

Understanding the public policy process

What is public policy?

- the set of policies (laws, plans, actions, behaviors) of a government. (Since governments claim authority and responsibility (to varying degrees) over a large group of individuals, they see fit to establish plans and methods of action that will govern that society.)
- The basic policy or set of policies forming the foundation of public laws, especially such policy not yet formally enunciated.
- Policies are conceptual “road maps”, reflecting aspirations, values, intents, commitments and priorities.
- They are select courses of action that guide governmental decisions affecting the lives of the citizens.
- Public Policy is arguably the primary output of Government.
- While service delivery is increasingly being privatized, contracted out or delivered through partnerships, public policy, for the most part, continues to be prepared by public servants & decided upon by the political leadership.

Public Problems - Reasons for Public Policy

Public policy & private policy differ, given the public nature of the former. Public policy should reflect the public will. In the modern world, although the human capability for developing nature & transforming society has grown in an unprecedented fashion, many public problems arise (e.g., the deteriorating environment, population explosion, global warming, internet deceit, garbage disposal, the fall of the water table, & the rampancy of terrorism). These public problems cannot be solved by any private organization. It must be government's responsibility, as government can coordinate itself & civil society towards sustainable development through flexible & effective public policy.

As an output of the political system, the fundamental value of public policy lies in the effective & timely solution of public problems. In other words, public problems are the cause & reason for public policy.

A problem is “the deviation between ‘is’ and ‘ought,’ or the difference between the existing state & the expected state of a system” (Jiang Shengjie, 1986, p. 78). Problems are defined in accordance with individual interests, values, knowledge, & convention. That is, different individuals have different understandings & cognitions. Nevertheless, the human understanding of problems is essentially identical, with only minor differences.

A problem is either private or public, depending upon its scope. A private problem is one where the cost and income only influence a single individual or a limited number of people. In other words, its beneficiaries and victims are specific and limited. Generally speaking, a private problem can be solved by private efforts. As a matter of fact, even when there is well-intended regulation, there is asymmetry between income and cost in private affairs.

“A prosperous society always makes the greatest efforts to ensure privacy, sufficiently esteems rational choice, and sufficiently protects the rights of an individual to deal with his or her private affairs, in contrast to which a poor society often unlimitedly interferes in private affairs, and forcefully restrains, even deprives, the liberty of individuals to deal with private affairs under the principle of the ‘boundary rationality’ of individuals” (Mao Shoulong, 2002).

Therefore, public policy should, as much as possible, not interfere in private problems. A public problem is a problem which influences the whole society and is “socially-shared” (Chen Qingyun, 2000). After recognition of a public problem's existence, the public must have the intention to resort to government, which is the public

sector for the whole society. But intention is not action. The public must take action to press government to bring the public problem into its policy agenda. Action can be taken under the following conditions:

- (a) A strong civil society makes the public dare to mobilize and appeal to government;
- (b) a receptive democratic government is willing to listen to the voice of the public;
- (c) even if it is not democratic and constitutional, government wisely brings the public problem into its policy agenda;

Steps in Making Public Policy (US Example)

Note: It does not mean that all policy must take every one of these steps or take every one of these steps in this order.

(1) Agenda Setting - An issue is considered as being on an agenda when it is commonly perceived as something with public merit. There are two levels of attention that an issue can receive that determine its agenda. If the issue is not being considered by policy-makers, but is considered by the political system overall as something deserving attention, the issue is said to be on the systemic agenda. Once the issue has received attention from a policy-maker, it is considered to be on the institutional agenda.

Items on the systemic agenda are basically in the "discussion stage" - there's a lot of people talking about the issue, but nothing is being done. Once the issue reaches the institutional agenda, it is receiving the attention of someone with authority to make policy who is attempting to turn the issue into a policy issue.

This is typically the first step that an issue takes on its way to becoming a policy. This is understandable, because an issue is not going to become public policy if the issue does not have someone's attention. During this stage, the issue has been perceived as a public problem (possible because of societal changes), people have discussed the issue to try to pin it down and define the problem, the interested parties have mobilized to attempt to move the issue from the systemic to the institutional agenda, and, finally, the issue has the active attention of some policymaker.

(2) Formulation - Once the issue has the attention of some policymaker, the first step in formulation is the decision of whether or not to make an official policy on the issue. If the policymaker decides not to make any decision (thus, not codifying an official stance on the issue), this is still a policy, a policy of non decision.

Depending on the nature of the issue, the policymaker could be in Congress, the President, or in an agency. Interest groups may be involved, with some even making specific proposals for legislation. This is the step that has the most potential for using a decision making model such as the rational-comprehensive model. It is at these early stages of policy making that intelligence can be more important than politics. It is at this stage that policies can have their goals set and alternatives sought and evaluated. Whether such intense attention is given to the formulation stage is to be debated. Once the legislation has been drafted, the written proposals are now ready to enter the adoption stage.

