is not much opportunity to skip out or commit a crime. For a few weeks after being arrested and released, the arrested person may be on especially good behavior for fear that the judge will be especially harsh if the arrested person is rearrested so soon after being released. There are many ways that such delay can be reduced without expensive hiring of more judges or violating one's day in court. A system of efficient sequencing of cases with priorities for criminal cases over other cases can be helpful.

Police on Separating the Innocent From the Guilty

In most jurisdictions, the police have two choices when faced with someone who is misbehaving. They can either arrest the person or reprimand, warn, and scare the person before letting him or her go. This may result in many innocent people being arrested, as partly indicated by the fact that such a small percentage of arrested people are ever convicted of anything. What may be needed is a middle alternative between arresting and releasing so that the police officer does not believe that he or she has to arrest such a high percentage of those who are misbehaving. Some jurisdictions are making frequent use of the summons to appear, which is like a traffic ticket. It can be

used for misdemeanor cases in which the police officer believes the individual is likely to show up in court but the crime is not very severe.

Some liberals may object to such a system on the grounds that the police officer cannot be trusted with this kind of discretion. This might be true if we were talking about giving police the discretion to shoot a person on the spot when they believe that the person would or should eventually be executed anyhow. In other words, we are not talking about increasing the police discretion to be more punitive toward the people with whom the deal but, rather, increasing police discretion to be less punitive. Currently, they do not have the choice of issuing a summons to appear in court in most jurisdictions. They must in effect arrest many people to whom they might otherwise give summonses. They do, however, have an incentive to give a summons if allowed to do so because it would save them the time and trouble of having to bring someone to the police station to be officially booked. In terms of crime reduction, it is a waste financially to have police officers spending so much time bringing people to the police station for booking.

Whether a public policy is liberal or conservative sometimes cannot be determined by just examining the policy out of context. One has to be aware of the previous prevailing policy. Thus, passing a law providing capital punishment only for murderers is liberal if the previous law provided capital punishment for pickpockets and shoplifters, as English law did before the reforms of approximately 1800. Capital punishment for all murderers would be conservative now in England because the country has virtually abolished capital punishment except for unusual situations, such as committing a murder of a guard while one is serving life in prison. Likewise, giving the police discretion to issue summons would be conservative only if they previously had the authority to give warnings. It is liberal, however, if they

previously had the authority to make arrests. More important, the summons to appear enables the police to more efficiently separate the innocent from the guilty by providing for a gray area, and it simultaneously saves the criminal justice system money in terms of police time and jail time.

Courts on Separating the Innocent From the Guilty

Perhaps the most inefficient aspect of the criminal court system relates to how jury trials are conducted. In this context, by inefficiency I am not talking about spending money on jurors because they receive very little pay, and I am also not talking about delay due to jury trials because delays tend to occur only during trials that would take a long time anyway. Instead, I am talking about inefficiency in separating the innocent from the guilty. Specifically, in recent years, many suggestions have been made regarding ways in which jurors could perform this separation function more accurately.

One way is to allow them to take notes because jurors may often make mistakes because they cannot remember all the testimony, instructions, and other relevant inputs. In most states, they have been prohibited from taking notes as a carryover from medieval times when few jurors could read or write and it was believed that those few who could take notes would then dominate the juries. Since 1991, however, most jurors have been allowed to take notes. Changing the rules to allow for note taking increases the efficiency of the courts in separating the innocent from the guilty.

One could go further and require videotaping of all jury trials or even bench trials. One purpose would be to save money that would otherwise be spent on court reporters and transcribing. The more important purpose in this context is that the videotapes would be available to the jurors or the judge to better review what was presented at the trial. The videotape preserves

what one can hear and see even better than note taking. It enables controversies to be resolved accurately, such as when one juror thinks a witness said the defendant was present at a certain time and another juror thinks the witness said the defendant was present at a different time. Videotaping jury trials and bench trials is a good example of how to increase the efficiency of the courts on separating the innocent from the guilty without additional costs. It is also one of many examples that could be given of how to obtain greater benefits at lower costs (or at least not substantially higher costs) in the criminal justice system or in other public policy fields.

A more mental orientation toward searching for procedures that increase benefits and decrease costs simultaneously is needed. Likewise, we need a frame of mind toward seeking solutions (to choosing and allocating problems) that can exceed the best expectations of both liberals and conservatives simultaneously.

DILBERT ON WIN-WIN ALLOCATION

Dialogue at the Dilbert Company

MANAGER: I found a way to give more money to every project without increasing the total budget for projects!

LADY WITH THE BIG HAIR: Maybe you could recalculate our salary budget next.

Analysis

With win-win thinking, it is quite possible for every worker to get a raise without increasing the total budget. One approach involves merely distributing valuable rewards that do not come out of the budget. For example, the head of a three-person university department can give faculty members reduced teaching loads or fewer new preparations; schedule them to teach

only on Tuesday and Thursday rather than schedule them to teach Monday, Wednesday, and Friday or every day of the week; schedule them to teach back-to-back classes for a more compact schedule; arrange for volunteer assistantships; and encourage collaborative, mutually rewarding productivity. Valuable rewards that do come out of the budget are available as productivity incentives in all occupations. If productivity increases, then the monetary budget available is also likely to increase.

For further details on win-win allocation, see “Super-Optimum Solutions and

Allocation Problems” in Stuart Nagel, *Policy Analysis Methods and Super-Optimum Solutions* (Huntington, NY: Nova Science, 1994). For background, see “Finding an Optimum Mix in Allocating Scarce Resources” in Stuart Nagel, *Policy Evaluation: Making Optimum Decisions* (New York: Praeger, 1982). For recent applications, see “Allocating Scarce Resources” in Stuart Nagel, *Evaluative and Explanatory Reasoning* (Westport, CT: Greenwood-Quorum, 1992).

Inconsistent Reactions to Win-Win Analysis

In 1988, I wrote three chapters on inconsistencies in evaluating the field of policy studies. The chapters were published in the book *Policy Studies: Integration and Evaluation* (Westport, CT: Greenwood, 1988). These chapters in their original form and in summary form have been widely reprinted. A summary appears in *Policy Evaluation* (spring, 1996). The six inconsistencies relate to the charges of policy studies as being (a) a faddish and stale, (b) too practical and too theoretical, (c) too multidisciplinary and too much political science, (d) too quantitative and too subjective, (e) too underused and too overused, and (f) too conservative and too liberal.

These pairs of inconsistent charges have been made against win-win analysis. They were even made by the same person in different sections in a recent *American Political Science Review* (APSR) review of Stuart Nagel, *Super-Optimum Solutions and Win-Win Policy: Basic Concepts and Principles* (Westport, CT: Greenwood-Quorum, 1997) and Stuart Nagel, *Public Policy Evaluation: Making Super-Optimum Decisions* (Aldershot, UK: Ashgate, 1998).

SIX INCONSISTENCIES

The six pairs of inconsistent reactions to win-win analysis include the following:

1. Some people state that win-win analysis is old hat. The APSR reviewer found a 1920 citation that he considered relevant. Others, including this same reviewer, imply that this is just a flash in the pan with no lasting significance.
2. The same reviewer states that this is not practical because it is too time-consuming for policymakers. Others might state that it is not sufficiently theoretical because it does not deal with causal analysis.
3. It could be criticized as too broad because it can apply to a variety of situations. Others could criticize it as being too focused on public policymaking and not on specific disputes.
4. It could be criticized as being too quantitative if we use numbers or as too subjective if we do not use numbers.
5. It is not used by policymakers, whereas others may implicitly use it frequently. This is a variation on Dale Carnegie's

How to Influence People by Making Them Think Your Ideas Are Their Ideas (New York: Simon & Schuster, 1936).

6. It has a conservative bias from a liberal perspective and a liberal bias from a conservative perspective or could have or sometimes does have a bias.

RESOLVING THE INCONSISTENCIES

Each of the six pairs of inconsistencies can be resolved in a win-win way. This approach resolves the alleged inconsistencies by showing that the positive aspects of all the pairs of charges can exist simultaneously.

Such win-win resolutions might include the following:

1. The idea of resolving disputes by having both sides win dates to prehistoric times, not just 1920. What we have now is a more systematic analysis of win-win. This includes an operational definition, which defines a win-win solution as one in which all major sides can simultaneously achieve better results than their best initial expectations. There are also checklists of creativity generators and checklists of hurdles to overcome. There are also many illustrative examples.
2. Win-win analysis is practical in the sense that if the relations are accurately perceived, then the win-win solution will effectively achieve what both conservatives and liberals are seeking. In terms of causal theory, one could argue that if a solution is truly win-win, then one could predict that it will be adopted. This is so because people are basically rational, and they want to win. This means that they want to achieve their goals.
3. Win-win does draw on many disciplines for its substance, but it is basically political science in terms of process, especially hurdles to overcome.

4. Win-win can be made quantitative, but this is not necessary. Even when it is nonquantitative, it is still objective. One can objectively determine the direction of relations rather than magnitudes. One can also determine what weights conservatives and liberals give to different goals, regardless of whether one agrees with them.
5. Actual win-win is underused. The phrase may be overused in referring to (a) any activity that achieves two purposes, (b) compromises in which both sides achieve more than their worst expectations, or (c) solutions in which both sides achieve more than their initial expectations.
6. Win-win is both conservative and liberal in the sense of exceeding the best expectations of both viewpoints.

BOOKS WITH WIN-WIN TITLES

There are at least three books with the phrase “win-win” in their titles. Each uses the concept in a way almost diametrically opposed to the idea of all major sides achieve more than their best initial expectations. The following are the three books in chronological order:

1. Fred Jandt, *Win-Win Negotiating: Turning Conflict Into Agreement* (New York: John Wiley, 1985): This is win-win in the sense of ordinary compromises, whereby both sides achieve more than their worst expectations. As the subtitle indicates, the goal is simply to turn conflict into agreement and not necessarily into a super-optimum agreement.
2. Hazel Henderson, *Building a Win-Win World: Life Beyond Global Economic Warfare* (San Francisco: Berrett-Koehler, 1996): This is win-win in the sense that the author thinks her policies are good for the world. They are minimalist policies, however, rather than growth policies. As the

subtitles indicate, she considers international trade to be a kind of evil economic warfare. Most liberals and conservatives consider international trade, globalization, regional economic communities, and related concepts as having great potential for producing mutually beneficial effects, especially if public policy actively pursues new jobs for displaced workers and businesses. A more appropriate title might be “Building a Lose-Lose World” because all sides suffer from failing to take advantage of the mutually beneficial interaction associated with international trade. This may be especially true of highly competitive international trade.

3. Steven Brams and Alan Taylor, *The Win-Win Solution: Guaranteeing Fair Shares to Everybody* (New York: Norton, 1999): This is win-win in the sense of pie cutting between two people whereby one

says “I will cut and you will choose.” This leads to an even division of the pie. The book proposes highly complicated variations for any number of pie cutters and any set of tangible or abstract things of value. This is in contrast to super-optimizing, in which we seek to double or increase the size of the pie so that if each person originally wanted the whole pie, each can now get more pie by taking half of the new doubled pie. A more appropriate title might be “The Lose-Lose Solution” because concentrating on how to divide a pie is a distraction from concentrating on how to enlarge a pie. Concentrating on dividing a fixed pie or gross national product can even lead to violent friction between or among races, classes, genders, age groups, religions, nationalities, and other groups that are stuck in either-or thinking rather than trying to solve the dilemma super-optimally.

Part 6

WIN-WIN APPLICATIONS

Coeffects Diagrams and Win-Win Analysis

In the summer 1999 issue of *Policy Evaluation*, there was an article titled “Win-Win Game Theory.” The article concluded that the multicriteria decision-making matrix and the coeffects causal path model were the best theoretical or methodological perspectives for analyzing policy problems to find win-win solutions.

The purpose of this chapter is to apply coeffects analysis to key problems from the fields of economic, technology, social, political, international, and legal policy. The essence of coeffects analysis is to view conservative and liberal goals for a given policy problem as capable of becoming coeffects simultaneously favorably influenced by a win-win causal variable.

The following are examples given here (along with references):

1. The problem of inflation versus unemployment under economic policy
2. Economic development versus a clean environment under technology policy
3. Having a productive economy versus hand-outs for the poor under social policy
4. Double voting versus nonvoting under political policy
5. Higher profits from free trade versus higher losses from free trade under international policy
6. Repressing the sale and possession of illegal drugs versus the undesirable expense, corruption, and other side effects of vigorous antidrug enforcement

Figure 40.7 abstractly shows win-win generic policy. It shows that in the absence of a win-win causal variable, there is a negative noncausal correlation between the conservative goals and the liberal goals. Thus, one cannot be high on both sets of goals, but instead can be relatively high on one and relatively low on the other in a trade-off manner. With a win-win causal variable, the two sets of goals can both increase simultaneously.

PROSPERITY POLICY

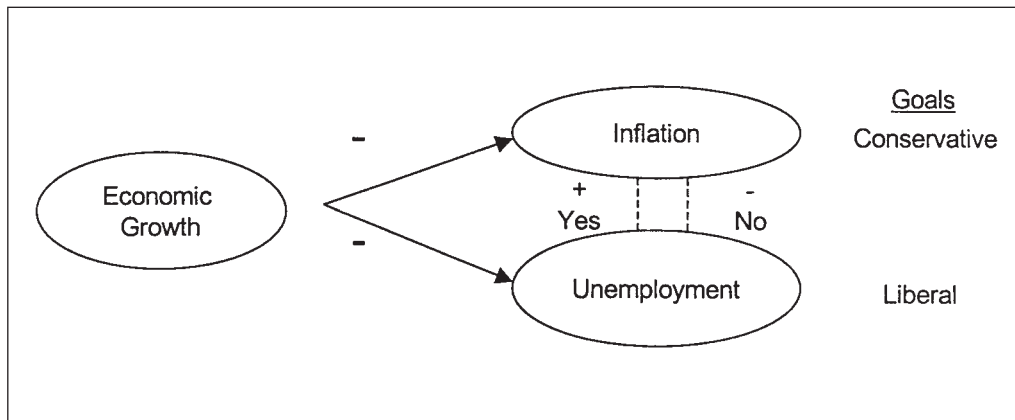


Figure 40.1. An example of win-win economic policy. For further details, see “Win-Win Economies,” *Policy Evaluation 5* (summer 1999): 5-21.

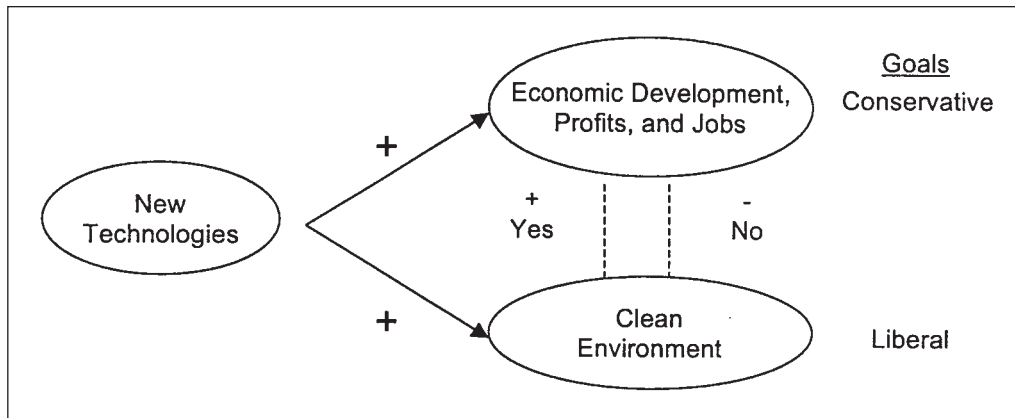


Figure 40.2. An example of win-win technology policy. For further details, see “Win-Win Technology Policy,” *Developmental Policy Studies 5* (autumn 1999): 28-37.

DEMOCRACY POLICY

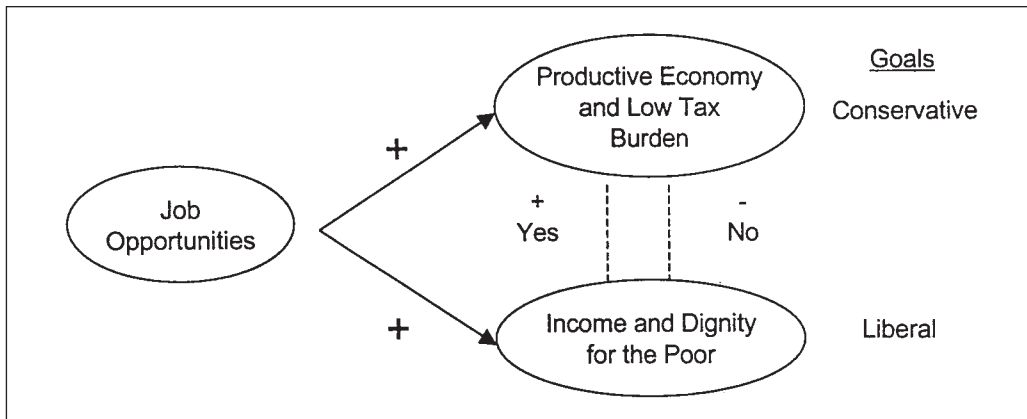


Figure 40.3. An example of win-win social policy. For further details, see “Social Policy: An Introduction,” in *Handbook of Global Social Policy*, ed. Stuart Nagel (New York: Dekker, 1999).

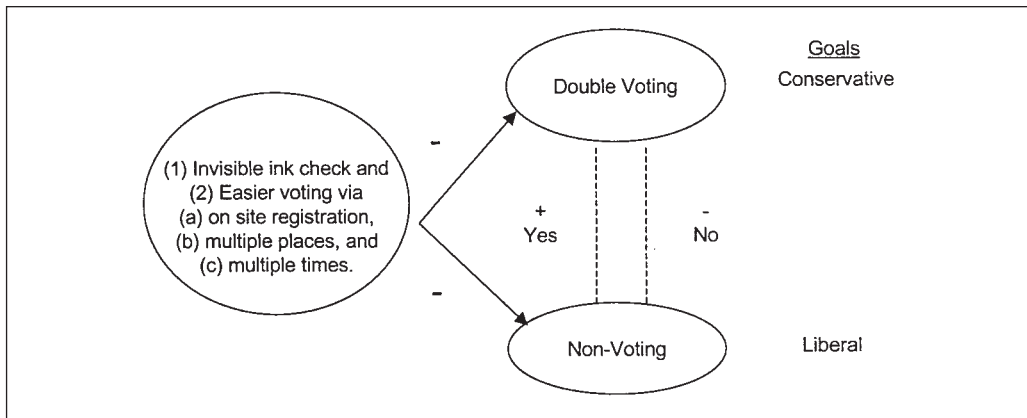


Figure 40.4. An example of win-win political policy. For further details, see “Government Reform and Win-Win Analysis,” *Policy Evaluation 3* (autumn 1997): 14-21.

PEACE POLICY

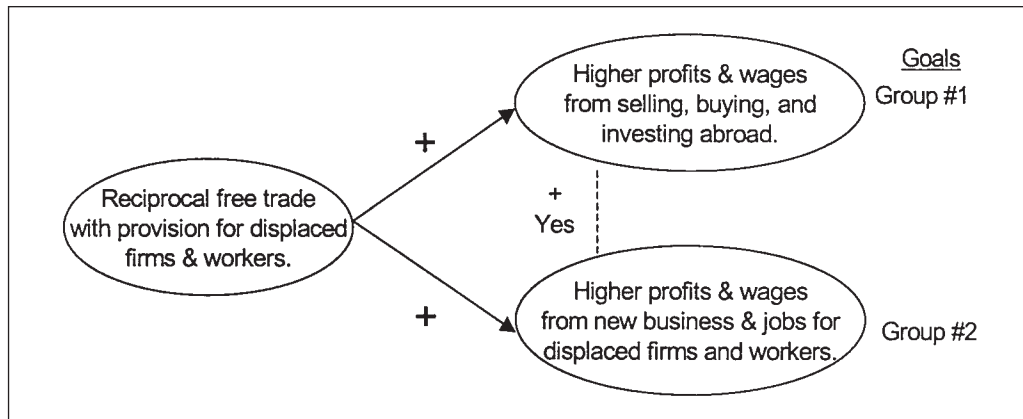


Figure 40.5. An example of win-win international policy. For further details, see “Mini-Symposium on International Prosperity and Exchange,” *Developmental Policy Studies* 3 (spring 1997): 9-24.

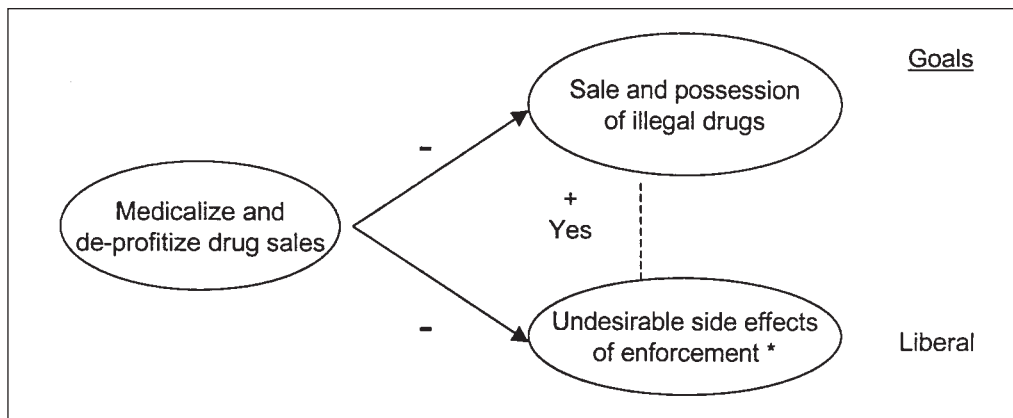


Figure 40.6. An example of win-win legal policy.
 *Huge expenses for police, courts, and prisons. Also corruption of law enforcers, developing nations, and role models. Also AIDS, unemployment, crimes against property, and crimes against persons. For further information, see “Legal Policy and Win-Win Thinking,” *Policy Evaluation* 3 (spring 1997): 12-25.

GENERIC POLICY

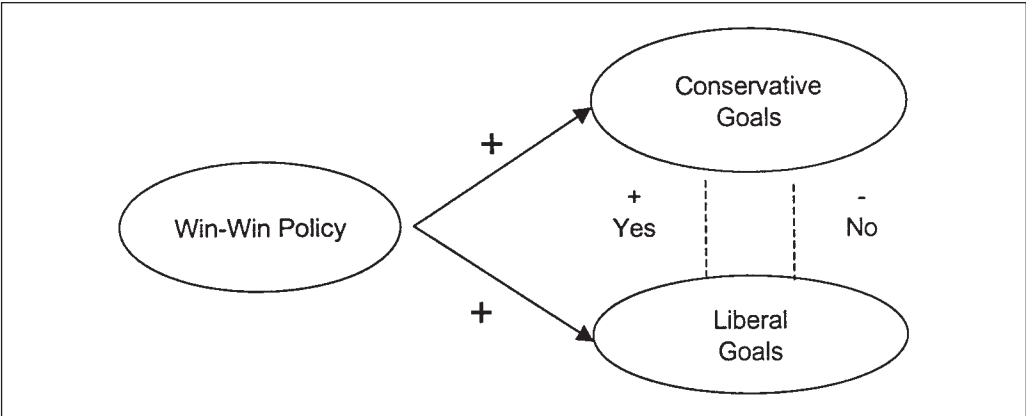


Figure 40.7. Win-win generic policy. For further details, see “Generalized Policy Analysis,” *Policy Evaluation* (autumn 1996): 33-41.

Win-Win Economics

Win-win or super-optimizing analysis of public policy problems tries to find feasible solutions that can enable conservatives, liberals, and other major groups to all achieve more than their best initial expectations simultaneously.

The elements in the analysis include (a) conservative goals and alternatives, (b) liberal goals and alternatives, (c) relations between the major alternatives and goals, (d) the development of win-win solutions, and (e) feasibility hurdles to overcome.

The feasibility hurdles to be overcome include economic, administrative, political, psychological, legal, international, and technological hurdles and the disruption of displaced firms and individuals.

As applied to economics, we are especially concerned with the alleged trade-offs (a) between unemployment and inflation; (b) between economic growth and displaced workers; (c) between increased government spending, reduced taxes, and a reduced deficit; and (d) between capitalism and socialism. We will also briefly refer to the economic policy problems of land, labor, and capital, but these will be discussed in less detail due to space limitations.

UNEMPLOYMENT AND INFLATION

Conservative Alternatives

Doing nothing is not likely to worsen unemployment or inflation, but it is also not likely to help. Decreasing the money supply and increasing interest rates may decrease inflation but increase unemployment. The same is true of decreasing government spending and increasing taxes. The Reagonomics approach involves decreasing taxes to stimulate employment and decreasing domestic spending to reduce inflation. The Democratic counterpart as of 1980 was to increase employment through government jobs and decrease inflation through price control (Table 41.1).

Raising interest rates to decrease inflation may have the effect of decreasing prices by reducing spending from borrowed money. These benefits may be more than offset by the undesirable effects on reducing the ability of business to borrow for expansion, inventory, and other purposes. The reduction in spending may also have an adverse effect on employment.

Raising taxes and decreasing spending to fight inflation may not be politically fea-

Table 41.1 UNEMPLOYMENT

	<i>Goals</i>	
	<i>C</i>	<i>L</i>
<i>Alternatives</i>	<i>Lower inflation to 3% Free enterprise</i>	<i>Lower unemployment to 3% Distribution of inflation and unemployment</i>
<i>C</i>		
Do nothing		
Decrease money supply and increase interest rates		
Decrease spending and increase taxes	+	-
Decrease taxes and decrease domestic spending		
<i>L</i>		
Increase money supply and decrease interest rates		
Increase spending and decrease taxes	-	+
Job creation and price control		
Tax breaks and subsidies		
Decrease defense spending		
<i>N</i>		
Combine	0	0
<i>SOS or win-win solution</i>		
Subsidies with strings attached		
Large subsidies	++	++
Objective allocation		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

sible. It would also reduce the ability of the government to give tax breaks and well-placed subsidies to increase productivity.

Liberal Alternatives

Increasing the money supply and decreasing interests may stimulate employment but increase inflation. The same is also true of increasing government spending and reducing taxes.

Lowering interest rates to decrease unemployment may have little impact because businesses are reluctant to borrow when they are reducing their operations and sales are down. Likewise, consumers are reluctant to borrow when they are already heavily in debt and fearful of a reduction in employment or hours.

Lowering taxes and increasing spending to fight unemployment may not be politically feasible when the national debt and deficit are already too high.

A Win-Win Alternative

Increasing the adoption of new technologies and increasing the skills of workers help to reduce inflation by (a) increasing the productivity of labor to offset increased wages, (b) increasing the quality of goods to offset increased prices, and (c) increasing the gross national product (GNP) and domestic income to further offset increased prices.

Increasing the adoption of new technologies and increasing the skills of workers help to reduce unemployment by (a) making the workers more employable; (b) increasing the GNP and domestic spending to stimulate the creation of more jobs; and (c) increasing the productivity and wage rates, thereby offsetting a possible reduction in hours.

The conservative alternative of increasing interest rates in times of inflation and decreasing them in times of unemployment does not make sense if inflation and unemployment are problems simultaneously. This would be the case if both were more than 3%. Likewise, the liberal alternative of having a budget surplus in times of inflation and a budget deficit in times of unemployment does not make sense when both inflation and unemployment are higher than approximately 3%. One can stimulate new technologies and upgrade skills, however, when inflation and unemployment occur simultaneously.

ECONOMIC GROWTH AND DISPLACED WORKERS

Economic Growth

Definition and Importance

Economic growth refers to the annual rate of increase in the GNP or the gross domestic product (GDP). The *GNP* refers to all income generated in the United States, even if it goes to some foreigners. The *GDP*

refers to all income generated anywhere in the world that goes to Americans.

Economic growth is highly important because it provides the increased income that generates increased spending, taxes, jobs, money for government programs, and appropriations for dealing with schools, crime, health, transportation, communications, food, housing, defense, new technologies, upgrading skills, and so on (Table 41.2).

Conservative and Liberal Approaches

The conservative approach tends to emphasize taxing and spending that is helpful to investment and business. The increased investment does stimulate economic growth. Conservatives advocate increased investment through lowering taxes for the upper-income brackets and lowering the capital gains tax. They also advocate spending for highways, airports, railroads, and other expenditures that will facilitate business profits.

The liberal approach tends to emphasize taxing and spending that is helpful to consumption and workers. The increased consumption does stimulate economic growth. Liberals advocate increased consumption through lowering taxes for the lower-income brackets and raising exemptions for dependents and the standard deduction. They also advocate government spending for food stamps, housing vouchers, welfare, teacher salaries, health care, and other government expenditures that result in high consumption.

A Win-Win Package

A super-optimizing solution (SOS) package can promote economic growth more directly than through private investment and consumption although increasing investment and consumption. Such a package might include the government

Table 41.2 ECONOMIC GROWTH

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Investment</i>	<i>Consumption</i>
<i>C</i>		
Trickle down	+	-
<i>L</i>		
Percolate up	-	+
<i>N</i>		
Both	0	0
<i>SOS or win-win solution</i>		
Package	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

providing (a) long-term, large-scale risk capital; (b) a stimulus to competition by readily granting entry permits into all industries and entry of foreign goods into the United States; (c) a stimulus to business and labor to adopt new technologies and upgrade worker skills; (d) funds for relocating workers displaced by tariff reduction, immigration, new technologies, or conversion from defense production; (e) reductions in foreign tariffs to open new markets; (f) an immigration policy that brings in innovative, ambitious people with needed skills; (g) free speech to encourage creativity, including suggestions to improve productivity; (h) grants, patents, and purchasing to stimulate inventions but requiring licensing to stimulate diffusion and competition; (i) an educational system that is oriented toward preparation for productive jobs and careers; and (j) conservation of natural resources and a productive, healthful environment.

Other important economic indicators besides economic growth include unemployment, inflation, and measures of income equality. Major economic growth is offset if the other indicators worsen or do not improve.

Displaced Workers and Firms

Displacement of labor means displacement due to (a) productivity downsizing; (b) free trade; (c) immigration; (d) civilian conversion; (e) and jobs for public aid recipients, the disabled, the elderly, minorities, and women.

The issue here is how to find jobs for displaced workers. The conservative emphasis is to leave it up to the recipient to find a job on his or her own and not make it a responsibility of other people.

The liberal emphasis is on the welfare agency or another government agency doing most of the job-finding work. The neutral position might involve delegating the activity to a nonprofit organization (Table 41.3).

A key conservative goal is to save tax money. This means encouraging job finding to reduce welfare payments but not incurring high fees for job finding. A key liberal goal is to find jobs for displaced workers or welfare recipients not just to save welfare payments but also because jobs can increase the income, quality of life, and dignity of welfare recipients. Doing so also has effects that relate to mul-

Table 41.3 EQUITY VERSUS EFFICIENCY IN DISPLACEMENT OF LABOR

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Efficiency (Merit or Survival of the Fittest)</i>	<i>Equity (i.e., Fairness to Those Unemployed to No Fault)</i>
<i>C</i>		
Marketplace (leaves to the labor marketplace)	+	-
<i>L</i>		
Welfare handouts with few conditions	-	+
<i>N</i>		
Welfare with conditions		
No able-bodied eligibles, especially males		
Bare minimum benefits	0	0
Residence requirements		
Provide no due process		
<i>SOS or win-win solution (i.e., job facilitation)</i>		
Training		
Wage subsidy		
Employment agency commissions	++	++
Rising GNP		
Relocation		
Welfare conditional on training and job cooperation		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution. Displacement of labor means displacement due to (a) productivity downsizing; (b) free trade; (c) immigration; (d) civilian conversion; (e) and jobs for public aid recipients, the disabled, the elderly, minorities, and women.

multipliers, compounding, role models, and reducing illegal activities.

An SOS alternative is to contract out to a private profit-making firm at a commission of about \$X per welfare recipient who receives long-term employment. Half of the commission is paid after the worker has been on the job for 4 months and the other half after 8 months. The firm is responsible for providing training, day care, employment leads, advice, and dispute resolution,

which the government agency might otherwise provide.

This is a good example of contracting out. The profit motive stimulates a more successful rate in finding jobs than the rate of success by a government agency or a nonprofit organization. The firm also has more capability than the recipient. Tax money is saved in the long term as a result of replacing welfare with work. It may also be saved in the short term by costing less

Table 41.4 SOS SPENDING

	Goals		N Allocation (Wts. = 2 & 2)	C Allocation (Wts. = 3 & 1)	L Allocation (Wts. = 1 & 3)	SOS Allocation
	C	L				
Budget Categories	Crime Reduction	Fair Procedure				
C				X		X + 1
Money for police	2 (67%)	1 (25%)	\$92 (46%)	\$112 (55%)	\$71 (35%)	\$113 (46%)
L					Y	Y + 1
Money for courts	1 (33%)	3 (75%)	108 (54%)	88 (44%)	129 (65%)	130 (54%)
Total	3 (100%)	2 (100%)	\$200 (100%)	\$200 (100%)	\$200 (100%)	\$243 (100%)

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum or win-win solution; Wts., weights for multiplying the allocation percentages for each of the two goals. X is the conservative allocation to exceed. Y is the liberal allocation to exceed. Dollars are in millions.

money per long-term job found than the cost with a government agency or non-profit organization. Related activities can also help displaced business people find new jobs or new businesses.

SPENDING, TAXING, AND THE DEFICIT

SOS Spending

Determining a Win-Win Budget

Each allocation is determined by (a) multiplying the percentages in the goal columns by the neutral, conservative, or liberal weights; (b) summing across the products; (c) dividing the sum by the total of the appropriate weights to obtain a weighted average allocation percentage; and then (d) multiplying the total budget of \$200 (dollar amounts are in millions) by that allocation percentage (Table 41.4).

The super-optimum budget is \$243 because this is the minimum amount that will

allow for a larger allocation than the best expectations of both the conservatives (\$112 + \$1 to the police) and the liberals (\$129 + \$1 to the courts).

Obtaining a Larger Budget or Using the Current Budget More Efficiently

The next step would be to analyze various ways of increasing the budget from \$200 to \$243 and then using the best combination of these in light of various criteria. There is an alternative approach to increasing the budget to an SOS amount that satisfies the best initial expectations of both liberals and conservatives. This approach involves satisfying conservatives by enabling the police and the courts to be more efficient in crime reduction so that they will need less money.

The police can be more efficient by being more visible, such as by policing highways with their red lights continuously flashing. The courts can be more efficient

Table 41.5 TAX SOURCES

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Stimulating Investment</i>	<i>Ability to Pay</i>
<i>C</i>		
Sales tax	+	-
<i>L</i>		
Income tax	-	+
<i>N</i>		
Other or both	0	0
<i>SOS or win-win solution</i>		
Decrease tax rates but increase taxes with many well-placed subsidies	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

in crime reduction by using better screening and reporting methods with regard to those who have been released on bail prior to trial.

The alternative also involves satisfying liberals by enabling the police and the courts to be more efficient in using fair procedures. The police can be more efficient and effective by giving a summons to appear in many arrest cases rather than booking and jailing the suspects. The courts can be more efficient and effective regarding fair procedure by allowing jurors to view each day's trial on videotape. This helps clarify matters that might otherwise be forgotten. Jurors can also be allowed to take notes, ask questions of judges and lawyers, and receive some training before becoming jurors.

SOS Taxing

Conservative and Liberal Alternatives

The conservative position on tax sources tends to emphasize consumption

taxes, which are approximately equal across the general public. The liberal position tends to emphasize income taxes, which bear more heavily on those with greater ability to pay.

Conservatives tend to emphasize taxes on consumption, such as the sales tax or the value-added tax. Liberals tend to emphasize taxes on income, especially progressive income taxes for which the rates are higher on higher incomes. The neutral position is to use both sales taxes and income taxes, but the sales tax rates would be lower than conservatives advocate and the income tax rates would be lower than liberals advocate (Table 41.5).

Conservative and Liberal Goals

A key conservative goal is to stimulate investment. A key liberal goal is to stimulate consumption and to take into consideration the equity goal of the ability to pay.

Both conservatives and liberals recognize the need for some tax money to support the government activities they endorse. The SOS is therefore not to abolish

all taxes. This would be undesirable to both conservatives and liberals if it means abolishing the government activities they endorse. Likewise, the neutral position may result in a decrease in the government activities endorsed by conservatives and those endorsed by liberals.

Relations Between Alternatives and Goals

Sales taxes score low on consumption and ability to pay, whereas income taxes score higher. On the matter of stimulating investment, one can argue that relying on sales taxes rather than income taxes frees up more income for investment purposes.

Regardless of how the different taxes are scored on the two goals, there does tend to be a trade-off. Reliance on income taxes generally scores better on ability to pay than on stimulating investment. This, however, depends on the extent to which the income tax provides for meaningful credits. Likewise, reliance on sales taxes generally scores worse on ability to pay than on facilitating investment.

The Win-Win Alternative

The SOS alternative involves substantially decreasing both kinds of tax rates while simultaneously increasing the total tax revenue by increasing the GNP tax base. This can partially be done by well-placed tax breaks and subsidies to encourage greater national productivity.

An SOS alternative would score well on both goals. This kind of alternative might involve a combination of both taxes, but it would be accompanied by well-placed subsidies and tax credits to stimulate increased productivity. The tax credits could also include an earned-income payment for those who are regularly working but not earning very much income and thus do not have much ability to pay high taxes.

The Deficit

Dealing With the Deficit

A statement of the conservative goal might be to (a) have a strong national defense and (b) stimulate investment through low taxes on the relatively rich. A fuller statement of the liberal goal might be to (a) have strong domestic policies, such as education and housing, and (b) stimulate consumption through low taxes on the relatively poor (Table 41.6).

The SOS involves a reduction of taxes in the form of tax breaks designed to stimulate greater productivity. Likewise, the SOS involves an increase in spending in the form of well-placed subsidies designed to stimulate greater productivity. Increased productivity results in an increased GNP, which means there will be an increased base on which to apply the national tax rate. Thus, the tax rate can decrease and still generate increased tax revenue and thereby more money will be available for government spending on defense, domestic policies, deficit reduction, and more well-placed subsidies.

A Balanced Budget Amendment

A related issue is whether there should be an amendment to the Constitution that requires the federal budget to be balanced each year with federal spending no higher than federal tax revenue.

Conservatives endorse the balanced budget amendment to keep federal spending down, especially if an exception is made for defense spending. They generally consider other federal spending to be too liberal. They would also like a requirement of 60% congressional approval for tax increases. As of 2000, when there was a federal surplus, pressure for a balanced budget amendment had greatly lessened, but it may increase in the future.

Liberals oppose the amendment because they want to allow for federal spending to

Table 41.6 THE DEFICIT OF SPENDING OVER TAXES

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Defense and Investment</i>	<i>Domestic and Consumption</i>
<i>C</i>		
Decrease domestic spending	+	-
Increase taxes for the poor		
<i>L</i>		
Decrease defense spending	-	+
Increase taxes for the rich		
<i>N</i>		
Decrease both spend	0	0
Increase both taxes		
<i>SOS or win-win solution</i>		
Increase spending	++	++
Decrease taxes		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

fight unemployment and to promote economic growth. If these considerations are covered, they would endorse a prohibition on deficit spending because deficits lead to government borrowing, which boosts interest rates. Such increases interfere with consumer purchasing and business expansion.

The neutral position is to have a balanced budget amendment but with exceptions. The conservatives especially want an exception for a declared war or a joint resolution relating to military action. Liberals want an exception for high unemployment or at least an exception when 60% of Congress votes for an increase in the national debt.

An SOS alternative would be to promote economic growth through training, new technologies, competition, exports, government capital, and other means. Growth in the GNP allows for a reduction in income tax rates, with an increase in tax

revenue. It also allows for a reduction in spending for welfare, with increased spending for economic growth activities. Such growth can result in increases in both profits and wages.

An economic growth amendment may be necessary that requires or recommends that the federal government promote at least 3% economic growth per year. The amendment can mandate the establishment of a quasi-public consortium for economic growth. Its governing board could consist of three representatives from the National Association of Manufacturers and the U.S. Chamber of Commerce, three representatives from the American Federation of Labor and Congress of Industrial Organizations, and three representatives from the Senate, House, and the presidency. It could have a substantial appropriation for encouraging economic growth activities.

Table 41.7 OWNERSHIP AND OPERATION

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>High Productivity</i>	<i>Equity</i>
<i>C</i>		
Government ownership and operation (socialism)	+	-
<i>L</i>		
Private ownership and operation (capitalism)	-	+
<i>N</i>		
Some government and some private	0	0
<i>SOS or win-win solution</i>		
100% government owned and 100% private operation		
100% private with government incentives	++	++
Both SOSs		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

ORGANIZING THE ECONOMY

Alternative Ways of Relating the Government to the Economy

Socialism refers to government ownership and public policy designed to facilitate equality of income and wealth. Capitalism refers to private ownership with no public policy designed to facilitate equality of income, wealth, and opportunity. One could conceivably talk in terms of four policies of (a) private ownership and no equality, (b) private ownership and equality, (c) government ownership and no equality, and (d) government ownership and equality. The two elements of capitalism (private ownership and inequality) tend to go together, as do the two elements of socialism (public ownership and equality).

There can be democratic or dictatorial capitalism and democratic or dictatorial socialism, depending on whether there are universal voting rights and minority political rights. There can be responsive or

nonresponsive capitalism and responsive or nonresponsive socialism. Responsiveness in this context refers to being responsive to consumers and workers. Socialism is traditionally thought of as being more responsive to consumers and workers.

