POLICY IMPLEMENTATION CAPACITY: REFORMS' TRENDS IN COMPARATIVE PERSPECTIVE[1]

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Abstract

In the beginning we need to address *three questions*: what we mean by policy implementation, and what is the relationship of implementation to the other stages of the policy process, especially policy formulation and program evaluation, and lastly, which are the basic assumptions that underlie the different modes of implementation analysis.

Key words: public policy, policy process, policy implementation capacity.

1. Some definitions and assumptions

In the beginning we need to address *three questions*: what we mean by policy implementation, and what is the relationship of implementation to the other stages of the policy process, especially policy formulation and program evaluation, and lastly, which are the basic assumptions that underlie the different modes of implementation analysis. All the way we should remember the famous caution of Browne and Wildavsky that "Implementation is no longer solely about getting what you once wanted but, instead, it is about what you have since learned to prefer until, of course, you change your mind again." (1984, 234)

Perhaps the most detailed (and, by natural extension, the most cumbersome) definition has been offered by Mazmanian and Sabatier (1983, p. 20-21): “Implementation is the carrying out of a basic policy decision, usually incorporated in a statute but which can also take the form of important executive orders or court decisions. Ideally, that decision identifies the problem(s) to be addressed, stipulates the objective(s) to be pursued, and, in a variety of ways, "structures" the implementation process. The process normally runs through a number of stages beginning with passage of the basic statute, followed by the policy outputs (decisions) of the implementing agencies, the compliance of target groups with those decisions, the actual impacts of agency decisions, and, finally, important revisions (or attempted revisions) in the basic statute.”

Such definitions attempt to capture the full range of implementation activities and, in that sense, might attempt to cover too much. A more satisfying definition would work to simplify the underlying concepts of implementation. Take, for instance, O'Toole 's definition of

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implementation: "Policy implementation is what develops between the establishment of an apparent intention on the part of government to do something, or to stop doing something, and the ultimate impact in the world of action."((2000, p. 266) Schneider and Ingram talk about affecting changes in behavioral patterns (i.e., getting constituents to cease doing one activity - say, speeding). The problem here, of course, is the issue of expectations and their subsequent evaluation (and reformulation). As many implementation scholars indicate, legislative decision makers are notably reluctant to provide exact maps that outline their expectations of policy results. Indeed, there is a controversy about this issue: some argue that excessive precision in defining goals may be counterproductive and deprive implementers of a valued flexibility. This stream of thought runs directly counter to that of others who suggest that the clearer the initial policy directive and the policy mandate, the more valuable the direction that is provided for the implementers to follow. This discussion does not even begin to take into account the expectations of the intended clientele, assuming they are of one mind or even that they can be identified.

The first pivotal assumption in implementation is that policy makers can be of one mind when it comes to operationalising a policy, for, at base, when multiple players are involved (and they almost always are), implementation becomes a battle to determine a correct reading of the mandate and its accurate execution. Failing this test, implementation is certain to become a welter of confusion. We have the example with the 1962 Cuban Missile Crisis, when President John Kennedy and Secretary of Defense Robert McNamara ordered the navy to quarantine Cuba at the specified distance from the island, the navy command unilaterally (and without informing the president) extended that distance, recognizing that the closer distance would have exposed navy vessels to Cuban air strikes (see Allison, 1971). In short, both sides agreed on the quarantine (what we would term the policy mandate) but they had very different motivations as they carried out the implementation of the order and, hence, it's ultimate effectiveness.

The second basic assumption is that in many ways implementation and other stages of policy process are completely interactive in practice, although necessarily remaining distinctive in concept. For example, most implementation scholars agree on the importance of program evaluation as a key to good implementation, viewing evaluation as a way assess the implemented program and make suggestions as to how it can be improved. The problem is that formative evaluation (particularly in real time) is a notably imprecise activity, judging the relative success or failure of implementation *as a probable end product*. In a complex policy environment, it is rare that one set of variables can be identified as decisive, let alone dictate new policy implementation strategies.