(3) Adoption - At this step, the issue has moved away from intellectual exercises, and is about to be backed by the legitimate authority of the government. This is also, therefore, the step in which political pressures come to play most heavily. During adoption is when there is the most lobbying, bargaining and compromise. The influences upon the decision-maker include, but are not limited to, his own values, his political party affiliation, the interests of his constituents, public opinion, and what is in the public interest.

It is also upon this step, that many of the political theories disagree. The pluralists would say that the policymaker is supposed to be a neutral observer who declares which of the struggling coalition of groups has won the battle. The elitists say that the way the policymaker decides will be based upon the wishes of the ruling-class elite. The rational-choice theory says that the policymaker will vote according to whatever fits his best self-interest, ignoring any such concepts of public interest if it does not benefit him. All of these theories seem to present an incomplete picture of the adoption stage. (The theories are discussed in more detail later.) Once the smoke has cleared, and the final decision has been made as to the wording and goals of the policy, it is now ready to be implemented.

(4) Implementation - The policy has now gone from general discussion among the population into codified statements giving the authority and approval to take the steps necessary to turn the policy from paper into action. Once the policy has appropriations (the money necessary to enforce the policy), it usually goes to the appropriate agency. Though there are other institutions involved in policy implementation, the entire responsibility is in the hands of the Executive

(5) Evaluation and Feedback - Problems are bound to arise once the policy is actually being implemented. People may object to the interpretations the bureaucracy has made in its implementation. It may be found that the cost of implementing the policy far outweighs the benefits received from it. The implementation of the policy may have consequences that were unforeseen by the legislators and bureaucracy (e.g. increasing the military budget leading to wasteful spending). And there will usually be some interest that feels they have been "slighted" by a policy, and they want to make their voice heard.

In addition, the bureaucracy, itself, does formal evaluations upon its performance for inspection by Congress or other policymakers. They check to see if their performance is not only efficient, but also if their actions are politically acceptable.

All of this information feeds back into the government and could end up on the agenda again to be interpreted as a new public problem. The cycle would then begin again.

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MODELS OF PUBLIC POLICY-MAKING

These address how public policy is made. Policy-making is only one part of the entire policy process.

1. INSTITUTIONAL MODEL

Focuses on the traditional organization of government. Describes the duties and arrangements of bureaus and departments. Considers constitutional provisions, administrative and common law, and judicial decisions. It focuses on formal arrangements such as federalism executive reorganizations, presidential commission, etc. Traditionally political science has studied government institutions-- Congress, presidency, courts, political parties, etc.--that authoritatively determine, implement, and enforce public policy. Strictly speaking, a policy is not a public policy until it is adopted, implemented and enforced by some governmental institution. Government lends legitimacy to policies, they are then legal; Government extends policies universally to cover all people in society; Government monopolizes the power to coerce obedience to policy, or to sanction violators. Traditional studies using the institutional approach focused on institutional structures, organization, duties and function, without investigating their impact on public policy.

2. ELITE-MASS MODEL

A policy-making elite acts in an environment characterized by apathy and information distortion, and governs a largely passive mass. Policy flows downward from the elite to the mass. Society is divided into those who have power and those who do not. Elites share values that differentiate them from the mass. The prevailing public policies reflect elite values, which generally preserve the status quo. Elites have higher income, more education, and higher status than the mass. Public policy may be viewed as the values and preferences of a governing elite. The elites shape mass opinion more than vice versa. Public officials and administrators merely carry out policies decided on by the elite, which flows 'down' to the mass. It assumes that

- Society is divided into the powerful few and the powerless many; only the few allocate values (the mass do not decide public policy).
- The few are not typical of the mass; elites are drawn disproportionately from the upper strata.
- There must be slow and continuous movement of non-elites into elite positions, but only after they accept elite values, in order to maintain stability and avoid revolution.
- All elites agree on basic social system and preservation values, i.e., private property, limited government, and individual liberty.
- Changes in public policy will be incremental rather than revolutionary, reflecting changes in elite values (not mass demands).
- Active elites are subject to little influence from apathetic masses.

Implications are that the responsibility for the state of things rests with the elites, including the welfare of the mass. The mass is apathetic and ill-informed; mass sentiments are manipulated by the elite; the mass has only an indirect influence on decisions and policy. As communication flows only downward, democratic popular elections are symbolic in that they tie the mass to the system through a political party and occasional voting. Policies may change incrementally but the elites are conservative and won't change the basic system. Only policy alternatives that fall within the range of elite value consensus will be given serious consideration. Competition centers around a narrow range of issues, and elites agree more than they disagree; there is always agreement on constitutional government, democratic procedures, majority rule, freedom of speech and of the press, freedom to form political parties and run for office, equality of opportunity, private property, individual initiative and reward, and the legitimacy of free enterprise and capitalism. The masses cannot be relied on to support these values consistently, thus the elite must support them.