Government Versus Private Ownership and Operation

The SOS alternative of contracting out to private operation can even apply to public schools, post offices, and municipal transportation. In former socialistic countries, it can also apply to contracting out government-owned factories and land (Table 41.7).

Contracting out does not have to be to only one private entrepreneur. The two most qualified lowest bidders can both receive contracts for different geographical areas, sectors of the industry, or other aspects of the contract to encourage competition.

Productivity and the liberal goals can be further increased through appropriate government incentives by way of well-placed tax credits and subsidies. This goes beyond what can be achieved by way of government ownership or control combined with contracting out to private operation.

Workplace quality, environmental protection, and consumer protection are not necessarily promoted by government ownership. The socialist steel mills in Poland were a good example of poor workplace quality under socialism. The socialistic Tennessee Valley Association in the United States was a good example of poor environmental protection under socialism. Government-owned power companies having monopoly control are good examples of the lack of consumer protection under socialism.

All these goals can be better achieved by requiring them as part of the contract when contracting out. This is likely to produce greater compliance than traditional government regulation. The threat of not having the contract renewed but instead having it go to a competing company can generate greater compliance. This is better than relying on the supposed altruism of managers of government factories who are not rewarded or punished for complying with goals. The government can provide further incentives by way of well-placed subsidies and tax credits to supplement the liberal contract provisions in the contracting.

Competition as a Key Factor

The conservative alternative to an unregulated marketplace may lead to only one or a few firms dominating most industries. This arrangement may be profitable in the short term, although it is contrary to low prices. The liberal alternative of government ownership or tight regulation tends to result in a government monopoly or stifled private enterprise. This results in reduced business profits, although it might

create artificially low prices to satisfy consumers as voters. The mixed economy scores in the middle on both business profits and low prices (Table 41.8).

The SOS alternative may draw on the stimulus to innovation and efficiency of private profit making. The SOS alternative may encourage competition through well-placed seed money and other competition facilitators. Doing so results in lower prices through a competitive marketplace rather than through a monopolistic one or through artificial price constraints.

The marketplace is associated with capitalism. It may not be associated with competition if the marketplace leads to monopolies or firms working together to decrease competition. Regulation or government ownership is associated with socialism. It is even more likely to lead to monopoly, but monopoly in the hands of the state rather than private enterprise. The marketplace may lead to better business profits than does regulation. Regulation may lead to better consumer prices than does the marketplace.

An SOS alternative is competition, which is likely to lead to even better total business profits than is the marketplace, although not necessarily better profits for each firm. Competition is likely to lead to better consumer prices and quality of products than is regulation. Competition can be stimulated through laws that require (a) licensing of patents and facilities; (b) lowering of tariffs to increase international competition; (c) seed money to get new businesses established or expanded to make an industry more competitive; and (d) leasing of networks of electricity, telephone, and cable TV.

Equality in Socialism and Capitalism

Capitalism differs from socialism mainly in terms of government versus private ownership and operation of the major means of production and distribution. Capitalism

Table 41.8 COMPETITION

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Business Profits</i>	<i>Low Prices</i>
<i>C</i>		
Marketplace (monopoly)	+	-
<i>L</i>		
Government ownership or tight regulation (monopoly)	-	+
<i>N</i>		
Some of both (mixed economy)	0	0
<i>SOS or win-win solution</i>		
Stimulate competition through well-placed subsidies	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

also differs from socialism with regard to the extent to which inequality of income and wealth is allowed.

Under pure capitalism, there are no limits to the degree of permissible inequality in income and wealth. Under socialism, there are progressive income taxes and inheritance taxes designed to promote a substantial amount of equality in income and wealth.

Capitalism justifies economic inequality as a stimulus to increased productivity. The theory is that people will work harder and be more innovative to receive the rewards of greater income and wealth. Socialism justifies having greater income equality as the fair or equitable thing to do, especially in the context of providing a minimum floor regarding food, shelter, and clothing to the poor.

An SOS alternative that does well with regard to both the conservative and liberal goals involves allowing considerable inequality in income and wealth but providing a minimum floor. This can be done through a negative income tax whereby people who are below the minimum level receive a payment from the Internal Revenue

Service (IRS) instead of paying the IRS (Table 41.9).

A better approach is to emphasize the earned-income credit whereby the people below a minimum level who work are rewarded by receiving an IRS payment. Those who do not work receive public aid and assistance in finding a job. The SOS may also provide tax breaks and subsidies for upgrading individual skills to increase one's productivity.

Political and Economic Competition and Prosperity

Figure 41.1 includes data only for industrial nations. A separate figure could be made for developing nations. Among industrialized nations, those that provide for competition in politics and economics have more prosperity than those that do not provide for competition in both activities. Industrialized nations that provide for competition in only one of the two activities are likely to have middling prosperity, although competition in politics may be

Table 41.9 EQUITY

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Productivity</i>	<i>Equity (Minimum Floor)</i>
<i>C</i> Income inequality (capitalism)	+	-
<i>L</i> Income equality (socialism)	-	+
<i>N</i> In between	0	0
<i>SOS or win-win solution</i> Negative income tax or earned-income credit Tax breaks for upgrading skills	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

more important to prosperity than competition in economics.

Figure 41.1 is designed mainly to relate political and economic competition as key causes in prosperity. One could also interpret Figure 41.1 as tending to show that countries that have economic competition are more likely to have political competition and vice versa. In addition, the figure could also be interpreted as tending to show that industrialized nations are more likely to have a higher standard of living than nonindustrialized nations regardless of political and economic competition. Another conclusion is that whether a country has capitalistic private ownership or socialistic government ownership is virtually irrelevant to prosperity in comparison to political and economic competition and industrialization.

OTHER ECONOMIC ISSUES

The previously discussed economic issues all deal with the economy as a whole. They

are macroeconomic issues, in contrast to issues that deal with the individual firm or with land, labor, and capital as the major factors of production. Sometimes, government policy is added as a fourth factor. We consider government policy to be present in discussing how to promote effectiveness, efficiency, and equity in using the other three factors and other societal resources.

Land

A key trade-off issue dealing with land or natural resources in the United States is the alleged conflict between high farm production and high farm income. The United States may be the only country in the world in which farmers have been encouraged to produce less to create artificially high prices. In other countries, farmers are encouraged to grow more to feed the population and have crops for export. A win-win solution that was recently adopted under the title of “Freedom to Farm” allows farmers to produce all they want in antici-

		COMPETITION (Causal Variable)	
		NO (In Politics and Economics)	YES (In Politics and Economics)
PROSPERITY OR HIGH STANDARD OF LIVING (Effect Variable)	YES		West Germany (Capitalism) Sweden (Socialism)
	NO	East Germany (Socialism) Spain Pre-1980 (Capitalism)	

Figure 41.1. Political and Economic Competition as Key Causes of Prosperity

pation that the world market will be able to absorb their extra production.

Unfortunately, when subsidies were abolished for setting aside land, the ability of Asian and Russian markets to buy decreased. The problem is not the lack of demand or that American farm products are high priced. There is plenty of demand, and American farmers are highly efficient. The problem seems to be that when China or Russia want to buy wheat, they are likely to buy it from Australia, Argentina, or Canada because they can afford Australian, Argentinian, and Canadian dollars more than they can afford U.S. dollars. The U.S. dollar is high priced compared, for example, to the Canadian dollar.

The American government drives up the price of the dollar whenever it seeks to sell U.S. Treasury bonds to borrow from new lenders to pay off old lenders. We could reduce the national debt (like we have reduced the annual deficit) through economic growth, which provides increased government revenue and decreased welfare spending. The price of the dollar would de-

crease. As a result, farmers could sell more goods overseas, and so could all American producers. This would be a super win-win for America and the consumers of American products.

Labor

A good example of win-win labor policy relates to the minimum wage. Whenever there is a suggestion of raising the minimum wage, management talks about having to lay off workers, whose families will starve. Labor talks about families already starving because the minimum wage is not a living wage. The usual result, however, is a compromise in which both sides are allowing for some alleged starvation. A win-win solution is needed whereby management, for example, could pay less than 4 monetary units an hour and labor could receive more than 5 monetary units per hour. This involves minimum-wage vouchers that are worth \$1. They are given to unemployed workers or to employers to enable

an employer to pay workers \$4 an hour plus a \$1 voucher that can be cashed at a bank.

To receive this \$1 subsidy, the employer must agree to provide on-the-job training to bring the workers' skills up to the \$5-an-hour level within 6 months. Likewise, to receive this \$1 subsidy, the worker must agree to participate in the on-the-job training and to pass the final exam. This is a win-win for management and workers. It is also a win-win for society because it saves tax money that might otherwise go to unemployment compensation, public aid, food stamps, public housing, anticrime expenses, Medicaid, and other services for the unemployed. Society also benefits because these newly employed people pay taxes that support productivity-increasing public policy. The workers are also better role models for their children and grandchildren.

Workers who already work for the firm would also be eligible to participate in the on-the-job training to be in the voucher program to increase their wages above the minimum wage. The voucher program, however, is especially beneficial to the economy if it enables unemployed people to work at the minimum wage or above when they otherwise would not be hired. This kind of wage voucher could also apply to elderly workers, disabled workers, and others to temporarily fill the gap between what employers are willing to pay and what might be considered a living wage.

Capital

An example that deals with capital in our set of land, labor, and capital examples is the stock market. It is a major source of capital under U.S. capitalism, although Japan relies more heavily on bank savings

and the tax-supported Ministry of International Trade and Industry. A conflict of interest exists in the stock brokerage industry between investors and brokers. The problem is that those who sell stocks and bonds would like to get as large a cut of their sales as possible. Those who buy stocks and bonds would like to pay as small a commission as possible.

Commissions could be increased to make both sellers and buyers simultaneously happy by changing the current payment system, which pays sellers a percentage of what they get the investor to buy. This inherently encourages brokers to encourage investors to buy more than they possibly should and to buy more of certain shares that pay high commissions. A win-win alternative would be to pay on the basis of good performance. That way, a broker would get a substantial percentage of the dividends within the first 5 years or whatever percentage and time period are negotiated. The broker could also get a substantial percentage of the increase in the value of stock upon resale. Such an arrangement could enable good brokers to make much more money, which would also benefit the stock buyers. A minimum fee could be provided on the basis of hours worked.

There is a need for more performance pay in all fields of the private and public sectors so as to enable both sellers and consumers to come out ahead of their best initial expectations. Total profits of stock sellers could also be increased if banks were allowed to sell stock. The competition could allow qualified banks to make a legitimate profit, which they are currently denied. The stock buyers would also benefit from the competition. Indeed, stimulated competition and the structured or channeled profit motive may be the two most important concepts in win-win economic policy.

Super-Optimization

A New Approach to National Environmental Policymaking

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Many policy analysts strongly believe that the gains in environmental protection achieved during the past decade or two have come at the expense of economic growth and improved social welfare. Political conservatives often do not accept the argument that the achievement of environmental protection (or sustainable development) might bring with it new opportunities for economic development in addition to improvements in social welfare. It is now time to subject national environmental policymaking to much closer scrutiny, and even to change the way we handle policymaking, to ensure that all future efforts to enhance environmental quality guarantee economic improvement and enhance social welfare. One way to move in this direction is to adopt an approach to policymaking called super-optimization.

Super-optimization is a new approach, one that happens to fit quite well with the “polder model” so prominent in The

Netherlands. When we think of optimality in decision making, we think in terms of maximizing an objective at the least possible cost. Therefore, for example, if we were committed to reducing water pollution, we would want to do it in the most efficient way (i.e., not spend a guilder more than we had to for each unit of improvement achieved). A super-optimal decision, however, is not so much concerned with achieving a goal at the least possible cost as it is with achieving that goal while simultaneously achieving the greatest level of benefits possible in other domains. Thus, a super-optimal policy with regard to reducing water pollution would not only reduce water pollution to the greatest extent possible but also do so in a way that spun off as much long-term investment in new technology as possible, created as many new jobs as possible for those who really needed them, and reduced pollution levels in other media at the same time.

PREREQUISITES FOR SUPER-OPTIMAL POLICYMAKING

Representation of All Relevant Stakeholder Interests. To achieve super-optimality in environmental decision making, it is essential to involve representatives of all stakeholding interests in the process of decision making. Elected representatives can sometimes handle this responsibility. In some situations, however, ad hoc representatives—selected just for the purpose of deciding how to handle a particular decision—will need to be involved. A systematic appraisal of the interests of all stakeholders must be completed prior to bringing the groups together. This will ensure an appropriate agenda for problem solving. The ground rules for representation and decision making must be clear from the outset, and whatever is decided must still be acted on by those with the formal authority to do so.

Creation of New Forums for Joint Problem Solving. National policy questions are typically handled in rather narrow policy arenas. Thus, environmental policy is usually drafted by environmental agency personnel, reviewed by environmental specialists in the parliament, and debated by environmental activists with the strongest possible interest in the subject. Only when final decisions have been made are others drawn into the political debate. By that time, of course, it is too late to craft super-optimal policy proposals. To achieve super-optimality, new forums must be designed that bring together potential beneficiaries of new policies—even if they do not view themselves as stakeholders. These forums must emphasize the search for “added value.” For this to happen, they need to (a) operate informally, (b) bring knowledgeable decision makers together before they have made their decision, and (c) involve a range of recognized experts who can help bring the parties to the most informed conclusion possible. Such forums need to operate out of the glare of the public spotlight. Because all key stakeholders

are directly involved, however, this is not an antidemocratic proposal.

Effective Facilitation by a Neutral Party. Most joint problem-solving efforts involving large numbers of people need to be facilitated by a neutral party with process management skills and a fair amount of substantive knowledge about the policy in question. In the search for super-optimal policies, a neutral party needs to manage the recruitment of stakeholder representatives, assist in the creation and operation of a new forum, and explain the joint problem-solving process to the outside world. The parties may even decide to ask the neutral party to help monitor implementation or serve a mediating role if disagreements emerge at any point. There are professional facilitators skilled in this kind of work.

A Redefinition of Agency and Organizational Leadership. One of the key obstacles to formulating super-optimal policy is the resistance of agency heads, corporate CEOs, and nongovernmental organization directors. When each believes that he or she must be in charge of the process or dictate the terms of acceptable policy, the search for ways of maximizing benefits across multiple policy arenas is difficult, if not impossible. Only when agency and organizational leaders master the process of lateral leadership can the search for super-optimality succeed. This requires those in positions of authority to commit to a joint problem-solving rather than a top-down approach to policymaking. Unfortunately, many senior officials inside and outside government have not yet mastered the skill of “leading from the side,” usually by example, rather than leading by issuing forceful mandates from the top down.

An Emphasis on Strategic Partnerships. The implementation of super-optimal policies often requires “partnering” among unfamiliar coalition participants. By its very definition, super-optimal policy cuts across

policy arenas in new ways. Thus, strategic partnerships, involving cooperation among groups that have not worked together before (even among former “enemies”), may be necessary. The design and management of such partnerships requires a great deal of attention. There almost always needs to be a “managing” partner, but even in such cases, the ground rules governing the obligations of all the other partners must be clearly understood by everyone. Such new relationships may take time to evolve. Instruction in the tools and techniques of partnering may well have to be included as part of any agreement.

A NATIONAL EXPERIMENT

A super-optimal approach to the next round of national environmental policymaking in The Netherlands might well be the subject of a national experiment. Can you imagine an approach to environmental policymaking that brings together representatives of several ministries to search for improvements in environmental policy that simultaneously seek to maximize eco-

nomie benefits and improvements in social welfare?

Such an experiment would require cabinet-level coordination. It would not have to take a very long time to design and implement. Also, it should be organized specifically to determine whether super-optimality is a feasible goal of national policymaking. Therefore, a learning or evaluation component should be included.

The key elements of such a national experiment would include

1. An important environmental policy question that needs to be addressed at the national level
2. Commitments from multiple ministries (and other levels of government) and non-governmental leaders to participate
3. A skilled facilitator (or facilitation group)
4. A careful process design (with clear benchmarks for evaluating the results)

A super-optimal approach to environmental policymaking or sustainable development can be achieved only if the leadership across multiple policy areas is prepared to try something new.

Win-Win Decentralizing

In this chapter, I discuss three aspects of win-win decentralization. The first involves conflict between the central government and state-local governments. The second involves conflict between governmental and business decision making. The third involves a related conflict between governmental and individual decision making.

CENTRAL VERSUS STATE-LOCAL GOVERNMENTS

As shown in Table 43.1 (dollar amounts are in millions), the conservative alternative is to give 100% of the jurisdiction to state or local agencies, or all \$500 if \$500 is being allocated. The liberal alternative is to give 100% of the jurisdiction to the central government, or all \$500 if \$500 is being allocated. Neutral alternatives might include the following: (a) Jurisdiction goes to the central government, with many and strong regional offices; (2) the central government supplies the funding, but state and local agencies make the rules and enforce them; or (c) the central government makes the rules, and the state-local agencies do the enforcing.

Conservatives like state-local agencies because these agencies are more sensitive to what business firms want because they are seeking to attract business firms to the state or the local communities. Liberals (especially the president) generally like central government because they are more concerned with getting the votes of workers, and a vote from a worker is worth as much as a vote from management, even though management might have more money. Likewise, U.S. Senators are sensitive to the needs of the larger cities in their states because these cities wield the swing vote in determining which senatorial candidate will get elected.

Conservatives are generally reluctant to say they like state-local agencies because these agencies are more sensitive to business profits, landlords, creditors, manufacturers, retailers, and other business interests. Instead, conservatives talk about the need for government that is more responsive to the people and the fact that state-local agencies are more responsive because they are closer. Liberals are not so reluctant to say they like central government because it is more sensitive to higher wages, better workplaces, and various consumer interests. In addition, they will emphasize the

EDITOR'S NOTE: This chapter is modified from Stuart Nagel, ed., *Cross-National Issues in Public Administration and Policy: Privatizing, Decentralizing, and Democratizing* (Westport, CT: Quorum-Greenwood, 1999).

Table 43.1 DECENTRALIZING TO LOWER AGENCIES OR TO PROVINCES IN GENERAL

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Responsiveness</i>	<i>Uniformity or Widespread</i>
<i>C</i>		
State-local Allocate 100% or all \$500	+	-
<i>L</i>		
Central Allocate 100% or all \$500	-	+
<i>N</i>		
Regional offices Central money, state-local rules Central rules, state-local enforcement	0	0
<i>SOS</i>		
Both get \$500 Or more than \$250 apiece	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution. Dollar amounts are in millions.

undesirability of some states permitting low wages and bad workplaces, which will attract business to those states. Thus, liberals tend to talk in terms of the need for national uniformity—that is, uniformly high labor standards, not uniformly low standards.

If we accept the goals as those that are purported, then we are talking about responsiveness to state-local needs and uniformity of high standards. These are abstract concepts that could be applied to such matters as environmental protection, decreasing unemployment, adequate health care, and other substantive matters. In this context, if both sides really want the environment to be healthy in terms of clean air and water, then agency at all three levels of government should be encouraged to work toward this goal even if there are

overlapping jurisdictions. Doing so may not be very efficient in terms of incremental improvement divided by dollars spent as a measure of efficiency. Doing so, however, may be more effective in terms of obtaining clean air and water because three heads are better than one for developing ideas or rules and for enforcing them.

Thus, the win-win solution (for greater responsiveness and greater uniformity of high standards and achievement) may be to provide more than \$500 for each of the two levels, or at least more than \$250 apiece. Giving only \$250 apiece would be a split-the-difference compromise. This takes at face value that both sides truly want the substantive goals to be achieved in the central government, the state governments, and the local governments regarding crime, unemployment, environment, or whatever

Table 43.2 CENTRAL GOVERNMENT VERSUS BUSINESS FIRMS ON NEW TECHNOLOGIES

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Responsiveness</i>	<i>Uniformity or Widespread</i>
<i>C</i>		
Business decisions	+	-
<i>L</i>		
Government decisions	-	+
<i>N</i>		
Both	0	0
<i>SOS</i>		
2% payroll tax	++	++
Not collected if used for new technologies		

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

the substantive goals may be. Thus, win-win decentralization tends to result in more authority for all units that have an interest in seeing the goals achieved.

CENTRAL VERSUS BUSINESS DECISIONS

Table 43.2 indicates that conservatives would like to leave the adoption of new technologies solely to business firms, with no government interference. Liberals like government agencies such as the Japanese Ministry of International Trade and Industry (MITI), which makes major technology decisions regarding auto manufacturing, steel, electronics, computers, and so on. Conservatives abolished the U.S. Office of Technology Assessment because they viewed it partly as a step toward a U.S. MITI.

In this context, conservatives again talk about responsiveness and business firms knowing best what technologies they need.

Liberals likewise again talk about the need for uniformity on the assumption that most or many business firms will fail to adopt new technologies. The win-win solution might be the one proposed by Secretary of Labor Robert Reich. He once was enamored of the Japanese MITI, but he later thought such an approach involved virtually playing God. Instead, he advocated a 2% payroll tax on every business firm in the United States but with hopes that no firm would pay the tax.

The reason they would not have to pay is because the tax law would provide that they get a 100% credit if they use the money to buy new technologies. All they would have to do at payroll tax time is submit a form indicating how they have spent the money on new technologies. They would have a strong interest in not sending the money to Washington. They would also have a strong interest in improving their technology as best as they can.

Some people would argue that business firms would spend the money wisely with-

Table 43.3 CENTRAL GOVERNMENT VERSUS INDIVIDUAL DECISIONS ON TRAINING

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Responsiveness</i>	<i>Uniformity or Widespread</i>
<i>C</i>		
Individual decisions	+	-
<i>L</i>		
Government decisions	-	+
<i>N</i>		
Both	0	0
<i>SOS</i>		
Vouchers from government		
Individual decisions on how to spend the vouchers	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

out the payroll tax. Such an argument runs contrary to the fact that when President Reagan gave business firms a 30% across-the-board tax break, very little money went into new technologies; rather, it was spent on real estate, luxury goods, and high CEO salaries, as contrasted to the Japanese investment. Thus, the 2% payroll tax credit does combine (a) responsiveness to the needs of the business firms because they know what technologies they need and (b) the goal of having the United States more uniformly increase its technology.

CENTRAL VERSUS INDIVIDUAL DECISIONS

Table 43.3 indicates that conservatives would like to leave the decision to individuals as to whether to get training and what training to get to be able to adopt to changing times, especially technologies. Liberals would like to have the government set up

training programs, such as the Works Progress Administration of the depression years or the public school system but for adults.

By letting individuals make training decisions, conservatives argue that responsiveness to individual abilities and interests is more likely to be met. Leaving it to the individuals is also more likely to be responsive to market forces of supply and demand. Liberals justify a more governmental approach on the grounds that such an approach can bring everybody up to a certain level of computer literacy and knowledge of contemporary science. By raising virtually everybody above such a threshold, a desirable uniformity is obtained.

A win-win solution might involve the federal government giving a \$2,000 training voucher to every man, woman, and child or at least to every adult older than age 18. Such a voucher could be used to pay for whatever training individuals thought best in light of their abilities and interests

and in light of the current supply and demand for people with the training the individuals pursue.

Such a policy would be highly responsive. It would also result in a high degree of training, which would not occur if people had to use their own money. Some people do not have the money available. Those who do may not be farsighted enough to spend it on training. The voucher would be worthless unless it is spent for training. It would be an earmarked voucher, similar to a housing voucher or food stamps, that could be cashed in only by accredited training programs or on-the-job training programs. The existence of so many vouchers would stimulate entrepreneurs to develop worthwhile training programs to attract the voucher holders.

Such a policy would be highly decentralized in terms of decision making but cen-

tralized in terms of funding. This provides the best of both in a win-win way. The winners are not only conservatives and liberals but also (a) individual trainees, whose training enables them to earn higher and more satisfying incomes; (b) their trainers, who make money performing a service by upgrading the skills of trainees; (c) the government, which gets more revenue from the increased gross national product that more than offsets the cost of the vouchers; (d) the children and grandchildren of the trainees, who now have better role models; (e) the customers, clients, patients, and other beneficiaries of the better trained individuals; and (f) taxpayers, who receive savings in various forms of public aid that might be paid to the trainees who might otherwise be unemployed without the training.

Win-Win Justice

DEFINING JUSTICE

Justice is one of the most important concepts in social, political, legal, and general philosophy, and yet it is one of the most subjective. It is easy to define justice with words that are like synonyms, but it is difficult to define justice in operational terms so that one can objectively say that one public policy alternative is more just than another. In a thesaurus or a dictionary, justice is defined in terms of fairness, equity, and other words that get at the idea of doing what is right, good, or better in social policy.

One could read whole books on the subject, not just dictionary definitions, and still not come away with any objective criteria as to what justice is unless one is willing to accept the assumptions of the authors of the books. These assumptions either are on such a high level of generality that they are clichés or synonyms for the concept of justice or have built-in biases in a liberal or conservative direction (and thus are acceptable only if one has a liberal or conservative value orientation to begin with).

Simple examples could be given of principles of social ethics that at first glance do seem like they have objective reality but at second glance tend to have distinctly liberal or conservative biases. Liberal biases

tend to favor the have-nots or the general population in a society. Conservative biases tend to favor those who are relatively well-off.

Good examples are the widely accepted principles of Pareto optimality and utilitarian pragmatism. The basic principle of *Pareto optimality* is that social policy A is just if it results in at least one person in a society improving in terms of his or her well-being and all other persons at least remaining constant but not worsening. Social policy A is better than B if two people rather than one person undergo improvements.

The basic related principle of *utilitarianism* is that social policy A is just if it results in improved happiness for a majority of the people in a society while allowing the possibility of some people worsening but not below a minimum threshold. Social policy A is better than B if it promotes more happiness for more people.

The two principles conflict partly because one has a conservative bias and the other has a liberal bias. Strict Pareto optimality would consider progressive income taxes combined with government aid for the poor to be unjust because rich people might have a net loss between their costs and benefits. Poor people would have a total net gain that might more than offset the total net loss of the rich. There are more poor than rich people, and a dollar given to

a poor person may increase happiness more than a dollar taken from a rich person decreases happiness. Such a system of progressive taxes and government aid would be considered just by a utilitarian philosophy given its definition and its liberal biases.

This chapter discusses a different way of conceptualizing justice so that social policies can be considered just or unjust or can be considered more just or less just regardless of whether one has a liberal or conservative set of values. The objective is not to arrive at compromises in accordance with Aristotle's golden mean or the moderation of Confucius. The objective is to be able to simultaneously achieve the goals or achieve better than the goals of conservatives and liberals, including doing well for both the rich and the poor simultaneously.

THE OBJECTIVITY OF JUSTICE

Justice refers to both procedural rules and substantive rules. Justice is objective if one accepts certain assumptions:

1. The conservative assumption is that the goal to convict the guilty is most important. This goal includes convicting approximately 90% of all guilty defendants, guilty arrested, or guilty perpetrators.
2. The liberal assumption is that the goal to acquit the innocent is most important. This goal includes acquitting approximately 90% of all innocent defendants or innocent arrested persons.

It is good to exceed both conservative and liberal best expectations simultaneously. This relates to 90% convict guilty and 90% acquit innocent. Exceeding both expectations is good because it would be endorsed by the highest percentage. Assumption 1 is endorsed by 40% of the lawyer population, and Assumption 2 is endorsed by 50%. "Do not know between 1

and 2" is endorsed by approximately 10%. Exceeding both assumptions is endorsed by approximately 100%, which equals 40% + 50% + 10%.

Just because 100% endorse something does not make it objectively fair or good or objectively real or true. The correct wording is as follows: more fair than the previous system, the fairer between two acts, or the fairest of a set of acts. For some people, criteria are fair because they are fairly adopted. If conservatives have a majority, however, liberals will consider it unfair. If liberals have a majority, then conservatives will consider what they adopted to be unfair. For some, there is no fairness in rules (procedural or substantive), only in how they are adopted.

That which is just is that which super-optimizes:

1. A just policy is one that exceeds the best initial expectations simultaneously of conservatives, liberals, and other major groups on the problem to which the policy relates.
2. An unjust policy is one that does worse than the worst initial expectations simultaneously of conservatives, liberals, and other major groups on the problem to which the policy relates.
3. A policy that is not clearly just or unjust is one that neither does better than the prior best expectations of conservatives, liberals, and so on nor worse than the prior worst expectations of conservatives, liberals, and so on.

EXAMPLES

Three super-optimum solutions (SOSs) or win-win examples can be given that draw on criminal, civil, and economic justice. The key dilemma or dispute in criminal justice is based on the desire of conservatives to have all guilty persons convicted versus the desire of liberals to have all innocent persons acquitted (Table 44.1). The objec-

Table 44.1 WIN-WIN CRIMINAL JUSTICE

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Convict the Guilty</i>	<i>Acquit the Innocent</i>
<i>C</i>		
Easier to convict the guilty ^a	+	-
<i>L</i>		
Easier to acquit the innocent ^b	-	+
<i>N</i>		
Between <C and >L	0	0
<i>SOS or win-win solution^c</i>		
>C and >L	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

a. Examples of rules that make it easier to convict the guilty include 6-person juries, majority votes, limited appeals, and restrictions on calling or cross examining witnesses.

b. Examples of rules that make it easier to acquit the innocent include 12-person juries, unanimous vote, easier appeals, and less restrictions on calling and cross examining witnesses.

c. An SOS alternative in this context would be any rule that simultaneously increases the probability of convicting the truly guilty and increases the probability of acquitting the truly innocent. Examples are better training of jurors and judges on the meaning of various jury instructions or legal concepts and allowing the jurors to ask questions of the judges or lawyers to obtain clarification of legal concepts or evidence matters.

tive is to develop procedures of super-optimum justice in which there is improvement in the achievement of both goals over the status quo. One example is videotaping all trials to provide an easily accessible record of the testimony, thereby facilitating greater accuracy in both the convicting of the guilty and the acquitting of the innocent.

The key dilemma in civil justice is based on the desire of conservatives to protect business firms and insurance companies from liability to consumers, workers, and others versus the desire of liberals to have injured consumers, workers, and others adequately compensated (Table 44.2). The objective is to develop procedures that will simultaneously save business from liability and save would-be victims from injury. In the realm of automobile accidents, this

may mean public policy directed toward safer cars, safer roads, and safer drivers.

The key dilemma in economic justice is based on the desire of conservatives to have individualistic private enterprise versus the desire of liberals to conduct business in a more collectivistic way (Table 44.3). One form of super-optimum economic justice in this context is to have title or ultimate responsibility for factories, farms, public education, police protection, and other such societal activities in the hands of government while contracting out the operations for all such activities. Another form of super-optimum economic justice is to have a free market that is made competitive through well-placed government subsidies and tax breaks designed to stimulate multiple competing firms in every industry. Still another form of super-optimum economic

Table 44.2 WIN-WIN CIVIL OR TORT JUSTICE

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Avoid Liability and Lawyers</i>	<i>Compensate the Injured</i>
<i>C</i>		
Difficult liability ^a	+	-
<i>L</i>		
Easy liability	-	+
<i>N</i>		
In between	0	0
<i>SOS or win-win solution</i>		
Reduce accidents ^b	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

a. Having a defense of contributory negligence makes it relatively difficult for the plaintiff to establish liability. Having a system of no fault makes it relatively easy for the plaintiff to establish liability. Comparative negligence is in between.

b. Reducing auto accidents by improving cars refers especially to installing airbags to protect drivers. Improving roads refers especially to installing more median strips to prevent head-on collisions. Improving drivers refers especially to imposing more severe penalties for drunk drivers.

Table 44.3 WIN-WIN ECONOMIC JUSTICE

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Quality Goods</i>	<i>Low Prices</i>
<i>C</i>		
Marketplace monopoly ^a	+	-
<i>L</i>		
Government ownership monopoly ^b	-	+
<i>N</i>		
Some of both or mixed economy	0	0
<i>SOS or win-win solution</i>		
Stimulate competition ^c	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution.

a. The marketplace may lead to monopoly or oligopoly by virtue of one or a few strong firms eventually dominating the industry and eliminating or greatly reducing quality and price competition.

b. Government ownership normally results in only one firm in an industry or in a region.

c. Competition can be stimulated by public policy through giving seed money to new firms; by requiring the sharing (at reasonable fees) of patents, railroad tracks, telephone lines, electric lines, and other facilities; and from international trade in goods, services, labor, ideas, and factories.

Table 44.4 WIN-WIN JUSTICE

<i>Alternatives</i>	<i>Goals</i>	
	<i>C</i>	<i>L</i>
	<i>Conservative</i>	<i>Liberal</i>
<i>C</i>		
Conservative	+	-
<i>L</i>		
Liberal	-	+
<i>N</i>		
Neutral	0	0
<i>SOS or win-win solution</i>	++	++

NOTE: C, conservative; L, liberal; N, neutral; SOS, super-optimum solution or win-win solution. An objectively just policy has been found on the SOS row if the policy scores (a) higher on the liberal totals than the liberal alternative and (b) simultaneously higher on the conservative totals than the conservative alternative. In this generalized context, this means scoring better than a 14 in both columns. An objectively unjust policy has been found on the SOS row if the policy scores lower on the liberal totals alternative. In this generalized context, this means scoring lower than a 10 in both columns. A policy that is neither objectively just nor objectively unjust has been found on the SOS row if the policy scores (a) lower on the liberal totals than the liberal alternative but higher than the conservative alternative, (b) lower on the conservative totals than the conservative alternative but higher than the liberal alternative, or (c) both. In this generalized context, this means scoring between 10 and 14 in both columns.

justice in the realm of labor-management class conflict is to provide for relatively high wages to satisfy labor but relatively low payments to satisfy management. The difference is in the form of a wage-supplement voucher with strings attached designed to provide for the upgrading of skills through on-the-job training and the hiring of unemployed people, especially those outside the labor force.

PRINCIPLES

The previously discussed examples lead to three principles of super-optimum or win-win justice (Table 44.4). All three principles can be illustrated by all three examples, rather than one example for each principle. The first principle is that an objectively just policy exists if the policy en-

ables conservatives, liberals, and other major ideological viewpoints all to simultaneously achieve better than their best initial expectations. The second principle is that an objectively unjust policy exists if the policy causes conservatives, liberals, and other major ideological viewpoints all to simultaneously achieve worse than their worst initial expectations. The third principle is that a policy is neither objectively just or unjust if it enables one or more major ideological viewpoints to achieve worse than their best expectations, although they achieve better than their worst expectations.

SOS or win-win analysis is difficult to refute for the following reasons:

1. If the solution really does exceed the conservative alternative on the totals column that uses conservative goals and weights,

then it is difficult for conservatives to object to the SOS.

2. Likewise, if the SOS exceeds the previous liberal best on liberal goals and weights, then it is difficult for liberals to object to it.
3. There are not very many neutrals in highly controversial choice or allocation situations. Even so, SOSs tend also to exceed the neutral best even though this is not one of the definitional elements of an SOS.
4. It is difficult to criticize the weights that are used because these are empirical rather than normative weights. The weights do not indicate that a given goal has high or low importance. Instead, they indicate that conservatives or liberals tend to evaluate the goal under consideration as having high or low importance. This is an empirical statement about what is rather than a normative statement about what should be.
5. It is usually difficult to criticize the relation scores. They are basically rank orders or relative direction on which there is likely to be consensus, as contrasted to more precise measures over which there may be much disagreement, although not necessarily disagreement that makes any difference in terms of the conclusions. For example, no two people are likely to say that the Washington Monument is smaller than the White House. No two people are likely to agree through observation, however, on the height in inches of the White House or the Washington Monument. In other words, the more precision that is demanded, the more unnecessary disagreement is likely to occur.
6. If there is disagreement regarding the weights or the relation scores, the disagreement can possibly be easily resolved through the what-if analysis or threshold analysis. It is likely to show that regardless of which position is right, the bottom line is basically the same with regard to

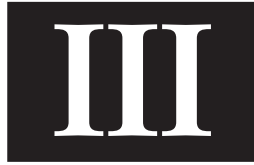
the optimum choice or allocation because this choice or allocation is influenced by many other things.

Win-win solutions have not been achieved very often in the past. The lack of occurrence is probably not due to the lack of potential existence of such solutions. Rather, it is more likely due to the disputants thinking in terms of either compromises or war, strike, or litigation. What is needed is more thinking in terms of the possibility of arriving at super-optimum justice. Normally, one thinks of self-fulfilling prophecies as being undesirable, such as when the prediction of failure helps cause failure. A self-fulfilling prophecy, however, can be something highly desirable. For example, predicting the possibility of a SOS helps facilitate such solutions.

This chapter has sought to clarify the concept of super-optimum justice with examples and general principles. Traditional philosophy has been concerned with having a just society, economy, and polity. Perhaps it might be more fruitful to think also in terms of the super-optimum society, economy, and polity. Win-win ideas can perhaps help stimulate the development of more applications and details of win-win policies toward the development of a win-win or super-optimum society, economy, and polity.

For further details on win-win justice, see “Justice and Super-Optimizing Analysis” in Stuart Nagel, *Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making* (Westport, CT: Greenwood-Quorum, 1993). For background, see “Public Policy Goals” in Stuart Nagel, *Public Policy: Goals, Means, and Methods* (New York: St. Martin’s, 1984). For recent applications, see “The Ten Commandments and Win-Win Analysis” in Stuart Nagel, *Super-Optimum Solutions and Win-Win Policy: Basic Concepts and Principles* (Westport, CT: Greenwood-Quorum, 1997).

Section



POLICY
EVALUATION
BIBLIOGRAPHIES

Part **1**

POLICY
EVALUATION
IN GENERAL

Core Bibliography and Background

This chapter contains mainly books that cut across the subfields of economic, technology, social, political, international, and legal policy. For example, there is a core of principles that relate to process, methods, values, and use, regardless of subfield.

There are three main topics covering core courses, types of methods by discipline, and types of substance by discipline. Disciplines mainly refer to the social sciences but also to the natural sciences and the humanities. Methods could also be classified by techniques (see the spring 1999 issue of *Policy Evaluation*). Substance could also be classified by policy subfield (see the autumn 1998 issue of *Policy Evaluation*).

CORE COURSES

There are four references listed under each subtopic of the core courses. The first two are non-Policy Studies Organization (PSO) books. The second two are either in a PSO series or were developed by the PSO.

General Scope of Policy Studies

- Parsons, Wayne. *Public Policy: An Introduction to the Theory and Practice of Policy Analysis*. Cheltenham, UK: Elgar, 1995.
- Shafritz, Jay, ed. *International Encyclopedia of Public Policy and Administration*. Boulder, CO: Westview, 1998.
- Dunn, William, and Rita Kelly, eds. *Advances in Policy Studies Since 1950*. New Brunswick, NJ: Transaction Publishing, 1992.
- Nagel, Stuart, ed. *Encyclopedia of Policy Studies*. New York: Dekker, 1994.

Policy Substance

- Cochran, Clark, Lawrence Mayer, T. Carr, and Joseph Cayer, eds. *American Public Policy: An Introduction*. New York: St. Martin's, 1996.
- Dye, Thomas. *Understanding Public Policy*. Englewood Cliffs, NJ: Prentice Hall, 1998.
- Crotty, William, ed. *Post-Cold War Policy: The Social and Domestic Context*. Chicago: Nelson-Hall, 1995.
- Lowi, Theodore, and Alan Stone, eds. *Nationalizing Government: Public Policies in America*. Beverly Hills, CA: Sage, 1978.

Policy Process

- Anderson, James. *Public Policymaking*. Boston: Houghton Mifflin, 1997.
- Jones, Charles. *An Introduction to the Study of Public Policy*. Belmont, CA: Wadsworth, 1984.
- Eyestone, Robert. *Public Policy Formation*. Greenwich, CT: JAI, 1984.
- May, Judith, and Aaron Wildavsky, eds. *The Policy Cycle*. Beverly Hills, CA: Sage, 1978.

Policy Methods

- Dunn, William. *Public Policy Analysis: An Introduction*. Englewood Cliffs, NJ: Prentice Hall, 1994.
- Quade, E. S. *Analysis for Public Decisions*. Santa Monica, CA: RAND, 1989.
- Nagel, Stuart. *Public Policy: Goals, Means, and Methods*. New York: St. Martin's, 1984.
- Palumbo, Dennis, Stephen Rawcett, and Paula Wright, eds. *Evaluating and Optimizing Public Policy*. Lexington, MA: Lexington Books, 1981.

Policy Values

- Bok, Derek. *The State of the Nation*. Cambridge, MA: Harvard University Press, 1996.
- MacRae, Duncan. *The Social Function of Social Science*. New Haven, CT: Yale University Press, 1976.
- Fischer, Frank, and John Forester, eds. *Confronting Values in Policy Analysis: The Politics of Criteria*. Newbury Park, CA: Sage, 1987.
- Nagel, Stuart. *Policy Theory and Policy Evaluation: Concepts, Knowledge, Causes, and Norms*. Westport, CT: Greenwood, 1990.

Use

- Glaser, Edward, Harold Abelson, and Kathalee Garrison, eds. *Putting Knowledge to Use*. San Francisco: Jossey-Bass, 1983.

- Wagner, Peter, Carol Weiss, Bjorn Wittrock, and Hellmut Wollman, eds. *Social Sciences and Modern States: National Experiences and Theoretical Crossroads*. Cambridge, UK: Cambridge University Press, 1991.
- Ingram, Helen, and Dean Mann, eds. *Why Policies Succeed or Fail*. Beverly Hills, CA: Sage, 1980.
- Weiss, Carol. *Using Social Research in Public Policy Making*. Lexington, MA: Lexington Books, 1977.

TYPES OF METHODS BY DISCIPLINE

Social Science Research Methods

- King, Gary, Robert Keohane, and Sidney Verba. *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, NJ: Princeton University Press, 1994.
- Selltiz, Claire, Marie Jahoda, Morton Deutsch, and Stuart Cook. *Research Methods in Social Relations*. New York: Holt, 1962.
- Zeisel, Hans. *Say It With Figures*. New York: Harper & Row, 1968.