The same is true about the relations between implementation and policy formulation. Policy implementation is often extended backwards in the policy process framework, as policy formulation in its purview as an attempt to remedy the implementation problems by addressing their origins in policy initiation. This moves the implementation analyst closer to what some have termed *policy design*. The fundamental problem with policy design is that it presupposes an ability to foresee future contingencies - that would be splendid if available but which all too often are not. This expansion does begin to indicate just how interactive the policy process stages appear to be, for to understand one, an analyst seemingly has to understand the mechanics of all.

Finally, there is *the alternative between two underlying assumptions* behind policy implementation and its major schools of thought (i.e., top down and bottom up). The first one assumed the existence of an authoritative, hierarchical (i.e., Weberian) *prime mover,* and therefore one need only minimize the communication distortions between that person (the principal) and his/her subordinate agents in order to effect successful implementation.

The alternative basic assumption is that bottom-up implementation - as a reflection of communal interest - will tend to be more realistic and practical, in that it suggests that the *vox populi* have a great deal of say about where they are going and how they choose to arrive. Moreover, a bottom-up orientation will be more conducive to a democratic approach to the policy implementation process than will the top-down (or a command*)* model.

Within the past decade, a number of policy scholars have made the brief for a more democratic approach to policy analysis, wherein constituents have a greater voice regarding the policies that will affect them. All of these indicate a trend toward a more discursive form of policy implementation, one that recognizes that there is *somebody* whose behavior needs to be modified in order that implementation will be considered successful, and that those *somebodies* might be more willing to conform to the new mandates if they were informed, and even more so if they consent, *before* the decision.

Conceptually, this would align policy implementation with a broader trend in the policy sciences toward a greater emphasis on the democratic ethos and citizen participation. I suggest that *more* democracy is better than less; that is, more direct forms should be preferred unless there are strong and articulated reasons to avoid them. A democratic approach to policy implementation would include reaching back in the policy process framework to include the policy formulation deliberations as a means to help define policy goals by talking with the affected parties well before the policy is adopted by the authorized policy maker.

There may certainly be implementation conditions in which a classic bottom-up or democratic approach would be ill advised. As Matland has pointed out in his critique of bottom-up analysis, "The institutional structure, the available resources, and the access to an implementation arena may be determined centrally, and substantially can affect policy outcomes" (1995, p. 150). But I would suggest that the conventional identification of national security, crises, and so on should not automatically be identified as conditions wherein democracy should be obviated; too often *automatic* is interpreted as *convenient.*

Concomitantly, there also may be conditions under which a democratic approach would be the dominant strategy. On balance, it's better to pose the following premise: when a policy implementation strategy is designed, a democratic approach *should be* the *preferred* (i.e., default) option. Implementation should follow democratic procedures (and preferably in the most direct democracy practices) unless prior analysis demonstrates that another model (e.g., a top-down, or command, implementation) is superior.

It would be foolhardy to assume that simply bringing together people in a room (or a stadium!) to discuss policy formulation and subsequent implementation will find them of one mind. Directly put, people can and will disagree, with some justification. But, at the very least, institutions can be designed that will promote and protect social discussions.

2. Policy Implementation Reforms: The Illusion Of Standardized Solutions

The idea of one best way - and of one best practice - is a tremendously seductive one. Each generation seems to go through a cycle of excitement at finding the best way, and then disappointment as more analysis and more studies appear to show that it is not, in fact, so universal in its effectiveness, and that it also has downside effects.

The public management reforms of the past 20 years have been extensively influenced by this cycle. We have been through (inter alia) periods of intense enthusiasm for the New Public Management, for 'Reinventing government' (Osborne and Gaebler, 1992), for partnerships and networks, and now, in the developing world context, for 'capacity-building'. Each of these has been prescribed, in varying doses, by the Anglo-Saxon world for use by the rest of the world - both developed and developing. Consider, for example, what Osborne and Gaebler said in their best-selling book, *Re-inventing government*: "If the rise of entrepreneurial government is an inevitable shift rather than a temporary fad, as we argue, one would expect it to happen in other nations as well [as the USA]. And to a startling degree, it has. A similar process of

transformation is underway throughout the developed world" (Osborne and Gaebler, 1992, p. 328)