3. GROUP MODEL

Public policy results from a system of forces and pressures acting on and reacting to one another. Usually focuses on the legislature, but the executive is also pressured by interest groups. Agencies may be captured by the groups they are meant to regulate, and administrators become increasingly unable to distinguish between policies that will benefit the general public and policies that will benefit the groups being regulated. Interaction among groups is the central fact of politics. Individuals with common interests band together to press their demands (formal or informally) on government. Individuals are important in politics only when they act as part of or on behalf of group interests. The group is the bridge between the individual and the government. The task of the political system is to

- 1) establish the rules of the game
- 2) arrange compromises and balance interests
- 3) enact compromises in public policy
- 4) enforce these compromises

It is also called equilibrium theory, as in physics. Influence is determined by numbers, wealth, and organizational strength, leadership, access to decision makers and internal cohesion. Policy makers respond to group pressure by bargaining, negotiating, and compromising among competing demands. Executives, legislators, and agency heads all put together coalitions from their consistencies to push programs through. Political parties are coalitions of groups. The Democrats have traditionally been central city, labor, ethnics/immigrants, the poor, Catholics, liberals, intellectuals, blacks, and Southern blue collar workers. Republicans have been wealthy, rural, small town, whites, suburbanites, white collar workers, conservatives, and middle class.

The entire system assumes:

- 1) a 'latent' group supports the rules of the game
- 2) there is overlapping group membership which keeps groups from moving too far out of the political mainstream
- 3) there are checks and balances on groups competition

4. SYSTEMS MODEL

Relies on information theory concepts such as input, output, and feedback. Sees the policy process as cyclical. Asks, "what are the significant variables and patterns in the public policy-making system?" What goes on within the 'black box' of conversion of demands into public policy? What are the inputs and outputs? Public policy is viewed as the response of the political system to forces brought to bear on it from the outside environment. The environment surrounds the political system. In this model, "environment" means physical: natural resources, climate, topography; demographic: population size, age, and distribution, and location; political: ideology, culture, social structure, economy, and technology. Forces enter the political system from the environment either as demands or as support. Demands are brought to it by persons or groups in response to real or perceived environmental conditions, for government action. Support is given wherever citizens obey laws, vote, pay taxes, etc., and conform to public policies. The political system is a group of interrelated structures and processes that can authoritative allocate resources for a society. The actors are the legislature, the executive, the administrative agencies, the courts, interest groups, political parties, and citizens.

Outputs are decisions and actions and public policy. The political system is an identifiable system of institutions and processes that transform inputs into outputs for the whole society. The elements with the system are interrelated and it can respond to forces in the environment, and it seeks to preserve

itself in balance with the environment. The system preserves itself by producing reasonably satisfactory outputs (compromises are arranged, enacted and enforced). It relies on deep rooted support for the system itself and its use, or threat of use, of force.

Macro level policies are those that concern the whole system, and are influenced by official and unofficial groups (media, etc.). It may center on the proper role of Congress or the President, or the relationships of government and business or citizens and businesses. Subsystem policies involve legislators, administrators, and lobbyists and researchers who focus on particular problem areas; also called sub-governments, policy clusters, coalitions, or iron triangles. E.G. civil aviation, harbors, agricultural subsidies, grazing lands, etc. Micro-level policies are efforts by individuals, companies, or communities to secure some favorable legislation for themselves. Typically presented to a legislator as a request from the "home" district. The incentive to engage in micro-politics increases as the extent of government benefits, programs and regulations increases.

It asks questions such as:

- 1) What are the significant characteristics of the environment that generate demands?
- 2) What are the significant characteristics of the political system that enable it to endure over time and turn demands into output?
- 3) How do environmental inputs affect the political system?
- 4) How do characteristics of the political system affect public policy?
- 5) How do environmental characteristics affect public policy?
- 6) How does public policy through feedback, affect the environment and the political system itself?

5. STREAMS AND WINDOWS MODEL

This model posits three streams which are always simultaneously ongoing. When the three streams converge, a policy window opens, and a new policy may emerge. The problem stream focuses the public's and policy-makers' attention on a particular problem, defines the problem, and calls for a new policy approach (or else the problem fades). Attention comes through monitoring data, the occurrence of focusing events, and feedback on existing policies, through oversight studies or program evaluation. Categorization of the problem is important in determining how the problem is approached and/or resolved: values, comparisons, and categories.