Political Science

- Bingham, Richard, and Marcus Ethridge, eds. *Reaching Decisions in Public Policy and Administration*. White Plains, NY: Longman, 1982.
- Cole, Richard. *Introduction to Political Science and Policy Research*. New York: St. Martin's, 1996.
- Welch, Susan, and John Conner. *Quantitative Methods for Public Administration*. Belmont, CA: Dorsey, 1998.

Economics

- Friedman, Lee. *Microeconomic Policy Analysis*. New York: McGraw-Hill, 1984.
- Gramlich, Edward. *Benefit-Cost Analysis of Government Programs*. Englewood Cliffs, NJ: Prentice Hall, 1981.

Weimer, David, and Aidan Vining. *Policy Analysis: Concepts and Practice*. Englewood Cliffs, NJ: Prentice Hall, 1992.

Sociology

Chelimsky, Eleanor, and William Shadish, eds. *Evaluation for the 21st Century: A Handbook*. Thousand Oaks, CA: Sage, 1997.

Mohr, Lawrence. *Impact Analysis for Program Evaluation*. Garden City, NY: Dorsey, 1988.

Rossi, Peter, and Howard Freeman, eds. *Evaluation: A Systematic Approach*. Newbury Park, CA: Sage, 1989.

Psychology

Pitz, Gordon, and Jack McKillip. *Decision Analysis for Program Evaluators*. Beverly Hills, CA: Sage, 1984.

Winterfeldt, Detlof, and Ward Edwards. *Decision Analysis and Behavioral Research*. Cambridge, UK: Cambridge University Press, 1986.

Yates, Frank. *Judgment and Decision Making*. Englewood Cliffs, NJ: Prentice Hall, 1990.

Engineering/Business (Operations Research/Management Science)

Miser, Hugh, and Edward Quade, eds. *Handbook of Systems Analysis: Overview of Uses, Procedures, Applications, and Practice*. Amsterdam: North-Holland, 1985.

Raiffa, Keeney. *Decisions With Multiple Objectives: Preferences and Value Tradeoffs*. New York: John Wiley, 1976.

Richmond, Samuel. *Operations Research for Management Decisions*. New York: Ronald, 1968.

Legal

Jacobstein, Myron, and Roy Mersky, eds. *Fundamentals of Legal Research*. Mineola, NY: Foundation Press, 1981.

Porto, Brian. *The Craft of Legal Reasoning*. Orlando, FL: Harcourt-Brace, 1998.

Sigler, Jay, and Benjamin Beede, eds. *The Legal Sources of Public Policy*. Lexington, MA: Lexington Books, 1977.

Humanities

Hayakawa, Samuel. *Language in Thought and Action*. New York: Harcourt Brace, 1949.

Ruby, Lionel. *Logic: An Introduction*. Philadelphia: J. B. Lippincott, 1950.

Titus, Harold. *Ethics for Today*. New York: American Book, 1947.

TYPES OF PROBLEMS BY DISCIPLINE

All major disciplines (especially in the social sciences) have relevant perspectives on all policy subfields. For example, the problem of unemployment is relevant to political science, sociology, psychology, natural science and engineering, law, and the arts (especially literature, but also music and visual arts such as movies), not just economics.

In mentioning basic disciplines, their applied counterparts should also be mentioned. These counterparts are even closer to the specific policy problems and policy subfields. For example, the applied counterpart of economics is business, for natural science it is engineering, for sociology it is social work, for psychology it is clinical work and education, and for political science it is public administration and law.

Social Science Problems

Abt, Clark, ed. *Problems in American Social Policy Research*. Council for Applied Social Research, 1980.

Currie, Elliott, and Jerome Skolnick. *America's Problems: Social Issues and Public Policy*. Berkeley: University of California Press, 1988.

Farley, Reynolds. *The New American Reality: Who We Are, How We Got Here, Where We Are Going*. New York: Russell Sage, 1996.

Political

Anderson, James, David Brady, Charles Bullock, and Joseph Stewart. *Public Policy and Politics in America*. Pacific Grove, CA: Brooks/Cole, 1984.

Levine, Herbert. *Political Issues Debated*. Englewood Cliffs, NJ: Prentice Hall, 1982.

Lipson, Leslie. *The Great Issues of Politics*. Englewood Cliffs, NJ: Prentice Hall, 1989.

Economic

Farley, Reynolds, ed. *State of the Union: America in the 1990s: Economic Trends*. New York: Russell Sage, 1995.

O'Neill, Terry, and Karin Swisher. *Economics in America: Opposing Viewpoints*. New Haven, CT: Greenhaven, 1992.

Phillips, Llad, and Harold Votey. *Economic Analysis of Pressing Social Problems*. Chicago: Rand McNally, 1977.

Social

Farley, Reynolds, ed. *State of the Union: America in the 1990s: Social Trends*. New York: Russell Sage, 1995.

Lazarsfeld, Paul, William Sewell, and Harold Wilensky, eds. *The Uses of Sociology*. New York: Basic Books, 1967.

Widdison, Harold, ed. *Social Problems 94/95*. Guilford, CT: Dushkin, 1994.

Psychological

Oskamp, Stuart. *Applied Social Psychology*. Englewood Cliffs, NJ: Prentice Hall, 1984.

Slife, Brent. *Taking Sides: Clashing Views on Controversial Psychological Issues*. Guilford, CT: Dushkin, 1994.

Suedfeld, Peter, and Philip Tetlock, eds. *Psychology and Social Policy*. New York: Hemisphere, 1992.

Technology

Brooks, Harvey, and Chester Cooper, eds. *Science for Public Policy*. Elmsford, NY: Pergamon, 1987.

Kuehn, Thomas, and Alan Porter, eds. *Science, Technology, and National Policy*. Ithaca, NY: Cornell University Press, 1981.

Shrader-Frechette, Kristin, and Laura Westra. *Technology and Values*. Lanham, MD: Rowman & Littlefield, 1997.

Legal

Freedman, Warren. *Society on Trial: Current Court Decisions and Social Change*. Springfield, IL: Charles C Thomas, 1965.

Katsh, Ethan. *Taking Sides: Clashing Views on Controversial Legal Issues*. Guilford, CT: Dushkin, 1995.

Tucker, Edwin. *Adjudication of Social Issues: Text, Cases, and Problems*. St. Paul, MN: West, 1971.

Humanities

Diesing, Paul. *Science and Ideology in the Policy Sciences*. Hawthorne, NY: Aldine, 1982.

Gutmann, Amy, and Dennis Thompson, eds. *Ethics and Politics: Cases and Comments*. Chicago: Nelson-Hall, 1990.

Rothman, David, and Stanton Wheeler. *Social History and Social Policy*. San Diego: Academic Press, 1981.

THE POLICY PROCESS

Legislative Process

Gross, Bertram. *The Legislative Struggle: A Study in Social Combat*. New York: McGraw-Hill, 1953.

Keefe, William, and Morris Ogul. *The American Legislative Process: Congress and the States*. Englewood Cliffs, NJ: Prentice Hall, 1985.

Ripley, Randall. *Congress: Process and Policy*. New York: Norton, 1978.

Executive Process

Campbell, Colin. *The U.S. Presidency in Crisis: A Comparative Perspective*. Oxford, UK: Oxford University Press, 1998.

Cohen, Jeffrey. *Presidential Responsiveness and Public Policy-Making: The Public and the Policies That Presidents Choose*. Ann Arbor: University of Michigan Press, 1997.

Thomas, Norman C., and Joseph A. Pika. *The Politics of the Presidency*, rev. 4th ed. Washington, DC: Congressional Quarterly, 1977.

Administrative Process

Lynn, Naomi, and Aaron Wildavsky, eds. *Public Administration: The State of the Discipline*. Chatham, NJ: Chatham, 1990.

Perry, James, ed. *Handbook of Public Administration*. San Francisco: Jossey-Bass, 1989.

Rabin, Jack, Bartley Hildreth, and Gerald Miller, eds. *Handbook of Public Administration*. New York: Dekker, 1998.

Judicial Process

Abraham, Henry. *The Judicial Process*. Oxford, UK: Oxford University Press, 1993.

Smith, Christopher. *Courts, Politics, and the Judicial Process*. Chicago: Nelson-Hall, 1997.

Tarr, Alan. *Judicial Process and Judicial Policymaking*. St. Paul, MN: West, 1994.

Electoral Process

Berelson, Bernard R., Paul F. Lazarsfeld, and William N. McPhee. *Voting: A Study of Opinion Formation in a Presidential Campaign*. Chicago: University of Chicago Press, 1954.

Lijphart, Arend, and Bernard Grofman, eds. *Choosing an Electoral System: Issues and Alternatives*. New York: Praeger, 1984.

Margolis, Michael, and Gary Mauser, eds. *Manipulating Public Opinion: Essays on Public Opinion as a Dependent Variable*. Pacific Grove, CA: Brooks/Cole, 1989.

Lobbying Process

Keefe, William. *Parties, Politics, and Public Policy in America*. Washington, DC: Congressional Quarterly, 1998.

Key, V. O., Jr. *Politics, Parties, and Pressure Groups*. New York: Crowell, 1953.

Truman, David B. *The Governmental Process: Political Interests and Public Opinion*. New York: Knopf, 1953.

Policy Problems or Subfields

The following bibliography consists of two policy books for each policy subfield. The first level of organization is divided into economic, social, technology, political, and legal policy fields. Each field is divided into two major subfields. For example, the economic field is divided into macroeconomic and microeconomic policy. Each major subfield is then divided into approximately three specific subfields. For example, the macroeconomic subfield is divided into inflation-unemployment, taxing-spending, and organizing the economy. The last specific subfield refers to public-private interaction and to monopoly versus competition.

Within each specific subfield, there are two books. The first is a non-Policy Studies Organization (PSO) book that seems quite relevant. The second is a PSO book on the subject. A PSO book is one that (a) began as a *Policy Studies Review* or *Policy Studies Journal* issue in short form; (b) is published in a series coordinated by PSO for Lexington, Sage, Greenwood, JAI, Macmillan, Ashgate, or another PSO series or set; and/or (c) was funded, edited, or coordinated by PSO with in-house funds or personnel.

ECONOMIC POLICY: PROMOTING PROSPERITY

Economy as a Whole

Inflation and Unemployment

Schultze, Charles. *Memos to the President: A Guide Through Macroeconomics for the Busy Policymaker*. Washington, DC: Brookings Institution, 1992.

Dubnick, Melvin, and Alan Gitelson, eds. *Public Policy and Economic Institutions*. Greenwich, CT: JAI, 1991.

Taxing, Spending, and the Deficit

Reischauer, Robert, ed. *Setting National Priorities: Budget Choices for the Next Century*. Washington, DC: Brookings Institution, 1997.

Samuels, Warren, and Larry Wade, eds. *Taxing and Spending Policy*. Lexington, MA: Lexington Books, 1980.

Organizing the Economy

Ross, Randy. *Government and the Private Sector: Who Should Do What?* Santa Monica, CA: RAND, 1988.

Thompson, Dennis, ed. *The Private Exercise of Public Functions*. New York: Associated Faculty Press, 1985.

*Factors of Production**Land and Agriculture*

Castle, Emery, ed. *The Changing American Countryside: Rural People and Places*. Lawrence: University of Kansas, 1995.

Hadwiger, Don, and William Browne, eds. *The New Politics of Food*. Lexington, MA: Lexington Books, 1978.

Labor and Management

Moore, Thomas. *The Disposable Work Force: Worker Displacement and Employment Instability in America*. Hawthorne, NY: Aldine, 1996.

Flood, Lawrence, ed. *Unions and Public Policy: The New Economy, Law, and Democratic Politics*. Westport, CT: Greenwood, 1995.

Business and Consumers

Buchholz, Rogene. *Business Environment and Public Policy: Implications for Management and Strategy Formulation*. Englewood Cliffs, NJ: Prentice Hall, 1986.

Judd, Richard, William Greenwood, and Fred Becker, eds. *Small Business in a Regulated Economy: Issues and Policy Implications*. Westport, CT: Quorum, 1988.

SOCIAL AND PSYCHOLOGICAL
POLICY: PROMOTING MERIT
TREATMENT AND PERSONAL
DEVELOPMENT*Groups**Ethnic and Gender*

Karst, Kenneth. *Belonging to America: Equal Citizenship and the Constitution*. New Haven, CT: Yale University Press, 1989.

Palley, Marian, and Michael Preston, eds. *Race, Sex, and Policy Problems*. Lexington, MA: Lexington Books, 1979.

Poverty and Public Aid

Danziger, Sheldon, and Daniel Weinberg, eds. *Fighting Poverty: What Works and What Doesn't*. Cambridge, MA: Harvard University Press, 1986.

Goldstein, Richard, and Stephen Sachs, eds. *Applied Poverty Research*. Totowa, NJ: Rowman & Allanheld, 1983.

Families and Reproduction

Zimmerman, Shirley. *Understanding Family Policy: Theories & Applications*. Thousand Oaks, CA: Sage, 1995.

Anderson, Elaine, and Richard Hula, eds. *The Reconstruction of Family Policy*. Westport, CT: Greenwood, 1991.

*Personal Development**Education*

Bierlein, Louann. *Controversial Issues in Educational Policy*. Newbury Park, CA: Sage, 1993.

Gove, Samuel, and Thomas Stauffer, eds. *Policy Controversies in Higher Education*. Westport, CT: Greenwood, 1986.

Leisure

- Feld, Alan, Michael O'Hare, and Mark Schuster, eds. *Patrons Despite Themselves: Taxpayers and Arts Policy*. New York: New York University Press, 1983.
- Hutcheson, John, Francis Noe, and Robert Snow, eds. *Outdoor Recreation Policy: Pleasure and Preservation*. Westport, CT: Greenwood, 1990.

TECHNOLOGY AND
SCIENCE POLICY:
PROMOTING INNOVATION

*Physical Planning**Environment*

- Kamieniecki, Sheldon, George Gonzalez, and Robert Vos, eds. *Flashpoints in Environmental Policymaking: Controversies in Achieving Sustainability*. Albany: State University of New York Press, 1997.
- Ingram, Helen, and Kenneth Godwin, eds. *Public Policy and the Natural Environment*. Greenwich, CT: JAI, 1985.

Housing

- van Vliet, Willem, ed. *The Encyclopedia of Housing*. Thousand Oaks, CA: Sage, 1998.
- Hays, Allen, ed. *Ownership, Control, and the Future of Housing Policy*. Westport, CT: Greenwood, 1983.

Transportation and Communication

- Bonnet, Thomas. *Telewars in the States: Telecommunications Issues in a New Era of Competition*. Lexington, KY: Council of Governors' Policy Advisors, 1996.
- Altshuler, Alan, ed. *Current Issues in Transportation Policy*. Lexington, MA: Lexington Books, 1979.

*Applied Science**Energy*

- Davis, David. *Energy Politics*. New York: St. Martin's, 1993.
- Walsh, Roberta, and John Heilman, eds. *Energizing the Energy Policy Process*. Westport, CT: Quorum, 1994.

Medical Care

- Rushefsky, Mark. *Health Care Politics and Policy in America*. Armonk, NY: Sharpe, 1995.
- Mills, Miriam, and Robert Blank, eds. *Health Insurance and Public Policy: Risk, Allocation, and Equity*. Westport, CT: Greenwood, 1992.

Technological Innovation

- Irwin, Steven. *Technology Policy and America's Future*. Washington, DC: Henry Stimpson Center, 1993.
- Lambright, Henry, and Dianne Rahm, eds. *Technology and U.S. Competitiveness: An Institutional Focus*. Westport, CT: Greenwood, 1992.

DOMESTIC POLITICS:
PROMOTING DEMOCRACY

There are four books (rather than two) under each of these political categories because effective formulation and implementation of public policy requires effective political institutions. It also requires prosperity, merit treatment, personal development, peace, and law. Thus, a better reason for four books is that PSO members generally read and write more political books than economic, social, technological, international, or legal books. There are also fewer subcategories under political. The first two books are non-PSO, and the second two are PSO.

Government Reform

Levels of Government

- Katz, Ellis, and Alan Tarr, eds. *Federalism and Rights*. Lanham, MD: Rowman & Littlefield, 1996.
- Light, Paul. *Thickening Government: Federal Hierarchy and the Diffusion of Accountability*. Washington, DC: Brookings Institution, 1995.
- Benton, Edwin, and David Morgan, eds. *Intergovernmental Relations and Public Policy*. Westport, CT: Greenwood, 1986.
- Meyer, Fred, and Ralph Baker, eds. *State Policy Problems*. Chicago: Nelson-Hall, 1993.

Branches of Government

- Collier, Kenneth. *Between the Branches: The White House Office of Legislative Affairs*. Pittsburgh, PA: University of Pittsburgh Press, 1997.
- Dunn, Charles. *American Democracy Debated*. Glenview, IL: Scott, Foresman, 1982.
- Calista, Donald, ed. *Bureaucratic and Governmental Reform*. Greenwich, CT: JAI, 1986.
- Eyestone, Robert, ed. *Public Policy Formation*. Greenwich, CT: JAI, 1984.

Electoral Policy

Representation

- Grofman, Bernard, ed. *Political Gerrymandering and the Courts*. Edison, NJ: Agathon, 1990.
- Lijphart, Arend, and Bernard Grofman. *Choosing an Electoral System: Issues and Alternatives*. New York: Praeger, 1984.
- Grofman, Bernard, Arend Lijphart, Robert McKay, and Howard Scarrow, eds. *Representation and Redistricting Issues*. Lexington, MA: Lexington Books, 1982.
- Nagel, Stuart, and Vladimir Rukavishnikov. *Combining Capitalism, Socialism, and Democracy*. Aldershot, UK: Ashgate, 1998.

Campaigning

- Piven, Frances, and Richard Cloward. *Why Americans Don't Vote*. New York: Pantheon, 1988.
- Sorauf, Frank. *Inside Campaign Finance: Myths and Realities*. New Haven, CT: Yale University Press, 1992.
- Crotty, William, ed. *Political Participation and American Democracy*. Westport, CT: Greenwood, 1991.
- Crotty, William, ed. *Paths to Political Reform*. Lexington, MA: Lexington Books, 1980.

INTERNATIONAL POLITICS: PROMOTING WORLD PEACE, PROSPERITY, AND DEMOCRACY

In this international section, three books (rather than two) are listed for each subsection, given the importance of the section to the PSO concern for developing nations. The first two books are non-PSO books, and the third is a PSO book. There is only one PSO book per subsection (rather than two) because PSO editors have shown more interest in domestic policy rather than international or cross-national policy. The *Developmental Policy Studies Newsletter-Journal* seeks to remedy this imbalance.

World Peace

United Nations and International Organizations

- Luard, Evan. *The United Nations: How It Works and What It Does*. New York: St. Martin's, 1994.
- Baehr, Peter, and Leon Gordenker. *The United Nations in the 1990s*. New York: St. Martin's, 1992.
- Bartlett, Robert, Priya Kurian, and Madhu Malik, eds. *International Organizations and Environmental Policy*. Westport, CT: Greenwood, 1995.

International Law and Dispute Resolution

- Crocker, Chester, Fen Hampson, and Pamela Aall, eds. *Managing Global Chaos: Sources of and Responses to International Conflict*. Washington, DC: U.S. Institute of Peace, 1996.
- Carnegie Commission on Preventing Deadly Conflict. *Preventing Deadly Conflict: Final Report With Executive Summary*. New York: Carnegie, 1997.
- Nagel, Stuart, and Miriam Mills, eds. *Systematic Analysis in Dispute Resolution*. Westport, CT: Quorum, 1991.

War and Defense Policy

- Ripley, Randall, and James Lindsay, eds. *U.S. Foreign Policy After the Cold War*. Pittsburgh, PA: University of Pittsburgh Press, 1997.
- Snow, Donald, and Eugene Brown. *An Introduction to U.S. Foreign Policy: Beyond the Water's Edge*. New York: St. Martin's, 1997.
- Kolodziej, Edward, and Robert Harkavy, eds. *Security Policies of Developing Countries*. Lexington, MA: Lexington Books, 1982.

International Economic- Technology Policy

Trade and Tariffs

- Blake, David, and Robert Walters. *The Politics of Global Economic Relations*. Englewood Cliffs, NJ: Prentice Hall, 1987.
- Lawrence, Robert, Albert Bressand, and Takatoshi Ito, eds. *Integrating National Economies: A Vision for the World Economy: Openness, Diversity, and Cohesion*. Washington, DC: Brookings Institution, 1996.
- Browne, William, and Don Hadwiger, eds. *World Food Policies: Toward Agricultural Interdependence*. Boulder, CO: Rienner, 1986.

Technology Transfer

- Muir, Albert. *The Technology Transfer System: Inventions Marketing, Licensing, Patenting, Setting, Practice, Management, Policy*. Alameda, CA: Latham, 1997.
- Kash, Don. *Perpetual Innovation: The New World of Competition*. New York: Basic Books, 1989.
- Lee, Yong, ed. *Technology Transfer and Public Policy*. Westport, CT: Quorum, 1997.

International Social-Political Policy

Immigration

- Cornelius, Wayne, Philip Martin, and James Hollifield, eds. *Controlling Immigration: A Global Perspective*. Stanford, CA: Stanford University Press, 1994.
- Teitelbaum, Michael, and Myron Weiner, eds. *Threatened Peoples, Threatened Borders: World Migration and U.S. Policy*. New York: American Assembly, 1995.
- Kraft, Michael, and Mark Schneider. *Population Policy Analysis*. Lexington, MA: Lexington Books, 1978.

Poverty and Discrimination

- Gurr, Ted. *Minorities at Risk: A Global View of Ethnopolitical Conflicts*. Washington, DC: U.S. Institute of Peace, 1993.
- McFate, Katherine, Roger Lawson, and William Wilson, eds. *Poverty, Inequality, and the Future of Social Policy: Western States in the New World Order*. New York: Russell Sage, 1995.
- DeGregori, Thomas, and Harrell Rodgers, eds. *Poverty Policy in Developing Countries*. Greenwich, CT: JAI, 1994.

Human Rights

- Gillies, David. *Between Principle and Practice: Human Rights in North-South Relations*. Montreal: McGill-Queen's, 1996.

Hanski, Raija, and Markku Suksi, eds. *An Introduction to the International Protection of Human Rights*. Utrecht, The Netherlands: Institute for Human Rights, 1997.

Cingranelli, David, ed. *Human Rights and Developing Countries*. Greenwich, CT: JAI, 1996.

LEGAL POLICY: PROMOTING LAW COMPLIANCE, ESPECIALLY CONSTITUTIONAL LAW

Compliance With the Law

Traditional Crimes

Walker, Samuel. *Sense and Nonsense About Crime: A Policy Guide*. Belmont, CA: Wadsworth, 1989.

Fisch, Mark. *Annual Editions: Criminology 98/99*. New York: McGraw-Hill, 1998.

Baker, Ralph, and Fred Meyer. *Evaluating Alternative Law-Enforcement Policies*. Lexington, MA: Lexington Books, 1979.

Business Wrongdoing and Incentives

Geis, Gilbert, and Ezra Stotland. *White Collar Crime: Theory and Research*. Beverly Hills, CA: Sage, 1980.

Stone, Alan. *Regulation and Its Alternatives*. Washington, DC: Congressional Quarterly, 1982.

Anderson, James. *Economic Regulatory Policies*. Lexington, MA: Lexington Books, 1976.

Governmental Wrongdoing and Judicial Review

Frederickson, George. *Ethics and Public Administration*. Armonk, NY: Sharpe, 1993.

Handler, Joel. *The Conditions of Discretion: Autonomy, Community, Bureaucracy*. New York: Russell Sage, 1986.

Calista, Donald. *Bureaucratic and Governmental Reform*. Greenwich, CT: JAI, 1986.

Bill of Rights

Freedom of Speech and Assembly

Emerson, Thomas. *The System of Freedom of Expression*. New York: Vintage, 1970.

Tedford, Thomas. *Freedom of Speech in the United States*. New York: Random House, 1985.

Wasby, Stephen. *Civil Liberties*. Lexington, MA: Lexington Books, 1976.

Freedom of Religion

Lugo, Luis, ed. *Religion, Public Life, and the American Polity*. Nashville: University of Tennessee Press, 1994.

Monsma, Stephen, and Christopher Soper. *The Challenge of Pluralism: Church and State in Five Democracies*. Lanham, MD: Rowman & Littlefield, 1997.

Dunn, William. *Values, Ethics, and the Practice of Policy Analysis*. Lexington, MA: Lexington Books, 1983.

Fair Criminal Procedure

Bartollas, Clemens, Stuart Miller, and Paul Wice. *Participants in American Criminal Justice: The Promise and the Performance*. Englewood Cliffs, NJ: Prentice Hall, 1983.

Levine, James, Michael Musheno, and Dennis Palumbo. *Criminal Justice in America: Law in Action*. New York: John Wiley, 1986.

Doig, Jameson. *Criminal Corrections: Ideals and Realities*. Lexington, MA: Lexington Books, 1983.

Fair Civil Procedure

Abraham, Henry. *The Judicial Process*. Oxford, UK: Oxford University Press, 1993.

Smith, Christopher. *Courts, Politics, and the Judicial Process*. Chicago: Nelson-Hall, 1997.

Dubois, Philip. *The Analysis of Judicial Reform*. Lexington, MA: Lexington Books, 1982.

Part 2

POLICY STUDIES
ORGANIZATION
BOOKS

Policy Studies Organization Policy Books

The Policy Studies Organization (PSO) is frequently asked by various people and organizations for bibliographic references to various categories of public policy books. The main purpose of the following bibliography is to help answer such inquiries.

The bibliography also provides a summary of some of the publication work of the PSO. This is only part of the PSO publication program because book publishing does not include the publishing of the (a) *Policy Studies Journal*, (b) *Policy Studies Review*, (c) *Policy Evaluation*, (d) *Developmental Policy*, (e) *Creativity Plus*, (f) *Peace, Prosperity, and Democracy*, and (g) the *MKM-PSO-DSI Journal*. There are also nine directories dealing with training programs, research centers, government agencies, funding sources, publishers, relevant journals, interest groups, policy studies personnel, and relevant associations. Merely listing the books, the symposium journal issues, the journals, and the directories also misses the numerous people who are involved in authoring and editing chapters, articles, symposia, papers, and other PSO products.

Most of these books have counterparts in the form of symposium issues of the *Policy Studies Journal* or the *Policy Studies*

Review. A third purpose of this bibliography is thus to provide readers of the *Policy Evaluation Newsletter-Journal* with a list of PSO books so that they can order the less expensive although less complete journal versions if they want to do so. A list of the journal versions is given on pages 5-13 of *Policy Studies Index* (Champaign, IL: PSO, 1995).

The books listed here are arranged by topic and subtopic rather than chronologically. All major topics and subtopics within policy studies are covered. The books were originally conceived to emphasize analysis of lasting value, as contrasted to more news-oriented policy analysis. Therefore, even the older books have contemporary significance. Most of the books are still in print. Nearly all the journal counterparts are still in print and generally available for approximately \$5 apiece to individuals and \$10 to libraries and institutions.

A PSO public policy book is a book that (a) was initially printed in summary form or a symposium issue of *Policy Studies Journal* or *Policy Studies Review*; (b) was initially or subsequently published in a PSO series with Sage, Lexington, Greenwood, Macmillan, or another PSO publisher; (c) was edited by the PSO publications coordinators; (d) was funded by PSO

funds; (e) the royalties from which are paid to PSO; or (f) has any one or more of the previous five characteristics. We invite suggestions for future book topics, authors, editors, contributors, and funding sources.

BOOKS THAT CUT ACROSS POLICY PROBLEMS

Basic Concepts and Purpose of Policy Studies

Definitions, History, and Overview

- Dunn, William. *Policy Analysis: Perspectives, Concepts, and Methods*. Greenwich, CT: JAI, 1986.
- Dunn, William, and Rita Kelly. *Advances in Policy Studies Since 1950*. New Brunswick, NJ: Transaction Publishing, 1992.
- Nagel, Stuart. *Research in Public Policy Analysis and Management*. Greenwich, CT: JAI (annual series).
- _____. *PSO Directories*. Champaign, IL: PSO (various years).
- _____. *Policy Studies Review Annual*. Beverly Hills, CA: Sage, 1977.
- _____. *The Policy Studies Handbook*. Lexington, MA: Lexington Books, 1980.
- _____. *Basic Literature in Policy Studies: A Comprehensive Bibliography*. Greenwich, CT: JAI, 1984.
- _____. *Contemporary Public Policy Analysis*. Tuscaloosa: University of Alabama Press, 1984.
- _____. *Encyclopedia of Policy Studies*. New York: Dekker, 1994.
- Nagel, Stuart, and Miriam Mills. *Professional Development in Policy Studies*. Westport, CT: Greenwood, 1993.

Substance Issues

- Crotty, William. *Post-Cold War Policy: The Social and Domestic Context*. Chicago: Nelson-Hall, 1995.

- Holden, Matthew, and Dennis Dresang. *What Government Does*. Beverly Hills, CA: Sage, 1975.
- Lowi, Theodore, and Alan Stone. *Nationalizing Government: Public Policies in America*. Beverly Hills, CA: Sage, 1978.
- Nagel, Stuart. *Policy Studies in American and Elsewhere*. Lexington, MA: Lexington Books, 1975.

Multidisciplinary Relations

- McCall, George, and George Weber. *Social Science and Public Policy: The Roles of Academic Disciplines in Policy Analysis*. New York: Associated Faculty Press, 1984.
- Nagel, Stuart. *Policy Studies and the Social Sciences*. Lexington, MA: Lexington Books, 1975.
- Nagel, Stuart, with Lisa Bievenue. *Social Science, Law, and Public Policy*. Lanham, MD: University Press of America, 1992.

Teaching

- Bergerson, Peter. *Teaching Public Policy: Theory, Research, and Practice*. Westport, CT: Greenwood, 1991.
- Coplin, William. *Teaching Policy Studies*. Lexington, MA: Lexington Books, 1978.

Utilization of Research

- Weiss, Carol. *Using Social Research in Public Policy Making*. Lexington, MA: Lexington Books, 1977.

Policy Theory: Causes, Effects, and Goals

Theory in General

- Chen, Huey-tshy, and Peter Rossi. *Using Theory to Improve Program and Policy Evaluation*. Westport, CT: Greenwood, 1992.

Gregg, Phillip. *Problems of Theory in Policy Analysis*. Lexington, MA: Lexington Books, 1976.

Nagel, Stuart. *Public Policy: Goals, Means, and Methods*. New York: St. Martin's, 1984.

_____. *Policy Studies: Integration and Evaluation*. Westport, CT: Greenwood, 1988.

_____. *Policy Theory and Policy Evaluation: Concepts, Knowledge, Causes, and Norms*. Westport, CT: Greenwood, 1990.

Rae, Douglas, and Theodore Eismeier. *Public Policy and Public Choice*. Beverly Hills, CA: Sage, 1979.

Causal Analysis

Dye, Thomas, and Virginia Gray. *The Determinants of Public Policy*. Lexington, MA: Lexington Books, 1980.

Ingram, Helen, and Dean Mann. *Why Policies Succeed or Fail*. Beverly Hills, CA: Sage, 1980.

Nagel, Stuart. *Causation, Predication, and Legal Analysis*. Westport, CT: Quorum, 1986.

Impact Analysis

Danzinger, Sheldon, and Kent Portney. *The Distributional Impacts of Public Policies*. New York: St. Martin's, 1988.

Grumm, John, and Stephen Wasby. *The Analysis of Policy Impact*. Lexington, MA: Lexington Books, 1981.

Normative Analysis

Dunn, William. *Values, Ethics, and the Practice of Policy Analysis*. Lexington, MA: Lexington Books, 1983.

Fischer, Frank, and John Forester. *Confronting Values in Policy Analysis: The Politics of Criteria*. Newbury Park, CA: Sage, 1987.

Nagel, Stuart. *Higher Goals for America: Doing Better Than the Best*. Lanham, MD: University Press of America, 1989.

Methods of Public Policy Evaluation

Methods in General

Nagel, Stuart. *Improving Policy Analysis*. Beverly Hills, CA: Sage, 1980.

_____. *Evaluative and Explanatory Reasoning*. Westport, CT: Quorum, 1992.

Statistical-Inductive Methods

Dolbeare, Kenneth. *Public Policy Evaluation*. Beverly Hills, CA: Sage, 1975.

Nagel, Stuart, and Marian Neef. *Policy Analysis in Social Science Research*. Beverly Hills, CA: Sage, 1979.

Palumbo, Dennis. *The Politics of Program Evaluation*. Newbury Park, CA: Sage, 1987.

Scioli, Frank, and Thomas Cook. *Methodologies for Analyzing Public Policies*. Lexington, MA: Lexington Books, 1975.

Optimizing-Deductive Methods

Nagel, Stuart. *Policy Evaluation: Making Optimum Decisions*. New York: Praeger, 1982.

_____. *Law, Policy, and Optimizing Analysis*. Westport, CT: Quorum, 1986.

Nagel, Stuart, and Marian Neef. *Operations Research Methods: As Applied to Political Science and the Legal Process*. Beverly Hills, CA: Sage, 1976.

_____. *Legal Policy Analysis*. Lexington, MA: Lexington Books, 1977.

_____. *Decision Theory and the Legal Process*. Lexington, MA: Lexington Books, 1979.

Palumbo, Dennis, Stephen Fawcett, and Paula Wright. *Evaluating and Optimizing Public Policy*. Lexington, MA: Lexington Books, 1981.

Tulloch, Gordon, and Richard Wagner. *Policy Analysis and Deductive Reasoning*. Lexington, MA: Lexington Books, 1978.

Policy Analysis Software

- Nagel, Stuart. *Microcomputers as Decision Aids in Law Practice*. Westport, CT: Quorum, 1987.
- _____. *Decision-Aiding Software and Legal Decision-Making: A Guide to Skills and Applications Throughout the Law*. Westport, CT: Quorum, 1989.
- _____. *Law, Decision-Making, and Microcomputers: Cross-National Perspectives*. Westport, CT: Quorum, 1991.
- _____. *Decision-Aiding Software: Skills, Obstacles, and Applications*. New York: Macmillan, 1991.
- _____. *Applications of Decision-Aiding Software*. New York: Macmillan, 1992.
- _____. *Computer-Aided Decision Analysis: Theory and Applications*. Westport, CT: Quorum, 1993.
- Nagel, Stuart, and Lisa Bievenue. *Teach Yourself Decision-Aiding Software*. Lanham, MD: University Press of America, 1992.
- Nagel, Stuart, and David Garson. *Advances in Social Science and Computers*. Greenwich, CT: JAI (annual series).

Win-Win Policy Evaluation

- Nagel, Stuart. *Global Policy Studies: International Interaction Toward Improving Public Policy*. New York: Macmillan, 1991.
- _____. *Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making*. Westport, CT: Quorum, 1993.
- _____. *The Policy Process and Super-Optimum Solutions*. Huntington, NY: Nova Science, 1994.

POLICY PROCESSES AND STRUCTURES

Processes

General

- May, Judith, and Aaron Wildavski. *The Policy Cycle*. Beverly Hills, CA: Sage, 1978.

- Nagel, Stuart. *The Legal Process From a Behavioral Perspective*. Belmont, CA: Dorsey, 1969.

Policy Formation

- Eyestone, Robert. *Public Policy Formation*. Greenwich, CT: JAI, 1984.
- McClain, Paula. *Minority Group Influence: Agenda Setting, Formulation, and Public Policy*. Westport, CT: Greenwood, 1993.
- Mills, Miriam. *Conflict Resolution and Public Policy*. Westport, CT: Greenwood, 1990.
- _____. *Alternative Dispute Resolution in the Public Sector*. Chicago: Nelson-Hall, 1991.
- Nagel, Stuart, and Miriam Mills. *Multi-Criteria Methods for Alternative Dispute Resolution*. Westport, CT: Quorum, 1990.
- _____. *Systematic Analysis in Dispute Resolution*. Westport, CT: Quorum, 1991.

Policy Implementation

- Edwards, George. *Public Policy Implementation*. Greenwich, CT: JAI, 1984.
- Mazmanian, Daniel, and Paul Sabatier. *Effective Policy Implementation*. Lexington, MA: Lexington Books, 1981.
- Palumbo, Dennis, and Donald Calista. *Implementation and the Policy Process: Opening Up the Black Box*. Westport, CT: Greenwood, 1990.
- Palumbo, Dennis, and Marvin Harder. *Implementing Public Policy*. Lexington, MA: Lexington Books, 1981.

Electoral Processes

- Crotty, William. *Paths to Political Reform*. Lexington, MA: Lexington Books, 1980.
- _____. *Political Participation and American Democracy*. Westport, CT: Greenwood, 1991.
- DeSario, Jack, and S. Langton. *Citizen Participation in Public Decision Making*. Westport, CT: Greenwood, 1987.

Government Branches

Administrative Branch

- Caiden, Gerald, and Heinrich Siedentopf. *Strategies for Administrative Reform*. Lexington, MA: Lexington Books, 1982.
- Calista, Donald. *Bureaucratic and Governmental Reform*. Greenwich, CT: JAI, 1986.
- Frederickson, George, and Charles Wise. *Public Administration and Public Policy*. Lexington, MA: Lexington Books, 1977.
- Ingraham, Patricia, and David Rosenbloom. *The Promise and Paradox of Civil Service Reform*. Pittsburgh, PA: University of Pittsburgh Press, 1992.
- Kelly, Rita. *Promoting Productivity in the Public Sector: Problems, Strategies, and Prospects*. New York: St. Martin's, 1988.
- Mitchell, Jerry. *Public Authorities and Public Policy*. Westport, CT: Greenwood, 1992.
- Nagel, Stuart. *Public Administration and Decision-Aiding Software: Improving Procedure and Substance*. Westport, CT: Greenwood, 1990.
- Rosenbloom, David. *Public Personnel Policy: The Politics of Civil Service*. New York: Associated Faculty Press, 1985.

Legislative Branch

- Grofman, Bernard, Arend Lijphart, Robert McKay, and Howard Scarrow. *Representation and Redistricting Issues*. Lexington, MA: Lexington Books, 1982.
- Rieselbach, Leroy. *Legislative Reform*. Lexington, MA: Lexington Books, 1978.

Executive Branch

- Edwards, George, Steven Shull, and Norman Thomas. *The Presidency and Public Policy Making*. Pittsburgh, PA: University of Pittsburgh Press, 1985.
- Herzik, Eric, and Brent Brown. *Gubernatorial Leadership and State Policy*. Westport, CT: Greenwood, 1991.

Judicial Branch

- Dubois, Philip. *The Analysis of Judicial Reform*. Lexington, MA: Lexington Books, 1982.
- _____. *The Politics of Judicial Reform*. Lexington, MA: Lexington Books, 1982.
- Jackson, Donald, and Neal Tate. *Comparative Judicial Review and Public Policy*. Westport, CT: Greenwood, 1992.
- Nagel, Stuart. *Improving the Legal Process*. Lexington, MA: Lexington Books, 1975.
- Nagel, Stuart, and Marian Neef. *The Legal Process: Modeling the System*. Beverly Hills, CA: Sage, 1977.

Levels of Government

States, Provinces, and Federalism

- Benton, Edwin, and David Morgan. *Intergovernmental Relations and Public Policy*. Westport, CT: Greenwood, 1986.
- Jones, Charles, and Robert Thomas. *Public Policy Making in a Federal System*. Beverly Hills, CA: Sage, 1976.
- Judd, Dennis. *Public Policy Across States and Communities*. Greenwich, CT: JAI, 1985.
- Meyer, Fred, and Ralph Baker. *State Policy Problems*. Chicago: Nelson-Hall, 1993.

Urban Policy

- Lineberry, Robert, and Louis Masotti. *Urban Problems and Public Policy*. Lexington, MA: Lexington Books, 1975.
- Marshall, Dale. *Urban Policy Making*. Beverly Hills, CA: Sage, 1979.
- Rich, Richard. *Analyzing Urban-Service Distributions*. Lexington, MA: Lexington Books, 1982.
- _____. *The Politics of Urban Public Service*. Lexington, MA: Lexington Books, 1982.
- Rosentraub, Mark. *Urban Policy Problems: Federal Policy and Institutional Change*. New York: Praeger, 1986.

Rural Policy

- Browne, William, and Don Hadwiger. *Rural Policy Problems: Changing Dimensions*. Lexington, MA: Lexington Books, 1982.
- Rodgers, Harrell, and Gregory Weiher. *Rural Poverty: Special Causes and Policy Reforms*. Westport, CT: Greenwood, 1989.
- Sears, David, and Norman Reid. *Rural Development Strategies*. Chicago: Nelson-Hall, 1995.

Local Policy

- Ben-Elia, Nahum. *Strategic Changes and Organizational Reorientations in Local Government: A Cross-National Perspective*. New York: Macmillan, 1996.
- Busson, Terry, and Philip Coulter. *Policy Evaluation for Local Government*. Westport, CT: Greenwood, 1987.
- Carmon, Naomi. *Neighbourhood Policy and Programmes: Past and Present*. New York: Macmillan, 1990.
- Fasenfest, David. *Community Economic Development*. New York: Macmillan, 1993.
- McGowan, Robert, and Edward Ottensmeyer. *Economic Development Strategies for State and Local Government*. Chicago: Nelson-Hall, 1993.
- Meyer, Peter. *Comparative Studies in Local Economic Development: Problems in Policy Implementation*. Westport, CT: Greenwood, 1993.
- Redburn, Stevens, and Terry Buss. *Public Policies for Distressed Communities*. Lexington, MA: Lexington Books, 1982.

SPECIFIC POLICY PROBLEMS

*Economic Policy**General Economic Policy*

- Anderson, James. *Economic Regulatory Policies*. Lexington, MA: Lexington Books, 1976.