Unfortunately - or perhaps fortunately - contemporary scholarship has shown that there is no such standard solution. Neither 'entrepreneurial government' nor any other single approach has spread throughout the developed world – even in terms of rhetoric, let alone practice (Pollitt, 2002). This has been the finding from many comparative studies, conducted from several different theoretical perspectives (e.g. Pollitt and Bouckaert, 2004; Christensen and Laegried, 2001, Kickert, 1997) In a recent work on state-building and governance the American academic Francis Fukuyama put it like this: "That there are no globally valid rules for organizational design means that the field of public administration is necessarily more of an art than a science. Most good solutions to public administration problems, while having certain common features of institutional design, will not be clear-cut "best practices" because they will have to incorporate a great deal of context-specific information" (Fukuyama, 2004, p58)

I prefer 'craft' to 'art', but I agree with the main point. Recently the OECD (having at an earlier stage been rather a strong advocate of the NPM) has acknowledged the same point: "The mistaken perception that countries share a common problem is often accompanied by the idea that there is a smorgasbord of solutions available, any or all of which will be beneficial. This misconception, peddled under the label of "best practice", has had tragic consequences in some developing countries…" (OECD, 2003, p. 6)

Even if we step down from the level of ideologies, approaches and doctrines to the level of individual instruments or tools, standardized solutions are hard to find. Close analyses of such instruments as Total Quality Management (Zbaraki, 1998) or Regulatory Impact Analysis (Raedelli, 2002) or the creation of executive agencies all show tremendous variation in interpretation and implementation, sometimes even within a single organization (Joss and Kogan, 1995). These well-known techniques are not off-the-shelf engines ready to be plugged in to local problems. Rather they are loose assemblages of concepts and specific techniques which can be endlessly varied and interpreted (or misinterpreted) in local contexts. There are even internal wars between different gurus with competing conceptualizations of the same technique. Much, therefore, depends on the skill, resources and determination of local managements. And much depends on how long they are allowed for learning and implementation - not infrequently impatient leaders withdraw resources or move on to the next quick fix before there has been sufficient time for management to adapt and embed the new technique.

3. Variety As a Framework of Policy Implementation Reforms

The foregoing story of contextuality and complexity may seem a gloomy one. If there is no one best way, or even one best practice; if local factors can play such a significant role, if reform imports can be so long drawn-out and difficult, then is any kind of knowledge transfer really possible? Perhaps managers should return to a pre-global world in which local craft-skills are dominant and no more time is wasted trying to learn from elsewhere?

This is not the lesson which should be drawn from the recent and practice. Whilst knowledge of local norms and practices is very important (though sometimes neglected) element in policy implementation reform, that has not prevented social scientists from producing useful broad models of the process of management change. These models do not tell the reformer what to do in any particular circumstance - that would be impossible indeed - but they do suggest where to look and what to take into consideration. Though differing in detail there is widespread agreement that what is required is a wide assessment of formal and informal factors at several levels.

We should have in mind at least three of these analyses. First, there is Lynn, Heinrich and Hill's 2001 book, *Improving governance*. Moving from the more general to the more particular, they suggest that there are at least four groups of factors which demand attention: cultural environment, institutional framework, management strategies and relationships, and characteristics of the particular task or function (sometimes labeled as primary work level)

Second, there is Fukuyama's work *State-building*. He argues that there are four major components of institutional capacity: social and cultural factors, political basis of legitimation, design of institutions, and the design and management of individual organizations (2004, p. 42). Clearly there is some common ground between Lynn and Fukuyama.

Third, Pollitt (2003b) discusses at length the importance of: national and organizational cultures, structure of the political system (e.g. majoritarian, consensualist, etc), management doctrines, and primary task characteristics.

This is not to suggest there is anything like complete agreement among different theorists. There are many differences in definition and interpretation, and in theoretical allegiance, but some measure of agreement about what to look at is obvious. Building on this, it can be argued that, when a transfer of a particular management system or technique is contemplated, one needs to consider how far each of these *major factors - culture, the political system, the pattern of institutions, the management strategy, the nature of the primary task* - matches between the 'exporting' and 'importing' jurisdictions. The more mismatches, the more probable it is that the

transfer will fail or produce unexpected results. That is not at all to say that there has to be a perfect match, and that each mismatch spells doom for the transfer. But it is to say that each mismatch calls for attention - it is an aspect that itself may require careful management. Furthermore, at some point the number and depth of mismatches cumulate in the likelihood that the whole thing won't work. Exactly where that point will be is a difficult judgment (as suggested earlier, management reform resembles a craft rather than an art or a science). To some extent it will also depend on the energy, time and resources the importers are prepared to spend on the implementation process.