The political stream is where the government agenda is formed: the list of issues or problems to be resolved by government. This occurs as the result of the interaction of major forces such as the national mood, organized interests, and dynamics of public administration (jurisdictional disputes among agencies, the makeup of government personnel, etc.). The players are often quite visible, as members of the administration, appointees and staff, Congress, media, interest groups, those associated with elections, parties and campaigns, and public opinion. A consensus is achieved among those groups and a bandwagon effect or title effect occurs as everyone wants to be in on the policy resolution and not excluded.

The policy stream is where alternatives are considered and decisions are made. Here the major focus is intellectual and personal; a list of alternatives is generated from which policy makers can select one. Policy entrepreneurs and others play a role, such as academics, researchers, consultants, career public administrators, Congressional staffers, OMB staff, and interest groups. Trial balloons are sent up to gauge the political feasibility of various alternatives, either publicly or privately. They must be acceptable in terms of value constraints, technical constraints, and budgetary constraints. Consensus is developed through rational argument and persuasion (not bargaining). Tilt occurs when a plausible solution begins to emerge.

When these three streams converge, a policy window may open, because of a shift in public opinion, a change in Congress, or a change in administration, or when a pressing problem emerges. Any one stream may change on its own, but all three must converge for a policy decision to emerge.

WHAT TYPES OF POLICIES MAY EMERGE?

1. Incremental Policy Output. This model relies on the concepts of incremental decision-making such as satisficing, organizational drift, bounded rationality, and limited cognition, among others. Basically can be called "muddling through." It represents a conservative tendency: new policies are only slightly different from old policies. Policy-makers are too short on time, resources and brains to make totally new policies; past policies are accepted as having some legitimacy. Existing policies have sunk costs which discourage innovation, incrementalism is an easier approach than rationalism, and the policies are more politically expedient because they don't necessitate any radical redistribution of values. This model tries to improve the acceptability of public policy.

Deficiencies of Incrementalism--Bargaining is not successful with limited resources. Can downplay useful quantitative information. Obscures real relationship being political skills. Anti-intellectual approach to problems; no imagination. Conservative; biased-against far-reaching solutions.

2. Rational Model. This model tries to understand all the alternatives, take into account all their consequences, and select the best. It is concerned with the best way to organize government in order to assure and undistorted flow of information, the accuracy of feedback, and the weighing of values. Related to techniques such as PERT, CPM, OR, and linear programming. This model tries to improve the content of public policy.

Deficiencies of Rationalism--gap between planning and implementation. Ignores role of people, entrepreneurs, leadership, etc. Technical competence along is not enough (ignores the human factor). Too mechanical an approach, organizations are more organic. Models must be multidimensional and complex. Predictions are often wrong; simple solutions may be overlooked. The costs of rational-comprehensive planning may outweigh the cost savings of the policy.

3. Public Sector Strategic Planning. An attempt to combine the incremental and rational approaches to public policy-making. It is an attempt to reconcile the day-to-day demands with long range strategies for the future. It doesn't see the organization as wholly determined by the political environment, neither does it ignore risks. It takes an active stance (versus passive) toward the future with an outward looking, aggressive focus sensitive to the political environment. It tries to place the organization in a distinctive position vis-a-vis the political environment. It concentrates on making decisions (unlike the rational model) but blends rational analysis with economic and political analyses (unlike the incremental model). It is highly participatory and tolerant of controversy, it concentrates on the fate of the whole organization; the fate of subunits is secondary.

4. Neo-institutionalist Model. Attempts to categorize public policies into 4 areas by the probability of government coercion--immediate or remote--and the object of government coercion--individual or systemic. The concern in this type of analysis is to relate these types of policy to the different branches of government and the behaviors associated with each policy area.

The Policy Process (African Context)

Policy making is a core function of government, central to a country's political and economic life. It is about how governments make choices and manage resources in order to achieve their economic and social objectives. In every State there is, or should be, a "policy management process", a process defined as the planning, direction & oversight of the Government's program of public business at a strategic level. Different States deal with this process in different ways, depending on:

- their constitutional set up,
- the ability & orientations of the individuals involved,
- and the scale & history of the State.

The Need for an Effective Framework

- The magnitude of issues & problems – many of them unexpected – can overwhelm decision makers & their staff.
- A cycle of crisis management may set in.
- Without an effective way to anticipate issues and problems, delegate responsibility and build a cohesive approach to problem solving and decision-making, Political leaders and appointed officials can find themselves in a reactive state of operations. By taking control of the process through which policy is developed, communicated & implemented – by setting the ground rules for policy development – the leadership can reduce or avoid crisis management & emphasize their long-range goals & priorities.
- Helps define & accomplish the leadership's agenda.
- Provides sound analysis
- Prepares the leadership for future decisions.