Dubnick, Melvin, and Alan Gitelson. *Public Policy and Economic Institutions*. Greenwich, CT: JAI, 1991.

Samuels, Warren. *Fundamentals of the Economic Role of Government*. Westport, CT: Greenwood, 1989.

Stimulating the Total Economy

- Holzer, Marc, and Stuart Nagel. *Productivity and Public Policy*. Beverly Hills, CA: Sage, 1984.
- Redburn, Stevens, Terry Buss, and Larry Ledebur. *Revitalizing the U.S. Economy*. New York: Praeger, 1986.
- Samuels, Warren, and Larry Wade. *Taxing and Spending Policy*. Lexington, MA: Lexington Books, 1980.

Land, Labor, and Capital

- Bulmer, Charles, and John Carmichael. *Employment and Labor-Relations Policy*. Lexington, MA: Lexington Books, 1980.
- Flood, Lawrence. *Unions and Public Policy: The New Economy, Law, and Democratic Politics*. Westport, CT: Greenwood, 1995.
- Hadwiger, Don, and William Browne. *The New Politics of Food*. Lexington, MA: Lexington Books, 1978.
- Judd, Richard, William Greenwood, and Fred Becker. *Small Business in a Regulated Economy: Issues and Policy Implications*. Westport, CT: Quorum, 1988.

Economic Tools

- Hula, Richard. *Market-Based Public Policy*. New York: Macmillan, 1988.
- Stone, Alan, and Edward Harpham. *The Political Economy of Public Policy*. Beverly Hills, CA: Sage, 1982.
- Thompson, Dennis. *The Private Exercise of Public Functions*. New York: Associated Faculty Press, 1985.

Budgets and Productivity

- Holzer, Marc, and Stuart Nagel. *Productivity and Public Policy*. Beverly Hills, CA: Sage, 1984.
- Levine, Charles, and Irene Rubin. *Fiscal Stress and Public Policy*. Beverly Hills, CA: Sage, 1980.

*Technology Policy**Innovation, Dispersion, and Impact*

- Bartlett, Robert. *Policy Through Impact Assessment: Institutionalized Analysis as a Policy Strategy*. Westport, CT: Greenwood, 1989.
- Haberer, Joseph. *Science and Technology Policy*. Lexington, MA: Lexington Books, 1977.
- Hadden, Susan. *Risk Analysis, Institutions, and Public Policy*. New York: Associated Faculty Press, 1984.
- Lambright, Henry, and Dianne Rahm. *Technology and U.S. Competitiveness: An Institutional Focus*. Westport, CT: Greenwood, 1992.
- Roessner, David. *Government Innovation Policy: Design, Implementation, Evaluation*. New York: St. Martin's, 1988.

Energy Policy

- Ender, Richard, and John Kim. *Energy Resources Development: Politics and Policies*. Westport, CT: Quorum, 1987.
- Herzik, Eric, and Alvin Mushkatel. *Problems and Prospects for Nuclear Waste Disposal Policy*. Westport, CT: Greenwood, 1993.
- Lawrence, Robert. *New Dimensions to Energy Policy*. Lexington, MA: Lexington Books, 1979.
- Walsh, Lawrence, and Martin Heisler. *International Energy Policy*. Lexington, MA: Lexington Books, 1980.
- Walsh, Roberta, and John Heilman. *Energizing the Energy Policy Process: The Impact of Evaluation*. Westport, CT: Quorum, 1994.

Health and Biomedical

- Blank, Robert. *Biomedical Policy*. Chicago: Nelson-Hall, 1995.
- Blank, Robert, and Miriam Mills. *Biomedical Technology and Public Policy*. Westport, CT: Greenwood, 1989.
- Mills, Miriam, and Robert Blank. *Health Insurance and Public Policy: Risk, Allocation, and Equity*. Westport, CT: Greenwood, 1992.
- Straetz, Ralph, Marvin Lieberman, and Alice Sardell. *Critical Issues in Health Policy*. Lexington, MA: Lexington Books, 1981.

Food Policy

- Browne, William, and Don Hadwiger. *World Food Policies: Toward Agricultural Interdependence*. Boulder, CO: Rienner, 1986.
- Hadwiger, Don, and William Browne. *Public Policy and Agricultural Technology: Adversity Despite Achievement*. New York: Macmillan, 1987.
- Helmuth, John, and Don Hadwiger. *International Agricultural Trade and Market Development Policy in the 1990s*. Westport, CT: Greenwood, 1993.
- Webber, David. *Biotechnology: Assessing Social Impacts and Policy Implications*. Westport, CT: Greenwood, 1990.

*Environmental Policy**General*

- Ingram, Helen, and Kenneth Godwin. *Public Policy and the Natural Environment*. Greenwich, CT: JAI, 1985.
- Mann, Dean. *Environmental Policy Formation*. Lexington, MA: Lexington Books, 1981.
- _____. *Environmental Policy Implementation*. Lexington, MA: Lexington Books, 1982.
- Nagel, Stuart. *Environmental Politics*. New York: Praeger, 1974.

International Environment

Downing, Paul, and Kenneth Hanf. *International Comparisons in Implementing Pollution Laws*. Dordrecht, The Netherlands: Kluwer Nijhoff, 1983.

Feldman, David. *Global Climate Change and Public Policy*. Chicago: Nelson-Hall, 1994.

Natural Resources and Conservation

Desai, Uday. *Moving the Earth: Cooperative Federalism and Implementation of the Surface Mining Act*. Westport, CT: Greenwood, 1993.

Foss, Phillip. *Federal Land Policy*. Westport, CT: Greenwood, 1987.

Welch, Susan, and Robert Miewald. *Scarce Natural Resources: The Challenge to Public Policymaking*. Beverly Hills, CA: Sage, 1983.

Parks and Wilderness

Hutcheson, John, Jr., Frances Noe, and Robert Snow. *Outdoor Recreation Policy: Pleasure and Preservation*. Westport, CT: Greenwood, 1990.

Mangun, William. *Public Policy Issues in Wildlife Management*. Westport, CT: Greenwood, 1991.

Housing and Transportation

Altshuler, Alan. *Current Issues in Transportation Policy*. Lexington, MA: Lexington Books, 1979.

Hays, Allen. *Ownership, Control, and Future of Housing Policy*. Westport, CT: Greenwood, 1993.

Montgomery, Roger, and Dale Marshall. *Housing Policy in the 1980s*. Lexington, MA: Lexington Books, 1980.

Waste Disposal

Davis, Charles E., and James Lester. *Dimensions of Hazardous Waste Politics and Policy*. Westport, CT: Greenwood, 1988.

*Social Policy**General Social Policy*

Rodgers, Harrell. *Public Policy and Social Institutions*. Greenwich, CT: JAI, 1984.

Poverty Policy

DeGregori, Thomas, and Harrell Rodgers. *Policy Studies in Developing Countries*. Greenwich, CT: JAI, 1994.

Goldstein, Richard, and Stephen Sachs. *Applied Poverty Research*. Totowa, NJ: Rowman & Allanheld, 1983.

James, Dorothy. *Analyzing Poverty Policy*. Lexington, MA: Lexington Books, 1975.

Gender

Kelly, Rita Mae, and Jane Bayes. *Comparable Women, Pay Equity, and Public Policy*. Westport, CT: Greenwood, 1988.

Palley, Marian, and Michael Preston. *Race, Sex, and Policy Problems*. Lexington, MA: Lexington Books, 1979.

Race

Riddlesperger, James, and Donald Jackson. *Presidential Leadership and Civil Rights Policy*. Westport, CT: Greenwood, 1995.

Age

Dixon, John, and Rubert Scheurell. *Social Security Programs: A Cross-Cultural Comparative Perspective*. Westport, CT: Greenwood, 1995.

Native Americans

- Legters, Lyman, and Fremont Lyden. *American Indian Policy*. Westport, CT: Greenwood, 1964.
- Lyden, Fremont, and Lyman Legters. *Native Americans and Public Policy*. Pittsburgh, PA: University of Pittsburgh Press, 1992.

Education

- Gove, Samuel, and Thomas Stauffer. *Policy Controversies in Higher Education*. Westport, CT: Greenwood, 1986.
- Gove, Samuel, and Frederick Wirt. *Political Science and Social Politics*. Lexington, MA: Lexington Books, 1976.

Crime

- Baker, Ralph, and Fred Meyer. *Evaluating Alternative Law-Enforcement Policies*. Lexington, MA: Lexington Books, 1979.
- Doig, Jameson. *Criminal Corrections: Ideals and Realities*. Lexington, MA: Lexington Books, 1979.
- Gardiner, John, and Michael Mulkey. *Crime and Criminal Justice*. Lexington, MA: Lexington Books, 1975.
- Meyer, Fred, and Ralph Baker. *Determinants of Law-Enforcement Policies*. Lexington, MA: Lexington Books, 1979.
- Thompson, Joel, and Larry Mays. *American Jails*. Chicago: Nelson-Hall, 1991.

Population and Family Policy

- Anderson, Elaine, and Richard Hula. *The Reconstruction of Family Policy*. Westport, CT: Greenwood, 1991.
- Kraft, Michael, and Mark Schneider. *Population Policy Analysis*. Lexington, MA: Lexington Books, 1978.

Political-Legal Policy

Foreign Policy

- Clarke, Duncan. *Public Policy and Political Institutions: United States Defense and Foreign Policy—Policy Coordination and Integration*. Greenwich, CT: JAI, 1985.
- Crotty, William. *Post-Cold War Policy: The International Context*. Chicago: Nelson-Hall, 1995.
- Fraenkel, Richard M., Don Hadwiger, and William Browne. *The Role of the U.S. Agriculture in Foreign Policy*. New York: Praeger, 1979.
- Harkavy, Robert, and Edward Kolodziej. *American Security Policy and Policy-Making*. Lexington, MA: Lexington Books, 1980.
- Jones, L. R., and Glen Bixler. *Research in Public Policy Analysis and Management*. Greenwich, CT: JAI, 1992.
- Kolodziej, Edward, and Robert Harkavy. *Security Policies of Developing Countries*. Lexington, MA: Lexington Books, 1982.
- Merritt, Richard. *Foreign Policy Analysis*. Lexington, MA: Lexington Books, 1975.
- Nagel, Stuart. *Global Policy Studies: International Interaction Toward Improving Public Policy*. New York: Macmillan, 1991.

Civil Liberties

- Cingranelli, David. *Human Rights: Theory and Measurement*. New York: Macmillan, 1988.
- Nagel, Stuart. *The Rights of the Accused*. Beverly Hills, CA: Sage, 1972.
- Wasby, Stephen. *Civil Liberties*. Lexington, MA: Lexington Books, 1976.
- _____. *Civil Liberties: Policy and Policy Making*. Carbondale: Southern Illinois University Press, 1976.

Legal Policy

- Nagel, Stuart. *Research in Law and Policy Studies*. Greenwich, CT: JAI (annual series).

_____. *Modeling the Criminal Justice System*. Beverly Hills, CA: Sage, 1977.

_____. *Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making*. Westport, CT: Quorum, 1993.

Nagel, Stuart, Erika Fairchild, and Anthony Champagne. *The Political Science of Criminal Justice*. Springfield, IL: Charles C Thomas, 1983.

DEVELOPING NATIONS

General

Ashford, Douglas. *Comparing Public Policies: New Concepts and Methods*. Beverly Hills, CA: Sage, 1978.

Groth, Alexander, and Larry Wade. *Comparative Resource Allocation: Politics, Performance, and Policy Priorities*. Beverly Hills, CA: Sage, 1984.

_____. *Public Policy Across Nations: Social Welfare in Industrial Settings*. Greenwich, CT: JAI, 1985.

Lazin, Fred, Samuel Aroni, and Yehuda Gradus. *The Policy Impact of Universities in Developing Regions*. New York: St. Martin's, 1988.

Nagel, Stuart, and Miriam Mills. *Developing Nations and Super-Optimum Policy Analysis*. Chicago: Nelson-Hall, 1993.

Africa

Nagel, Stuart. *African Development and Public Policy*. New York: St. Martin's, 1994.

Asia

Mills, Miriam, and Stuart Nagel. *Public Administration in China*. Westport, CT: Greenwood, 1993.

Nagel, Stuart. *Asian Development and Public Policy*. New York: St. Martin's, 1994.

Nagel, Stuart, and Miriam Mills. *Public Policy in China*. Westport, CT: Greenwood, 1993.

Eastern Europe

Nagel, Stuart, and Vladimir Ruksavishnikov. *Eastern European Development and Public Policy*. New York: St. Martin's, 1994.

Latin America

Nagel, Stuart. *Latin American Development and Public Policy*. New York: St. Martin's, 1994.

Recent Policy Studies Organization Policy Books

In 1989 and 1990, the Policy Studies Organization (PSO) was honored to be the subject of an attempted takeover. The takeover has been analogized to the takeover of the Sudetenland or Nabisco, Incorporated, but this time there was a win-win solution. Both the consumers and the producers came out ahead. A key result was to stimulate PSO to be even more useful by providing more and even better books, journals, newsletters, workshops, and other products to readers, authors, reader-authors, and author-readers.

The purpose of this chapter is to list the new PSO books, those that have been published since 1990. It includes PSO journal symposia, but only if they have not yet been converted into books.

Books prior to 1990 and some from the 1990s are included in Chapter 52 and in the autumn 1996 issue of the *Policy Evaluation Newsletter-Journal*. PSO books are those that were initially published in the *Policy Studies Journal* or *Policy Studies Review*, subsequently published in a PSO book series in expanded form edited by PSO staff, funded by PSO funds, or all three.

BOOKS THAT CUT ACROSS POLICY PROBLEMS

Basic Concepts and Purposes of Policy Studies

Definitions, History, and Overview

- Doron, Gideon, and Alex Mintz. "Policy Sciences: State-of-the-Art." PSR symposium, 1992.
- Dunn, William, and Rita Kelly. *Advances in Policy Studies Since 1950*. New Brunswick, NJ: Transaction Publishing, 1992.
- Nagel, Stuart. *Encyclopedia of Policy Studies*. New York: Dekker, 1994.
- _____. *Research in Public Policy Analysis and Management*. Greenwich, CT: JAI, 1997.
- Nagel, Stuart, and Miriam Mills. *Professional Developments in Policy Studies*. Westport, CT: Greenwood, 1993.

Substance Issues

- Crotty, William. *Post-Cold War Policy: The Social and Development Context*. Chicago: Nelson-Hall, 1995.
- Nagel, Stuart. *The Super-Optimum Society*. Huntington, NY: Nova Science, 1999.

Multidisciplinary Relations

Nagel, Stuart, and Lisa Bievenue. *Social Science, Law, and Public Policy*. Lanham, MD: University Press of America, 1992.

Teaching

Bergerson, Peter. *Teaching Public Policy: Theory, Research, and Practice*. Westport, CT: Greenwood, 1991.

*Policy Theory, Causes, Effects, and Goals**General*

Chen, Huey-tsyh, and Peter Rossi. *Using Theory to Improve Program and Policy Evaluations*. Westport, CT: Greenwood, 1992.

Nagel, Stuart. *Policy Theory and Policy Evaluation: Concepts, Knowledge, Causes, and Norms*. Westport, CT: Greenwood, 1990.

Normative Analysis

Mucciaroni, Gary. "Whither Public Policy? Liberalism, Conservatism, and Social Change." PSR symposium, 1990.

*Methods of Public Policy Evaluation**General*

Nagel, Stuart. *Evaluative and Explanatory Reasoning*. Westport, CT: Quorum, 1992.

Creativity

Nagel, Stuart. *Creativity: Being Usefully Innovative in Solving Diverse Problems*. Huntington, NY: Nova Science, 1999.

_____. *Creativity in Public Policy: Generating Super-Optimum Solutions*. Aldershot, UK: Ashgate, 1999.

Policy Analysis Software

Nagel, Stuart. *Decision-Aiding Software: Skills, Obstacles, and Applications*. New York: Macmillan, 1991.

_____. *Law, Decision-Making, and Microcomputers: Cross-National Perspectives*. Westport, CT: Quorum, 1991.

_____. *Applications of Decision-Aiding Software*. New York: Macmillan, 1992.

_____. *Computer-Aided Decision Analysis: Theory and Applications*. Westport, CT: Quorum, 1993.

Nagel, Stuart, and Lisa Bievenue. *Teach Yourself Decision-Aiding Software*. Lanham, MD: University Press of America, 1992.

Nagel, Stuart, and David Garson. *Advances in Social Science and Computers*. Greenwich, CT: JAI, (annual series).

Win-Win Policy Evaluation

Nagel, Stuart. *Global Policy Studies: International Interaction Toward Improving Public Policy*. New York: Macmillan, 1991.

_____. *Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making*. Westport, CT: Quorum, 1993.

_____. *The Policy Process and Super-Optimum Solutions*. Huntington, NY: Nova Science, 1994.

_____. *Win-Win and Super-Optimizing Policy: Basic Concepts and Principles*. Westport, CT: Quorum, 1996.

_____. *Applications of Super-Optimizing Analysis*. Greenwich, CT: JAI, 1997.

POLICY PROCESSES AND STRUCTURES

General Processes and Structures

Lazin, Fred. *The Policy Process and Developing Nations*. Greenwich, CT: JAI, 1997.

Nagel, Stuart. *Political Policy to Promote Democracy*. Lexington, MA: Lexington Books, 1999.

Nagel, Stuart, William Crotty, and James Scaritt. *Political Reform and Developing Nations*. Greenwich, CT: JAI, 1996.

Processes

Policy Information

- McClain, Paula. *Minority Group Influence: Agenda Setting, Foundation, and Public Policy*. Westport, CT: Greenwood, 1993.
- Mills, Miriam. *Conflict Resolution and Public Policy*. Westport, CT: Greenwood, 1990.
- _____. *Alternative Dispute Resolution in the Public Sector*. Chicago: Nelson-Hall, 1991.
- Nagel, Stuart, and Miriam Mills. *Multi-Criteria Methods of Alternative Dispute Resolution*. Westport, CT: Quorum, 1990.
- _____. *Systematic Analysis in Dispute Resolution*. Westport, CT: Quorum, 1991.

Policy Implementation

Palumbo, Dennis, and Donald Calista. *Implementation and the Policy Process: Opening Up the Black Box*. Westport, CT: Greenwood, 1990.

Electoral Processes

Crotty, William. *Political Participation and American Democracy*. Westport, CT: Greenwood, 1991.

Government Branches

Administrative Branch

- Ingraham, Patricia, and David Rosenbloom. *The Promise and Paradox of Civil Service Reform*. Pittsburgh, PA: University of Pittsburgh Press, 1992.
- Mitchell, Jerry. *Public Authorities and Public Policy*. Westport, CT: Greenwood, 1992.
- Nagel, Stuart. *Administration and Decision-Aiding Software: Improving Procedure*

and Substance. Westport, CT: Greenwood, 1990.

Executive Branch

Herzik, Eric, and Brent Brown. *Gubernatorial Leadership and State Policy*. Westport, CT: Greenwood, 1991.

Judicial Branch

- Jackson, Donald, and Neal Tate. *Comparative Judicial Review and Public Policy*. Westport, CT: Greenwood, 1992.
- Nagel, Stuart. *Computer-Aided Judicial Analysis: Predicting, Prescribing, and Administering*. Westport, CT: Quorum, 1992.
- _____. *Judicial Policy to Promote Legal Efficiency*. Lexington, MA: Lexington Books, 1999.

Levels of Government

States, Provinces, and Federalism

- Agnew, John. "Political Centralization and Decentralization in Europe and North America." PSJ symposium, 1990.
- Meyer, Fred, and Ralph Baker. *State Policy Problems*. Chicago: Nelson-Hall, 1993.

Rural Policy

Sears, David, and Norman Reid. *Rural Development Strategies*. Chicago: Nelson-Hall, 1995.

Local Policy

Ben-Elia, Nahum. *Strategic Changes and Organizational Reorientations in Local Government: A Cross-National Perspective*. New York: Macmillan, 1996.

Carmon, Naomi. *Neighbourhood Policy and Programmes: Past and Present*. New York: Macmillan, 1990.

Fasenfest, David. *Community Economic Development*. New York: Macmillan, 1993.

McGowan, Robert, and Edward Ottensmeyer. *Economic Development Strategies for State and Local Governments*. Chicago: Nelson-Hall, 1993.

Meyer, Peter. *Comparative Studies in Local Economic Development: Problems in Policy Implementation*. Westport, CT: Greenwood, 1993.

SPECIFIC POLICY PROBLEMS

Economic Policy

General Economic Policy

Dubnick, Melvin, and Alan Gitelson. *Public Policy and Economic Institutions*. Greenwich, CT: JAI, 1991.

Nagel, Stuart. *Economic Policy to Promote Prosperity*. Lexington, MA: Lexington Books, 1999.

Land, Labor, and Capital

Flood, Lawrence. *Unions and Public Policy: The New Economy, Law, and Democratic Politics*. Westport, CT: Greenwood, 1995.

Economic Tools Including Privatization

Brewer, Lucy. "In the Public Interest." PSJ symposium, 1996.

Johnston, Van. "Privatization and Reinventing Government." PSJ symposium, 1997.

Lowry, Robert. "Nonprofits and Public Policy." PSR symposium, 1996.

Budgets and Productivity

Caiden, Naomi. *Public Budgeting and Financial Administration in Developing Nations*. Greenwich, CT: JAI, 1996.

Technology Policy

General Technology Policy

Nagel, Stuart. *Technology Policy to Promote Innovation and Productivity*. Lexington, MA: Lexington Books, 1999.

Technological Innovation, Dispersion, and Impact

Lambright, Henry, and Dianne Rahm. *Technology and U.S. Competitiveness: An Institutional Focus*. Westport, CT: Greenwood, 1992.

Lee, Yong. "Technology Transfer and Public Policy: Preparing for the Twenty-First Century." PSJ symposium, 1994.

Energy Policy

Herzik, Eric, and Alvin Mushkatel. *Problems and Prospects for Nuclear Waste Disposal Policy*. Westport, CT: Greenwood, 1993.

Pijawka, David, and Alvin Mushkatel. "Development of Nuclear Waste Policy: Siting the High-Level Nuclear Waste Repository." PSR symposium, 1992.

Walsh, Roberta, and John Heilman. *Energizing the Energy Policy Process: The Impact of Evaluation*. Westport, CT: Quorum, 1994.

Health and Biomedical

Blank, Robert. *Biomedical Policy*. Chicago: Nelson-Hall, 1995.

Correa, Hector. *Abortion Policy*. Huntington, NY: Nova Science, 1994.

Graber, David, and James Johnson. "Environmental Health Policy." PSJ symposium, 1995.

Harlow, Karen. "Long-Term Care Financing and Public Policy." PSR symposium, 1997.

Mills, Miriam, and Robert Blank. *Health Insurance and Public Policy: Risk, Allocation, and Equity*. Westport, CT: Greenwood, 1992.

Whittemore, Kenneth. "Mental Health Policy." PSJ symposium, 1994.

Food Policy

Hadwiger, Don, and Ross Talbot. "Agricultural Trade and Marketing Policies." PSJ symposium, 1992.

Helmuth, John, and Don Hadwiger. *International Agricultural Trade and Market Development Policy in the 1990s*. Westport, CT: Greenwood, 1993.

Webber, David. *Biotechnology: Assessing Social Impacts and Policy Implications*. Westport, CT: Greenwood, 1990.

Environmental Policy

General

Caldwell, Lynton. *Environmental Policy-making*. Westport, CT: Quorum, 1996.

Graber, David, and James Johnson. "Environmental Health Policy." PSJ symposium, 1995.

International Environment

Desai, Uday. "Comparative Environmental Politics and Policy." PSR symposium, winter 1992.

Feldman, David. *Global Climate and Public Policy*. Chicago: Nelson-Hall, 1994.

Natural Resources and Conservation

Desai, Uday. *Moving the Earth: Cooperative Federalism and Implementation of the Surface Mining Act*. Westport, CT: Greenwood, 1993.

Parks and Wilderness

Hutcheson, John, Jr., Francis Noe, and Robert Snow. *Outdoor Recreation Policy: Pleasure and Preservation*. Westport, CT: Greenwood, 1990.

Mangun, William. *Public Policy Issues in Wildlife Management*. Westport, CT: Greenwood, 1991.

Mohai, Paul. "Change in the United States Department of Agriculture Forest Service and Its Consequences for National Forest Policy." PSJ symposium, 1995.

Housing and Transportation

Hayes, Allen. *Ownership, Control, and Future of Housing Policy*. Westport, CT: Greenwood, 1993.

Maggio, Mark, and T. Maze. "Transportation Infrastructure Policy." PSJ symposium, 1993.

Social Policy

General Social Policy

Nagel, Stuart. *Social Policy to Promote Merit Treatment*. Lexington, MA: Lexington Books, 1999.

Poverty Policy

DeGregori, Thomas, and Harrell Rodgers. *Poverty Policy in Developing Countries*. Greenwich, CT: JAI, 1994.

Gender

Correa, Hector. *Abortion Policy*. Huntington, NY: Nova Science, 1994.

Race

Jackson, Donald. "The American Presidency and Civil Rights Policy." PSJ symposium, autumn 1993.

Riddlesperger, James, and Donald Jackson. *Presidential Leadership and Civil Rights Policy*. Westport, CT: Greenwood, 1995.

Age

Cutler, Neal, and Phoebe Liebig. *Employing the Elderly*. Westport, CT: Quorum, 1997.

Dixon, John, and Rubert Scheurell. *Social Security Programs: A Cross-Cultural Comparative Perspective*. Westport, CT: Greenwood, 1995.

Harlow, Karen. "Long-Term Care Financing and Public Policy." PSR symposium, 1997.

Native Americans

Legters, Lyman, and Fremont Lyden. *American Indian Policy*. Westport, CT: Greenwood, 1994.

Lyden, Fremont, and Lyman Legters. *Native Americans and Public Policy*. Pittsburgh, PA: University of Pittsburgh Press, 1992.

Education

Bhola, H. "Adult Education Policy and Performance: An International Perspective." PSR symposium, 1994.

Crime

Nagel, Stuart. *Legal Policy to Promote Compliance*. Lexington, MA: Lexington Books, 1999.

Thompson, Joel, and Larry Mays. *American Jails*. Chicago: Nelson-Hall, 1991.

Population and Family Policy

Anderson, Elaine, and Richard Hula. *The Reconstruction of Family Policy*. Westport, CT: Greenwood, 1991.

Correa, Hector. *Abortion Policy*. Huntington, NY: Nova Science, 1994.

Lowell, Lindsay, and Demetrios Papdemetriou. "Immigration and U.S. Integration Policy Reforms, and Economic Change." PSR symposium, 1992.

*Political-Legal Policy**Foreign and International Policy*

Crotty, William. *Post-Cold War Policy: The International Context*. Chicago: Nelson-Hall, 1995.

Jones, L., and Glenn Bixler. *Mission Financing to Realign National Defense*. Greenwich, CT: JAI, 1992.

Lowell, Lindsay, and Demetrios Papademetriou. "Immigration and U.S. Integration Policy Reforms, and Economic Change." PSR symposium, 1992.

Nagel, Stuart. *Global Policy Studies: International Interaction Toward Improving Public Policy*. New York: Macmillan, 1991.

_____. *Resolving International Disputes Through Super-Optimum Solutions*. Greenwich, CT: JAI, 1997.

Also see international aspects of economic, technology, social, and political policy.

Civil Liberties

Cingranelli, David. *Human Rights and Developing Nations*. Greenwich, CT: JAI, 1997.

Crotty, William. *Political Participation and American Democracy*. Westport, CT: Greenwood, 1991.

Jackson, Donald. "The American Presidency and Civil Rights Policy." PSJ symposium, autumn 1993.

Nagel, Stuart. *Constitutional Policy to Promote Rights*. Lexington, MA: Lexington Books, 1999.

Watson, Sara, and David Pfeiffer. "Disability Issues in Public Policy." PSJ symposium, 1993.

_____. "Disability Issues in Public Policy." PSR symposium, 1994.

Legal Policy

Nagel, Stuart. *Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making*. Westport, CT: Quorum, 1993.

_____. *Research in Law and Policy Studies*. Greenwich, CT: JAI (annual series).

See also the references listed under the subsection Judicial Branch under Policy Processes and Structures and those listed under the subsection Crime under Social Policy.

Electoral and Governmental Reform

See Policy Processes and Structures.

DEVELOPING NATIONS

General

Brinkerhoff, Derick. *Basic Concepts in Developmental Policy Studies*. Greenwich, CT: JAI, 1997.

Nagel, Stuart. *Developmental Policy Studies*. Huntington, NY: Nova Science, 1999.

Nagel, Stuart, and Miriam Mills. *Developing Nations and Super-Optimum Policy Analysis*. Chicago: Nelson-Hall, 1993.

Regions

Africa

Nagel, Stuart. *African Development and Public Policy*. New York: St. Martin's, 1994.

Asia

Mills, Miriam, and Stuart Nagel. *Public Administration in China*. Westport, CT: Greenwood, 1993.

Nagel, Stuart. *Asian Development and Public Policy*. New York: St. Martin's, 1994.

_____. *India Development and Public Policy*. Aldershot, UK: Ashgate, 1999.

Nagel, Stuart, and Miriam Mills. *Public Policy in China*. Westport, CT: Greenwood, 1993.

Eastern Europe

Nagel, Stuart, and Vladimir Rukavishnikov. *Eastern European Development and Public Policy*. New York: St. Martin's, 1994.

Latin America

Nagel, Stuart. *Latin American Development and Public Policy*. New York: St. Martin's, 1994.

Processes and Structures

Lazin, Fred. *The Policy Process and Developing Nations*. Greenwich, CT: JAI, 1997.

Specific Policy Problems

Caiden, Naomi. *Public Budgeting and Financial Administration in Developing Nations*. Greenwich, CT: JAI, 1996.

Cingranelli, David. *Human Rights and Developing Nations*. Greenwich, CT: JAI, 1997.

DeGregoni, Thomas, and Harrell Rodgers.
Poverty Policy in Developing Countries.
Greenwich, CT: JAI, 1996.

Nagel, Stuart, William Crotty, and James
Scaritt. *Political Reform and Developing
Nations*. Greenwich, CT: JAI, 1996.

Also see the cross-national aspects of
economic, technology, social, and political
policy.

The Impact of Policy Studies Organization Books

FEDERAL POLICYMAKING

Thirteen Federal Departments

As a test of your knowledge concerning various prestigious public policy research institutes, which one of the following has been commissioned by the most cabinet-level departments in the federal government to publish a general analysis of the departments' public policy problems?

- Brookings Institution
- Institute for Policy Studies
- American Heritage Foundation
- Urban Institute
- American Enterprise Institute
- Policy Studies Organization

The correct answer seems to be the Policy Studies Organization (PSO). There are 13 federal departments. The PSO has been commissioned to do a symposium on the policy problems of 10 of the 13 departments by the departments. It has been commissioned by the Ford Foundation or other funding sources to do symposia for the other 3 departments.

The following list presents examples of the books that have resulted from the grants, although in many instances there have been multiple books per department. The departments are listed in alphabetical order. Each volume is an edited book to which many experts have contributed.

Department of Agriculture

Hadwiger, Don, and William Browne. *The New Politics of Food*. Lexington, MA: Lexington-Heath, 1978.

Department of Commerce

McGowan, Robert, and Ed Ottensmeyer. *Perspectives on Economic Development*. Westport, CT: Greenwood, 1989.

Defense Department

Harkavy, Robert, and Edward Kolodziej. *American Security Policy and Policy-Making*. Lexington, MA: Lexington-Heath, 1980.

Department of Education

Gove, Samuel, and Federick Wirt. *Political Science and School Politics*. Lexington, MA: Lexington-Heath, 1980.

Department of Energy

Lawrence, Robert. *New Dimensions to Energy Policy*. Lexington, MA: Lexington-Heath, 1979.

Department of Health and Human Services

Goldstein, Richard, and Stephen Sachs. *Applied Poverty Research*. Totowa, NJ: Rowman & Allanheld, 1983.

Department of Housing and Urban Development

Montgomery, Roger, and Dale Marshall. *Housing Policy for the 1980s*. Lexington, MA: Lexington-Heath, 1980.

Department of the Interior

Foss, Phillip. *Federal Lands Policy*. Westport, CT: Greenwood, 1987.

Department of Justice

Dubois, Philip. *The Analysis of Judicial Reform*. Lexington, MA: Lexington-Heath, 1982.

Department of Labor

Bulmer, Charles, and John Carmichael. *Employment and Labor-Relations Policy*. Lexington, MA: Lexington-Heath, 1980.

State Department

Merritt, Richard. *Foreign Policy Analysis*. Lexington, MA: Lexington-Heath, 1975.

Department of Transportation

Altshuler, Alan. *Current Issues in Transportation Policy*. Lexington, MA: Lexington-Heath, 1979.

Treasury Department

Samuels, Warren, and Larry Wade. *Taxing and Spending Policy*. Lexington, MA: Lexington-Heath, 1980.

The fact that the PSO has interacted well with government agencies does not mean that it has neglected the theoretical aspects of public policy studies. The *Policy Studies Journal* (Vol. 17, pp. 240-241, 1988) listed more than 20 landmark volumes in theoretical policy analysis that PSO has developed, including the volume *Policy Theory and Policy Evaluation* (Westport, CT: Greenwood, 1989) and the PSO-Sage *Yearbook in Politics and Public Policy*.

Thirteen More

On pages 42 and 43 of the autumn 1996 issue of *Policy Evaluation*, there is a list of 13 PSO books associated with the general work of the 13 cabinet-level federal departments. Because that list was prepared a few years ago, if you were currently the head of a federal department, you would ask PSO, "What have you done for me lately?"

I am glad you asked that question. It gives me an opportunity to show how active PSO is in covering all 13 departments with new symposia. The former announcement listed 13 references, 1 for each department. Ten were commissioned by the departments and 3 by other funding sources. The following list also contains 13 references, 1 for each department. All these are more recent than the previously mentioned 13 references. None are repeated. All have been funded by the departments, the Ford Foundation, or other funding sources.

The PSO anticipates updating its analysis of the activities of the 13 or more departments every few years. This reflects its interest in being policy relevant. Future lists will also reflect the PSO's interest in being highly international and interdisciplinary.

Department of Agriculture

Browne, William, and Don Hadwiger. *World Food Policies: Toward Agricultural Interdependence*. Boulder, CO: Rienner, 1986.

Department of Commerce

Judd, Richard, William Greenwood, and Fred Becker. *Small Business in a Regulated Economy: Issues and Policy Implications*. Westport, CT: Quorum, 1988.

Department of Defense

Jones, L., and Glenn Bixler. *Mission Financing to Realign National Defense*. Greenwich, CT: JAI, 1992.

Department of Education

Gove, Samuel, and Thomas Stauffer. *Policy Controversies in Higher Education*. Westport, CT: Greenwood, 1986.

Department of Energy

Ender, Richard, and John Kim. *Energy Resources Development: Politics and Policies*. Westport, CT: Quorum, 1987.

Department of Health and Human Services

Mills, Miriam, and Robert Blank. *Health Insurance and Public Policy*. Westport, CT: Greenwood, 1992.

Department of Housing and Urban Development

Hays, Allen. *Ownership, Control, and the Future of Housing Policy*. Westport, CT: Greenwood, 1993.

Department of the Interior

Hutcheson, John, Francis Noe, and Robert Snow. *Outdoor Recreation Policy: Pleasure and Preservation*. Westport, CT: Greenwood, 1990.

Department of Justice

Doig, Jameson. *Criminal Corrections: Ideals and Realities*. Lexington, MA: Lexington Books, 1983.

Department of Labor

Flood, Lawrence. *Unions and Public Policy: The New Economy, Law, and*

Democratic Politics. Westport, CT: Greenwood, 1995.

State Department

Crotty, William. *Post-Cold War Policy: The International Context*. Chicago: Nelson-Hall, 1995.

Department of Transportation

Maggio, Mark, and T. Maze. *Transportation Infrastructure Policy* (PSO-PSJ Symposium, 1993). Urbana, IL: PSO.

Treasury Department

Levine, Charles, and Irene Rubin. *Fiscal Stress and Public Policy*. Beverly Hills, CA: Sage, 1980.

Still Six More

The following books were commissioned by federal government agencies. None of the books listed here were published in “Policy Studies and Federal Policy Making,” which appeared on pages 675 and 676 of the *Policy Studies Review*, Volume 9, Issue 3:

Department of Agriculture

Browne, William, and Don Hadwiger. *Rural Policy Problems: Changing Dimensions*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1982.

Department of Commerce

Dubnick, Mel, and Alan Gitelson. *Public Policy and Economic Institutions*. Urbana, IL/Greenwich, CT: PSO/JAI, 1991.

Department of Education

Gove, Samuel, and Thomas Stauffer. *Policy Controversies in Higher Education*. Urbana, IL/Westport, CT: PSO/Greenwood, 1986.

Department of Health and Human Services
Straetz, Ralph, Marvin Lieberman, and Alice Sardell. *Critical Issues in Health Policy*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1991.

Department of Justice

Doig, Jameson. *Criminal Corrections: Ideals and Realities*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1983.

Department of Labor

Papademetriou, Demetrios, and Lindsey Lowell. *Immigration Policy*. Urbana, IL/Westport, CT: PSO/Greenwood, 1991.

CROSS-NATIONAL POLICYMAKING

Federal Republic of Germany funding

Caiden, Gerald, and Heinrich Siedentopf. *Strategies for Administrative Reform*. Lexington, MA: PSO/Lexington Books, 1982.

Downing, Paul, and Kenneth Hanf. *International Comparison in Implementing Pollution Laws*. Dordrecht: The Netherlands, Kluwer-Nijhof, 1983.

Israeli government funding

Lazin, Fred, Samuel Aroni, and Yehuda Gradus. *The Policy Impact of Universities in Developing Regions*. Urbana, IL/New York: PSO/Macmillan, 1998.

People's Republic of China funding

Mills, Miriam, and Stuart Nagel, eds. *Public Administration in China*. Westport, CT: Greenwood, 1993.

Nagel, Stuart, and Miriam Mills, eds. *Public Policy in China*. Westport, CT: Greenwood, 1993.

U.S. government funding

Browne, William, and Dan Hadwiger. *World Food Policies: Toward Agricul-*

tural Interdependence. Boulder, CO: Rienner, 1986.

Lawrence, Robert, and Martin Heisler. *International Energy Policy*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1980.

STATE POLICYMAKING

The following books were all commissioned with state funds through state government agencies or state universities:

Alaska state funds

Ender, Richard, and John Kim. *Energy Resources Development: Politics and Policies*. Urbana, IL/Westport, CT: PSO/Greenwood, 1987.

Colorado and Wyoming state funds

Davis, Charles, and James Lester. *Dimensions of Hazardous Waste: Politics and Policy*. Urbana, IL/Westport, CT: PSO/Greenwood, 1988.

Delaware and Illinois state funds

Polley, Marian, and Michael Preston. *Race, Sex, and Policy Problems*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1979.

Florida and Oklahoma state funds

Benton, Edwin, and David Morgan. *Intergovernmental Relations and Public Policy*. Urbana, IL/Westport, CT: PSO/Greenwood, 1986.

Ohio state funds

Redburn, Stevens, and Terry Buss. *Public Policies for Distressed Communities*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1982.

Texas state funds

Rosentraub, Mark. *Urban Policy Problems: Federal Policy and Institutional Change*. Urbana, IL/New York: PSO/Praeger, 1986.

ALTERNATIVE
DISPUTE
RESOLUTION (ADR)
AND SUPER-OPTIMUM
SOLUTION (SOS)

Alternative Dispute Resolution

At the international level, alternative dispute resolution (ADR) means alternatives to war. At the economic level, it means alternatives to strikes and lockouts. At the litigation level, it means alternatives to going to courts and trials. ADR in a more positive sense means (a) arbitration with a win-lose decision by an ad hoc judge called an arbitrator and (b) mediation with a compromise decision by an ad hoc judge called a mediator.

Arbitration and mediation can be voluntary regarding (a) whether the parties agree to have an arbitration or mediation process and (b) whether the parties agree to accept the decision of the arbitrator or mediator. If the arbitration or mediation is voluntary, then either side can withdraw before the process begins or can refuse to abide by the decision. Nonvoluntary or compulsory arbitration or mediation may be required by law or by a previous contractual agreement of the parties.

BIBLIOGRAPHY¹

- Abel, Richard. "Law Without Politics: Legal Aid Under Advanced Capitalism." *UCLA Law Review* 32 (1985): 474-642.
- Alschuler, Albert. "The Prosecutor's Role in Plea Bargaining." *University of Chicago Law Review* 36 (1968): 50.
- _____. "The Defense Attorney's Role in Plea Bargaining." *Yale Law Journal* 84 (1975): 1179.
- American Law Institute. *Remedies for Violations of International Law*. Philadelphia: American Law Institute, 1984.
- Berney, Arthur, et al., eds. "Representing the Poor." In *Legal Problems of the Poor: Cases and Material*. Boston: Little, Brown, 1975.
- Blankenburg, Erhard, and Helmut Meier, eds. *Innovations in the Legal Services*. Cambridge, MA: Oelgeschlager, Gunn, & Hain, 1980.
- Brakel, Samuel. *Judicare: Public Funds, Private Lawyers, and Poor People*. Chicago: American Bar Foundation, 1974.
- _____. "Prospects of Private Bar Involvement in Legal Services." *American Bar Association Journal* 66 (1980): 726-28.
- Brickman, Lester, and Richard Lempert, eds. "Delivery of Legal Services." *Law and Society Review* special issue (1976).
- Brunelli, Richard. "Coin-Flip or Computer? Systemization of Legal Hunches Could Be the Ultimate Litigation Tool." *Chicago Daily Law Bulletin* (August 21, 1986): 1, 13.
- Buruham, James, and Phillip Wheelwright. *Philosophical Analysis*. New York: Holt, 1932.
- Butler, Sean. "Nagel Writes Computer Aided Law Decisions Program." *United States Law News* (September 1986): 22.