4. Agencification As a Key Policy Implementation Reform

On 18 February 1988, Mrs Thatcher, the then British Prime Minister, announced her acceptance of a report produced by the efficiency unit within the Cabinet Office, *Improving Management in Government: The Next Steps* (The Ibbs Report, 1988), which, she stated, 'recommended that to the greatest extent practicable the executive functions of government, as distinct from policy advice, should be carried out by units clearly designated within Departments, referred to as "agencies"' (*House of Commons Debates*, 18 February 1988, column 1149).

Executive Agencies are based upon a nominal separation of policy and 'operational matters' within departments. The government accepted the Ibbs Report recommendation that 'agencies should be established to carry out the executive functions of government within a policy and resources framework set by a department' (Ibbs Report 1988, p. 9). The clear assumption was that: "The main strategic control must lie with the Minister and Permanent Secretary. But once the policy objectives and budgets within the framework are set, the management of the agency should have as much independence as possible in deciding how these objectives are met ... the presumption must be that, provided management is operating within the strategic direction set by ministers, it must be left as free as possible to manage within that framework". (Ibbs Report 1988, p. 9)

The idea behind Next Steps is, thus, in Peter Kemp's words, "essentially a most simple concept, in some ways almost naive" (HC 313III 1996, p.107). Or as Derek Lewis put it more graphically, the concept of agency status 'is not rocket science, it is very simple basic management principles' (HC 313-III 1996, 94, q. 606). Agencies are simply administrative arrangements within departments, the functions exercised by agencies are vested in the department and not in the agency itself, so that the division of responsibilities between agencies

and departments is determined by the Framework Document and not by statute (see HC 313II 1996, 35).

The staff of agencies are still civil servants, working under civil service terms and conditions, financed by public finances and accountable through ministers to Parliament (Kemp in HC 313-III 1996, 107) - with the non-trivial exceptions of military and other civil staff who also work in agencies, an element ignored in confining the agency debate to questions of ministerial civil service relations. The delegation of tasks, and the extent of managerial devolution to the chief executive is outlined in the Framework Document. The officially proclaimed expectation is that once authority has been delegated ministers effectively 'withdraw' from operational matters – the daily, routine matters that have no general policy implications (Brazier in HC 313-II, 1996, 11). In this sense there would be a 'depoliticisation' of operational matters, but the extent of depoliticisation is limited in practice by the overarching accountability of ministers to Parliament.

In addition to the initial Framework Document, agencies are subject to a five-year cycle of 'Prior Options' reviews, so called because they include consideration of whether the activity should continue at all, be privatized, or organized in a different way. If the decision is to continue the activity as an agency, a new Framework Document is prepared.

There are also annual corporate plans, some of which are kept confidential to the agency and its department for commercial reasons, and annual reports laid before Parliament. An important annual element is the setting of targets for performance indicators, with the results being published in the consolidated annual *Next Steps Review*. So the officially proclaimed model is one of separation of policy and execution (implementation), operation within a Framework Document which specifies the roles of minister, main department and agency chief executive, and reporting on annual targets. Within that the chief executive is supposed to have operational autonomy, subject to the important caveat of continuing ministerial responsibility.

5. Policy Implementation Reforms and Executive Agencies: What Works?

To illustrate the idea of a matching analysis of key factors, we can consider the case of executive agencies. These have been a popular management innovation internationally, with programmes to create such semi-autonomous bodies being launched in, inter alia, Canada, Jamaica, Japan, the Netherlands, New Zealand, Thailand, the UK and the USA (OECD, 2002b; Pollitt and Talbot, 2004). The basic idea is that better performance will result when operational tasks are put at arm's length from ministries (disaggregation), entrusted to professional

management, and given a degree of flexibility (autonomy) with respect to finance, organization and human resource management. In return for these freedoms, the agency is required to operate within a contract-like framework which prescribes its output and outcome targets and its resource base. This three leg model (disaggregation, autonomy, contract) was pioneered during the 1980s by New Zealand (Crown Agencies) and the UK (Next Steps agencies). A number of other countries have explicitly based their own reforms wholly or partly on these pioneers (Pollitt and Talbot, 2004).