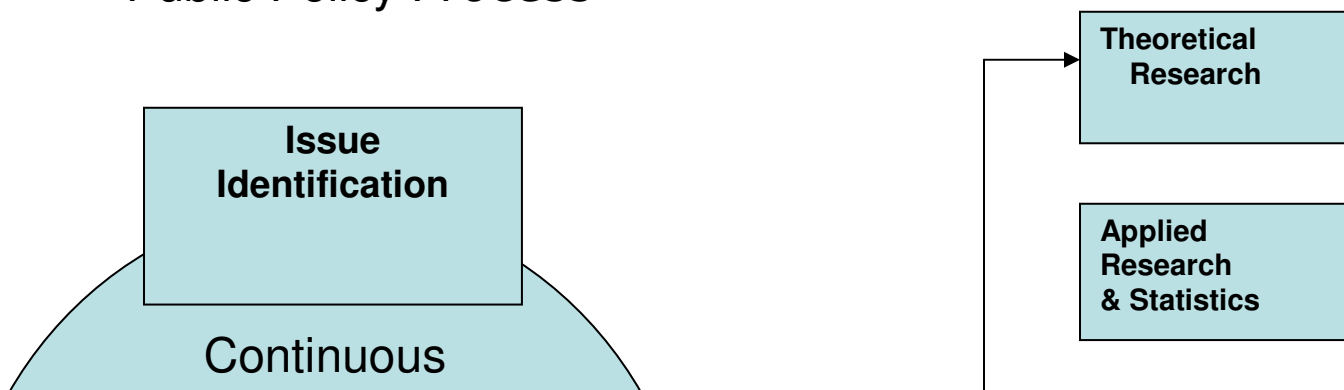
But, policy development is an ongoing executive function, policy decisions must be made as issues emerge or needs arise. Therefore, the earlier an executive can implement an effective policy planning & development process the better.

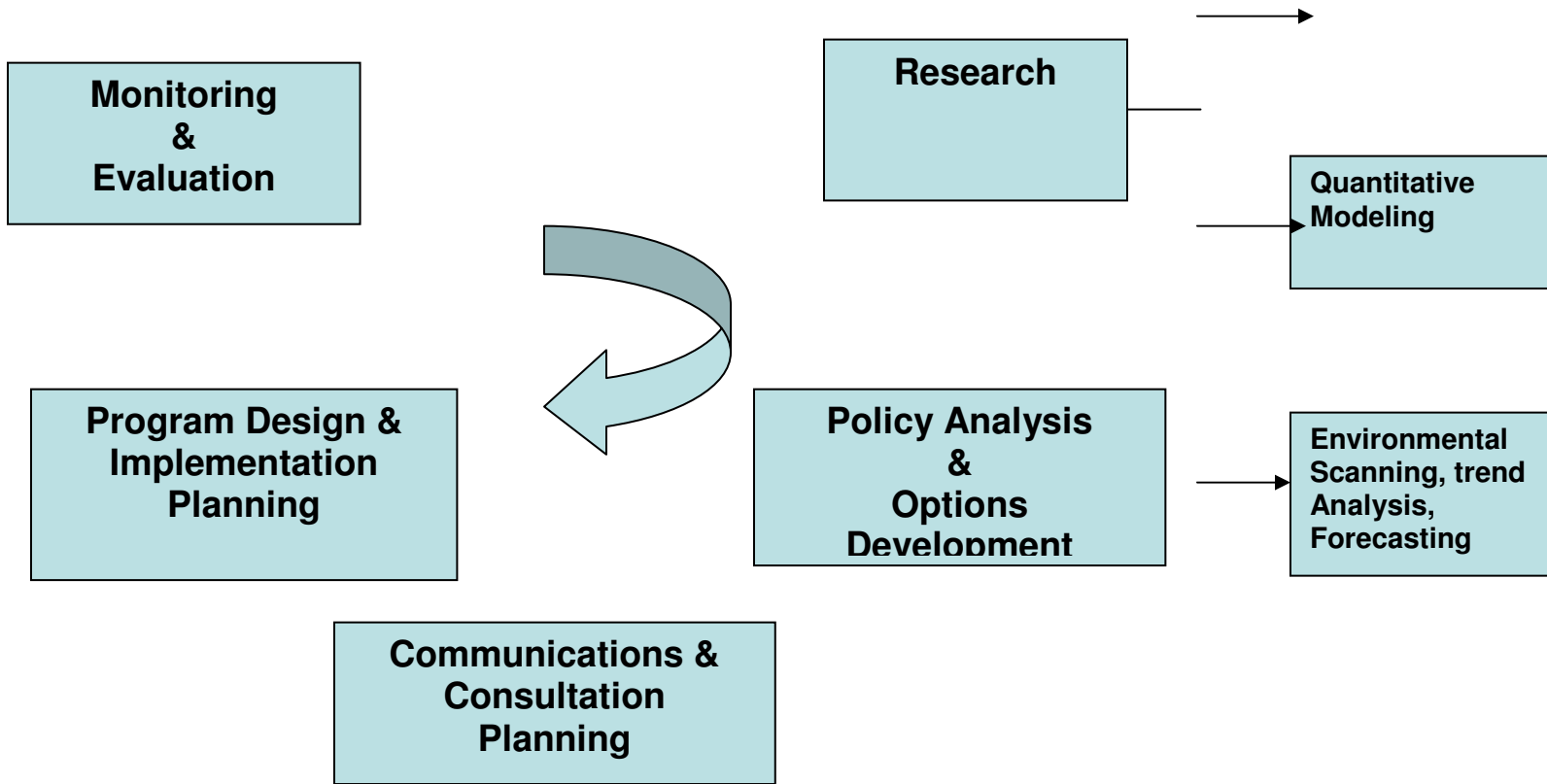
Policy management within Government refers to the institutional arrangements that surround the structures, processes & dynamics of Government decision-making. The policy management process involves numerous phases each of which poses particular management challenges.