- Canto, Victor, Douglas Jones, and Arthur Laffer. *Foundations of Supply-Side Economics*. New York: Academic Press, 1983.
- Caplan, Gerald. "Understanding the Controversy Over the Legal Services Corporation." *New York Law School Law Review* 28 (1983): 583-91.
- Cappelletti, M., and B. Garth, eds. *Access to Justice: World Survey*. Amsterdam: Suthoff & Noordhoff, 1978.
- Champagne, Anthony. *Legal Services: An Exploratory Study of Effectiveness*. Beverly Hills, CA: Sage, 1976.
- Claremont, Kevin, and John Currivan. "Improving on the Contingent Fee." *Cornell Law Review* 63 (1978): 529-639.
- Cole, George, and Howard Greenherger. "Staff Attorneys vs. Judicare: A Cost Analysis." *Journal of Urban Law* 50 (1973): 705, 716.
- Curtis, D. *Toward a Just and Effective Sentencing System: Agenda for Legislative Reform*. New York: Praeger, 1977.
- Dershowitz, Allan. *Fair and Certain Punishment*. New York: McGraw-Hill, 1976.
- Diennor, Richard. "How Case Evaluation Can Improve Your Practice." *The Profitable Lawyer* 2 (October 1985): 13-15.
- Domke, Martin. *The Law and Practice of Commercial Arbitration*. New York: Callaghan, 1968.
- Dorsen, Norman, and Stanley Zimmerman, eds. *Housing for the Poor: Rights and Remedies*. New York: New York University School of Law, 1967.
- Downing, Paul. *Environmental Economics and Policy*. Boston: Little, Brown, 1964.
- Dugan, Marie, ed. "Conflict Resolution." *Peace and Change* special issue (summer 1982).
- Elkouri, F. *How Arbitration Works*. Washington, DC: Bureau of National Affairs, 1980.
- Epstein, William, and Bernard Feld, eds. *New Directions in Disarmament*. New York: Praeger, 1981.
- Etzioni, Amitai. *An Immodest Agenda: Rebuilding America Before the Twenty-First Century*. New York: McGraw-Hill, 1983.
- Fagan, Edward, ed. "The O.E.O. and Legal Services." *The Catholic Lawyer* symposium issue (1968).
- Fisher, Roger. *International Mediation: A Guide for Practitioners*. Cambridge, MA: Harvard Negotiation Project, 1980.
- Fisher, Roger, and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. Boston: Houghton Mifflin, 1981.
- Folberg, Jay, and Alison Taylor. *Mediation: A Comprehensive Guide to Resolving Conflicts Without Litigation*. San Francisco: Jossey-Bass, 1984.
- Frank, Jerome. *Courts on Trial: Myth and Reality in American Justice*. Princeton, NJ: Princeton University Press, 1950.
- Freedman, Leonard. *Public Housing: The Politics of Poverty*. New York: Holt, Rinehart & Winston, 1969.
- Garth, Bryant, ed. *Research on Legal Services for the Poor and Disadvantaged: Lessons From the Past and Issues for the Future*. Madison: Wisconsin Law School, Disputes Processing Research Program, 1983.
- Goldman, Ralph. *Arms Control and Peace Keeping: Feeling Safe in This World*. New York: Random House, 1982.
- Goodman, Leonard, and Jacques Feuillan. "The Trouble With Judicare." *American Bar Association Journal* 58 (1972): 476-81.
- Graves, David, Roy Nierenberg, and Robin Orden. *The Art of Negotiating: User's Guide for the IBM PC and Compatibles*. Berkeley, CA: Experience in Software, 1984.
- Handler, Jane, and Leora Wells. *Neighborhood Legal Services: New Dimensions in the Law*. Washington, DC: HWE, 1966.
- Handler, Joel, Ellen Jane Hollingsworth, and Howard Erlanger. *Lawyers and the Pursuit of Legal Rights*. New York: Academic Press, 1978.
- Hannon, Philip. "The New Legal Services Corporation: This Is Independence?" *Oklahoma City University Law Review* 9 (1984): 412-29.
- Harvard Law Review Editorial Board. "Neighborhood Law Offices: The New Wave in Legal Services for the Poor." *Harvard Law Review* 80 (1967): 805.
- Hayes-Roth, Frederick, Donald Waterman, and Douglas Lenat, eds. *Building Expert Systems*. Reading, MA: Addison-Wesley, 1983.

- Hunt, Daniel. *Artificial Intelligence and Expert Systems Sourcebook*. New York: Chapman & Hall, 1986.
- Hwang, Ching-Lal, and Kwangsun Yoon. *Multiple Attribute Decision Making: Methods and Applications*. Berlin: Springer-Verlag, 1981.
- Jarmel, Eli, ed. *Legal Representation of the Poor*. Albany, NY: Bender, 1972.
- Kaegler, Kurt, et al. "The Legal Services Corporation: Past, Present, and Future." *New York Law School Law Review* 28 (1983): 593-690.
- Kamieniecki, Sheldon, Robert O'Brien, and Michael Clarke, eds. *Controversies in Environmental Policy*. Albany: State University of New York Press, 1986.
- Kellor, E. *American Arbitration: Its History, Functions, and Achievements*. New York: Harper & Row, 1948.
- Kerr, Norbert, and Robert Bray, eds. *The Psychology of the Courtroom*. New York: Academic Press, 1982.
- Kidder, Robert. *Connecting Law and Society: An Introduction to Research and Theory*. Englewood Cliffs, NJ: Prentice Hall, 1983.
- Legal Services Corporation. *The Delivery System Study: A Policy Report to the Congress and the President of the United States*. Washington, DC: Legal Services Corporation, 1980.
- Legal Services Evaluation Study. *Literature Search Report*. Radnor, PA: Chilton Research Services, 1971.
- "Legal Services: Guides, Law, Regulations." *Poverty Law Reporter*. Chicago: Commercial Clearing House, 1972.
- Lerche, Charles. *Principles of International Politics*. New York: Oxford University Press, 1956.
- MacKinnon, F. *Contingent Fees for Legal Services: A Study of Professional Economics and Responsibilities*. Hawthorne, NY: Aldine, 1964.
- Maddi, Dorothy, and Frederic Merrill. *The Private Practicing Bar and Legal Services for Law-Income People*. Chicago: American Bar Foundation Series on Legal Services for the Poor, 1971.
- Magaziner, Ira, and Robert Reich. *Minding America's Business: The Decline and Rise of the American Economy*. New York: Harcourt Brace, 1982.
- Maher, Stephen, and Gregory Turza. "Is Mandatory Pro Bono a Good Idea?" *Bar Leader* 8 (May/June 1983): 18.
- May, Michael, George Bing, and John Steinheuner. *Strategic Arms Reductions*. Washington, DC: Brookings Institution, 1988.
- Mayers, Lewis. *The American Legal System: The Administration of Justice in the United States by Judicial, Administrative, Military, and Arbitral Tribunals*. New York: Harper, 1955.
- Moore, Christopher. *The Mediation Process: Practical Strategies for Resolving Conflict*. San Francisco: Jossey-Bass, 1986.
- Muth, Richard. *Public Housing: An Economic Evaluation*. New York: American Enterprise Institute for Public Policy Research, 1973.
- Myrdal, Alva. *The Game of Disarmament: How the United States and Russia Run the Arms Race*. Park Ridge, NY: Parthenon, 1982.
- Nagel, Stuart. "Simplified Bipartisan Computer Redistricting." *Stanford Law Review* 17 (1965): 863-99.
- _____. *The Legal Process From a Behavioral Perspective*. Homewood, IL: Dorsey, 1969.
- _____. "Effects of Alternative Types of Counsel on Criminal Procedures Treatment." *Indiana Law Journal* 48 (1973): 403-26.
- _____. *Improving the Legal Process: Effects of Alternatives*. Lexington, MA: Lexington-Heath, 1975.
- _____. "Lawyer Decision-Making and Threshold Analysis." *University of Miami Law Review* 36 (1982): 615-42.
- _____. *Public Policy: Goals, Means, and Methods*. New York: St. Martin's, 1984.
- _____. "Microcomputers, Risk Analysis, and Litigation Strategy." *Akron Law Review* 19 (1985): 35-80.
- _____. "Part/Whole Percentaging as a Useful Tool in Policy/Program Evaluation." *Evaluation and Program Planning* 8 (1985): 109-20.

- _____. "Using Microcomputers and P/G% to Predict Court Cases." *Akron Law Review* 18 (1985): 541-74.
- _____. *Using Personal Computers for Decision-Making in Law Practice*. Philadelphia: American Law Institute and American Bar Association, Committee on Professional Education, 1985.
- _____. "Computer-Aided Negotiation." *Attorneys Computer Report* 4 (November 1986): 11-4.
- _____. "Microcomputers and Improving Social Science Prediction." *Evaluation Review* 10 (1986): 635-60.
- _____. "Optimum Sequencing of Court Cases to Reduce Delay." *Alabama Law Review* 37 (1986): 583-638.
- _____. "Sequencing and Allocating Attorney Time to Cases." *Pepperdine University Law Review* 13 (1986): 1021-40.
- _____. "Allocating Attorney Time Per Case." In *Microcomputers as Decision Aids in Law Practice*. Westport, CT: Quorum, 1987.
- _____. *Applying Microcomputers to Dispute Resolution*. Champaign, IL: Decision Aids, 1987.
- _____. "A Microcomputer Program for Evaluation Analysis." *Evaluation and Program Planning* 9 (1987): 159-68.
- _____. *Microcomputers as Decision Aids in Law Practice*. Westport, CT: Quorum, 1987.
- _____. *Decision-Aided Software and Legal Decision-Making*. Westport, CT: Quorum, 1989.
- _____, with John Long and Miriam Mills. *Evaluation Analysis With Microcomputers*. Greenwich, CT: JAI, 1989.
- Nagel, Stuart, ed. *Environmental Politics*. New York: Praeger, 1974.
- Nagel, Stuart, and Casey Barczyk. "Can Computers Aid the Dispute Resolution Process?" *Judicature* 11 (1988): 253, 294-95.
- Nagel, Stuart, David Lamm, and Marian Neef. "Decision Theory and Juror Decision-Making." In *The Trial Process*, ed. by Bruce Sales. New York: Plenum, 1981.
- Nagel, Stuart, and Katherine Levy. "The Average May Be the Optimum in Determinate Sentencing." *University of Pittsburgh Law Review* 42 (1981): 583-636.
- Nagel, Stuart, and Miriam Mills. "Microcomputers, P/G%, and Dispute Resolution." *Ohio State Journal on Dispute Resolution* 2 (1987): 187-221.
- Nagel, Stuart, and Marian Neef. "Plea Bargaining, Decision Theory, and Equilibrium Models." *Indiana Law Journal* 51, 52 (1976): 987-1024, 1-62.
- _____. *Decision Theory and the Legal Process*. Lexington, MA: Lexington-Heath, 1979.
- _____. "Applying Decision Science to the Practice of Law." *Practicing Lawyer* 30 (1985): 13-22.
- Nagel, Stuart, Marian Neef, and Sarah Schramm. "Decision Theory and the Pre-Trial Release Decision in Criminal Cases." *University of Miami Law Review* 31 (1977): 1433-92.
- Nagy, Tom, Dick Gault, and Monica Nagy. *Building Your First Expert System*. Torrance, CA: Ashton-Tate, 1985.
- "Neighborhood Law Offices: The New Wave in Legal Services for the Poor." *Harvard Law Review* 80 (1967): 805.
- Newman, Donald. *Conviction: The Determination of Guilt or Innocent Without Trial*. Boston: Little, Brown, 1966.
- Nierenberg, Gerard. *Fundamentals of Negotiating*. New York: Hawthorn/Dutton, 1973.
- Nussbaum, Pete. "Attorney's Fees in Public Interest Litigation." *New York University Law Review* 48 (1973): 301.
- Oaks, D., and W. Lehman. *A Criminal Justice System and the Indigent: A Study of Chicago and Cook County*. Chicago: University of Chicago Press, 1968.
- Posner, Richard. "An Economic Approach to Legal Procedure and Judicial Administration." *Journal of Legal Studies* 2 (1973): 399-458.
- Raddiff, Benjamin. "Multi-Criteria Decision Making: A Survey of Software." *Social Science Microcomputer Review* 4 (1986): 38-55.
- Raiffa, Howard. *The Art and Science of Negotiation*. Cambridge, MA: Harvard University Press, 1982.

- Richardson, Geneva. *Policing Pollution: A Study of Regulation and Enforcement*. New York: Oxford University Press, 1982.
- Roberts, Paul. *The Supply Side Revolution*. Cambridge, MA: Harvard University Press, 1984.
- Rosenthal, Douglas, Robert Kagan, and Debra Quatrone. *Volunteer Attorneys and Legal Services for the Poor: New York's CLO Program*. New York: Russell Sage, 1971.
- Ross, Laurence. *Settled Out of Court*. Chicago: Aldine, 1970.
- Rossett, Arthur, and Donald Cressy. *Justice by Consent: Plea Bargains in the American Courthouse*. New York: J. B. Lippincott, 1976.
- Ruby, Lionel. *Logic: An Introduction*. Philadelphia: J. B. Lippincott, 1950.
- Sales, Bruce ed. *The Trial Process*. New York: Plenum, 1981.
- Sander, Frank. *Mediation: A Selected Annotated Bibliography*. Chicago: American Bar Association, 1984.
- Schuman, Frederick. *International Politics*. New York: McGraw-Hill, 1953.
- Schwartz, Murray, and Daniel Mitchel. "An Economic Analysis of the Contingent Fee in Personal Injury Litigation." *Stanford Law Review* 22 (1970): 1125.
- Silverstein, Lee. *Defense of the Poor in Criminal Cases in American State Courts*. Chicago: American Bar Foundation, 1965.
- Singer, R. *Just Desserts: Sentencing Based on Equality and Dessert*. Cambridge, MA: Ballinger, 1979.
- Staller, Jerome. "The Advantages of Alternative Dispute Resolution in Tort Cases." *The Practical Lawyer* 31 (1985): 57-66.
- Steuer, Ralph. *Multiple Criteria Optimization: Theory, Computation, and Application*. New York: John Wiley, 1986.
- Stumpf, Harry. *Community Politics and Legal Services: The Other Side of the Law*. Beverly Hills, CA: Sage, 1975.
- Taylor, J. *A Comparison of Counsel for Felony Defendants*. Arlington, VA: Institute for Defense Analyses, Systems Evaluation Division, 1972.
- Thomas, W. *A Decade of Bail Reform*. Berkeley: University of California Press, 1976.
- Turner, Angela. "President Reagan and the Legal Services Corporation." *Creighton Law Review* 15 (1985): 711-32.
- Vago, Steven. *Law and Society*. Englewood Cliffs, NJ: Prentice Hall, 1981.
- Wice, Paul. *Freedom for Sale: A National Study of Pretrial Release*. Lexington, MA: Lexington-Heath, 1974.
- Wice, Paul, and Peter Suwak. "Current Realities of Public Defender Programs: A National Survey and Analysis." *Criminal Law Bulletin* 10 (1974): 161-83.
- Williams, Gerald. *Legal Negotiation and Settlement*. St. Paul, MN: West, 1983.
- Windsor Yearbook of Access to Justice. Windsor, Ontario: University of Windsor, Faculty of Law (since 1980).
- Winter, Frederick. "An Application of Computerized Decision Tree Models in Management-Union Bargaining." *Interfaces* 15 (1985): 74-80.
- Zander, Michael. "Judicare or Staff? A British View." *American Bar Association Journal* 64 (1978): 436-38.
- Zeleny, Milan. *Multiple Criteria Decision Making*. New York: McGraw-Hill, 1982.
- Zemans, Frederick, ed. *Perspectives on Legal Aid: An International Study*. Westport, CT: Greenwood, 1979.

SUPER-OPTIMUM MEDIATION

The following references provide further relevant reading for those who wish to follow up on the topic of super-optimum mediation in rule making and other disputes:

- Fisher, Roger, and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. Boston: Houghton Mifflin, 1981.
- Folberg, Jay, and Alison Taylor. *Mediation: A Comprehensive Guide to Resolving Conflicts Without Litigation*. San Francisco: Jossey-Bass, 1984.
- Goldberg, Stephen, Eric Green, and Frank Sander, eds. *Dispute Resolution*. Boston: Little, Brown, 1985.

- Moore, Christopher. *The Mediation Process: Practical Strategies for Resolving Conflict*. San Francisco: Jossey-Bass, 1986.
- Nagel, Stuart. *Higher Goals for America: Doing Better Than the Best*. Lanham, MD: University Press of America, 1988.
- Nagel, Stuart, and Miriam Mills. *Multi-Criteria Methods for Alternative Dispute Resolution: With Microcomputer Software Applications*. Westport, CT: Greenwood-Quorum, 1990.
- _____. *Systematic Analysis in Dispute Resolution*. Westport, CT: Greenwood-Quorum, 1991.
- Nyhart, Daniel, ed. *Computer Models and Modeling for Negotiation Management*. Cambridge: MIT Press, 1987.
- Susskind, Lawrence, and Jeffrey Cruikshank. *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. New York: Basic Books, 1987.
- Ury, William, Jeanne Brett, and Stephen Goldberg. *Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict*. San Francisco: Jossey-Bass, 1988.
- Hendrick, Rebecca. "The Role of Heuristic Thinking in Policy Analysis." In *Public Policy Analysis and Management*, ed. Stuart Nagel. Greenwich, CT: JAI, 1992.
- Kmietowicz, K., and A. Pearman. *Decision Theory and Incomplete Knowledge*. Brookfield, VT: Gower, 1981.
- Kotz, Samuel, and Donna Stroup. *Educated Guessing: How to Cope in an Uncertain World*. New York: Dekker, 1983.
- Mack, Ruth. *Planning on Uncertainty: Decision Making in Business and Government Administration*. New York: John Wiley, 1971.
- Moore, Carl. *Profitable Applications of the Break-Even Systems*. Englewood Cliffs, NJ: Prentice Hall, 1971.
- Nagel, Stuart. "Changing in the Goals, Means, or Methods." In *Policy Studies: Integration and Evaluation*. Westport, CT: Greenwood, 1988.
- _____. "Multiple Missing Information." In *Evaluation Analysis With Microcomputers*. Greenwich, CT: JAI, 1989.

For further reading that relates to sensitivity analysis, see the following:

- Carroll, Owen. *Decision Power With Super-sheets*. Burr Ridge, IL: Dow Jones-Irwin, 1986.
- Dawes, Robyn. *Rational Choice in an Uncertain World*. New York: Harcourt Brace Jovanovich, 1988.
- Harris, Clifford. *The Break-Even Handbook*. Englewood Cliffs, NJ: Prentice Hall, 1978.

NOTE

1. From Stuart Nagel and Miriam Mills, *Multi-Criteria Methods for Alternative Dispute Resolution: With Microcomputer Software Applications* (Westport, CT: Greenwood-Quorum, 1990).

Literature Relevant to Super-Optimum Solutions

Super-optimum solutions (SOSs) to public policy problems can enable conservatives, liberals, and other major groups to all achieve better than their best or optimum expectations simultaneously. The object of SOS analysis is to find such solutions to policy problems and to generate general principles of relevant concepts, creativity, and feasibility that cut across specific policy problems.

RELEVANT IDEAS AND LITERATURE

There are many relevant ideas and books that have played important parts in the development of the concept of achieving SOSs. One stream of ideas relates to the use of computers to facilitate systematic, evaluative, and explanatory reasoning. The key literature includes Patrick Humphreys and Ayleen Wisudha, *Methods and Tools for Structuring and Analyzing Decision Problems* (London: London School of Economics and Political Science, 1987); Saul Gass et al., eds., *Impacts of Microcomputers on Operations Research* (Amsterdam: North-Holland, 1986); and Stuart Nagel, *Evaluation Analysis With Microcomputers* (Greenwich, CT: JAI, 1989).

The second stream of inspiration has come from people in the field of mediation and alternative dispute resolution. The key literature includes Lawrence Susskind and Jeffrey Cruikshank, *Breaking the Impasse: Consensual Approaches to Resolving Disputes* (New York: Basic Books, 1987); Stephen Goldberg, Eric Green, and Frank Sander, eds., *Dispute Resolution* (Boston: Little, Brown, 1984); and Stuart Nagel and Miriam Mills, "Microcomputers, P/G%, and Dispute Resolution" (*Ohio State Journal on Dispute Resolution* 2 [1987]: 187-223).

The third stream of inspiration has come from people who are expansionist thinkers, including the conservative economist Arthur Laffer and the liberal economist Robert Reich. They have in common a belief that policy problems can be resolved by expanding the total pie of resources or other things of value available to be distributed to the disputants. The expansion can come from well-placed subsidies and tax breaks with strings attached to increase national productivity. This kind of thinking can apply to disputes involving blacks and whites, rich and poor, males and females, North and South, urban and rural, and other categories of societal disputants. The key literature includes Ira Magaziner and

Robert Reich, *Minding America's Business: The Decline and Rise of the American Economy* (New York: Harcourt Brace, 1982); and Paul Roberts, *The Supply Side Revolution* (Cambridge, MA: Harvard University Press, 1984).

In addition to decision-aiding software with a multicriteria decision-making spreadsheet base, win-win dispute resolution, and expansionist growth economics, one might also find origins of SOS thinking in the dialectic analysis of Hegel and Marx. The essence of the dialectic is that progress or change tends to proceed from a status quo thesis to a conflicting antithesis toward a higher-level synthesis. For Marx, the main thesis was existing capitalism that emphasized private ownership and distribution in accordance with supply, demand, and inheritance. The antithesis was a form of socialism that emphasized government ownership and distribution in accordance with one's contribution. The synthesis was a form of ideal communism that emphasized withering away of the state and distribution in accordance with need. The implicit and sometimes explicit goals were greater national productivity and equity of fairness in providing opportunities regardless of class, ethnic group, or other non-merit considerations.

There is some question as to whether Marx's ideal communism would be highly productive compared to a state that provides well-placed subsidies and tax breaks. There is also some question as to whether Marx's ideal communism would be equitable by allocating in proportion to need rather than allocating to encourage socially desired behavior with a minimum constraint that considers need. The important point regarding the predecessors of super-optimum analysis is that the dialectical materialism of Karl Marx was partly meant to achieve a synthesis that would enable advocates of capitalism and socialism to both achieve better than their best initial expectations simultaneously. It was largely SOS thinking in purpose, although not necessarily in effect.

DIALECTIC THINKING AND SOSs

Ways of Viewing the Evolution of Civilization

Probably the least common way of viewing the evolution of civilization is a kind of negative perspective in which it is believed that there was once some golden age and we have, in general, been going downhill ever since that time. To some extent, this is "garden of Eden thinking." It is not taken very seriously by anybody. The reality is that thousands of years ago, people lived very much like animals, hiding from other animals that wanted to eat them. They spent all day scrounging for food and lived to age 20. It was far from a garden of Eden existence. Some religious thinkers believe that the paradise period was in the age of theocracy, which reached a peak maybe at approximately the time of the Crusades. This was still the middle of the Dark Ages, prior to the Renaissance. People did not live in caves, but their living conditions were not much better.

The most common view is the idea of a kind of linear or maybe even exponential progress. If we are going to associate each of these viewpoints with somebody, the first viewpoint would be associated largely with Catholic theologians who believe that either the garden of Eden or the time of greatest papal power was the best time period we have ever had. This reality is not associated with any prominent Catholic philosophers, such as Aquinas or Maritain, or with a kind of crude Russian peasant view of the world. It is particularly present in Eastern Europe orthodoxy. One would expect it to be more likely to be present there than in Western Europe, where life is reasonably good. If one's life is miserable, one tends to either look for pie in the sky or to dwell on some previous glories or both because the notion of heaven is similar to the garden of Eden. Rousseau is the philosopher most associated with long-term progress.

One could consider the first perspective as being the conservative perspective, wanting to go back in time. The second perspective is liberal in looking to the future here on Earth. The third perspective is the dialectic that states that there is no continuous progress—that the world involves a conflict between the present and some antithesis to it out of which results a synthesis that is likely to be better than either what existed before or what conflicts with it. It is a notion of progress, but one that involves conflict or a kind of dialectic turmoil to achieve it rather than it occurring virtually automatically as a result of one invention leading to two or more other inventions and so on in a kind of exponential growth or geometric progression. Marx and Hegel are most closely associated with the dialectic. There could be a left-wing dialectic or a right-wing dialectic in which the synthesis in Marx's case is ultimately a form of pure communism, and the synthesis in Hegel's case is a form of pure nationalism and abstract ideals rather than material well-being. Hegel's dialectic gave rise to Hitler. Marx's dialectic gave rise to Lenin. Both are related to SOS analysis in the sense of a status quo such as a conservative policy being attacked by a liberal policy.

Out of the conflict, a compromise could arise rather than a higher-level synthesis. No great philosopher has ever been especially in favor of the idea of compromise because it sounds so compromising in the sense of not really standing up for principle. The closest might be the pragmatists, who argue that if something works then it is good and true. This is a low standard. SOS analysis does not simply ask that something work. That is the approach of Herbert Simon—that is, to choose policies that can meet a minimum threshold. On a higher philosophical level, one could say that such an orientation is associated with John Dewey and William James but not so much with Bentham because he constantly talked about optimizing and the greatest happiness for the greatest number. This is optimizing language, not satisfying language.

One could put into a separate category people such as Bentham and John Stuart Mill, who talk about optimizing. One could put Adam Smith and other conservative economists of the 1800s and the 1900s into this category. It is a position that could be either conservative or liberal, depending on what goals one is seeking to optimize. It is a higher level of thinking than pragmatism. It does not apply as an evolutionary school, however, unless one argues that the optimum is the equilibrium. This is what Adam Smith argues—namely, that the world will be optimum if the government leaves it alone. The invisible hand of the free marketplace will make for an optimum society. This, however, is really more a normative position of what should be rather than an empirical position of what is likely to be. It is difficult to argue that natural evolution is toward a free marketplace when it seems that every free marketplace that has ever existed has always degenerated into oligopoly or monopoly as some businesses tend to take over, with the exception of agriculture. There can be a monopoly, however, with regard to the sale of grain as contrasted to growing it, and there can also be a monopoly if the government owns and operates all the farms.

Super-Optimum Analysis Fits Into the Broader Context

All the previously discussed viewpoints tend to emphasize where the world is going, although they also indicate where it should be going. All these viewpoints talk about the inevitable role of God, the invisible hand of the marketplace, inevitable progress, and the inevitable dialectic.

Super-optimum analysis strongly emphasizes that no super-optimum solutions are inevitable. They require careful generating, adopting, implementing, and facilitating. They do not happen accidentally. The following are important relevant aspects of win-win or super-optimum analysis:

1. Major progress has been made in the past: This recognition boosts morale that progress can be made in the future.
2. Much needs to be done: Pointing out how bad things are inspires work to change things.
3. The world will get much worse if we do not work hard to improve it: This is the pessimistic element in win-win analysis.
4. The world will get much better if we do work hard to improve it: This is the optimistic element in win-win analysis.

The position is taken that the world is currently horrible compared to what it could be, and it will inevitably get even more horrible unless something is done about it. In this sense, it is related to the viewpoint that emphasizes the fact that things get worse if left to natural evolution.

The optimistic view is that by carefully generating, adopting, implementing, and facilitating SOS, the world could be a much better place in which to live, but there are no invisible hands or natural forces bringing it about—it has to be done deliberately. None of the previously mentioned viewpoints talk about the role of human beings in determining their own future through deliberate planning. They portray human beings as just being swept along by cosmic philosophical forces.

In that regard, maybe the democratic pragmatists, such as John Dewey, come closest to the win-win perspective on the bad present along with the good future if we work at it. They may have low standards for what to achieve (although they vary). Lasswell would probably consider himself a democratic pragmatist who had high standards for world democracy, and to some extent so did John Dewey. William James, however, was possibly overly influenced by the conservative types, who emphasized individuals seeking to maximize their own good rather than higher-level goals. The important point is that Dewey placed emphasis on encouraging individuals to work to achieve their goals regardless

of whether they were narrow personal goals or, better yet, liberal societal goals. The essence of progressive education is encouraging the students to participate in the learning process, to make up their own minds, and to be captains of their own fate. This is hated by authoritarians, who want children to be dictated to because they themselves were dictated to. His emphasis on education rather than public policy-making reflects his own background. He is associated most with the philosophy of education rather than the philosophy of government or political science.

SOURCES OF TRADE-OFF THINKING

Pollution Example

The idea of a pollution prevention center emphasizes the technological fix as contrasted to an economic approach or a regulatory legal approach. The objective is to develop research on all manufacturing processes designed to prevent pollution from occurring in the first place. It is based on the simple notion that it may be cheaper to prevent pollution than to use any other approach. Other approaches include

- Finding some kind of commercial value for the waste products
- Cleaning up the waste after it occurs
- Retrofitting existing facilities
- Ordering by legal fiat a pollution reduction with penalties for failing to comply

The Archer Daniels Midland example takes a pollution reduction perspective in arguing that there may be ways of processing soybeans that can generate less pollution and also decrease the cost of processing. It is a matter of thinking in terms of increasing benefits and decreasing costs simultaneously. If one starts with this position, one is more likely to succeed than if

one starts with the following more traditional positions:

We can reduce pollution, but it is going to cost us something to do it.

We can save manufacturing costs, but it will decrease our compliance with the pollution laws.

Both perspectives assume that if benefits are going to increase, they have to be paid for with higher costs. If costs are lowered, then the logical counterpart is that benefits will be reduced.

Damming the SOS Stream

Traditional reasoning has many streams, such as the following:

1. Some kind of Newtonian view of the universe that says for every action there has to be a reaction
2. Some kind of economics perspective that says there is no free lunch
3. The cliché about the world is full of trade-offs
4. The way accountants view the world in terms of income and expenses moving in opposite directions, meaning that if you want to increase your income, you have to increase your expenses
5. The idea that it takes money to make money

The last expression may make sense in talking about well-placed subsidies that may take awhile to pay off. Even in this case, however, the overall benefits increase and the overall costs decrease across the time horizon. The expression should be changed to state that well-placed subsidies can make it possible to increase income and

lower expenses simultaneously. Saying it takes money to make money implies that expenses have to increase for income to increase, which may be true in a shortsighted business perspective.

GENERALIZING THE SOS ORIENTATION

Much of the previous discussion relates to discussing super-optimum analysis on a more philosophical level to get people to think more in terms in which it is possible to have one's cake and eat it too. The deviant exception is having one's cake and not being able to eat it or being in a position in which benefits and costs have to act in a more traditional way. We would not want to go so far as to say especially in the short run that every little mundane situation lends itself to simultaneously increasing benefits and decreasing costs. We are not talking about buying paperclips. If one wants more paperclips, one has to spend more money.

We are talking about problems of literacy, disease, and poverty. We are in effect saying that if one wants less poverty, one does not have to spend more money to achieve it if one thinks in terms of a broader time horizon than the expenditures of today as contrasted to today and tomorrow. The poverty example is especially good because a small amount of well-placed subsidies today can produce large benefits tomorrow and a reduction in tax costs. In terms of public policy, that idea can be thought of as being universally applicable. There is no policy problem to which it does not apply. The environmental field is not in any way an exception. It just happens to be a field in which a great deal of experimentation is under way with new incentives and new ways of thinking.

Super-Optimum Solution Publications

SUPER-OPTIMUM SOLUTION BOOKS AUTHORED OR EDITED BY STUART NAGEL (Alphabetical by Book Title)

- Applications of Super-Optimizing Analysis.* Greenwich, CT: JAI, 1997.
- Creativity in Public Policy: Generating Super-Optimum Solutions.* Aldershot, UK: Ashgate, 1999.
- Developing Nations and Super-Optimum Policy Analysis.* Chicago: Nelson-Hall, 1991.
- Higher Goals in America: Doing Better Than the Best.* Lanham, MD: University of America Press, 1989.
- Legal Process Controversies and Super-Optimum Solutions.* Westport, CT: Greenwood-Quorum, 1997.
- Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making.* Westport, CT: Greenwood-Quorum, 1993.
- Multi-Criteria Methods in Alternative Dispute Resolution: With Microcomputer Software Applications.* Westport, CT: Greenwood-Quorum, 1990.
- Policy-Analysis Methods and Super-Optimum Solutions.* Huntington, NY: Nova Science, 1994.
- The Policy Process and Super-Optimum Solutions.* Huntington, NY: Nova Science, 1994.

- Public Policy Evaluation: Making Super-Optimum Decisions.* Aldershot, UK: Ashgate, 1997.
- Resolving International Disputes Through Super-Optimum Solutions.* Greenwich, CT: JAI, 1997.
- The Super-Optimum Society.* Aldershot, UK: Ashgate, 1997.
- Super-Optimum Solutions.* Symposium issue of *Public Budgeting and Financial Management*, 1992.
- Systematic Analysis in Dispute Resolution.* Westport, CT: Greenwood-Quorum, 1991.
- Win-Win Policy: Basic Concepts and Principles.* Westport, CT: Greenwood-Quorum, 1997.

SUPER-OPTIMUM SOLUTION JOURNAL ARTICLES BY STUART NAGEL (Alphabetical by Journal Title)

- African Administrative Studies.* "Privatization, Inflation, and Super-Optimum Solutions: In Russia and Eastern Europe," 37, (1991): 45-54.
- Asian Journal of Political Science.* "Public Policy in Asia and Super-Optimizing Analysis," 2 (1994): 1-31.

- Australian Journal of Public Administration*. "Institutionalizing Improved Policy Analysis," 52 (1993): 241-47.
- Chinese Public Administration Review*. "Super-Optimizing and Chinese Policy Problems," 1 (1992): 121-56.
- _____. "The Need for Improved Policy Analysis and Implementing Institutions in Developing Areas," 2 (1993): 1-38.
- _____. "Super-Optimizing Across Four Continents," 3 (1993): 1-34.
- Developmental Policy Studies*. "Economic, Social, Technology, and Political Policy," 2 (spring 1996): 5-40.
- _____. "Mini-Symposium on Inter- and Intra-National Dispute Resolution," 2 (autumn 1996): 16-47.
- _____. "USIA Win-Win Traveling Seminars," 2 (winter 1996): 28-35.
- _____. "Mini-Symposium on International Prosperity," 3 (spring 1997): 9-24.
- _____. "Win-Win Developmental Administration," 3 (autumn 1997): 6-11.
- Hong Kong Public Administrators*. "Introduction: Super Optimum Solutions in Public Controversies," 1 (1991): 18-25.
- Indian Journal of Asian Affairs*. "The Need for Improved Policy Analysis in Developing and Industrialized Nations," 7 (1994): 1-34.
- Indian Journal of Public Administration*. "Super-Optimizing Analysis and Industrial Policy of India," 39 (1993): 123-27.
- International Journal of Public Administration*. "Super-Optimizing China: Reunification as an Example," 16 (1993): 1459-81.
- International Legal Practitioner*. "Multi-Criteria Legal Dispute Resolution," 16 (1991): 90-92.
- Journal of Management Science and Policy Analysis*. "Super-Optimum Mediation in Adjudicating Dispute," 7 (1990): 157-62.
- Journal of Rural Development and Administration*. "Super-Optimizing Analysis and Pakistan Land Reform," 24 (1992): 12-17.
- The Key*. "Doing Better Than Zero Crime," 15 (1989): 7.
- _____. "Super-Optimum Mediation in Rule-Making Controversies," 6 (1989): 70-78.
- Mediation Quarterly*. "Multi-Criteria Dispute Resolution Through Computer-Aided Mediation Software," 7 (1989): 175-89.
- Ohio State Journal on Dispute Resolution*. "Microcomputers, P/G%, and Dispute Resolution," 2 (1987): 187-221.
- PA Times*. "Super-Optimum Solutions Keep Everybody Happy," 15 (January 1992): 4, 20.
- The Peacebuilder*. "Arms Control, Super-Optimum Solutions, and Decision-Aiding Software," 1 (1990): 10-1.
- Philippine Journal of Public Administration*. "Super-Optimizing Analysis and Philippine Policy Problems," 35 (1991): 1-32.
- Policy Evaluation*. "Professional Developments," 9 (1990): 835-41.
- _____. "Generating and Facilitating Super-Optimum Solutions," 1 (summer 1992): 8-12.
- _____. "Super-Optimizing Analysis," 1 (spring 1992): 30-34.
- _____. "Trends, Developing Nations, and SOS," 1 (spring 1992): 28-9.
- _____. "Adopting Super-Optimum Solutions," 2 (spring 1996): 23-5.
- _____. "Generalized Policy Analysis," 2 (autumn 1996): 35-45.
- _____. "Implementing Super-Optimum Solutions," 2 (spring 1996): 25-7.
- _____. "Mini-Symposium on Policy Fields and Win-Win Thinking," 2 (winter 1996): 14-27.
- _____. "Win-Win Feasibility," 2 (winter 1996): 27-33.
- _____. "Mini-Symposium on Legal Policy and Win-Win Thinking," 3 (spring 1997): 12-25.
- _____. "Political Policy Controversies," 3 (autumn 1997): 14-21.
- Policy Issues for the 1990s*. "Super-Optimum Solutions in Public Controversies," 10 (1992): 495-516.
- Policy Studies Journal*. "Universal Values and Win-Win Policy," 23 (1995): 388-91.
- _____. "Win-Win Policy," 23 (1995): 181-82.
- Policy Studies Review*. "Higher Goals for Public Policy," 9 (1990): 835-42.
- Ratio Juris*. "What's New and Useful in Law Analysis Technology?" 5 (1992): 172-90.
- Social Indicators Research*. "Doing Better Than the Optimum," 21 (1989): 193-220.

SUPER-OPTIMUM SOLUTION
BOOK CHAPTERS
BY STUART NAGEL
(Alphabetical by Book Title)

- “The Law of Developing Nations and Super-Optimum Solutions.” In *Advances in Developmental Policy Studies*, Vol. 1, 125-91. Greenwich, CT: JAI, 1996.
- “Education Policy and Multi-Criteria Decision-Making.” In *Advances in Educational Productivity*, ed. Herbert J. Walberg, 123-171. Greenwich, CT: JAI, 1993.
- “Super-Optimum Solutions in Public Controversies.” In *Advances in Policy Studies Since 1950*, ed. William N. Dunn and Rita Mae N. Kelly, 495-516. New Brunswick, NJ: Transaction Publishing, 1992.
- “Super-Optimum Solutions in Public Controversies.” In *Advances in Social Science and Computers*, 223-40. Greenwich, CT: JAI, 1993.
- “Education Policy and Multi-Criteria Decision-Making.” In *Analytic Methods for Education Productivity*, ed. Herbert J. Walberg. Greenwich, CT: JAI, 1991.
- “Judicial Process Controversies and Super-Optimum Solutions.” In *Computer-Aided Judicial Analysis*, 167-84. Westport, CT: Quorum, 1992.
- “Super-Optimum Solutions to Procedural Controversies.” In *Computer-Aided Judicial Analysis: Predicting, Prescribing, and Administering*. Westport, CT: Quorum, 1991.
- “Decision-Aiding Software and Super-Optimum Solutions.” In *Encyclopedia of Policy Studies*, 49-68. New York: Dekker, 1994.
- “SOS Causation.” In *Evaluative and Explanatory Reasoning*, 191-203. Westport, CT: Quorum, 1992.
- “SOS Evaluation.” In *Evaluative and Explanatory Reasoning*, 113-33. Westport, CT: Quorum, 1992.
- “Super-Optimizing Analysis and Developmental Policy.” In *Global Policy Studies*, 22-84. New York: Macmillan, 1991.
- “Governmental Structures and Super-Optimum Solutions.” In *Handbook of Developing Nations*, ed. Ali Farazmand. New York: Dekker, 1991.
- “Super-Optimum Solutions in Governmental Decision Making.” In *Handbook of Governmental Accounting and Finance*, ed. Nicholas G. Apostolov and Larry D. Crumbley, 30/1-30/47. New York: John Wiley, 1992.
- “Win-Win Policy System and Economic Development.” In *Handbook of Support Development*, ed. K. Tom Liou. New York: Dekker, 1997.
- “Public Policy Toward Government Organization.” In *Modern Organizations: Administrative Theory in Contemporary Society*, ed. Ali Farazmand, 125-42. New York: Praeger, 1994.
- “Broadening the Applicability of Multi-Criteria Dispute Resolution.” In *Multi-Criteria Methods for Alternative Dispute Resolution*, 223-43. Westport, CT: Quorum, 1990.
- “Finding a Super-Optimum Solution in a Labor-Management Dispute.” In *Multi-Criteria Methods for Alternative Dispute Resolution*, 157-69. Westport, CT: Quorum, 1990.
- “The Formulation and Implementation of Super-Optimum Solutions in Policy Analysis and Program Evaluation.” In *Policy Analysis and Programme Evaluation*, ed. Ray C. Rist. Brussels: International Institute of Administrative Sciences, 1991.
- “Projecting Trends in Public Policy.” In *Policy Theory and Policy Evaluation: Concepts, Knowledge, Causes, and Norms*, 161-204. Westport, CT: Greenwood, 1990.
- “The Need for Improved Policy Analysis.” In *Professional Developments in Policy Studies*, 207-22. Westport, CT: Greenwood, 1993.
- “The SOS Process: Generating, Adopting, Implementing, and Facilitation.” In *Professional Developments in Policy Studies*, 171-80. Westport, CT: Greenwood, 1993.
- “Super-Optimizing Analysis and Policy Studies.” In *Professional Developments in Policy Studies*, 135-40. Westport, CT: Greenwood, 1993.
- “Super-Optimizing Analysis and Chinese Policy Problems.” In *Public Policy in China*, 95-120. Westport, CT: Greenwood, 1993.
- “Approaches to Arriving at Superoptimum Solutions.” In *Public Productivity Handbook*, ed. Marc Holzer, 281-304. New York: Dekker, 1992.