Behind this idea, however, we can see the shadows of the key factors identified in the literature cited in the previous section. Let us take these factors one by one.

National and organizational cultures. Modern agencies are a decentralized form, with significant management autonomy. Therefore to introduce them in cultures where loyalty to the centre is paramount, and/or where corruption is widespread, is to take a big risk. In a system such as Tanzania's, for example, agency steering from parent ministries cannot work well because informally everyone knows that it is the President and his Secretary General who wield the real authority (Pollitt and Talbot, 2004). And in a system such as Latvia's or Bulgaria's, a culture of corruption surviving from the Communist period means that some agency officials are likely to interpret autonomy as a license for personal gain (Pollitt and Talbot, 2004).

The political system/basis of legitimation. Agencies are likely to develop in different ways in corporatist consensualist systems such as prevail in Sweden and Finland from their trajectories in two-party majoritarian systems such as the UK's or New Zealand's, or Presidential systems such as the American. In corporatist/consensual systems particular agencies may become the fiefdoms of certain parties, in a complex balancing act that makes sure that each major political grouping 'gets its share'. Furthermore, ministerial steering will be at least partly dependent on bargains within a coalition government. In majoritarian systems, however, the government can treat agencies in a more directive and technocratic way. In the UK agencies were first considered to be too closely controlled by their parent ministries, then too loosely controlled, so that some agencies and parts of agencies have been pulled back towards the ministries, all within the space of a decade. Even among majoritarian systems, much can depend on the extent of politicization of the senior public service. Thus, in the UK, it would be unusual for many agency chief executives to change following a change in the party in government. Just across the English Channel, in France, it would be rather common. Such factors are highly likely to influence the expectations and behaviors of agency management. Finally, we might mention how new Performance Based Organizations (PBOs) - partly modeled on UK Next Steps agencies - ran into

difficulties in the USA. Unlike the UK they were being inserted into a system with a strong and interventionist legislature, and this legislature ensured that the executive's original ambitious program of PBO creation was drastically reduced.

The institutional framework. Here the principal questions are: How centralized/decentralized is the system? How well-equipped are ministries to steer semi-autonomous bodies? In some central and eastern European states, ministries are seriously under-resourced for the steering task. They are short of staff familiar with performance management concepts and the skills relevant to designing indicator sets and monitoring performance against targets. They are short of experienced public lawyers, when disputes arise concerning the relative powers of ministries and semi-autonomous bodies. And they may be inhibited from recruiting the necessary skills by low pay and an 'iron cage' of central bureaucratic regulations pertaining to personnel management. For similar problems in other ex-Communist states, see Condrey, Purvis and Slava, 2001 and Miklos, 2000. But it is not only ex-Communist states which experience difficulty in steering semi-autonomous bodies. Sweden - which has longer experience of agencies than most countries, and which served as an admired model for UK reforms back in the 1960s - also seems to be a case where (for different reasons) ministries are rather under-powered relative to agencies (Molander et al, 2002; OECD, 1998).

Management strategies and relationships. What is the strategy of those managers charged with implementing agency reform? Is the plan that new agencies should be run by new blood - managers from other sectors than the civil service, or is it the intention to give these posts only to trusted and battle-hardened civil servants? In Japan, for example, some commentators have questioned how much autonomy agencies will really experience when most of those appointed as first wave chief executives were senior ex-bureaucrats (Yamamoto, 2004). Is agency reform being approached through cautious pilot projects (as in Canada), or is it being launched as a high-profile, large-scale program (as in the UK) or is it just being allowed to happen in an ad hoc rush (as in post-independence Latvia)? Or again, managerial relationships may vary considerably between the exporting and importing jurisdictions. For example, is individual initiative encouraged, or frowned upon? Do formal organizational relationships take precedence, or do ties of patronage, family or tribe cut across the workplace (Fukuyama, 2004)?