The common phases of the policy-making process include:

1. policy initiation/ identification;
2. policy process design;
3. policy analysis;
4. policy formulation;
5. decision-making,
6. implementation; & monitoring & evaluation.

Public Policy Process





Institutional Framework in the public policy process

Broadly the policy process can be broken down into two major components, namely:

1. Policy Formulation

- Policy Identification
- Policy Analysis
- Decision-Making

2. Policy Implementation

- Dissemination of decisions
- Models of implementation
- Monitoring and evaluation

Policy Formulation

In assessing policy management, a good starting point is to examine how & where policy ideas arise:

- ☒ Are there systems in place for identifying problems in need of policy solutions?

- How are the political views of decision-makers translated into policy?
- What is the framework for setting the strategic direction & priorities?

“Executive Office”

In many countries, those responsible for the policy management process are members of their country's Executive office. The term “Executive office” refers to the organizations that Heads of State & Heads of Government use to manage the policy process of government. Depending on the country & constitutional context, these organizations include the Office of the President, Office of the Prime Minister as well as supporting advisory, liaison or analytic units.

Sources of Policy

In most African countries, policy initiatives emanate from the Executive branch, namely, the Presidency & line Ministries.

•Note the prominent role of the Ministry of Finance, development partners, in driving the policy agenda in most African countries.

Sources therefore include:

1. President
2. Cabinet
3. Cabinet Committees (where they exist)
4. Occasionally from organized groups
5. Legislature – role in policy development not as prominent as would be expected
6. Pressure from the Press

The Cabinet

In Uganda, the Constitution empowers Cabinet to determine, formulate and implement the policy of the Government (Article 111(2)) of the Constitution. Cabinet therefore makes most of the key policy, financial & resource decisions of Government. With respect to statutory decisions, Cabinet approval signifies the government position to be presented for formal consideration by Parliament

Generic Functions Of Cabinet

1. Providing central leadership in the management of financial, human and physical resources.
2. Establishing the Government's overall strategic direction and key priorities;
3. Ensuring that Ministerial proposals are consistent with the Government's strategic direction and priorities;
4. Establishing the Government's medium to long-term policy and legislative priorities and agenda;
5. Monitoring the implementation of its decisions.

Cabinet Office/Secretariat

At the Centre of the Policy Process is the Cabinet Office/Secretariat. It is headed by the Secretary to the Cabinet who usually also doubles as the Head of Public /Civil Service.

Cabinet Office/Secretariat Roles

1. Supporting the development of policy capacity across Government through workshops; issuance of Policy Development Guides
2. Supporting line Ministries in developing capacity for policy analysis (developing training programmes in assessing the Impacts of Policies and Regulations)
3. Preparing the Public Service to manage transitions in Government
4. Supporting the Political leadership in the translation of its election Manifesto into policies & programs for implementation
5. Secretariat responsibilities (gate keeping & challenge functions)
6. Supporting Cabinet in Monitoring the implementation of its decisions

Policy Analysis as an integral part of policy formulation

Once a policy goal has been identified then analysis is needed to estimate the likely costs & benefits of different decision options. Such analysis is of two broad types:

-Technical analysis focuses on whether it is technically feasible to achieve a given policy goal and at what economic cost/rate of return.

-Political analysis which asks whether the policy is consistent with electoral promises and/or national priorities as well as its expected impact on political support for the incumbent Government.

Note:

- Generally in practice in Africa, policies presented to Cabinet are often not supported by sound analysis.
- Few of the officials responsible for preparing policy submissions have training or experience with policy diagnostics.
- Proposals submitted to Cabinet often therefore reflect shallow empirical grounding & limited analytical rigor.