- “Applications of SOS Analysis.” In *Research Annual on Social Science and Computers*, Vol. 5. Greenwich, CT: JAI, 1997.
- “The Nuts and Bolts of SOS Analysis.” In *Research Annual on Social Science and Computers*, Vol. 5. Greenwich, CT: JAI, 1997.
- “Legal Policy and Win-Win Thinking.” In *Research in Law and Policy Studies*, Vol. 5. Greenwich, CT: JAI, 1997.
- “Arriving at Super-Optimum Solutions.” In *Research in Public Policy Analysis and Management*, Vol. 7, 243-85. Greenwich, CT: JAI, 1995.
- “Super-Optimizing Policy Analysis.” In *Research in Public Policy Analysis and Management*, Vol. 8. Greenwich, CT: JAI, 1997.
- “Policy Fields and Win-Win Thinking.” In *Research in Public Policy Analysis and Management*, Vol. 9. Greenwich, CT: JAI, 1998.
- “Super-Optimum Solutions in Public Controversies.” In *Social Science, Law, and Public Policy*, 265-90. Lanham, MD: University Press of America, 1992.
- “State Policy Problems and Multicriteria Decision Making.” In *State Policy Problems*, 24-42. Chicago: Nelson-Hall, 1993.
- “Broadening the Applicability of Multi-Criteria Dispute Resolution.” In *Systematic Analysis in Dispute Resolution*, 3-29. Westport, CT: Quorum, 1991.
- “The SOS Demo Disk.” In *Teach Yourself Decision-Aiding Software*, 265-77. Lanham, MD: University Press of America, 1992.
- “Teach Yourself Super-Optimizing.” In *Teach Yourself Decision-Aiding Software*, 193-232. Lanham, MD: University Press of America, 1992.
- “Abortion Policy and Super-Optimum Solutions.” In *Unwanted Pregnancies and Public Policy: An International Perspective*, ed. Héctor Correa. Huntington, NY: Nova Science, 1991.
- “Research Approaches and Super-Optimizing Analysis.” In *Ways of Knowing in Public Administration*, ed. Guy Adams, 207-11 (Proceedings of the Fourth National Symposium on Public Administration Theory, March 1991). Columbia, MO: Department of Public Administration.
- SUPER-OPTIMUM SOLUTION
ARTICLES AND CHAPTERS
AUTHORED BY OTHERS
(Alphabetical by Author)
- Campbell, Sue. “Women and Children in Poverty: A Policy Analysis.” In *Applications in Super-Optimizing Analysis*. Greenwich, CT: JAI, 1997.
- Cooley, John. “Super-Optimum Mediation.” In *Applications of Super-Optimizing Analysis*. Greenwich, CT: JAI, 1997. [Also in *Public Budgeting and Financial Management 4* (1992): 217-30]
- Glavinskias, Edward. “Doing Better Than the Best in Pharmaceutical Drugs.” In *Applications of Super-Optimizing Analysis*. Greenwich, CT: JAI, 1997.
- Golembiewski, Robert. “Two Super-Optimum Solutions in a Cut-Back Mode.” *Public Budgeting and Financial Management 4* (1992): 231-54.
- Haveman, Robert. “The Big Tradeoff: Fundamental Law or Red Herring?” In *Applications in Super-Optimizing Analysis*, Vol. 4. Greenwich, CT: JAI, 1997. [Also in *Public Budgeting and Financial Management 4* (1992): 255-62]
- Li, Grace Ching-hsia. “A Policy Analysis on the Issues of Bilingual Education in the United States.” In *Applications of Super-Optimizing Analysis*. Greenwich, CT: JAI, 1997.
- Mitchell, Daniel. “Profit Sharing and Job Anxiety: Moving Public Policy Toward a Win-Win Solution.” In *Research in Public Policy Analysis and Management*, Vol. 9. Greenwich, CT: JAI, 1998.
- Pak, Kevin. “Illegal Searches: History and Alternatives.” In *Applications of Super-Optimizing Analysis*. Greenwich, CT: JAI, 1997.
- Rahm, Dianne, and Veronica Hansen. “Super-Optimum Technology Policy: University-Industry Technology Transfer.” *Research in Public Policy Analysis and Management*, Vol. 9. Greenwich, CT: JAI, 1998.
- Walls, Patrick. “The Drug War: There Has to Be a Better Way.” In *Applications of Super-Optimizing Analysis*. Greenwich, CT: JAI, 1997.

Bibliography From Creativity in Public Policy: Generating Super-Optimum Solutions¹

- Agnew, John, ed. *Innovation Research and Public Policy*. Syracuse, NY: Syracuse University, 1980.
- Alperovitz, Gar, and Jeff Faux. *Rebuilding America: A Blueprint for the New Economy*. New York: Pantheon, 1984.
- Ball, Michael, Michael Harloe, and Maartje Martens. *Housing and Social Change in Europe and the USA*. London: Routledge, 1988.
- Bawden, Lee, and Felicity Skidmore, eds. *Rethinking Employment Policy*. Washington, DC: Urban Institute, 1989.
- Butler, Stuart. *Enterprise Zones: Greenlining the Inner Cities*. New York: Universe, 1981.
- Clark, Mary. *Arladne's Thread: The Search for New Modes of Thinking*. New York: St. Martin's, 1989.
- Dermer, Jerry, ed. *Competitiveness Through Technology: What Business Needs From Government*. Lexington, MA: Lexington-Heath, 1986.
- Dobel, Patrick. *Compromise and Political Action: Political Morality in Liberal and Democratic Life*. Savage, MD: Rowman & Littlefield, 1990.
- Etzioni, Amitai. *An Immodest Agenda: Rebuilding American Before the 21st Century*. New York: McGraw-Hill, 1983.
- _____. *The Moral Dimension: Toward a New Economics*. New York: Free Press, 1988.
- Fisher, Roger, and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. New York: Houghton Mifflin, 1981.
- Flemming, Roy. *Punishment Before Trial: An Organizational Perspective of Felony Bail Processes*. New York: Longman, 1982.
- Folbert, Jay, and Alison Taylor. *Mediation: A Comprehensive Guide to Resolving Conflicts Without Litigation*. San Francisco: Jossey-Bass, 1984.
- Gass, Saul, et al., eds. *Impacts of Operations Research*. Amsterdam: New Holland, 1986.
- Gove, Samuel, and Thomas Stauffer, eds. *Policy Controversies in Higher Education*. Westport, CT: Greenwood, 1986.
- Gray, Barbara. *Collaborating: Finding Common Ground for Multiparty Problems*. San Francisco: Jossey-Bass, 1989.
- Hall, Andy. *Pretrial Release Program Options*. Washington, DC: National Institute of Justice, 1984.

- Holzer, Marc, and Arie Halachmi. *Public Sector Productivity: A Resource Guide*. New York: Garland, 1988.
- Humphreys, Patrick, and Aylean Wisudha. *Methods and Tools for Structuring and Analyzing Decision Problems*. London: London School of Economics and Political Science, 1987.
- Jandt, Fred. *Win-Win Negotiations: Turning Conflict Into Agreement*. New York: Basic Books, 1989.
- Kash, Don. *Perpetual Innovation: The New World of Competition*. New York: Basic Books, 1989.
- Kelly, Rita Mae, ed. *Promoting Productivity in the Public Sector: Problems, Strategies, and Prospects*. New York: St. Martin's, 1988.
- Kressel, Kenneth, and Dean Pruitt, eds. *Mediation Research: The Process and Effectiveness of Third-Party Intervention*. San Francisco: Jossey-Bass, 1989.
- LeBoeuf, Michael. *The Productivity Challenge: How to Make It Work for America and You*. New York: McGraw-Hill, 1982.
- Levine, James, Michael Musheno, and Dennis Palumbo. *Criminal Justice: A Public Policy Approach*. New York: Harcourt, Brace and Jovanovich, 1980.
- Lindsey, Lawrence. *The Growth Experiment: How the New Tax Policy Is Transforming the U.S. Economy*. New York: Basic Books, 1990.
- Magaziner, Ira, and Robert Reich. *Minding America's Business: The Decline and Rise of the American Economy*. New York: Harcourt, Brace and Jovanovich, 1982.
- Mole, Veronica, and Dave Elliott. *Enterprising Innovation: An Alternative Approach*. London: Frances Pinter, 1987.
- Moore, Christopher. *The Mediation Process: Practical Strategies for Resolving Conflict*. San Francisco: Jossey-Bass, 1986.
- Nagel, Stuart. *Higher Goals for America: Doing Better Than the Best*. Lanham, MD: University Press of America, 1989.
- _____. *Developing Nations and Super-Optimum Policy Analysis*. Chicago: Nelson-Hall, 1991.
- Nagel, Stuart, and Miriam Mills, "Microcomputers, P/G%, and Dispute Resolution." *Ohio State Journal on Dispute Resolution* 2 (1986): 187-223.
- _____. *Multi-Criteria Methods for Alternative Dispute Resolution: With Microcomputer Software Applications*. Westport, CT: Greenwood-Quorum, 1990.
- Nagel, Stuart, and Miriam Mills, eds. *Systematic Analysis in Dispute Resolution*. Westport, CT: Greenwood-Quorum, 1990.
- Osborn, Alex. *Applied Imagination: Principles and Procedures of Creative Problem Solving*. New York: Scribner's, 1963.
- Palda, Kristian. *Industrial Innovation: Its Place in the Public Policy Agenda*. Toronto: Fraser Institute, 1984.
- Raskin, Marcus. *The Common Good: Its Politics, Policies, and Philosophy*. New York: Routledge Kegan Paul, 1986.
- Roberts, Paul. *The Supply Side Revolution*. Cambridge, MA: Harvard University Press, 1984.
- Ruby, Lionel. *Logic: An Introduction*. Philadelphia: J. B. Lippincott, 1950.
- Sabine, George. *A History of Political Theory*. New York: Holt, 1950.
- Salamon, Lester, ed. *Beyond Privatization: The Tools for Government Action*. Washington, DC: Urban Institute, 1989.
- Sato, Ryuzo, and Gilber Suzawa. *Research and Productivity: Endogenous Technical Change*. Boston: Auburn House, 1983.
- Sawhill, Isabel, ed. *Challenge to Leadership: Economic and Social Issues for the Next Decade*. Washington, DC: Urban Institute, 1988.
- Sternlieb, George, and David Listokin. *New Tools for Economic Development: The Enterprise Zone, Development Bank, and RFC*. New Brunswick, NJ: Rutgers University, 1981.
- Susskind, Lawrence, and Jeffrey Cruikshank. *Breaking the Impasses: Consensual Approaches to Resolving Public Disputes*. New York: Basic Books, 1987.
- Thomas, Wayne. *Bail Reform in America*. Berkeley: University of California Press, 1976.
- Titus, Harold. *Ethics for Today*. New York: American Book, 1947.

- Ury, William, Jeanne Brett, and Stephen Goldberg. *Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict*. San Francisco: Jossey-Bass, 1988.
- Walker, Samuel. *Sense and Nonsense About Crime: A Policy Guide*. Pacific Grove, CA: Brooks/Cole, 1989.
- Winslow, Robert. *Crime in a Free Society*. Encino, CA: Dickenson, 1977.

NOTE

1. From Stuart Nagel, *Creativity in Public Policy: Generating Super-Optimum Solutions* (Aldershot, UK: Ashgate, 1999).

Further Reading on Super-Optimum Solutions

If you would like to read further about win-win policy and super-optimizing analysis, various books by authors other than Nagel might be helpful. These include the following:

- Barfield, Claude E., and John H. Makin, eds. *Trade Policy and U.S. Competitiveness*. Washington, DC: American Enterprise Institute for Public Policy Research, 1987.
- Chickering, A. Lawrence. *Beyond Left and Right: Breaking the Political Stalemate*. Oakland, CA: Institute for Contemporary Studies, 1993.
- Cohen, Steven, and Ronald Brand. *Total Quality Management in Government: A Practical Guide for the Real World*. San Francisco: Jossey-Bass, 1993.
- Common, Michael. *Sustainability and Policy: Limits to Economics*. Cambridge, UK: Cambridge University Press, 1995.
- Dobel, J. Patrick. *Compromise and Political Action: Political Morality in Liberal and Democratic Life*. Lanham, MD: Rowman & Littlefield, 1990.
- Kettl, Donald F. *Sharing Power: Public Governance and Private Markets*. Washington, DC: Brookings Institution, 1993.
- Krone, Robert, ed. *Total Quality Management*. Symposium issue of *Journal of Management Science and Policy Analysis* (spring/summer 1991).
- Levine, David I. *Reinventing the Workplace: How Business and Employees Can Both Win*. Washington, DC: Brookings Institution, 1995.
- Magaziner, Ira C., and Robert B. Reich. *Minding America's Business: The Decline and Rise of the American Economy*. New York: Harcourt Brace, 1982.
- Mitra, Gautam, ed. *Computer Assisted Decision Making: Expert Systems, Decision Analysis, Mathematical Programming*. Amsterdam: Elsevier, 1986.
- Myers, Norman, and Julian L. Simon. *Scarcity or Abundance? A Debate on the Environment*. New York: Norton, 1990.
- Noyes, Richard, ed. *Now the Synthesis: Capitalism, Socialism and the New Social Contract*. New York: Holmes & Meier, 1991.
- Rehfuss, John A. *Contracting Out in Government: A Guide to Working With Outside Contractors to Supply Public Services*. San Francisco: Jossey-Bass, 1989.
- Romm, Joseph J. *Lean and Clean Management: How to Boost Profits and Productivity by Reducing Pollution*. Tokyo: Kodansha International, 1994.
- Sawhill, Isabel V., ed. *Challenge to Leadership: Economic and Social Issues for the Next Decade*. Washington, DC: Urban Institute Press, 1988.
- Susskind, Lawrence, and Jeffrey Cruikshank. *Breaking the Impasse: Consensual Ap-*

proaches to Resolving Public Disputes. New York: Basic Books, 1987.

Walsh, Kieron. *Public Services and Market Mechanisms: Competition, Contracting and the New Public Management*. New York: St. Martin's, 1995.

Zagare, Frank C. *Game Theory: Concepts and Applications*. Beverly Hills, CA: Sage, 1984.

For further materials by Stuart Nagel, the following books might be helpful:

Developing Nations and Super-Optimum Policy Analysis. Chicago: Nelson-Hall, 1993.

Higher Goals in America: Doing Better Than the Best. Lanham, MD: University Press of America, 1989.

Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making. Westport, CT: Quorum, 1993.

Multi-Criteria Methods for Alternative Dispute Resolution With Microcomputer Software Applications. Westport, CT: Quorum, 1990.

Policy Analysis Methods and Super-Optimum Solutions. Huntington, NY: Nova Science, 1993.

The Policy Process and Super-Optimum Solutions. Huntington, NY: Nova Science, 1993.

Super-Optimizing Analysis. Symposium in *Public Budgeting and Financial Management: An International Journal* (1992).

The following chapters in other Nagel books might also be helpful:

"Arriving at Super-Optimum Solutions." In *Research in Public Policy Analysis and Management*. New York: JAI, 1995.

"Broadening the Applicability of Multi-Criteria Dispute Resolution." In *Systematic Analysis in Dispute Resolution*. Westport, CT: Quorum, 1991.

"Computer-Aided Super-Optimizing" and "The SOS Demo Disk." In *Teach Yourself Decision-Aiding Software*. Lanham, MD: University Press of America, 1992.

"Judicial Process Controversies and Super-Optimum Solutions." In *Computer-Aided Judicial Analysis: Predicting, Prescribing,*

and Administering. Westport, CT: Quorum, 1992.

"SOS Evaluation" and "SOS Causation." In *Evaluative and Explanatory Reasoning*. Westport, CT: Quorum, 1992.

"Super-Optimizing Analysis and Policy Studies," "The SOS Process: Generating, Adopting, Implementing, and Facilitating," and "The Need for Improved Policy Analysis." In *Professional Developments in Policy Studies*. Westport, CT: Greenwood, 1993.

"Super-Optimum Solutions and Public Controversies." In *Social Science, Law, and Public Policy*. Lanham, MD: University Press of America, 1992.

Nagel has been especially interested in applying super-optimum analysis to the policy problems of developing nations. Publications in Nagel books regarding this topic include the following:

"Developing Nations and Public Policy." In *Encyclopedia of Policy Studies*. New York: Dekker, 1994.

"Improving Public Policy Toward and Within Developing Countries." In *Public Administration and Decision-Aiding Software: Improving Procedure and Substance*. Westport, CT: Greenwood, 1990.

Introduction to *African Development and Public Policy*. New York: Macmillan/St. Martin's, 1994.

Introduction to *Asian Development and Public Policy*. New York: Macmillan/St. Martin's, 1994.

Introduction to *Eastern European Development and Public Policy*. New York: Macmillan/St. Martin's, 1994.

Introduction to *Latin American Development and Public Policy*. Macmillan/St. Martin's, 1994.

Introduction to *Public Administration in China*. Westport, CT: Greenwood, 1993.

"Preface: Chinese Policy Studies" and "Super-Optimizing Analysis and Chinese Policy Problems." In *Public Policy in China*. Westport, CT: Greenwood, 1993.

"Super-Optimizing Analysis and Developmental Policy." In *Global Policy Studies: Inter-*

national Interaction Toward Improving Public Policy. New York: Macmillan/St. Martin's, 1991.

For further details regarding win-win or super-optimizing policy evaluation, see the following:

Levine, David. *Reinventing the Workplace: How Business and Employees Can Both Win*. Washington, DC: Brookings Institution, 1995.

Nagel, Stuart. *Legal Scholarship, Microcomputers, and Super-Optimizing*. Westport, CT: Greenwood-Quorum, 1993.

_____. *Policy-Analysis Methods and Super-Optimum Solutions*. Huntington, NY: Nova Science, 1994.

_____. *The Policy Process and Super-Optimum Solutions*. Huntington, NY: Nova Science, 1994.

Nagel, Stuart, and Miriam Mills. *Developing Nations and Super-Optimum Policy Analysis*. Chicago: Nelson-Hall, 1993.

_____. *Professional Developments in Policy Studies*. Westport, CT: Greenwood, 1993.

Noyes, Richard, ed. *Now the Synthesis: Capitalism, Socialism, and the New Social Contract*. New York: Holmes & Meier, 1991.

Susskind, Lawrence, and Jeffrey Cruikshank. *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. New York: Basic Books, 1987.

For further information concerning the P/G% decision-aiding software, see Stuart

Nagel, *Teach Yourself Decision-Aiding Software* (Champaign, IL: Decision Aids, 1989). Additional details can be obtained from Stuart Nagel, *Decision-Aiding Software: Skills, Obstacles, and Applications* (New York: Macmillan, 1990) or Stuart Nagel, *Evaluation Analysis With Microcomputers* (Greenwich, CT: JAI, 1989). To obtain the software, write Decision Aids, Inc., 711 Ashton Lane South, Champaign, IL 61820 or phone (217) 352-7700.

For further details concerning public policy evaluation, see Yehezkei Dror, *Design of Policy Sciences* (New York: Elsevier, 1971); Harold Lasswell, *A Pre-View of Policy Sciences* (New York: Elsevier, 1971); Stuart Nagel, ed., *Encyclopedia of Policy Studies* (New York: Dekker, 1983); Stuart Nagel, ed., *Basic Literature in Policy Studies: A Comprehensive Bibliography* (Greenwich, CT: JAI, 1984); and Stuart Nagel, *The Policy-Studies Handbook* (Lexington, MA: Lexington-Heath, 1980). For materials specifically dealing with confliction evaluations of policy studies, see the bibliography titled "The Pros and Cons of Systems Analysis in Policy Studies" in *Basic Literature in Policy Studies: A Comprehensive Bibliography* (Greenwich, CT: JAI, 1984, pp. 33-36). For analysis and evaluation of the policy studies field, see Stuart Nagel, *Policy Studies: Integration and Evaluation* (New York: Praeger, 1988); and Stuart Nagel, *Professional Developments in Policy Studies* (Westport, CT: Greenwood, 1992).

Part 4

PROFESSIONALISM
IN POLICY
EVALUATION

Obtaining Funding

The following references on ideas for funding are meant to supplement the funding material presented in Chapter 16:

- Allen, Herb, et al. *The Break Game: The Realities of Foundation Fundraising*. San Francisco: Glide, 1973.
- American Bar Association Special Committee on Youth Education for Citizenship. *The \$\$ Game: A Guidebook on the Funding of Law Related Education Programs*. Chicago: American Bar Association, 1975.
- Carroll, James A., and Charles R. Knerr. "Changes in Federal Support for Political Science." American Political Science Association annual meeting, 1975.
- Church, David M. *Seeking Foundation Funds*. Philadelphia: National Public Relations Council of Health and Welfare Services, 1966.
- Dermer, Joseph. *How to Raise Funds From Foundations*. Hartsdale, NY: Public Services Materials Center, 1972.
- Dermer, Joseph, ed. *How to Get Your Fair Share of Foundation Grants*. Hartsdale, NY: Public Service Materials Center, 1973.
- Eckman Center. *Notes and Brochures From Grantsmanship Seminar*. Eckman Center, 8399 Topanga Canyon Blvd., Canoga Park, CA 91303.
- Golden, Hal. *The Grant Seekers: The Foundation Fund Raising Manual*. Dobbs Ferry, NY: Oceana, 1976.
- Golden, Joseph. *The Money Givers*. New York: Random House, 1971.
- The Grantsman Quarterly Journal*.
- Hall, Mary. *Developing Skills in Proposal Writing*. Eugene: University of Oregon, Office of Federal Relations, 1976.
- Krathwohl, David R. *How to Prepare a Research Proposal*. Syracuse, NY: Syracuse University, 1966.
- Mercer, Jane R., University of California-Riverside. "Research Proposal Writing From the Viewpoint of Peer Review Committee." Unpublished paper presented at the American Sociological Association annual meeting, 1975.
- Schmandt, Jurgen. *Financing and Control of Academic Research*. Austin, TX: LBJ School of Public Affairs, 1977.
- Useem, Michael, Harvard University. "Federal Government Influence on Social Research." Unpublished paper presented at the American Sociological Association annual meeting, 1972.
- White, Virginia P. *Grants: How to Find Out About Them and What to Do Next*. New York: Plenum, 1975.

There are many directories of funding sources, including the following:

- American Political Science Association. *Research Support for Political Scientists*. Washington, DC: American Political Science Association, 1977.
- Aroeste, Jean L., ed. *Annual Register of Grant Support*. New Providence, NJ: Marquis Who's Who (annual).
- Catalog of Federal Domestic Assistance*. Washington, DC: Government Printing Office (annual).
- Commerce Business Daily*. Contains daily listing of requests for proposals.
- Federal Grants Information Center. *Federal Grants Reporter*. Washington, DC: Federal Grants Information Center.
- Foundation News and the Foundations Grants Index*. New York: Foundation Center.
- Grantsman Quarterly Journal*. P.O. Box 200, Pine City, MN 55063.
- Sclar, Deanna, ed. *Annual Register of Grant Support*. New Providence, NJ: Bowker (annual).
- Walton, Ann D., and F. Emerson Andrews, eds. *The Foundation Directory*. New York: Foundation Center, 1960.

Getting Published

BASIC PUBLISHING BOOKS

Martin, Fenton, and Robert Goehlert. *Political Science Journal Information*. Washington, DC: American Political Science Association, 1990.

Nagel, Stuart, and Kathleen Burkholder. *Policy Publishers and Associations Directory*. Urbana, IL: Policy Studies Organization, 1980.

Simon, Rita, and James Fyfe. *Editors as Gate Keepers: Getting Published in the Social Sciences*. Lanham, MD: Rowman & Littlefield, 1994.

Wagner, John. *Political and Social Science Journals: A Handbook for Writers and Reviewers*. Santa Barbara, CA: ABC-CLIO, 1983.

SOURCES FROM SCHOLARLY JOURNALS

American Council of Learned Sciences. *Problems of Scholarly Publications in the Humanities and Social Sciences*. New York: American Council of Learned Sciences, 1959.

Beyer, Janice. "Editorial Policies and Practices Among Leading Journals in Four Scientific Fields." *Sociological Quarterly* 19 (1978): 68-88.

Bonjean, Charles, and Jan Hullum. "Reasons for Journal Rejection: An Analysis of 600

Manuscripts." *Political Science* 11 (1978): 480-83.

Cabell Publishing Company. *Directory of Publishing Opportunities in Business Administration and Economics*. Beaumont, TX: Cabell, 1978.

Chase, Janet. "Normative Criteria for Scientific Publication." *American Sociologist* 5 (1970): 262-65.

Directory of Publishing Opportunities. Washington, DC: Academic Media, 1975.

Dodds, Robert. *Writing for Technical and Business Magazines*. New York: John Wiley, 1969.

Fry, Bernard, and Herbert Whit. *Publishers and Libraries: A Study of Scholarly and Research*. Lexington, MA: Lexington Books, 1976.

Giles, Michael, and Gerald Wright, Jr. "Political Scientists' Evaluations of Sixty-Three Journals." *Political Science* (summer 1975): 254-56.

Harris, John. *Technical Writing for Social Scientists*. Chicago: Nelson-Hall, 1976.

Hopskins, Anne, et al. "Guide to Publication in Political Science." Washington, DC: APSA Committee on the Status of Women and the Women's Caucus, 1974.

Kalvelage, Carl, and Morley Sega. "Journals of Interest in Political Science Research." In *Research Guide in Political Science*. Morristown, NJ: General Learning Press, 1976.

- King, W., R. Kilmann, and K. Sochats. "Designing Scientific Journals: Issues and Survey Results." *Management Science* 24 (1978): 774-84.
- Lindsey, Duncan. *The Scientific Publication System in Social Science*. San Francisco: Jossey-Bass, 1978.
- Linton, Marigold. *The Simplified Style Manual: For the Preparation of Journal Articles in Psychology, Social Sciences, Education, and Literature*. Norwalk, CT: Appleton-Century-Crofts, 1972.
- Marien, Michael. "A World Institute Guide to Future Periodicals." *Fields Within Fields* (summer 1974).
- McKerrow, R. B., and Henry Silver. *On the Publication of Research*. New York: Modern Language Association of America, 1964.
- Merritt, Richard, and Gloria Psyzka. "The Periodicals Literature." In *The Student Political Scientist's Handbook*. Cambridge, MA: Schenkman, 1969.
- Michalos, Alex. "Social Indicators Research: A Case Study of the Development of a Journal." Paper presented at the 9th World Congress of Sociology, 1978. Available from the Department of Philosophy, University of Guelph, Guelph, Canada.
- Mitchell, John. *Writing for Professional and Technical Journals*. New York: John Wiley, 1968.
- Mullins, Carolyn. *A Guide to Writing and Publishing in the Social and Behavioral Sciences*. New York: John Wiley, 1977.
- National Equity Into Scholarly Communication. "Conclusions and Recommendations." *Chronicle of Higher Education* (May 7, 1979).
- Nolan, Paul, and James Salem, eds. *The Teacher as Writer*. Lanham, MD: Scarecrow, 1970.
- Sherman, Theodore. *Modern Technical Writing*. Englewood Cliffs, NJ: Prentice Hall, 1966.
- Smigel, Erwin, and Laurence Ross. "Factors in the Editorial Decision." *American Sociologist* 5 (1970): 19-21.
- Thomas, Payne E. L. *A Guide for Authors: Manuscript, Proof, and Illustration*. Springfield, IL: Charles C Thomas, 1969.
- Trelease, Sam. *How to Write Scientific and Technical Papers*. Cambridge: MIT Press, 1969.
- Van Leunen, Mary-Claire. *A Handbook for Scholars*. New York: Knopf, 1976.

OTHER SOURCES ON BOOK PUBLISHING

- Abt, Clark. "Publishing Needs of Applied Social Research Community Within the Socio-Economic Structure of Social Science Publishing." Paper presented at the 11th World Congress of Sociology, 1978. Available from Abt Associates, 55 Wheeler Street, Cambridge, MA.
- Andrews, Deborah, and Margaret Blickel. *Technical Writing: Principles and Forms*. New York: Macmillan, 1978.
- Applebaum, Judith, and Nancy Evans. *How to Get Happily Published*. New York: Harper & Row, 1978.
- Bailey, Herbert, Jr. *The Art and Science of Book Publishing*. New York: Harper & Row, 1970.
- Baker, Clifford. *A Guide to Technical Writing*. London: Pittman, 1961.
- Ballcin, Richard. *A Writer's Guide to Book Publishing*. Gloucestershire, UK: Hawthorn, 1977.
- Barzun, Jacques, and Henry Graff. *The Modern Researcher*. New York: Harcourt Brace, 1957.
- Benjamin, Curtis. *A Candid Critique of Book Publishing*. New York: Bowker, 1977.
- Bingley, Clive. *Book Publishing Practice*. New York: Lockwood, 1966.
- _____. *The Business of Book Publishing*. Elmsford, NY: Pergamon, 1972.
- Bishop, Malden Grange. *Billions for Confusion: The Technical Writing Industry*. Chicago: Rand McNally, 1963.
- Blond, Anthony. *The Publishing Game*. Fresno, CA: Cape, 1972.
- Change Publications. *Professional Development: A Guide to Resources*. Washington, DC: Change, 1977.

- Chase, Janet. "Normative Criteria for Scientific Publication." *American Sociologist* 5 (1970): 262-65.
- Coser, Lewis. "Publishers as Gatekeepers of Ideas." *Annals of the American Academy of Political and Social Science* 421 (1975): 14-22.
- Feld, Howard Green. *Books: From Writer to Reader*. New York: Crown, 1976.
- Gill, Robert. *The Author, Publisher, Printer Complex*. Philadelphia: Williams & Wilkins, 1958.
- Grannis, Chandler. *What Happens in Book Publishing*. New York: Columbia University Press, 1967.
- Hill, Mary, and Wendell Cochran. *Into Print: A Practical Guide to Writing, Illustrating, and Publishing*. Los Altos, CA: Kaufmann, 1977.
- Hill, William Leonard. *The Publish-It-Yourself Handbook: Literary Tradition and How-To Without Commercial or Vanity Publishers*. Yonkers, NY: Pushcart, 1973.
- Huenefeld, John. *The Huenefeld Guide to Book Publishing*. Bedford, MA: Huenefeld, 1971.
- Kurian, George Thomas. *The Directory of American Book Publishing, From Founding Fathers to Today's Conglomerates*. New York: Simon & Schuster, 1975.
- Lee, Marshall. *Bookmaking: The Illustrated Guide to Design/Production, Editing*. New York: Bowker, 1979.
- Literary Market Place With Names & Numbers: The Directory of American Book Publishing*. New York: Bowker, 1979.
- Mullins, Carolyn. *A Guide to Writing and Publishing in the Social and Behavioral Sciences*. New York: John Wiley, 1977.
- One Book/Five Ways: The Publishing Procedures of Five University Presses*. Los Altos, CA: Kaufmann, 1977.
- "Perspectives on Publishing." *Annals of the American Academy of Political and Social Science* 421 (1975).
- Powell, Walter. "Publisher's Decision-Making: What Criteria Do They Use in Deciding Which Books to Publish?" *Social Research* 45 (1978): 227-52.
- Putman, John. "The Future of Scholarly Publishing in Political Science." Paper presented at the symposium "The Future of Political Science Book Publishing in the 1970s" for the American Political Science Association, 1972. Available from the Association of American University Presses, One Park Avenue, New York, NY 10016.
- Reynolds, Paul. *The Non-Fiction Book: How to Write and Sell It*. New York: William Morrow, 1970.
- Van Leunen, Mary-Claire. *A Handbook for Scholars*. New York: Knopf, 1992.
- Wyckoff, Edith. *Editing and Producing the Small Publication*. New York: Van Nostrand, 1956.
- Yulinsky, Corey. "A Research Note on the Publication Activities of the Applied Social Research Community." Available from Abt Associates, 55 Wheeler Street, Cambridge, MA.

Finding an Academic Niche

OBTAINING JOBS

American Political Science Association, *Directory of Political Science Department Chairpersons* (for developing mailing lists to send materials, including a cover letter, vita, and reference letters). See also Association for Public Policy Analysis Management's *Membership Directory* for writing to policy schools. Letters from effective mentors are highly recommended, but act on your own if such letters cannot be obtained.

American Political Science Association, *Personnel Newsletter*. See also American Political Science Association, *Public Administration Times* for policy jobs in universities and government.

Caplow, Theodore, and Reece McGee. *The Academic Marketplace*. New York: Basic Books, 1958.

Mann, Thomas. *Alternative Careers for Political Scientists*. Washington, DC: American Political Science Association, 1976.

COMPUTERS IN TEACHING

On using microcomputers as a teaching tool, see Kenneth Kraemer, "Curriculum Recommendations for Public Management Education in Computing," *Public Administration Review* 46 (1986): 595-602; Herbert E. Weisberg, "Microcomputers in

Political Science," *News for Teachers of Political Science* 1 and 7 (summer 1983); Fiona Chen, *Teaching Computer Application in Public Administration* (Cheney: Eastern Washington University, School of Public Affairs, 1984); and Stuart Nagel, "Microcomputers and Public Policy Analysis," in *Microcomputers and Public Productivity*, edited by Don Calista (special issue of *Public Productivity Review*, 1985).

On the P/G% software, see Stuart Nagel, "P/G% Analysis: A Decision-Aiding Program," *Social Science Microcomputer Review* 3 (1985): 243; and Stuart Nagel, *Evaluation Analysis With Microcomputers* (Westport, CT: Greenwood, 1988).

Background material exists on teaching from a perspective of societal goals to be achieved, policy alternatives for achieving them, and relations between goals and alternatives to choose the best alternative, combination, or allocation. For example, see Chapter 1 in Stuart Nagel, *Public Policy: Goals, Means, and Methods* (New York: St. Martin's, 1984). See also the instructor's manual that accompanies that book. Also see Stuart Nagel, "Using Microcomputers and P/G% for Teaching Policy Analysis and Public Policy," in *Teaching Public Administration*, edited by Peter Bergerson and Brian Nedwek (St. Louis: St. Louis University, 1985).

CHAIRING AND ADMINISTERING

- Nanus, Burt. *Visionary Leadership*. San Francisco: Jossey-Bass, 1992.
- Schwarz, Roger. *The Skilled Facilitator: Practical Wisdom for Developing Effective Groups*. San Francisco: Jossey-Bass, 1994.
- Tucker, Allan. *Chairing the Academic Department: Leadership Among Peers*. Washington, DC: American Council on Education, 1981.

ACADEMIC DEMOCRACY AND OTHERWISE

- Deci, Edward L., and Richard M. Ryan. *Intrinsic Motivation and Self-Determination in Human Behavior*. New York: Plenum, 1985.

- Peterson, Christopher, Steven F. Maier, and Martin E. P. Seligman. *Learned Helplessness: A Theory for the Age of Control*. New York: Oxford University Press, 1993.
- Seligman, Martin E. P. *Learned Helplessness*. San Francisco: Freeman, 1975.
- Smith, Page. *Killing the Spirit: Higher Education in America*. New York: Penguin, 1990.
- Walters, R. J., and R. D. Parke. "The Influence of Punishment and Related Disciplinary Techniques on Social Behavior of Children. Theory and Empirical Findings." In *Progress in Experimental Personality Research*, ed. B. A. Masker. New York: Academic Press, 1967.

Creativity

CREATIVITY

- Baker, Sam. *Your Key to Creative Thinking: How to Get More and Better Ideas*. New York: Harper & Row, 1962.
- Campbell, David. *Take the Road to Creativity and Get Off Your Dead End*. Greensboro, NC: Center for Creative Leadership, 1977.
- Gabriel, H. W. *Techniques for Creative Thinking for Management*. Englewood Cliffs, NJ: Prentice Hall, 1970.
- Hare, Paul. *Creativity in Small Groups*. Newbury Park, CA: Sage, 1991.
- Koestler, Arthur. *The Art of Creation*. New York: Macmillan, 1964.
- Lasswell, Harold. *The Future of Political Science*. Chicago: Atherton, 1963. [See the two chapters on cultivation of creativity]
- Lichtgarn, Fred. *Basic Components of Creativity*. Cupertino, CA: Aim, 1979.
- Nierenberg, Gerard. *The Art of Creative Thinking*. New York: Simon & Schuster, 1982.
- Osborn, Alex. *Applied Imagination: Principles and Procedures of Creative Problem Solving*. New York: Scribner's, 1963.
- Rothenberg, Albert. *The Emerging Goddess: The Creative Process in Art, Science, and Other Fields*. Chicago: University of Chicago Press, 1979.
- Stein, Morris, and Shirley Heinze. *Creativity and the Individual: Summaries of Selected Literature in Psychology and Psychiatry*. New York: Free Press, 1960.
- Taylor, Calvin, and Frank Barron, eds. *Scientific Creativity: Its Recognition and Development*. New York: John Wiley, 1963.
- Zaltman, Gerald, Robert Duncan, and Jonny Holbek. *Organizations and Innovation*. New York: John Wiley, 1973.
- Zeleny, Milan. *Multiple Criteria Decision Making*. New York: McGraw-Hill, 1982. [See the chapter "Invention of Alternatives and Conflict Dissolution"]

Part 5

PUBLIC POLICY
AND OTHER
DISCIPLINES

Natural Science

SCIENCE AND TECHNOLOGY POLICY

- Bartlett, Robert, ed. *Policy Through Impact Assessment*. Westport, CT: Greenwood, 1989.
- Brante, Thomas, Steve Fuller, and William Lynch, eds. *Controversial Science: From Content to Contention*. Albany: State University of New York Press, 1993.
- Brooks, Harvey, and Chester Cooper, eds. *Science for Public Policy*. New York: Pergamon, 1987.
- Dermer, Jerry, ed. *Competitiveness Through Technology: What Business Needs From Government*. Lexington, MA: Lexington Books, 1986.
- Goldhaber, Michael. *Reinventing Technology: Policies From Democratic Values*. Boston: Routledge Kegan Paul, 1986.
- Haberer, Joseph, ed. *Science and Technology Policy*. Lexington, MA: Lexington Books, 1977.
- Hill, Stuart. *Democratic Values and Technological Choices*. Stanford, CA: Stanford University Press, 1992.
- Irwin, Steven. *Technology Policy and America's Future*. New York: St. Martin's, 1993.
- Jones, Megan, David Guston, and Lewis Branscomb. *Informed Legislatures: Coping With Science in a Democracy*. Lanham, MD: University Press of America, 1996.
- Kraft, Michael, and Norman Vig. *Technology and Politics*. Durham, NC: Duke University Press, 1988.
- Kuehn, Thomas, and Alan Porter, eds. *Science, Technology, and National Policy*. Ithaca, NY: Cornell University Press, 1981.
- Lambright, Henry, and Dianne Rahm, eds. *Technology and U.S. Competitiveness: An Institutional Focus*. Westport, CT: Greenwood, 1992.
- Matkin, Gary. *Technology Transfer and the University*. New York: Macmillan, 1990.
- Wenk, Edward, Jr. *Tradeoffs: Imperatives of Choice in a High-Tech World*. Baltimore, MD: Johns Hopkins University Press, 1989.

PHYSICAL SCIENCE AND ENGINEERING

Physics and Geology: Energy and Natural Resources

- Brennan, Timothy, Karen Palmer, Raymond Kopp, Alan Krupnick, Vito Stagliano, and Dallas Burtraw. *A Shock to the System: Restructuring America's Electricity Industry*. Washington, DC: Resources for the Future, 1996.
- Burton, Dudley. *The Governance of Energy*. New York: Praeger, 1980.

- Byrne, John, and Steven Hoffman, eds. *Governing the Atom: The Politics of Risk*. New Brunswick, NJ: Transaction, 1996.
- Davis, David Howard. *Energy Politics*. 4th ed. New York: St. Martin's, 1993.
- Desai, Uday, ed. *Moving the Earth: Cooperative Federalism and Implementation of the Surface Mining Act*. Westport, CT: Greenwood, 1993.
- Ender, Richard, and John Choon Kim. *Energy Resources Development: Politics and Policies*. Westport, CT: Quorum, 1987.
- Herzik, Eric, and Alvin Mushkatel, eds. *Problems and Prospects for Nuclear Waste Disposal Policy*. Westport, CT: Greenwood, 1993.
- Jacob, Gerald. *Site Unseen: The Politics of Siting a Nuclear Waste Repository*. Pittsburgh, PA: University of Pittsburgh Press, 1990.
- Kellow, Aynsley. *Transforming Power: The Politics of Electricity Planning*. Cambridge, UK: Cambridge University Press, 1996.
- Landsberg, Hans. *Making National Energy Policy*. Washington, DC: Resources for the Future, 1993.
- Lawrence, Robert, and Martin Heisler, eds. *International Energy Policy*. Lexington, MA: Lexington Books, 1980.
- Lawrence, Robert, ed. *New Dimensions to Energy Policy*. Lexington, MA: Lexington Books, 1979.
- Panayotou, Theodore. *Green Markets: The Economics of Sustainable Development*. Oakland, CA: Institute for Contemporary Science, 1993.
- Repetto, Robert. *World Enough and Time: Successful Strategies for Resource Management*. New Haven, CT: Yale University Press, 1986.
- Rosenbaum, Walter. *Energy, Politics and Public Policy*. Washington, DC: Congressional Quarterly, 1981.
- Stobaugh, Robert, and Daniel Yergin, eds. *Energy Future: Report of the Energy Project at the Harvard Business School*. 3rd ed. New York: Random House, 1983.
- Tatum, Jesse. *Energy Possibilities: Rethinking Alternatives and the Choice-Making Process*. Albany: State University of New York Press, 1995.
- Walsh, Roberta, and John Heilman, eds. *Energizing the Energy Policy Process: The Impact of Evaluation*. Westport, CT: Quorum, 1994.
- Welch, Susan, and Robert Miewald, eds. *Scarce Natural Resources: The Challenge of Public Policymaking*. Beverly Hills, CA: Sage, 1983.