Primary task characteristics. This is a strangely neglected topic in recent public management literature. Yet there is a strong line of argument and evidence to the effect that the nature of the activity itself indicates that some types of management are more suitable than others. This was, for example, one of the themes of a modern classic text, James Q. Wilson's

Bureaucracy (1989). It is also a theme of other works, such as Lynn et al, 2001 and Pollitt 2003b. All these analysts point out that much depends on how far a given activity can be standardized, and how far and when its outputs and outcomes can be measured. These arguments have considerable relevance for modern executive agencies. Giving extensive autonomy to an agency which performs a standardized, easily measurable task is a very different matter from giving autonomy to an agency whose main outputs and outcomes are largely unobservable (a 'coping' organization, in Wilson's terms). In recent comparative research on agencies in four countries we found significant differences between primary tasks - for example as between social security agencies (where various key dimensions of benefit payment could be relatively easily measured) and meteorology (where understanding the measures of forecasting accuracy and high quality long-range research required considerable scientific knowledge). The expense of a task and its political salience are also often influences on how it is steered and managed (e.g. social security benefits may be easy to measure, but they are expensive; weather forecasts may be hard to measure, but at least they are, by government standards, relatively cheap and politically uncontentious).

This has been a brief worked example to illustrate the usefulness of thinking in terms of a degree of match between the exporting and importing contexts. As indicated earlier, this approach does not offer any easy or automatic decisions. But it does raise a series of important questions about the compatibility of borrowed management reforms to a new context. To put it simply, introducing the modern model of a disaggregated, autonomous, performance contracted agency is likely to go much easier in a context where the culture is already used to decentralized operations and where corruption is low, where ministries possess steering skills and resources, where agencies possess trained professional managers and where the tasks chosen for agencification are either readily measurable in output terms or (alternatively) where there is a cadre of professionals who have already internalized a public service quality ethic. As one removes each one of these contextual requirements the chances of the agency working in the desired form is lessened. If one removes them all, that chance is very small indeed.

Conclusions

The approach set out above implies that the borrower/importer of policy implementation reforms cannot afford to be a passive consumer of doctrines and techniques from 'advanced' countries. Public sector modernization does not proceed along a single line, with those who are 'further ahead' teaching those who are behind how to follow by installing certain standard and

reliable gadgets that will fix some set of universal problems. On the contrary, not only do countries start from very different places with different capacities, they may also want to go to rather different destinations (or, at the very least, have a different order of priorities in the medium term). Furthermore the available approaches and techniques are neither standardized nor, in many cases, well-tried and tested. Finally, some of the 'experts' promoting these approaches and techniques, have agendas of their own, which may not be identical with those of the importing jurisdiction. Even in near-ideal circumstances, with a well-evaluated technique being applied to a well-defined problem supported by advice from a trusted and reliable source, there are questions to be asked about the longer term. How long will the technique take to be fully bedded in? How will problems be handled after the initial period of advice and support is over, and the importer is left to face the longer term effects and requirements by themselves?

In conclusion, if this analysis is correct we can identify certain requirements to which the importer of policy implementation reforms would be well-advised to pay close attention.

First, the original analysis of the problem(s) to be solved needs to include an active input from those with local knowledge - not as humble assistants to the visiting 'experts' but as equal partners in crucial first step of arriving at an accurate diagnosis. This establishes what the nature of the issue 'here' actually is.

Second, the assessment of the proposed approach or technique also requires active input from the 'importer'. There is a need to perform a comparison of the cultures, systems, institutional frameworks, strategies and primary tasks of the place from where the approach/technique comes (where it has been applied and, hopefully, evaluated) and the specific context in which it is now to be applied. It is highly likely that local knowledge of the importing context will be as crucial to this stage as it is to the first, problem diagnosis stage. This second step therefore second step compares 'there' with 'here'

Third, there is a need for the importer to make provision for the bedding in and longer term appraisal of the import - not least because experience is quite likely to indicate, even if successful, that further modifications are needed after the initial set of modifications to suit the local context. That is to say little more than that all learning does not take place at the beginning. It implies that there needs to be a clear and continuing organizational responsibility, appropriately resourced, for the longer term nurturing of the reform. The wider scope the reform the more likely this is to be necessary. This third step makes provision for the transition from 'now' until 'then'.

Taken together, these three requirements point to a role for the importer which is both highly active and rather creative. To be successful, management reforms can seldom just be bought 'off the shelf'. Much more often they need to be co-produced.

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