Why Is this So?

- **Policy is not generally viewed as a core function of Government.**
- Weak policy analysis capacity, which compares rather unfavorably with Planning Departments or Directorates, which are usually better, staffed and funded.
- Common problem of shortage of information upon which to base sound policy analysis.

Development Partners Compounding Policy Analysis Challenges

- The case of the World Bank: Primary concern is with “moving money”.
- Other donors e.g. USAID – US Government Policy openly states that US foreign aid is intended primarily to advance American interests.
- Role of expatriate advisors continuing to perform Senior Analyst functions in core Economic & Financial Agencies, raising questions about ownership of macro-economic policies.

Variations are seen across Africa where decision-making is mainly centralized in the Presidency; is made collectively by Cabinet; or is delegated to some lower entity in the Executive branch. Generally, the Constitution of several countries vest the President with more powers to make decisions in a number of jurisdictions in Africa. Increasing levels of democratization appears to have enhanced the role of Cabinets in Africa albeit within the context of Presidential government.

The notion of collective responsibility implies that once a decision-making body, such as Cabinet, decides on a matter all the members are expected to publicly support the decision, whether or not they personally agree with it. However the principle of collective responsibility can sometimes be misused by Ministers who may be reluctant to make even minor decisions. In most African Countries, key economic and budgetary decisions are effectively made by a group of economists centered in the Ministry of Finance. This enclave may be effectively captured by the Ministry's foreign advisors and donors, especially the World Bank. Decisions made by this group tend to be communicated to the Cabinet/Council as *fait accompli*, sometimes to the fury of Cabinet.

Cabinet Meetings

Most Cabinets in Africa meet once a week or once every two weeks. Some Cabinets/Councils of Ministers have developed more efficient procedures than others. Meetings vary in length from a brisk three to four hours in countries such as Botswana to a marathon seven, eight or even eleven hours in some cases (Benin, Guinea Bissau, Uganda). The decisiveness of Cabinet meetings will depend to a great length on the clarity of formal procedures & the degree to which these procedures are respected & followed.

Cabinet Agenda

The Cabinet Office/Secretariat has a key role in managing the Cabinet Agenda & must exercise its challenge & gate-keeping roles. Often however, political preferences & orientations of the individuals in charge of the Cabinet will determine how items get on to the agenda. It is important to note that due process in the policy development process, which incorporates adequate consultations & careful review of options & recommendations, will usually ensure that good decisions are made at Cabinet. One way used to streamline decision making is to delegate select policy matters to Committees.

This option does not appear to be very popular in Africa, with a few exceptions such as South Africa and Zambia but this is a key feature in most Cabinets in the developed world e.g. Australia has a Cabinet of 16 people with 7 Committees.

In the case of Uganda, Parliament transacts its business mainly through Committees but the Cabinet does not. Cabinet decision-making must take account of the specific context of each Country.

Principles and practices of good Cabinet decision-making may be ineffective because the context includes deliberate obstruction by interested parties. Institutions can be bypassed, processes can be subverted, and rules can be ignored. Cabinet itself can be – to use Bagehot's terms – in practice more “dignified” than “efficient” if, for example, a powerful Prime Minister or President chooses to take decisions elsewhere.

The ultimate test of a Cabinet decision-making system lies in how it serves the interests of the nation over many years and many different politicians. No system is proof against bad decisions – public officials are human & public policy can be very difficult.

Policy Implementation

Available evidence points to little attention being generally paid by Governments in Africa to the implementation of policy decisions. Policy implementation is generally left to the responsible line ministries. As a result, major lapses have routinely occurred in governmental effectiveness and in a number of surveys, it is reported that between 60 – 75% of Cabinet decisions are not implemented. Reporting mechanisms in the implementation of Cabinet decisions are generally weak and are compounded by a poor reporting culture.

Dissemination of Decisions

The first step, often overlooked, in policy implementation is recording and disseminating decisions. Much depends on the quality of the Minutes that document the proceedings of Cabinet.

Models for implementation

1. Administrative delegation with a reliance on private and semi-private corporations to implement major capital projects
2. Sub-vented executive agencies, authorities & directly by the responsible line Ministries

Key Steps In Policy Implementation

1. Monitoring

The task of monitoring should begin well before implementation gets underway. Not many countries in Africa have effective plans or procedures for holding Ministries accountable. Most countries have some mechanisms in place to monitor the implementation of Cabinet decisions. Monitoring plans alone will not guarantee implementation. A major challenge in most African Governments is their inability to design and implement effective communication strategies around policy decisions that emanate from Government.

The relatively weak African legislatures have not played a meaningful role in monitoring

2. Evaluation

Generally speaking, not many Governments in Africa discharge this function well.