Chemistry: Pollution Policy

- Davies, Clarence, eds. *Comparing Environmental Risks: Tools for Setting Government Priorities*. Washington, DC: Resources for the Future, 1996.
- Davis, Charles, and James Lester, eds. *Dimensions of Hazardous Waste Politics and Policy*. Westport, CT: Greenwood, 1988.
- Downing, Paul. *Environmental Economics and Policy*. Boston: Little, Brown, 1984.
- Downing, Paul, and Kenneth Hanf. *International Comparisons in Implementing Pollution Laws*. Amsterdam: Kluwer-Nijhoff, 1983.
- Kamieniecki, Sheldon, ed. *Environmental Politics in the International Arena: Movements, Parties, Organizations and Policy*. Albany: State University of New York Press, 1993.
- Kamieniecki, Sheldon, George Gonzalez, and Robert Vos, eds. *Flashpoints in Environmental Policymaking: Controversies in Achieving Sustainability*. Albany: State University of New York Press, 1997.
- Leonard, Jeffrey, et al. *Environment and the Poor: Development Strategies for a Common Agenda*. New Brunswick, NJ: Transaction Publishing, 1989.
- Lester, James, ed. *Environmental Politics and Policy: Theories and Evidence*. 2nd ed. Durham, NC: Duke University Press, 1995.
- Nagel, Stuart, ed. *Environmental Politics*. New York: Praeger, 1974.
- Rosenbaum, Walter. *Environmental Politics and Policy*. 3rd ed. Washington, DC: Congressional Quarterly, 1995.
- Switzer, Jacqueline. *Environmental Politics: Domestic and Global Dimensions*. New York: St. Martin's, 1994.

- Tietenberg, T. H., ed. *Innovation in Environmental Policy*. Cheltenham, UK: Elgar, 1992.
- Vig, Norman, and Michael Kraft. *Environmental Policy in the 1990s*. 3rd ed. Washington, DC: Congressional Quarterly, 1997.

BIOLOGICAL SCIENCE

Health and Medical Policy

- Altenstetter, Christa, and James Warner Björkman, eds. *Health Policy Reform, National Variations and Globalization*. New York: St. Martin's, 1997.
- Blank, Robert. *Biomedical Policy*. Chicago: Nelson-Hall, 1995.
- Blank, Robert, and Andrea Bonnicksen, eds. *Emerging Issues in Biomedical Policy: An Annual Review*. New York: Columbia University Press, 1992.
- Blank, Robert, and Janna Merrick. *Human Reproduction, Emerging Technologies and Conflicting Rights*. Washington, DC: Congressional Quarterly, 1995.
- Blank, Robert, and Miriam Mills, eds. *Biomedical Technology and Public Policy*. Westport, CT: Greenwood, 1989.
- Dilulio, John, Jr., and Richard Nathan, eds. *Making Health Reform Work: The View From the States*. Washington, DC: Brookings Institution, 1994.
- Frech, H. E., III, ed. *Health Care in America*. San Francisco: Pacific Research Institute for Public Policy, 1988.
- Fuchs, Victor. *The Future of Health Policy*. Cambridge, MA: Harvard University Press, 1993.
- Kronenfeld, Jennie Jacobs. *Controversial Issues in Health Care Policy*. Newbury Park, CA: Sage, 1993.
- Kronenfeld, Jennie Jacobs, and Marcia Lynn Whicker. *U.S. National Health Policy: An Analysis of the Federal Role*. New York: Praeger, 1984.
- Leichter, Howard, ed. *Health Policy Reform in America: Innovations From the States*. Armonk, NY: Sharpe, 1992.
- Mills, Miriam, and Robert Blank, eds. *Health Insurance and Public Policy: Risk, Allocation and Equity*. Westport, CT: Greenwood, 1992.
- Mueller, Keith. *Health Care Policy in the United States*. Lincoln: University of Nebraska Press, 1993.
- Patel, Kant, and Mark Rushefsky. *Health Care Politics and Policy in America*. Armonk, NY: Sharpe, 1995.
- Rich, Robert, and William White, eds. *Health Policy, Federalism and the American States*. Washington, DC: Urban Institute Press, 1996.
- Straetz, Ralph, Marvin Lieberman, and Alice Sardell, eds. *Critical Issues in Health Policy*. Lexington, MA: Lexington Books, 1981.
- White, Joseph. *Competing Solutions: American Health Care Proposals and International Experience*. Washington, DC: Brookings Institution, 1995.

Food and Agriculture Policy

- Bautista, Romeo, and Alberto Valdés, eds. *The Bias Against Agriculture: Trade and Macroeconomic Policies in Developing Countries*. Oakland, CA: Institute for Contemporary Science, 1993.
- Brown, Martin, and Ian Goldin. *The Future of Agriculture: Developing Country Implications*. Washington, DC: Organization for Economic Cooperation and Development, 1992.
- Browne, William, and Don Hadwiger. *World Food Policies: Toward Agricultural Interdependence*. Boulder, CO: Rienner, 1986.
- Castle, Emery, ed. *The Changing American Countryside: Rural People and Places*. Lawrence: Kansas University Press, 1995.
- Clarke, Jeanne Nienaber, and Daniel McCool. *Staking Out the Terrain: Power and Performance Among Natural Resource Agencies*. 2nd ed. Albany: State University of New York Press, 1996.
- Foss, Phillip, ed. *Federal Lands Policy*. Westport, CT: Greenwood, 1987.

- Hadwiger, Don, and William Browne. *The New Politics of Food*. Lexington, MA: Lexington Books, 1978.
- Helmuth, John, and Don Hadwiger, eds. *International Agricultural Trade and Market Development Policy in the 1990s*. Westport, CT: Greenwood, 1993.
- Hunger 1994: *Transforming the Politics of Hunger. The Fourth Annual Report on the State of World Hunger*. Washington, DC: Bread for the World Institute, 1993.
- Pasour, E. C., Jr. *Agriculture and the State: Market Processes and Bureaucracy*. New York: Holmes & Meier, 1990.
- Ross, Robert. *An Introduction to Agricultural Economics*. New York: McGraw-Hill, 1951.
- Talbot, Ross. *The Four World Food Agencies in Rome: FAO, WFP, WFC, IFAD*. Ames: Iowa State University Press, 1990.
- Webber, David, ed. *Biotechnology: Assessing Social Impacts and Policy Implications*. Westport, CT: Greenwood, 1990.

Humanities

PHILOSOPHY

- Chen, Huey-tsyeh, and Peter Rossi, eds. *Using Theory to Improve Program and Policy Evaluations*. Westport, CT: Greenwood, 1992.
- Diesing, Paul. *Science and Ideology in the Policy Sciences*. Hawthorne, NY: Adline, 1982.
- Dunn, William, ed. *Values, Ethics and the Practice of Policy Analysis*. Lexington, MA: Lexington Books, 1983.
- Etzioni, Amitai. *The Moral Dimension: Toward a New Economics*. New York: Free Press, 1988.
- Finn, James, ed. *Private Virtue and Public Policy: Catholic Thought and National Life*. New Brunswick, NJ: Transaction, 1990.
- Fischer, Frank. *Politics, Values and Public Policy: The Problem of Methodology*. Boulder, CA: Westview, 1980.
- Fischer, Frank, and John Forester, eds. *Confronting Values in Policy Analysis: The Politics of Criteria*. Newbury Park, CA: Sage, 1987.
- Gregg, Phillip, ed. *Problems of Theory in Policy Analysis*. Lexington, MA: Lexington Books, 1976.
- Heilbroner, Robert, and William Milberg. *The Crisis of Vision in Modern Economic Thought*. Cambridge, UK: Cambridge University Press, 1995.
- Lipson, Leslie. *The Great Issues of Politics: An Introduction in Political Science*. 8th ed. Englewood Cliffs, NJ: Prentice Hall, 1989.

- Nagel, Stuart, ed. *Policy Theory and Policy Evaluation: Concepts, Knowledge, Causes and Norms*. Westport, CT: Greenwood, 1990.
- Patterson, Edwin. *Jurisprudence: Men and Ideas of the Law*. New York: Foundation, 1953.
- Raskin, Marcus. *The Common Good: Its Politics, Policies and Philosophy*. Boston: Routledge Kegan Paul, 1986.
- Regen, Tom, and Donald Van DeVeer. *And Justice for All: New Introductory Essays in Ethics and Public Policy*. Lanham, MD: Rowman & Littlefield, 1982.
- Titus, Harold. *Ethics for Today*. New York: American Book, 1947.
- Yunker, James. *Socialism Revised and Modernized: The Case for Pragmatic Market Socialism*. New York: Praeger, 1992.

ARTS AND LEISURE POLICY

- Dudley, Louise, and Austin Faricy. *The Humanities: Applied Aesthetics*. New York: McGraw-Hill, 1951.
- Feld, Alan, Michael O'Hare, and Mark Davidson Schuster. *Patrons Despite Themselves: Taxpayers and Arts Policy*. New York: New York University Press, 1983.
- Hutcheson, John, Jr., Francis Noe, and Robert Snow, eds. *Outdoor Recreation Policy: Pleasure and Preservation*. Westport, CT: Greenwood, 1990.

- Johnson, Arthur. *Minor League Baseball and Local Economic Development*. Champaign: University of Illinois Press, 1993.
- Macy, John. *The Story of the World's Literature*. New York: Liveright, 1950.
- Mangun, William, ed. *Public Policy Issues in Wildlife Management*. Westport, CT: Greenwood, 1991.
- Mirkovich, Thomas, and Allison Cowgill. *Casino Gaming in the United States: A Research Guide*. Lanham, MD: Scarecrow, 1997.
- Van Loon, Hendrik Willem. *The Arts*. New York: Simon & Schuster, 1946.
- Katzner, Kenneth. *The Languages of the World*. London: Routledge, 1977.
- Linenthal, Edward, and Tom Engelhardt, eds. *History Wars*. London: Metropolitan, 1996.
- Mock, David. *History and Public Policy*. Melbourne, FL: Krieger, 1991.
- Pei, Mario. *The World's Chief Languages*. 5th ed. New York: Vanni, 1960.
- Rothman, David, and Stanton Wheeler, eds. *Social History and Social Policy*. New York: Academic Press, 1981.
- Russell, Richard, and Fred Kniffen. *Culture Worlds*. New York: Macmillan, 1951.
- Simmons, Michael. *Writer's Handbook of Basic Journalism*. New York: Barnes & Noble, 1947.

LANGUAGE AND CULTURE

- House, John. *United States Public Policy: A Geographical View*. Oxford, UK: Clarendon, 1983.

Social Science

ECONOMICS AND BUSINESS

- Anderson, James, ed. *Economic Regulatory Policies*. Lexington, MA: Lexington Books, 1976.
- Baumer, Donald, and Carl Van Horn. *The Politics of Unemployment*. Washington, DC: Congressional Quarterly, 1985.
- Brock, William, and Robert Hormats. *The Global Economy: America's Role in the Decade Ahead*. New York: Norton, 1990.
- Buchholz, Rogene. *Business Environment and Public Policy: Implications for Management and Strategy Formulation*. 2nd ed. Englewood Cliffs, NJ: Prentice Hall, 1986.
- Cohen, Jeffrey. *Politics and Economic Policy in the United States*. Boston: Houghton Mifflin, 1997.
- Dubnick, Melvin, and Alan Gitelson, eds. *Public Policy and Economic Institutions*. Greenwich, CT: JAI, 1991.
- Francis, John. *The Politics of Regulation: A Comparative Perspective*. Cambridge, MA: Blackwell, 1993.
- Gemmill, Paul, and Ralph Blodgett. *Current Economic Problems*. 3rd ed. New York: Harper, 1947.
- Hogendorn, Jan. *Economic Development*. 2nd ed. New York: HarperCollins, 1992.
- Hula, Richard, ed. *Market-Based Public Policy*. New York: Macmillan, 1988.

- Levine, Charles, and Irene Rubin, eds. *Fiscal Stress and Public Policy*. Beverly Hills, CA: Sage, 1980.
- Peretz, Paul. *The Political Economy of Inflation in the United States*. Chicago: University of Chicago Press, 1983.
- _____, ed. *The Politics of American Economic Policy Making*. 2nd ed. Armonk, NY: Sharpe, 1996.
- Phillips, Llad, and Harold Votey, Jr., eds. *Economic Analysis of Pressing Social Problems*. 2nd ed. Chicago: Rand McNally, 1977.
- Samuels, Warren, ed. *Fundamentals of the Economic Role of Government*. Westport, CT: Greenwood, 1989.
- Sheffrin, Steven. *Markets and Majorities: The Political Economy of Public Policy*. New York: Free Press, 1993.
- Stone, Alan, and Edward Harpham, eds. *The Political Economy of Public Policy*. Beverly Hills, CA: Sage, 1982.
- Thompson, Dennis. *The Private Exercise of Public Functions*. New York: Associated Faculty Press, 1985.

SOCIOLOGY, ANTHROPOLOGY,
AND SOCIAL WORK

- Abt, Clark, ed. *Problems in American Social Policy Research*. Cambridge, MA: Abt 1980.

- Anderson, Elaine, and Richard Hula, eds. *The Reconstruction of Family Policy*. Westport, CT: Greenwood, 1991.
- Chambers, Erve. *Applied Anthropology: A Practical Guide*. Englewood Cliffs, NJ: Prentice Hall, 1985.
- Cuber, John, and Robert Harper. *Problems of American Society: Values in Conflict*. Rev. ed. New York: Holt, 1951.
- Currie, Elliot, and Jerome Skolnick. *America's Problems: Social Issues and Public Policy*. 2nd ed. Glenview, IL: Scott, Foresman, 1988.
- Finsterbusch, Kurt, and George McKenna, eds. *Taking Sides: Clashing Views on Controversial Social Issues*. 9th ed. Guilford, CT: Dushkin, 1996.
- Goldstein, Richard, and Stephen Sachs, eds. *Applied Policy Research*. Totowa, NJ: Rowman & Allanheld, 1983.
- Lazarsfeld, Paul, William Sewell, and Harold Wilensky, eds. *The Uses of Sociology*. New York: Basic Books, 1967.
- Magill, Robert. *Social Policy in American Society*. New York: Human Sciences Press, 1984.
- Palley, Marian Lief, and Michael Preston, eds. *Race, Sex and Policy Problems*. Lexington, MA: Lexington Books, 1979.
- Skocpol, Theda. *Social Policy in the United States: Future Possibilities in Historical Perspective*. Princeton, NJ: Princeton University Press, 1995.
- Skolnick, Jerome, and Elliot Currie. *Crisis in American Institutions*. 6th ed. Boston: Little, Brown, 1985.
- Tropman, John, et al. *Strategic Perspectives on Social Policy*. New York: Pergamon, 1976.
- Gove, Samuel, and Thomas Stauffer, eds. *Policy Controversies in Higher Education*. Westport, CT: Greenwood, 1986.
- Gove, Samuel, and Frederick Wirt, eds. *Political Science and School Politics*. Lexington, MA: Lexington Books, 1976.
- Grubb, Norton. *Learning to Work: The Case for Reintegrating Job Training and Education*. New York: Russell Sage, 1996.
- Haskins, Ron, and Duncan MacRae, eds. *Policies for America's Public Schools: Teachers, Equity and Indicators*. Norwood, NJ: Ablex, 1988.
- Oskamp, Stuart. *Applied Social Psychology*. Englewood Cliffs, NJ: Prentice Hall, 1984.
- Slaughter, Sheila. *The Higher Learning and High Technology: Dynamics of Higher Education Policy Formation*. Albany: State University of New York Press, 1990.

POLITICAL SCIENCE AND PUBLIC ADMINISTRATION

- Calista, Donald, ed. *Bureaucratic and Governmental Reform*. Greenwich, CT: JAI, 1986.
- Cingranelli, David Louis. *Policy Studies and Developing Nations*. Greenwich, CT: JAI, 1996.
- Cochran, Clarke, et al. *American Public Policy: An Introduction*. 5th ed. New York: St. Martin's, 1996.
- Dror, Yehezkel. *Public Policy Reexamined*. San Francisco: Chandler, 1968.
- Dunn, William. *Public Policy Analysis: An Introduction*. 2nd ed. Englewood Cliffs, NJ: Prentice Hall, 1994.
- Finifter, Ada, ed. *Political Science: The State of the Discipline*. Washington, DC: American Political Science Association, 1983.
- Frederickson, George, and Charles Wise, eds. *Public Administration and Public Policy*. Lexington, MA: Lexington Books, 1977.
- Greenstein, Fred, and Nelson Polsby. *Policies and Policymaking*. Reading, MA: Addison-Wesley, 1975.
- Lasswell, Harold. *A Pre-View of Policy Sciences*. New York: American Elsevier, 1971.

PSYCHOLOGY AND EDUCATION

- Bierlein, Louann. *Controversial Issues in Educational Policy*. Newbury Park, CA: Sage, 1993.
- Ferman, Louis, et al., eds. *Joint Training Programs: A Union-Management Approach to Preparing Workers for the Future*. Ithaca, NY: Industrial and Labor Relations, 1991.

- Levine, Herbert. *Political Issues Debated: An Introduction to Politics*. Englewood Cliffs, NJ: Prentice Hall, 1982.
- Nagel, Stuart. *The Policy-Studies Handbook*. Lexington, MA: Lexington Books, 1980.
- _____. *Policy Studies: Integration and Evaluation*. Westport, CT: Greenwood, 1988.
- Palumbo, Dennis, and Donald Calista, eds. *Implementation and the Policy Process: Opening Up the Black Box*. Westport, CT: Greenwood, 1990.
- Parsons, Wayne. *Public Policy: An Introduction to the Theory and Practice of Policy Analysis*. Cheltenham, UK: Elgar, 1995.
- Segal, Gerald. *The World Affairs Companion: The Essential One-Volume Guide to Global Issues*. New York: Simon & Schuster, 1991.
- Wildavsky, Aaron. *Speaking the Truth to Power: The Art and Craft of Policy Analysis*. Boston: Little, Brown, 1979.

Part 6

SPECIAL RESOURCES

Policy Problems by Developing Regions

In the winter 1997 issue of *Developmental Policy Studies*, on pages 37 and 38 there is a bibliography of Africa, Asia, Eastern Europe, and Latin America policy problems. Each region is divided into six policy problems: economic, technology, social, political, legal, and general. This chapter is a variation on the previously published bibliography. It is divided into six policy fields. Each field is then divided into five regions.

ECONOMIC POLICY PROBLEMS

Africa

van de Walle, Ndulu. *Agenda for Africa's Economic Renewal*. New Brunswick, NJ: Transaction, 1996.

Asia

Quibria, Muhammad Ghulam, and Malcolm Dowling, eds. *Current Issues in Economic Development: An Asian Perspective*. Oxford, UK: Oxford University Press, 1996.

Eastern Europe

Zecchini, Salvatore, ed. *Lessons From the Economic Transition: Central and*

Eastern Europe in the 1990s. Dordrecht, The Netherlands: Kluwer, 1997.

Latin America

Nazmi, Nader. *Economic Policy and Stabilization in Latin America*. Armonk, NY: Sharpe, 1996.

General

International Monetary Fund. *World Economic Outlook*. Washington, DC: International Monetary Fund, 1991.

TECHNOLOGY POLICY PROBLEMS

Africa

James, Jeffrey. *The State, Technology, and Industrialization in Africa*. New York: St. Martin's, 1995.

Asia

Kang, Han-choi. *Promotion of Technology Utilization: Selected Asian Countries*. Bangalore, India: Asian and Pacific Centre for Transfer of Technology, 1986.

Eastern Europe

Bertsch, Vogel, and J. Zielonka, eds. *After the Revolutions: East-West Trade and Technology Transfer in the 1990s*. Boulder, CO: Westview, 1991.

Latin America

Cooper, Charles, and Maria Bastos, eds. *Politics of Technology in Latin America*. Boston: Routledge, 1995.

General

Organization for Economic Cooperation and Development. *Technology and the Economy*. Washington, DC: Organization for Economic Cooperation and Development, 1992.

SOCIAL POLICY PROBLEMS

Africa

Mohammed, Duri, ed. *Social Development in Africa*. New York: Hans Zell, 1991.

Asia

Castells, M. *Social Dimension of Industrialization in ASEAN Countries*. Nagoya, Japan: United Nations Centre for Regional Development, 1989.

Eastern Europe

Deacon, Bob. *The New Eastern Europe: Social Policy Past, Present, and Future*. Newbury Park, CA: Sage, 1992.

Latin America

Britton, John, ed. *Molding the Hearts and Minds: Education, Communication, and Social Change in Latin America*. Wilmington, DE: Scholarly Resources, 1994.

General

Levy, Marion. *Modernization and the Structure of Societies*. New Brunswick, NJ: Transaction, 1996.

POLITICAL POLICY PROBLEMS

Africa

Chazan, Naomi. *Politics and Society in Contemporary Africa*. Boulder, CO: Rienner, 1992.

Asia

Friedman, Edward, ed. *The Politics of Democratization: Generalizing East-Asian Experiences*. Boulder, CO: Westview, 1994.

Eastern Europe

Tismaneanu, Vladimir. *Reinventing Politics: Eastern Europe From Stalin to Havel*. New York: Free Press, 1992.

Latin America

Lehmann, David. *Democracy and Development in Latin America*. Philadelphia: Temple University Press, 1990.

General

Cammack, Paul, David Pool, and William Tordoff. *Third World Politics: A Comparative Introduction*. Baltimore, MD: Johns Hopkins University Press, 1990.

LEGAL POLICY PROBLEMS

Africa

Seidmann, Ann. *State and Law in the Development and Public Policy*. New York: St. Martin's, 1994.

Asia

Folsom, J., and L. Otto. *Law and Politics in the People's Republic of China in a Nutshell*. St. Paul, MN: West, 1991.

Eastern Europe

Gray, Cheryl. *Evolving Legal Frameworks for Private Sector Development in Central and Eastern Europe*. Geneva: World Bank, 1993.

Latin America

Dakolias, Maria. *The Judicial Sector in Latin American and the Caribbean: Elements of Reform*. Geneva: World Bank, 1996.

General

Duncan, J., and M. Derrett, eds. *An Introduction to Legal Systems*. New York: Praeger, 1968.

GENERAL POLICY PROBLEMS

Africa

Nagel, Stuart, ed. *African Development and Public Policy*. New York: St. Martin's, 1994.

Asia

Nagel, Stuart, ed. *Asian Development and Public Policy*. New York: St. Martin's, 1994.

Eastern Europe

Nagel, Stuart, and Vladimir Rukavishnikov, eds. *East European Development and Public Policy*. New York: St. Martin's, 1994.

Latin America

Nagel, Stuart, ed. *Latin-American Development and Public Policy*. New York: St. Martin's, 1994.

General

Jackson, Robert, ed. *Global Issues 89/90*. Guilford, CT: Dushkin, 1990.

Policy Studies Organization Books

POLICY THEORY

The Policy Studies Organization (PSO) has published numerous and varied books dealing with public policy studies from a broad, cross-cutting perspective, and it has also published in-depth case studies. Many of the ideas published in these books were compiled in a PSO book titled *Policy Theory and Policy Evaluation: Concepts, Knowledge, Causes, and Norms* (Greenwood, 1990). A copy of the table of contents is reproduced in the *Policy Studies Review*, Volume 9, Issue 4. The following list is a sample of related PSO books covering each of the four aspects of policy theory:

Conceptual theory

Dunn, William. *Policy Analysis: Perspectives, Concepts, and Methods*. Urbana, IL/Greenwich, CT: PSO/JAI, 1986.

Gregg, Phillip. *Problems of Theory in Policy Analysis*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1976.

Nagel, Stuart. *Policy Studies in America and Elsewhere*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1975.

Theory of Knowing

Dolbeare, Kenneth. *Public Policy Evaluation*. Urbana, IL/Beverly Hills, CA: PSO/Sage, 1975.

Palumbo, Dennis, Stephen Fawcett, and Paula Wright. *Evaluating and Optimizing Public Policy*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1981.

Scioli, Frank, and Thomas Cook. *Methodologies for Analyzing Public Policies*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1975.

Causal Theory

Dye, Thomas, and Virginia Gray. *The Determinants of Public Policy*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1980.

Eyestone, Robert. *Public Policy Formation*. Urbana, IL/Greenwich, CT: PSO/JAI, 1984.

Ingram, Helen, and Dean Mann. *Why Policies Succeed or Fail*. Urbana, IL/Beverly Hills, CA: PSO/Sage, 1980.

Normative theory

Fischer, Frank, and John Forester. *Confronting Values in Policy Analysis: The Politics of Criteria*. Urbana, IL/Newbury Park, CA: PSO/Sage, 1987.

Dunn, William. *Values, Ethics, and the Practice of Policy Analysis*. Urbana, IL/Lexington, MA: PSO/Lexington Books, 1983.

Nagel, Stuart. *Higher Goals for America: Doing Better Than the Best*. Urbana, IL/Lanham, MD: PSO/University Press of America, 1989.

PRESCRIPTIVE THEORY AND METHODS

Perhaps the most important, but least emphasized, approach within policy studies is the evaluative, prescriptive, or normative approach, as contrasted to the explanatory, predictive, or causal approach of the descriptive method. *Public policy evaluation* can be defined as the process of determining which of various alternative public or governmental policies will best achieve a given set of goals in light of the relations between the policies and the goals. The following are books on prescriptive theory and methodology written by political scientists:

- Bowman, J., and F. Elliston, eds. *Ethics, Government, and Public Policy*. Westport, CT: Greenwood, 1989.
- Brewer, G., and P. deLeon. *The Foundations of Policy Analysis*. Homewood, IL: Dorsey, 1983.
- Dahl, R., and C. Lindblom. *Politics, Economics, and Welfare: Planning and Politico-Economic Systems Resolved Into Basic Social Processes*. New York: Harper, 1953.
- Dolbeare, D., ed. *Public Policy Evaluation*. Beverly Hills, CA: Sage, 1975.
- Dror, Y. *Design for Policy Sciences*. New York: American Elsevier, 1971.
- Dunn, W. *Values, Ethics, and the Practice of Policy Analysis*. Lexington, MA: Lexington Books, 1983.
- Dye, T. *Policy Analysis: What Governments Do, Why They Do It, and What Difference It Makes*. Birmingham: University of Alabama Press, 1976.
- Fischer, F. *Politics, Values, and Public Policy: The Problem of Methodology*. Denver, CO: Westview, 1980.
- Fischer, F., and J. Forester, eds. *Confronting Values in Policy Analysis: The Politics of Criteria*. Newbury Park, CA: Sage, 1987.
- Frohock, F. *Public Policy: Scope and Logic*. Englewood Cliffs, NJ: Prentice Hall, 1979.
- Goodin, R. *Political Theory and Public Policy*. Chicago: University of Chicago Press, 1982.
- Gregg, P., ed. *Problems of Theory in Policy Analysis*. Lexington, MA: Lexington-Heath, 1976.
- Groth, A., and L. Wade, eds. *Comparative Resource Allocation: Politics, Performance, and Policy Priorities*. Beverly Hills, CA: Sage, 1984.
- Ingram, H., and D. Mann, eds. *Why Policies Succeed or Fail*. Beverly Hills, CA: Sage, 1980.
- Lasswell, H. *A Pre-View of Policy Sciences*. New York: American Elsevier, 1971.
- Lowi, T., and A. Stone, eds. *Nationalizing Government: Public Policies in America*. Beverly Hills, CA: Sage, 1978.
- MacRae, D. *The Social Function of Social Science*. New Haven, CT: Yale University Press, 1976.
- Nagel, S., ed. *Policy Theory and Policy Evaluation*. Westport, CT: Greenwood, 1990.
- Palumbo, D., ed. *The Politics of Program Evaluation*. Newbury Park, CA: Sage, 1987.
- Palumbo, D., S. Fawcett, and P. Wright, eds. *Evaluating and Optimizing Public Policy*. Lexington, MA: Lexington-Heath, 1981.
- Raskin, M. *The Common Good: Its Politics, Policies and Philosophy*. London: Routledge Kegan Paul, 1986.
- Stone, D. *Policy Paradox and Political Reason*. Glenview, IL/Boston: Scott, Foresman/Little, Brown, 1988.
- Whicker, M., and R. Moore. *Making America Competitive: Policies for a Global Future*. New York: Praeger, 1988.
- Wildavsky, W. *Speaking Truth to Power: The Art and Craft of Policy Analysis*. Boston: Little, Brown, 1979.

Legal Policy

LAW BIBLIOGRAPHY

- Abraham, Henry, and Barbara Perry. *Freedom and the Court: Civil Rights and Liberties in the United States*. 6th ed. Oxford, UK: Oxford University Press, 1994.
- Brigham, John, and Don Brown. *Policy Implementation: Penalties or Incentives?* Beverly Hills, CA: Sage, 1980.
- Dubois, Philip, ed. *The Analysis of Judicial Reform*. Lexington, MA: Lexington Books, 1982.
- Freedman, Warren. *Society on Trial: Current Court Decisions and Social Change*. Springfield, IL: Charles C Thomas, 1965.
- Hanks, Eva, Michael Herz, and Steven Nemerson. *Elements of Law*. Cincinnati, OH: Anderson, 1994.
- Katsh, Ethan. *Taking Sides: Clashing Views on Controversial Legal Issues*. 4th ed. Guilford, CT: Dushkin, 1991.
- Levine, James, Michael Musheno, and Dennis Palumbo. *Criminal Justice in America: Law in Action*. New York: John Wiley, 1986.
- Mills, Miriam, ed. *Conflict Resolution and Public Policy*. Westport, CT: Greenwood, 1990.
- Olson, Walter, ed. *New Directions in Liability Law*. New York: Academy of Political Science, 1988.
- Posner, Richard. *Economic Analysis of Law*. 2nd ed. Boston: Little, Brown, 1977.
- Roesch, Ronald, and Raymond Corrado, eds. *Evaluation and Criminal Justice Policy*. Beverly Hills, CA: Sage, 1981.
- Rose, Richard, and Phillip Davies. *Inheritance in Public Policy: Change Without Choice in Britain*. New Haven, CT: Yale University Press, 1994.
- Scott, Joseph, and Travis Hirschi, eds. *Controversial Issues in Crime and Justice*. Newbury Park, CA: Sage, 1988.
- Sigler, Jay, and Benjamin Beede. *The Legal Sources of Public Policy*. Lexington, MA: Lexington Books, 1977.
- Trachte-Huber, Wendy, and Stephen Huber. *Alternative Dispute Resolution: Strategies for Law and Business*. Cincinnati, OH: Anderson, 1996.
- Wilson, James, ed. *Crime and Public Policy*. Oakland, CA: Institute for Contemporary Science, 1983.

LEGAL POLICY STUDIES

1. On the general nature and background of legal policy studies, see Lawrence Friedman, *The Legal System: A Social Science Perspective* (New York: Russell Sage, 1975); Geoffrey Hazard, ed., *Law in a Changing America* (Englewood Cliffs, NJ: Prentice Hall, 1968); Harry Jones, ed., *Law and the Social Role of Science* (New York: Rockefeller University

Press, 1966); and Jay Sigler and Benjamin Beede, *The Legal Sources of Public Policy* (Lexington, MA: Lexington-Heath, 1977). On policy studies in general, see Stuart Nagel, ed., *Encyclopedia of Policy Studies* (New York: Dekker, 1983).

2. Articles by Stuart Nagel dealing with the development of legal policy studies include "Law and the Social Sciences: What Can Social Science Contribute?" *American Bar Association Journal* 51 (1965): 356-58; "Public Law Research as Policy Science," in *The Legal Process From a Behavioral Perspective* (Homewood, IL: Dorsey, 1969); and "Some Proposals for Facilitating Socio-Legal Teaching and Research," *Journal of Legal Education* 24 (1972): 590-602 (symposium issue on "Non-Traditional Research in Law").

3. On training programs relevant to legal policy studies, see Herbert Packer and Thomas Ehrlich, *New Directions in Legal Education* (New York: McGraw-Hill, 1972); "Papers Presented at the Curriculum Committee Meeting, Association of American Law Schools," *Denver Law Journal* 44 (1967): 1-62; George Felkenes, *The Criminal Justice Doctorate: A Study of Doctoral Programs in the United States* (Chicago: University of Illinois at Chicago, 1980); and William D. Coplin, ed., *Teaching Policy Studies: What and How* (Lexington, MA: Lexington-Heath, 1978).

4. On research centers relevant to legal policy studies, see "Social Research and the Law," *Journal of Legal Education* 23 (1971): 1-254; Laurens Walker, ed., "Developments in Law and Social Sciences Research," *North Carolina Law Review* 52 (1974): 969-1089; American Bar Foundation, *Annual Report* (Chicago: American Bar Foundation, 1982); Leo Levin, "Research in Judicial Administration: The Federal Experience," *New York Law School Law Review* 26 (1981): 237-62; National Center for State Courts, *Annual Report: 1978* (Williamsburg, VA: National Center

for State Courts, 1982); RAND Corporation Institute of Civil Justice, *Report on the First Three Program Years April 1980-March 1983* (Santa Monica, CA: RAND, 1983); and Stuart Nagel and Marian Neefs, eds., *Policy Research Centers Directory* (Urbana, IL: Policy Studies Organization, 1978).

5. On publishing outlets relevant to legal policy studies, see Roy Mersky et al., *Author's Guide to Journals in Law, Criminal Justice, and Criminology* (Washington, DC: Haworth, 1979); Henry Weinhofen, *Legal Writing Style* (St. Paul, MN: West, 1961); and Anne Newton et al., *Information Sources in Criminal Justice: An Annotated Guide to Directories, Journals, and Newsletters* (Hackensack, NJ: National Council on Crime and Delinquency, 1976).

6. On funding sources relevant to legal policy studies, see National Science Foundation Law and Social Science Program, *Grants Awards* (Washington, DC: National Science Foundation, 1982); National Institute of Justice, *Annual Report: 1982* (Washington, DC: National Institute of Justice, 1982); and Stuart Nagel and Marian Neef, eds., *Policy Grants Directory* (Urbana, IL: Policy Studies Organization, 1977).

7. On associations relevant to legal policy studies, see Association of American Law Schools, *1982 Annual Meeting Programs* (Washington, DC: Association of American Law Schools, 1982); American Bar Association, *Annual Meeting Program: 1982* (Chicago: American Bar Association, 1982); and Stuart Nagel and Kathleen Burkholder, eds., *Policy Publishers and Associations Directory* (Urbana, IL: Policy Studies Organization, 1980).

8. On substantive examples of legal policy studies, see Lawrence Friedman and Stewart Macaulay, eds., *Law and the Behavioral Sciences* (Indianapolis, IN:

Bobbs-Merrill, 1977); Richard Schwartz and Jerome Skolaik, eds., *Society and the Legal Order: Cases and Materials in the Sociology of Law* (New York: Basic Books, 1970); and Sidney Simpson and Julius Stone, eds., *Law in Modern Democratic Society* (St. Paul, MN: West, 1949).

9. Literature that takes a process orientation toward legal policy includes Carl Auerbach et al., eds., *The Legal Process: An Introduction to Decision-Making by Judicial, Legislative, Executive, and Administrative Agencies* (San Francisco: Chandler, 1961); C. K. Allen, *Law in the Making* (New York: Oxford University Press, 1958); and William Chambliss and Robert Siedman, *Law, Order, and Power* (Reading, MA: Addison-Wesley, 1971).

10. On methods relevant to legal policy studies, see James Loewen, *Social Science in the Courtroom: Statistical Techniques and Research Methods for Winning Class Action Suits* (Lexington, MA: Lexington-Heath, 1982); Gary Becker and William Landes, eds., *Essays in the Economics of Crime and Punishment* (New York: Columbia University Press, 1974); Ronald Roesch and Raymond Corrado, eds., *Evaluation and Criminal Justice Policy* (Beverly Hills, CA: Sage, 1981); Susette Talarico, ed., *Criminal Justice Research: Approaches, Problems, and Policy* (Cincinnati, OH: Anderson, 1980); Gresham Sykes et al., eds., *Law and Social Science Research: A Collection of Annotated Readings* (Denver, CO: University of Denver College of Law, 1970); and Stuart Nagel, *Law, Policy, and Optimizing Analysis* (Westport, CT: Greenwood-Quorum, 1986).

11. On the future of legal policy studies, see Murray Schwartz, ed., *Law and the American Future* (Engelwood Cliffs, NJ: Prentice Hall, 1976); Joel Grossman and Mary Grossman, eds., *Law and the Change in Modern America* (New York: Goodyear, 1971); and John O'Brien and

Marvin Marcus, *Crime and Justice in America: Critical Issues for the Future* (Elmsford, NY: Pergamon, 1979).

BIBLIOGRAPHY FROM LEGAL SCHOLARSHIP, MICROCOMPUTERS, AND SUPER- OPTIMIZING DECISION-MAKING¹

- Abel, Richard, ed. *Plea Bargaining*. Denver, CO: Law and Society Association, 1979.
- Anderson, Annelise, and Dennis Bark, eds. *Thinking About America: The United States in the 1990s*. Stanford, CA: Hoover Institution, 1988.
- Appleman, John, ed. *Successful Jury Trials*. Deerfield, IL: Callahan, 1952.
- Baird, B. *Introduction to Decision Analysis*. Belmont, CA: Duxbury, 1978.
- Banister, Judith. *China's Changing Population*. Stanford, CA: Stanford University Press, 1987.
- Barnes, David. *Statistics as Proof Fundamentals of Quantitative Evidence*. Boston: Little, Brown, 1983.
- Barton, John, James Gibbs, Victor Li, and John Merryman, eds. *Law in Radically Different Cultures*. St. Paul, MN: West, 1983.
- Becker, Gary, and William Landes, eds. *Essays in the Economics of Crime and Punishment*. New York: Columbia University Press, 1974.
- Berney, Arthur, et al. *Legal Problems of the Poor: Cases and Material*. Boston: Little, Brown, 1975.
- Black, Guy. *The Application of Systems Analysis to Government Operations*. New York: Praeger, 1968.
- Bruno, Barbara, ed. *Poverty, Inequality, and the Law: Cases, Commentary, and Analysis*. St. Paul, MN: West, 1976.
- Burns, John, and Stanley Rosen, eds. *Policy Conflicts in Post-Mao China*. Armonk, NY: Sharpe, 1986.
- Burns, Russell, Robert Keeton, Carolyn Landis, and Roger Park. *Teaching Law With Computers: A Collection of Essays*. Denver, CO: Westview, 1979.

- Calamari, John, and Joseph Perillo. *The Law of Contracts*. St. Paul, MN: West, 1987.
- Channels, Noreen. *Social Science Methods in the Legal Process*. Totowa, NJ: Rowman & Allanheld, 1985.
- Clark, Homer. *The Law of Domestic Relations in the United States*. St. Paul, MN: West, 1968.
- Clark, Homer, and Carol Glowinsky, eds. *Cases and Problems in Domestic Relations*. St. Paul, MN: West, 1990.
- Cook, Thomas, and Donald Campbell. *Quasi-Experimentation: Design and Analysis Issues for Field Settings*. Chicago: Rand-McNally, 1979.
- Cooper, C., et al. *Law and Poverty*. St. Paul, MN: West, 1973.
- Corbin, Arthur. *Contracts*. St. Paul, MN: West, 1952.
- Cruikshank, Jeffrey, and Lawrence Susskind. *Breaking the Impasse: Consensual Approaches to Resolving Disputes*. New York: Basic Books, 1987.
- Cullison, Alan. "Probability Analysis of Judicial Fact Finding." *University of Toledo Law Review* 12 (1969): 558-98.
- Donahue, John. *The Privatization Decision: Public Ends, Private Means*. New York: Basic Books, 1989.
- Forst, Brian, and Katherine Bousi. "A Theoretical and Empirical Analysis of the Prosecutor." *Journal of Legal Studies* 6 (1977): 177.
- Fried, Michael, et al. "Juror Selection: An Analysis of Voir Dire." In *The Jury System in America*, ed. Rita Simon. Beverly Hills, CA: Sage, 1975.
- Friedman, Lawrence, and Stewart Macaulay, eds. *Law and the Behavioral Sciences*. Indianapolis, IN: Bobbs-Merrill, 1977.
- Gass, Saul, et al., eds. *Impacts of Microcomputers on Operations Research*. Amsterdam: North-Holland, 1986.
- Glendon, Mary, Michael Gordon, and Christopher Osakwe, eds. *Civil Law, Common Law, and Socialist Law Traditions*. St. Paul, MN: West, 1985.
- Goldberg, Stephen, Eric Green, and Frank Sander, eds. *Dispute Resolution*. Boston: Little, Brown, 1984.
- Gottfredson, Michael, and Don Gottfredson. *Decisionmaking in Criminal Justice: Toward the Rational Exercise of Discretion*. Cambridge, MA: Ballinger, 1980.
- Green, Mark, and Mark Pinsky, eds.. *America's Transition: Blueprints for the 1990s*. New York: Democracy Project, 1989.
- Greenberg, Jack. "Quantitative Aspects of Legal Analysis." *Insurance Law Journal* 16 (1976): 589-607.
- Greenberger, Martin, et al. *Models in the Policy Process*. New York: Russell Sage, 1976.
- Guba, E., and Y. Lincoln. *Effective Evaluation: Improving the Usefulness of Evaluation Results Through Responsive and Naturalistic Approaches*. San Francisco: Jossey Bass, 1981.
- Guzman, Raul De, and Mila Reforma. *Government and Politics of the Philippines*. Oxford, UK: Oxford University Press, 1988.
- Harding, Harry. *China's Second Revolution: Reform After Mao*. Washington, DC: Brookings Institution, 1987.
- Hazen, Margaret, and Thomas Hazen. "Simulation of Legal Analysis and Instruction on the Computer." *Indiana Law Journal* 59 (1984): 195-222.
- Heatherly, Charles, and Burton Pines, eds. *Mandate for Leadership III: Policy Strategies for the 1990s*. Washington, DC: Heritage Foundation, 1989.
- Hufner, Carole, ed. *Proceedings of the International Conference on Artificial Intelligence and Law*. Boston: Northeastern University, 1987.
- Humphreys, Patrick, and Ayleen Wishuda. *Methods and Tools for Structuring and Analyzing Decision Problems*. London: London School of Economics and Political Science, 1987.
- Hwang, Ching-Lai, and Kwangsun Yoon. *Multiple Attribute Decision Making: Methods and Applications*. Berlin: Springer-Verlag, 1981.
- Iglesias, Gabriel, ed. *Implementation: The Problem of Achieving Results: A Casebook on Asian Experiences*. Manila: Eastern Regional Organization for Public Administration, 1976.

- Johnson, David, and Paul Mode, eds. *Improving Law Firm Productivity by Encouraging Lawyers' Use of Personal Computers*. New York: Harcourt Brace, 1985.
- Jones, Harry, et al., eds. *Legal Method: Cases and Text Materials*. Mineola, NY: Foundation Press, 1980.
- Jones, Harry, John Kernochan, and Arthur Murphy, eds. *Legal Method: Cases and Text Materials*. Mineola, NY: Foundation Press, 1980.
- Jones, William, ed. *Basic Principles of Civil Law in China*. Armonk, NY: Sharpe, 1989.
- Kaplan, John. "Decision Theory and the Factfinding Process." *Stanford Law Review* 20 (1968): 1065-92.
- Kaplan, Martin, and Gwen Kemmerick. "Juror Judgment as Information Integration: Combining Evidential and Nonevidential Information." *Journal of Personality and Social Psychology* 30 (1974): 493-99.
- Katsh, Ethan, ed. *Taking Sides: Clashing Views on Controversial Legal Issues*. Guilford, CT: Dushkin, 1991.
- Kessler, Richard. *Rebellion and Repression in the Philippines*. New Haven, CT: Yale University Press, 1989.
- Kingston, Charles. "Probability and Legal Proceedings." *Journal of Criminal Law, Criminology and Policy Science* 57 (1966): 93-8.
- Klein, Malcolm, and Katherine Teilmann, eds. *Handbook of Criminal Justice Evaluation*. Beverly Hills, CA: Sage, 1980.
- Kmeitowicz, Z., and A. Pearlman. *Decision Theory and Incomplete Knowledge*. Brookfield, VT: Gower, 1981.
- Krause, Harry. *Family Law in a Nutshell*. St. Paul, MN: West, 1977.
- Krause, Harry, ed. *Cases, Comments, and Questions on Family Law*. St. Paul, MN: West, 1990.
- Lachman, Judith, and William McLaughlan. "Models of Plea Bargaining." In *Modeling the Criminal Justice System*, ed. Stuart Nagel. Beverly Hills, CA: Sage, 1977.
- LaFave, Wayne. "Improving Police Performance Through the Exclusionary Rule." *Missouri Law Review* 30 (1965): 391.
- LaFave, Wayne, and Austin Scott. *Criminal Law*. St. Paul, MN: West, 1972.
- LaFrance, A., et al. *Law and the Poor*. St. Paul, MN: West, 1973.
- Legal Services Corporation. *The Delivery System Study: A Policy Report to the Congress and the President of the United States*. Washington, DC: Legal Services Corporation, 1980.
- Lempert, Richard. "Modeling Relevance." *Michigan Law Review* 75 (1977): 1021-57.
- Levine, James, Michael Musheno, and Dennis Palumbo. *Criminal Justice: A Public Policy Approach*. New York: Harcourt Brace Jovanovich, 1980.
- Lindsey, Peter, and Donald Norman. *Human Information Processing*. Orlando, FL: Academic Press, 1972.
- Llewellyn, Karl. *The Common Law Tradition: Deciding Appeals*. Boston: Little, Brown, 1960.
- Loewen, James. *Social Science in the Courtroom: Statistical Techniques and Research Methods for Winning Class-Action Suits*. Lexington, MA: Lexington-Heath, 1982.
- Lombard, Frederica, ed. *Family Law Reader*. Mineola, NY: Foundation Press, 1990.
- MacKinnon, F. *Contingent Fees for Legal Services: A Study of Professional Economics and Responsibilities*. Chicago: Aldine, 1964.
- MacRae, Duncan. *The Social Function of Social Science*. New Haven, CT: Yale University Press, 1976.
- Magaziner, Ira, and Robert Reich. *Minding America's Business: The Decline and Rise of the American Economy*. New York: Harcourt Brace, 1982.
- Major, John, and Anthony Kane, eds. *China Briefing*. Boulder, CO: Westview, 1987.
- Marshall, Catherine, and James Wise. "Juror Decisions and the Determination of Guilt in Capital Punishment Cases: A Bayesian Perspective." In *Utility, Probability, and Human Decision Making*, ed. Dirk Wendt and Charles Vlek. Amsterdam: Reidel, 1975.
- Martino, Antonio, and Fiorenza Soccinatali, eds. *Automated Analysis of Legal Texts: Logic, Informatics, Law*. Amsterdam: North-Holland, 1986.

- McCall, George, and George Weber, eds. *Social Sciences and Public Policy*. Port Washington, NY: Kennikat, 1984.
- Miller, David, and Martin Starr. *Executive Decisions and Operations Research*. Englewood Cliffs, NJ: Prentice Hall, 1960.
- Miringoff, Marc, and Sandra Opdycke. *American Social Welfare Policy: Reassessment and Reform*. Englewood Cliffs, NJ: Prentice Hall, 1986.
- Moore, C. *Profitable Applications of the Break-Even System*. Englewood, Cliffs, NJ: Prentice Hall, 1971.
- Morris, Clarence, and Robert Morris. *Texts on Torts*. Mineola, NY: Foundation Press, 1980.
- Nagel, Stuart. "Applying Decision Science to the Practice of Law." In *The Practical Lawyer's Manual on Pretrial Preparation*, edited by Jody DeMatteo. Philadelphia: American Law Institute-American Bar Association, 1986.
- _____. "Arriving at Super-Optimum Solutions." In *Handbook of Public Productivity*, ed. M. Holzer. New York: Dekker, 1991.
- _____. "Attorney Time Per Case: Finding an Optimum Level." *University of Florida Law Review* 32 (1980): 424-41.
- _____. "Case Prediction by Staircase Tables and Percentaging." *Jurimetrics Journal* 25 (1985): 169-96.
- _____. "Computer-Aided Negotiation." *Attorneys Computer Report* 4 (November 1986): 11-4.
- _____. *Contemporary Public Policy Analysis*. Tuscaloosa: University of Alabama Press, 1983.
- _____. *Decision-Aiding Software: Skills, Obstacles, and Applications*. New York: Macmillan, 1990.
- _____. *Evaluation Analysis With Microcomputers*. Greenwich, CT: JAI, 1989.
- _____. *Improving the Legal Process: Effects of Alternatives*. Lexington, MA: Lexington-Heath, 1975.
- _____. *Law, Policy, and Optimizing Analysis*. Westport, CT: Quorum, 1986.
- _____. "Lawyer Decision-Making and Threshold Analysis." *University of Miami Law Review* 36 (1982): 615-41.
- _____. *Legal Process Controversies and Super-Optimum Solutions*. Westport, CT: Quorum, 1993.
- _____. *Microcomputers as Decision Aids in Law Practice*. Westport, CT: Quorum, 1987.
- _____. "Microcomputers, Risk Analysis, and Litigation Strategy." *Akron Law Review* 19 (1985): 35-80.
- _____. "New Varieties of Sensitivity Analysis." *Evaluation Review* 9 (1985): 772-79.
- _____. "Plea Bargaining, Decision Theory, and Equilibrium Models." *Indiana Law Review* 51 (1976): 987-1025.
- _____. *Policy Analysis With Microcomputers*. Westport, CT: Quorum, 1988.
- _____. *Policy Evaluation: Making Optimum Decisions*. New York: Praeger, 1982.
- _____. *Public Policy: Coals, Means, and Methods*. New York: St. Martin's, 1984.
- _____. "Super-Optimum Solutions in Public Controversies." *Futures Research Quarterly* 5 (1989): 57-75.
- _____. "Testing the Effects of Excluding Illegally Seized Evidence." *Wisconsin Law Review* 1965 (1965): 283-310.
- _____. "Using Microcomputers and P/G% to Predict Court Cases." *Akron Law Review* 18 (1985): 541-574.
- _____. *Using Personal Computers for Decision-Making in Law Practice*. Philadelphia: American Law Institute-American Bar Association, 1985.
- _____. "What's New and Useful in Legal Analysis Technology?" *Ratio Juris* 5 (1992): 172-90.
- Nagel, Stuart, ed. *Policy Studies and the Social Sciences*. New Brunswick, NJ: Transaction, 1976.
- _____. "Super-Optimum Solutions." *Public Budgeting and Financial Management* 4 (1992): 195-286 (symposium issue).
- Nagel, Stuart, and Casey Barczyk. "Can Computers Aid the Dispute Resolution Process?" *Judicature* 71 (1988): 253, 294-95.
- Nagel, Stuart, and Miriam Mills. "Microcomputers, P/G%, and Dispute Resolution." *Ohio State Journal of Dispute Resolution* 2 (1987): 187-223.

- Nagel, Stuart, and Marian Neef. *Decision Theory and the Legal Process*. Lexington, MA: Lexington-Heath, 1979.
- _____. *Legal Policy Analysis: Finding an Optimum Level or Mix*. Lexington, MA: Lexington-Heath, 1977.
- _____. *Policy Analysis: In Social Science Research*. Beverly Hills, CA: Sage, 1979.
- Nagel, Stuart, David Lamm, and Marian Neef. "Decision Theory and Juror Decision Making." In *The Trial Process*, ed. Bruce Sales. Lexington, MA: Lexington-Heath, 1981.
- Newman, Donald. *Conviction: The Determination of Guilt or Innocence Without Trial*. Boston: Little, Brown, 1966.
- Nierenberg, Gerard. *Fundamentals of Negotiating*. New York: Hawthorn Dutton, 1973.
- Nowak, John, Ronald Rotunda, and Nelson Young. *Constitutional Law*. St. Paul, MN: West, 1983.
- Noyes, Richard, ed. *Now the Synthesis: Capitalism, Socialism and the New Social Contract*. New York: Holmes & Meier, 1991.
- Oaks, Dallin. "Studying the Exclusionary Rule in Search and Seizure." *University of Chicago Law Review* 37 (1970): 665-757.
- Osborn, A. F. *Applied Imagination: Principles and Procedures of Creative Problem Solving*. New York: Scribner's, 1963.
- Park, Roger. *Computer-Aided Exercises on Civil Procedures*. St. Paul, MN: West, 1983.
- Park, Roger, and Russell Burns. "Computer-Aided Instruction in Law: Theories, Techniques, and Trepidation." *American Bar Foundation Research Journal* (1978): 1.
- Perkins, Roland, and Ronald Boyce. *Text on Criminal Law*. Mineola, NY: Foundation Press, 1982.
- Posner, Richard. *Economic Analysis of Law*. Boston: Little, Brown, 1977.
- Prest, A. R., and R. Turvey. "Cost-Benefit Analysis: A Survey." *The Economic Journal* 75 (1965): 683-735.
- Pritchett, Herman. *Constitutional Civil Liberties*. Englewood Cliffs, NJ: Prentice Hall, 1984.
- _____. *Constitutional Powers*. Englewood Cliffs, NJ: Prentice Hall, 1984.
- Prosser, William, and Page Keeton. *Prosser and Keeton on the Law of Torts*. St. Paul, MN: West, 1984.
- Prybyla, Jan, ed. *Privatizing and Marketing Socialism*. Annals of the American Academy of Political and Social Science, 1990.
- Quade, Edward. *Analysis for Public Decisions*. Amsterdam: North-Holland, 1981.
- Raskin, Marcus. *The Common Good: Its Politics, Policies, and Philosophy*. London: Routledge Kegan Paul, 1986.
- Roberts, Paul. *The Supply Side Revolution*. Cambridge, MA: Harvard University Press, 1984.
- Robinson, Jean. "Of Family Policies in China." In *The Family and Public Policy*, ed. Richard Hula and Elaine Anderson. Westport, CT: Greenwood, 1991.
- Rossi, Peter, and Howard Freeman. *Evaluation: A Systematic Approach*. Beverly Hills, CA: Sage, 1982.
- Saaty, Thomas L. *Decision Making for Leaders: The Analytical Hierarchy Process for Decisions in a Complex World*. Belmont, CA: Wadsworth, 1982.
- Schlesinger, Stephen. *Exclusionary Injustice: The Problem of Illegally Obtained Evidence*. New York: Dekker, 1977.
- Schubert, Glen, ed., *Judicial Behavior: A Reader in Theory and Research*. Chicago: Rand McNally, 1964.
- Schum, David. "Contrast Effects in Inference: On the Conditioning of Current Evidence by Prior Evidence." *Organizational Behavior and Human Performance* 18 (1977): 217-53.
- Spaeth, Harold. *Supreme Court Policy Making: Explanation and Prediction*. San Francisco: Freeman, 1979.
- Spiro, Shimon, and Ephraim Yuchtam-Yarr, eds. *Evaluating the Welfare State: Social and Political Perspectives*. New York: Academic Press, 1983.
- Statsky, William, and John Wernet. *Case Analysis and Fundamentals of Legal Writing*. St. Paul, MN: West, 1977.
- Thode, Wayne, et al., eds. *Introduction to the Study of Law: Cases and Materials*. Mineola, NY: Foundation Press, 1970.

Tullock, Gordon. *The Logic of the Law*. New York: Basic Books, 1971.

Walter, Charles, ed. *Computing Power and Legal Reasoning*. St. Paul, MN: West, 1985.

Webb, E., et al. *Nonreactive Measures in the Social Sciences*. Boston: Houghton Mifflin, 1981.

Weeks, G. "Bayesian Probability: A Quantitative Technique for the Practicing Attorney." *American Business Law Journal* 13 (1970): 83-102.

Wurfel, David. *Filipino Politics: Development and Decay*. Ithaca, NY: Cornell University Press, 1988.

Zeleny, Milan. *Multiple Criteria Decision Making*. New York: McGraw-Hill, 1982.

NOTE

1. Stuart Nagel, *Legal Scholarship, Microcomputers, and Super-Optimizing Decision-Making* (Westport, CT: Greenwood-Quorum, 1993).

Index

- Abbot, E., 229
- Abortion policy, 27
- Academic freedom:
- due process and, 45
 - protection of, 44-45
 - See also* Sexual harassment
- Academic programs. *See* Education
- Academic tyranny, 111-112
- background, 112-113, 213-215
 - colleagues, indifference of, 118, 215
 - future and, 120-121
 - institutional amorality and, 118-119
 - memos/investigations/injunctions, 114-117
 - outside intervention, 119
 - surrender, institutionalized abuse and, 119-120, 215-216
 - trigger incident, retirement and, 113-114
 - vulnerability to, 117-118, 215
- AIDS, 126
- Air transportation industry, 93-94
- Allocation. *See* Funding; Win-win allocation
- Alternative dispute resolution. *See* Bibliographies
- American Civil Liberties Union, 119
- American Evaluation Association, 156
- American Political Science Association (APSA), 177
- Anti-discrimination policy, 197-198, 201 (table)
- Aron, R., 150
- Arrow diagrams, 232-233, 232 (figure)
- Attempted total victory (ATV), 31, 32-34, 36
- Automobile industry, 94
- Baker v. Carr*, 167, 168
- Bayh-Dole Act of 1980, 59-60, 63
- Beaufre, A., 150
- Behavior:
- behavior process analysis, 156
 - socially desirable, 189-190, 190 (table)
- Bibliographies:
- academic democracy, 382
 - alternative dispute resolution, 349-353
 - arts/leisure policy, 391-392
 - biological science, 389-390
 - computers in teaching, 381
 - core courses, 311-312
 - creativity, 365-367, 383
 - cross-national policymaking, 346
 - department chairing/administering, 106, 382
 - developing nations, 334, 341-342
 - domestic politics, 319-320
 - economic policy, 312-313, 314, 317-318, 330-331, 338, 393, 399
 - education, 340, 394
 - employment opportunities, 106, 381
 - environmental policy, 331-332, 339
 - federal policymaking, 343-346
 - general policy issues, 326-328, 335-336, 401

- international politics, 320-322, 399-401
- language/culture, 392
- legal policy, 313, 314, 322, 333-334, 341, 400-401, 405-412
- methodologies by discipline, 312-313
- networking/professional development, 106-107
- philosophy, 391
- physical science/engineering, 313, 387-389
- policy processes/structures, 314-315, 328-330, 336-338
- Policy Studies Organization books, 325-346, 403-404
- policy theory, 403-404
- political science/public administration, 107, 312, 314, 333, 340-341, 394-395, 400
- prescriptive theory/methods, 404
- problems by discipline, 313-314, 330-334, 338-341, 399-401
- publishing, 106, 377-379
- sensitivity analysis, 354
- social/psychological policy, 312, 313-314, 318-319, 332-333, 339-340, 393-394, 400
- state policymaking, 346
- super-optimum mediation, 353-354
- super-optimum solutions, 355-356, 361-371
- teaching practices, 106, 381
- technology/science policy, 314, 319, 331, 338-339, 387-390, 399-400
- tenure issues, 107
- Big tradeoff perspective. *See* Equality-efficiency tradeoff
- Brown v. Board of Education*, 221
- Buckley decision, 219, 220-221

- Campaign finance reform:
 - Buckley decision and, 219, 220-221
 - citizen participation and, 218
 - ideological differences and, 219
 - interest in, 219
 - partisan competition, 217-218, 221
 - practicality of, 218-219
 - public financing and, 217
 - public opinion on, 219
 - realization of, 220-221
- Campbell, D., 156
- Causal theory, 139-141
- Child care, 126-127, 197
- Childhood immunization rates, 126
- Children's Health Insurance Program (CHIP), 125, 126
- Child support measures, 126
- Civil Rights Act of 1964, 43, 192
- Clayton Anti-Trust Act, 196
- Coeffects analysis, 269, 270-273 (figures)
- Colegrove v. Green*, 167, 168
- Colonialism/imperialism, 28-30, 29 (table)
- Competition:
 - political/economic, prosperity and, 286-287, 288 (figure)
 - win-win economics and, 285, 286 (table)
 - See also* University-industry technology transfer
- Compromise, 31, 59, 249
- Conceptual theory, 133-136
- Congressional elections. *See* Campaign finance reform
- Conservative best expectation (CBE), 31, 32-36
- Consumer policy, 196, 201 (table)
- Criminal justice practice:
 - jury selection/practice, 19-22, 20 (table)
 - policy reform, 198, 201 (table)
 - prison population rates and, 26 (table), 27, 30
 - See also* Win-win allocation; Win-win justice
- Day care. *See* Child care
- Decentralization. *See* Win-win decentralization
- Decision making. *See* Policy analysis; Policy decisions
- Deficit issues, 282-283, 283 (table)
- Dekker, M., 178
- Department of Housing and Urban Development (HUD), 91
- Developing nations, 81-82
 - See also* Foreign policy; Policy reform
- Dirksen-Stevenson Institute:
 - allocation criteria, 176
 - establishment of, 176-177
 - faculty recruitment, 175
 - funding for, 175
 - future trends in, 177-178

- interdisciplinary focus of, 179
- international interests of, 178-179
- public policy impact of, 179
- research/publishing activities of, 177
- service activities, 177, 178
- student recruitment, 175
- Displacement, 16, 17 (table), 244, 278-280, 279 (table)
- Domestic politics. *See* Political policy
- Downsizing. *See* Organizational downsizing
- Drug use rates, 126

- Earned-income tax credit, 126, 286
- Economic policy:
 - budget cuts/balancing, 26 (table), 30
 - coeffects analysis, 269, 270 (figure)
 - consumer policy, 196, 201 (table)
 - evaluation questions, 75
 - growth, win-win analysis, 71, 72 (figures), 277-278, 278 (table)
 - inflation, 196, 275-277, 276 (table)
 - interest rate manipulation, 25-26, 26 (table), 275-276
 - international trade/investment, 28-30, 29 (table)
 - labor policy, 197, 201 (table)
 - Medicare Medicaid replacement, 29 (table), 30
 - neoclassical approach, 82-83
 - policy fields, causal relations among, 151-152, 151 (table)
 - unemployment, 195-196, 275-277, 276 (table)
 - See also* Equality-efficiency tradeoff; Profit sharing; Win-win economics
- Education:
 - job training, 29(table), 30, 197, 277, 289, 298-299, 298 (table)
 - policy programs, 109-110, 198, 201 (table)
 - See also* Dirksen-Stevenson Institute; Professional practice bibliographies
- Efficiency. *See* Equality-efficiency tradeoff
- Elderly population, 22-23, 23 (table)
- Employment policy:
 - displacement, 16, 17 (table), 244, 278-280, 279 (table)
 - government regulation and, 191-192, 195-196
 - labor policy, 197, 201 (table)
 - minimum wage legislation, 126, 288-289
 - race/gender relations and, 13, 14 (table)
 - sweatshop industries, 26
 - training, 29 (table), 30, 197, 277, 289, 298-299, 298 (table)
 - unemployment/inflation, win-win analysis, 275-277, 276 (table)
 - unemployment, minorities/elderly and, 22-23, 23 (table)
 - See also* Academic tyranny; Profit sharing
- Energy regulation, 198
- Environmental policy:
 - joint problem solving and, 292, 293
 - resource protection, 198, 201 (table)
 - super-optimization approach to, 291-293
 - win-win equity and, 13-16, 15 (table)
- Equality-efficiency tradeoff, 7-8, 8 (figure)
 - alternative to, 10-12, 11 (figure)
 - assumptions in, 8-9
 - decision makers in, 9, 10
 - indifference curves and, 32-34, 33 (figure)
 - policy guide of, 9-10
 - social welfare function and, 9, 10
 - See also* Win-win economics; Win-win equity

- Fair Labor Standards Act of 1938, 192, 197
- Family Independence Agency (FIA), 211-212
- Farming policies, 25, 287-288
- Federal Reserve System, 195, 196
- Federal Trade Commission, 196
- Firearms, 223
- Food stamp benefits, 7
- Foreign policy:
 - coeffects analysis, 269, 272 (figure)
 - colonialism/imperialism, 28-30, 29 (table)
 - developing nations, policy innovations and, 81-82
 - evaluation questions, 77
 - retaliatory tariffs, 25, 26 (table), 30
- Free speech, 199, 201 (table)
- Friedman, M., 196
- Funding:
 - institutions and, 184-186
 - public health research, 127
 - source list, 105, 375-376
 - subjects funded, 181-183
 - See also* Win-win allocation

- Game theory. *See* Win-win game theory
- Gender relations:
 job discrimination and, 198
 win-win equity and, 13, 14 (table)
- Government ownership, 94, 95, 97, 192, 284-285, 284 (table)
- Government reform, 199-200, 201 (table)
- Gross National Product (GNP) growth, 71, 72 (figures)
- Gun culture, 223
- Harris v. Forklift System*, 44
- Headstart Program, 10, 126
- Health insurance, 125
- Health Management organizations, 29 (table), 30
- Horowitz, D. L., 85
- Housing, 90-91
- Immigration policy, 27
- Immunization rates, 126
- Indifference curves, 7, 32-34, 33 (figure), 230-232, 231 (figure)
- Individual Right Foundation, 119
- Infant mortality, 126
- Inflation policy, 195-196, 275-277, 276 (table)
- Institutions. *See* Organizational downsizing; Policy decisions
- Interest rate adjustments, 25-26, 275-276
- International Labor Organization (ILO), 163
- International Studies Association (ISA), 177
- Islamic fundamentalism, 30
- Kassebaum-Kennedy law, 125
- Keynes, J. M., 71, 196
- Knowing, theory of, 136-139
- Labor. *See* Employment policy; Unions
- Labor-management disputes, 248-249, 249-250 (tables)
- Lauffer curve, 244
- Legal policy:
 coeffacts analysis, 269, 272 (figure)
 evaluation questions, 77-78
 policy reform, 198, 201 (table)
 prison populations and, 26 (table), 27, 30
 tort reform, 29 (table), 30
 See also Win-win justice
- Legal Services Corporation (LSC), 22, 89, 90, 198
- Lewis, J. P., 83
- Liberal best expectation (LBE), 31, 32-36
- Literature. *See* Bibliographies
- Litigation, 93, 96, 192
 air transportation industry and, 93
 automobile industry, 94
 telecommunications, 95
 triangle/pyramid perspective of, 227-230, 228 (figure)
 win-win civil/tort justice and, 303, 304 (table)
 See also Win-win mediation
- Los Angeles Department of Water and Power v. Manhart*, 43
- Lose-lose policies, 6, 25-27, 26 (table)
- Managed care, 126, 244
- Maoz, Z., 150
- Market system:
 automobile industry and, 94
 inequality in, 8
 labor practices and, 65-66, 67-68
 pollution control and, 13
 public policy matters and, 191-192, 192 (table)
 telecommunications and, 94-95
- Mathematical optimizing, 156
- Mediation. *See* Win-win mediation
- Media violence, 223-224
- Medicare/ Medicaid, 29 (table), 30, 90, 126, 198
- Medicare Trust Fund, 126
- Meritor Savings Bank v. Vinson*, 43
- Michigan welfare reform program, 211-212
- Middle East policies, 30
- Ministry of International Trade and Industry (MITI), 297
- Miriam K. Mills Research Center for Super-Optimizing Analysis and Developing Nations, 176
- Monopolies, 97, 196
- Mortgage supplement program, 91
- Multicriteria decision making (MCDM), 139, 155-156, 237-238, 238 (table)

- Multiple Affect Adjective Checklist (MAACL), 54-55, 55 (table)
- Nagel, S., 112, 238
- National Aeronautics and Space Administration (NASA), 27, 28
- National Association of Scholars (NAS), 41
- National Institutes of Health (NIH), 127
- National Labor Relations Act (NLRA), 197
- Neef, M., 238
- Nelson, J., 81
- Okun, A., 7
- Organizational downsizing, 47
 cutback management, 48-49
 degenerative interaction, 50
 demotion experience, articulated design of, 53-56
 Multiple Affect Adjective Checklist (MAACL) and, 54-55, 55 (table), 56
 organization development (OD), value-guided technology, 49, 56-57
 regenerative interaction, 49-50, 50 (figure), 51, 56, 57
 super-optimum solutions and, 47-48, 52-53, 55-56
 town meeting approach, design of, 49-53
See also University-industry technology transfer
- Palestine Liberation Organization (PLO), 30
- Pareto optimum solutions, 249, 250-251, 301-302
- Patent system, 28
- Patient's Bill of Rights, 126
- Phillips curve, 71, 242
- Plessy v. Ferguson*, 221
- Policy analysis, 133-134
 adopted policies, success vs. failure, 139
 analysis elements, sources of, 136-137
 causal theory and, 139-141
 conceptual theory and, 133-136
 decision making, methodological problems in, 137-139
 implementation feasibility, 135-136
 importance and, 134-135
 normative theory and, 141-143
 optimum vs. actual, deviation between, 140-141
 originality and, 135
 professional ethics and, 141
 prohibition vs. allocation policies, 139-140
 proposed policies, adoption vs. rejection, 139
 societal values and, 141-143
 theory of knowing and, 136-139
 usefulness continuum, 135
See also Policy evaluation; Policy reform
- Policy analysis framework, 145
 backward logic test, 149
 brainstorming, 147
 development process, 145, 146 (table)
 distillation process, 147-148
 operationalization, 149-150
 propositions in, 148
 statements and, 147-148
 systematic display, 148-149
 term definition, 146-147
- Policy analysis methodology:
 analysis software and, 156-157
 behavior process analysis, 156
 mathematical optimizing and, 156
 multicriteria decision making (MCDM) and, 155-156
 perspective evaluation, criteria for, 156-157
 perspectives in, 155
 quasi-experimentation and, 156
- Policy decisions, 81
 developing nations, policy innovation and, 81-82
 institutions/politics and, 83-84
 neoclassical economics and, 82-83
 process perspective of, 84-85
- Policy evaluation, 75-79, 99-100
 funding institutions, 184-186
 methodologies of, 192-193, 193 (table)
 subjects funded, 181-183
See also Policy analysis
- Policy reform, 159
 characteristics of, 159-161
 human resource development and, 160
 hybrid reforms, 160
 implementation, strategic approach to, 163-165, 164 (figure)
 macroeconomic analysis, 160

- policy intervention trends, 161-163, 161 (figure)
 - public sector institutions and, 160
 - See also* Campaign finance reform
- Policy research, 167
 - causal analysis, prediction/explanation, 167-168, 168 (table)
 - normative analysis, prescription/evaluation, 169, 170 (table)
 - win-win/super-optimizing evaluation, 171-174, 172 (table)
- Policy Studies Organization (PSO), 117, 175
 - government-impact activities of, 206
 - interdisciplinary activities of, 206-207
 - international/cross-national policy studies and, 205
 - See also* Bibliographies
- Policy theory:
 - causal theory, 139-141
 - conceptual theory, 133-136
 - normative theory, 141-143
 - theory of knowing, 136-139
- Political policy:
 - budget cuts/balancing, 26 (table), 30
 - coeffacts analysis, 269, 271 (figure)
 - evaluation questions, 76-77
 - free speech, 199, 201 (table)
 - government reform, 199, 201 (table)
 - international trade/investment, 28-29
 - line-item veto, 27-28, 29 (table), 30
 - Middle Eastern independence, 30
 - patent system, 28
 - policy fields, causal relations among, 151-152, 151 (table)
 - terrorism suppression, 29-30
 - world peace, 199, 201 (table)
 - See also* Campaign finance reform; Win-win justice
- Pollution regulation, 13-16, 15 (table), 198
- Poverty, 197, 255-256, 256 (table)
- Prisoner's dilemma, 236-237, 237 (figure), 241-242, 241 (figure)
- Prison. *See* Criminal justice practice
- Private sector. *See* Public functions
- Productivity, 103
 - decision making and, 104
 - maximizing output, 103-104
 - stimulation of, 282
- Product liability, 196, 245-248, 247 (table)
- Products Safety Commission, 196
- Professional practice bibliographies:
 - academic democracy, 382
 - computers in teaching, 381
 - department chairing/administering, 106, 382
 - employment opportunities, 106
 - funding sources, 105, 375-376
 - political science profession, 107
 - professional development/networking, 106-107
 - publishing information, 106, 377-379
 - teaching, 106
 - tenure issues, 107
- Profit sharing, 65
 - adoption of, 65-67
 - base wages, bonus absorption and, 69
 - flexibility and, 65-66
 - impact of, 66
 - international practices and, 67-68, 70
 - job security and, 66, 67, 68-69
 - labor-management tensions and, 66
 - market pressures and, 65-66, 67, 68
 - motivational device of, 66
 - taxation policy and, 69
 - unemployment levels and, 66-67, 68
 - union/non-union employees, 68-69
 - win-win elements in, 69, 70
- Project Zero, 212
- Publications. *See* Bibliographies
- Public functions, 88-89
 - administration of, 87, 89-92
 - administrator, selection criteria for, 91-92
 - air transportation industry, 93-94
 - automobile industry, 94
 - government ownership, 94, 95, 97
 - housing, public/private, 90-91
 - Legal Services Program, 89-90
 - litigation and, 93, 94, 95, 96
 - public involvement in, 92-95
 - public non-involvement in, 92, 95-96
 - regulation and, 94, 95, 96-97
 - subsidies and, 92-93, 96
 - telecommunications, 94-95
- Public health policy:
 - child care investment, 126-127
 - government role in, 126, 198, 201 (table)
 - managed care, 126, 244
 - racial/ethnic minorities and, 126
 - research funding, 127
 - universal health care, 125

- Public housing, 90-91
- Public policy:
- coeffects analysis, 269, 273 (figure)
 - equality-efficiency tradeoff curve and, 9-10
 - evaluation questions, 75-79
 - evaluative methods, 192-193, 193 (table)
 - government structures and, 190-191, 191 (table)
 - incentives, socially desirable behavior and, 189-190, 190 (table)
 - public/private sector activities and, 191-192, 192 (table)
 - restructuring/reorientation perspective, 10-12, 11 (figure)
 - super-malimum alternatives in, 25
 - trends in, 193-194, 194 (table)
 - See also* Policy analysis; Public functions
- Public policy/20th century, 195
- beneficial results of, 200, 201 (table)
 - consumer policy, 196
 - criminal justice, 198
 - discrimination, 197-198
 - economic issues, 195-197
 - environment/energy, 198
 - free speech, 199
 - government reform, 199-200
 - health policy, 198
 - labor policy, 197
 - optimizing outcomes, 201-203, 202 (table)
 - political policy issues, 199-200
 - poverty eradication, 197
 - social issues, 197-198
 - technology/science policy, 198
 - unemployment/inflation, 195-196
 - world peace, 199
- Public sector. *See* Public functions
- Quasi-experimentation, 156
- Race relations:
- anti-discrimination policy, 197-198, 201 (table)
 - employment opportunity and, 13, 14 (table)
 - public housing and, 91
 - redistricting and, 16-19, 18 (table)
 - unemployment policy and, 22-23, 23 (table)
- See also* Academic tyranny; Policy research
- Redistribution systems, 7, 8-10
- Redistricting policies, 16-19, 18 (table)
- See also* Policy research
- Regulation, 93, 96-97, 192
- air transportation industry, 94
 - automobile industry, 94
 - telecommunications, 95
- Rent subsidies, 91
- Research. *See* Policy research
- Rossi, P., 156
- Sexual harassment, 41
- academic freedom and, 41-42, 44-46
 - definitions of, 42-43, 44-45
 - due process and, 45
 - legal determination of, 43-44
 - prevention of, 45-46
- Sherman Anti-Trust Act, 196
- Social policy:
- anti-discrimination policy, 197-198, 201 (table)
 - coeffects analysis, 269, 271 (figure)
 - criminal justice and, 198, 201 (table)
 - evaluation questions, 76
 - policy fields, causal relations among, 151-152, 151 (table)
 - poverty eradication, 197, 201 (table)
 - training programs, 29 (table), 30
 - welfare reform, 26 (table), 30
 - See also* Win-win justice
- Social welfare function, 9, 10
- Societal activities. *See* Public functions
- Space exploration, 27, 28, 29 (table), 30
- Spending policy, 25, 280-281, 280 (table)
- Subsidies, 91, 92-93, 96, 192
- Substitutability principle, 7
- Sudman, S., 115, 116
- Super-malimum alternatives. *See* Lose-lose policies
- Super-optimum solutions (SOSs), 31, 359
- aboveness in, 34
 - arrow diagrams of, 232-233, 232 (figure)
 - attempted total victory, 31, 32-34, 36
 - bar graph approach, 31-32, 32 (figure)
 - conceptual development of, 355-356
 - consensual nature of, 59
 - conservative best expectation (CBE), 31, 32-36

- dialectic thinking and, 356-357
- graphing of, 227-233
- indifference curves, tradeoffs and, 32-34, 33 (figure), 230-232, 231 (figure)
- joint problem solving in, 292
- liberal best expectation (LBE), 31, 32-36
- organizational leadership and, 292
- pie charts/circles and, 34-37, 35 (figure)
- strategic partnerships in, 292-293
- trade-off thinking and, 358-359
- traditional compromise and, 31
- triangle/pyramid perspective, 227-230, 228 (figure)
- university-industry technology transfer, 59-64, 61-63 (tables)
- See also* Organizational downsizing; Win-win equity; Win-win mediation
- Super-optimum technology policy. *See* University-industry technology transfer
- Sweatshop industries, 26

- Tariffs, retaliatory, 25, 26 (table), 30
- Taxation policies:
 - earned income tax credit, 126, 286
 - inflation/unemployment and, 195-196, 275-276
 - profit sharing and, 69
 - public policy and, 191, 192 (table)
 - super-optimum solutions and, 281-282, 281 (table)
- Technology policy:
 - alternative energy development, 26 (table), 30
 - coefficients analysis, 269, 270 (figure)
 - environment/energy, 198
 - evaluation questions, 75-76
 - policy fields, causal relations among, 151-152, 151 (table)
 - space exploration, 27, 28, 29 (table), 30
 - unemployment/inflation and, 277
 - See also* University-industry technology transfer
- Telecommunications, 94-95
- Terrorism, 29-30
- Three-strikes rule, 30
- Tort reform, 29 (table), 30
- Trade-off perspective:
 - cost-benefit relationship and, 71
 - super-optimizing solutions and, 230-232, 231 (figure)
 - See also* Equality-efficiency tradeoff; Win-win economics
- Training, 29 (table), 30, 197, 277, 289, 298-299, 298 (table)
- Traveller's Insurance v. Sanyo Electronics*, 245
- Triangle/pyramid perspective, 227-230, 228 (figure)
- Twenty-first Century Research Fund, 127
- Tyranny. *See* Academic tyranny

- Unemployment. *See* Employment policy
- Unions, 68-69
- University-industry technology transfer, 59-60
 - cost/benefit analysis, 60-61, 62 (table)
 - inhibition/promotion factors, 61-62, 63 (table)
 - success in, 60, 61 (table)
 - super-optimum policy solution of, 62-64
- Utilitarianism, 301

- Violence:
 - broken homes and, 224
 - culture of, 223
 - media violence, 223-224
- Voting rights, 198

- Waltz, K., 149
- War policies:
 - Cambodian conflict, 26-27
 - world peace and, 199
- Weiss, C. H., 85
- Weitzman, M., 65, 66, 69
- Welfare programs, 16, 197
- Welfare reform, 26 (table), 30, 126, 211-212
- Williamson, O., 83
- Win-lose situations, 6, 235
- Win-win allocation, 253
 - analysis of, 260-261
 - arrest vs. summons, 259-260
 - budget expansion, 253-257, 254 (table), 256 (table)
 - crime reduction, 257-259
 - effectiveness maximization, 257-260

- jury trials and, 260
- multicriteria decision making analysis and, 254-255
- Win-win analysis, xi, 5, 24
 - applications, example of, 6
 - bibliography, 6, 264-265
 - coeffects diagrams and, 269, 270-273 (figures)
 - facilitator checklist, 5-6
 - inconsistencies, charges/resolution of, 263-264
 - policy evaluation, 75-79, 99-100
 - steps in, 5
- Win-win decentralization:
 - business vs. central government decisions, 297-298, 29 (table)
 - central vs. state/local governments, 295-297, 296 (table)
 - individual vs. central government decisions, 298-299, 298 (table)
- Win-win economics, 275
 - competition, 285, 286 (table)
 - deficit issues, 282-283, 283 (table)
 - displaced workers/firms, 278-280, 279 (table)
 - economic growth and, 277-278, 278 (table)
 - economic organization, 284-287
 - equality, socialism/capitalism and, 285-286, 287 (table)
 - government vs. private ownership/operation, 284-285, 284 (table)
 - land use issues, 287-288
 - minimum wage/job training and, 288-289
 - political/economic competition, prosperity and, 286-287, 288 (figure)
 - spending, 280-281, 280 (table)
 - stock brokerage industry, 289
 - taxation, 281-282, 281 (table)
 - unemployment/inflation and, 275-277, 276 (table)
 - See also* Win-win justice
- Win-win equity, 24
 - criminal justice practice, 19-22, 20 (table)
 - environmental policy, 13-16, 15 (table)
 - equity vs. efficiency, 13-19
 - equity vs. equity, 19-23
 - labor displacement, 16, 17 (table)
 - minority redistricting, 16-19, 18 (table)
 - race/gender relations, 13, 14 (table)
 - unemployment policy, 22-23, 23 (table)
 - See also* Super-optimum solutions (SOSs)
- Win-win game theory:
 - causal path models, 242-243, 243 (figure)
 - definitional graphs, 235-236, 243-244
 - dynamic models and, 235, 238-241
 - Edgeworth box diagram, 235, 239-241, 240 (figure)
 - fourfold table, 236-237, 237 (figure)
 - multicriteria decision making (MCDM) and, 237-238, 238 (table)
 - players/outcomes and, 235
 - prisoner's dilemma, 236-237, 237 (figure), 241-242, 241 (figure)
 - probability model and, 236, 241-242, 241 (figure)
 - static model and, 235
 - time-path graph, 238-239, 239 (figure)
- Win-win justice:
 - civil/tort justice, 303, 304 (table)
 - criminal justice, 302-303, 303 (table)
 - economic justice, 303-305, 304 (table)
 - justice defined, 301-302
 - objective justice and, 302
 - pareto optimality and, 301-302
 - principles of, 305-306, 305 (table)
 - utilitarianism and, 301
- Win-win mediation, 245, 246 (table)
 - compromise solutions and, 249
 - labor-management dispute, 248-249, 249-250 (tables)
 - Pareto optimum solutions and, 249, 250-251
 - product liability, 245-248, 247 (table)
 - super-optimum solutions-plus concept, 249-251
 - zero-sum solutions and, 250
- Win-win situations, 6, 27-30, 29 (table)
 - economic growth, 71, 72 (figures)
 - redistricting programs, 171-173, 172 (table)
- Works Progress Administration (WPA), 298
- World Bank, 160
- World peace, 199, 201 (table)
- Zero-sum solutions, 250

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