Rarely do they systematically conduct policy evaluations. Most of the evaluations that are undertaken are project-related and are usually donor financed and tend to address the conditionalities of a particular donor.

Botswana however does offer some of the better examples of evaluations currently in practice in Africa. Most of the other examples are less encouraging.

Policy evaluation is an attribute of mature management systems in which policies are reliably carried through to the end. For most part, it is safe to say that the evaluation ethic remains unfamiliar in most of our Governments and executive branch culture.

Concluding Remarks

The policy process can be depicted as a process where a Government makes, elaborates, gives legal and financial effect to, and actually delivers their policy commitments

Therefore at:

STAGE I: The Executive sets broad policy commitments, binding it to implement a particular policy;

STAGE II: Departments/Ministries prepare policy and budget proposals to deliver broad policy commitments;

STAGE III: The Executive provides adequate budget, removes procedural obstacles and anticipates the likely reaction of external veto players

STAGE IV: Departments/Ministries implement.

The Role of non-state actors in public policy process

Non-state actors have a very important role in influencing decisions made throughout the policy making process. In order to play this role effectively non-state actors must know very well the policymaking process, components of a policy and the qualities of a good public policy.

Good public policy:

1. Focuses on the social, economic and political needs of the people
2. Provides solutions to problems (public problems rather than private problems)
3. Is made through a consultative process
4. Is informed by research
5. Takes into consideration the country's political, Economic and socio-cultural climate
6. Is easy to interpret and translate into action (Implementable)
7. Consistency and relevancy
8. Cost effectiveness
9. Clarity – avoid ambiguity and contradictions
10. Is comprehensive but not complicated
(Listen to Participants' contributions)

Major Components of a policy (Refer to any policy document)

- Foreword / Preface (Made by the relevant ministry head (minister))

- Background/Introduction, which makes an analysis of the policy context (The political, economic, social environment/climate and defines/describes the problem the policy is intended to address)
- Rationale of the policy (Justification for the need of the policy)
- Purpose of the policy (Policy goal and objectives)
- Guiding principles
- Policy implementation arrangements (implementation strategies and priority policy actions)
- Institutional framework (Institutions that will be involved in implementation and the roles of each)
- Policy Monitoring and Evaluation
- Policy review and revision arrangements
- Conclusion

Advocacy activities for NSAs to undertake

1. Analysing draft policies to identify gaps, which can be filled in before the policy's approval. Issues/elements for analysis in a policy include:
 - Comprehensiveness – Does it include all the essential elements? Does it adequately articulate each element?
 - Clarity
 - Relevancy to the needs of people
 - Practicability of implementation strategies
 - Consistency with the existing law, political, economic and socio-cultural environment
 - (Participants' contributions)
1. Research and feed information to support the desired policy reforms
2. Create awareness about draft policies in order to collect public opinion
3. 4.Lobby policy makers to influence them take certain positions during policy formulation
4. Media advocacy to increase awareness about policy issues and hence create synergy to influence the desired changes in the policy drafts
5. Press releases/ statements/conferences
6. Come up with policy statements – these highlight identified policy gaps identified and suggestions on how they can be addressed. (the what, why, how)
7. Take part in drafting policies (the popular version) and lobby concerned parties to adopt these versions
8. Popularize enacted laws and monitor their implementation

Dictionary

A **policy** is a plan of action to guide decisions and actions. The term may apply to government, private sector organizations and groups, and individuals.

Law

- Rules of conduct of any organized society, however simple or small, that are enforced by threat of punishment if they are violated. Modern law has a wide sweep and regulates many branches of conduct.
- A body of rules of conduct of binding legal force and effect, prescribed, recognized, and enforced by controlling authority.

A **bill** is a draft proposal of a required law before it is approved and passed by parliament

When a bill is approved and passed by parliament as well as receiving the president's assent, it becomes an **Act (of parliament)**

Ordinance is a term used instead of law among commonwealth countries which are still under colonial domination

A by law

- a rule made by a local authority
- a rule adopted by an organization in order to regulate its own affairs and the behavior of its members

Regulation as a legal term

A particular *regulation* as a legal term is a rule created by an administration or administrative agency or body that interprets the statutes setting out the agency's purpose and powers, or the circumstances of applying the statute.

A *regulation* is a form of secondary legislation, which is used to implement a primary piece of legislation appropriately, or to take account of particular circumstances or factors emerging during the gradual implementation of, or during the period of, a primary piece of legislation.

A **statute** is a formal, written law of a country or state, written and enacted by its legislative authority, perhaps to then be ratified by the highest executive in the government, and finally published.

A **treaty**, in international law, formal agreement between sovereign states or organizations of states. The term *treaty* is ordinarily confined to important formal agreements, while less formal international accords are called conventions, acts, declarations, or protocols