

# **Environmental Policymaking: Policy Definitions and Frameworks**

**ESD.123, Spring 2006**

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## **Some Definitions of Policy on the WWW**

- A line of argument rationalizing the course of action of a government
  - > [wordnet.princeton.edu/perl/webwn](http://wordnet.princeton.edu/perl/webwn)
- A guiding principle designed to influence decisions, actions, etc.  
Typically, a policy designates a required process or procedure within an organization.
  - > [www.pmostep.com/290.1TerminologyDefinitions.htm](http://www.pmostep.com/290.1TerminologyDefinitions.htm)
- A plan or course of action, as of a government, political party, or business, intended to influence and determine decisions, actions, and other matters.
  - > [youthink.worldbank.org/glossary.php](http://youthink.worldbank.org/glossary.php)
- A written principle or rule to guide decision-making.
  - > [www.clemson.edu/research/orcSite/orcIRB\\_DefsP.htm](http://www.clemson.edu/research/orcSite/orcIRB_DefsP.htm)

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## A Notable Summary

“Policy can be defined in many different ways but it is more than simply a statement of belief (O'Brien, 1980). Its major purpose is to guide action (Caldwell, 1980). In general, policy is philosophically based, implies intention and suggests a pattern for taking action... It creates a framework for action with some basis for discretion within which [school personnel] can discharge their duties with clear direction (Caldwell, 1980)...

Policy is not a goal or aim even though the latter may be implicit in the statements of policy, while specific objectives, as statements of outcomes, may often be set as part of policy implementation. Policy produces guidelines for the preparation of rules and procedures which are the first steps in policy implementation. They direct action and specify the individuals responsible for such action” (Caldwell, 1980).

In Turney, C., Hatton, K., Laws, K., Sinclair, R. and Smith, D. (1992). *The School Manager: Educational Management Roles and tasks*. North Sydney: Allen and Unwin, p. 122.

From “What is Policy?” <http://www.slaq.org.au/SubCommittees/Murrumba/PD/whatispolicy.htm>  
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## Technical Definitions, Too

- A rule established by the manager of a digital library that specifies which users should be authorized to have what access to which materials.
  - [www.cs.cornell.edu/wya/DigLib/MS1999/glossary.html](http://www.cs.cornell.edu/wya/DigLib/MS1999/glossary.html)
- The set of rules that govern the interaction between a subject and an object. For example, when an Internet Protocol (IP) security agent (the subject) starts on a given computer (the object) a policy determines how that computer will participate in secure IP connections.
  - [www.microsoft.com/windows2000/techinfo/howitworks/activatedirectory/glossary.asp](http://www.microsoft.com/windows2000/techinfo/howitworks/activatedirectory/glossary.asp)

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## Why Do We Have "Policy?"

- Other Mechanisms Exist
  - Legislation
  - Regulation
  - Enforcement Agencies
  - Markets
  - Social Conventions
  - Nature
- Why "Policy?"

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## Common Elements

- Overt
  - Objective(s)
  - Presumptive mechanism(s) for action to achieve the objective
  - Context
    - *Institutional*
    - *Instrumental*
  - Implementation
- Implicit
  - Legitimacy
  - Mechanisms for enforcement
  - Complexity
  - Political

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## Policy vs. Mechanism

- Difficulties in reducing to “determined system”
  - Very complex and dynamic system
    - *By design*
  - Imperfect instruments of control
  - Imperfect ability to design instruments
  - Ideology and goals
- Preservation of flexibility necessary
- Policy as vital complement to system flexibility

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## Starting Points in Policy Development

- Goals: what are they?
- Framing the goals: how to talk about them
- Legitimacy: how
- Constituencies
  - Who cares
  - Who agrees with the goals
  - Who is opposed to the goals
  - Who benefits/loses from the policy (distinct from the goals!)
    - > How to measure benefits/losses
    - > What to do about them
- Mechanisms of control: implementation
- How will you know the policy is “working?” What does that mean?

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## Implications of a Process

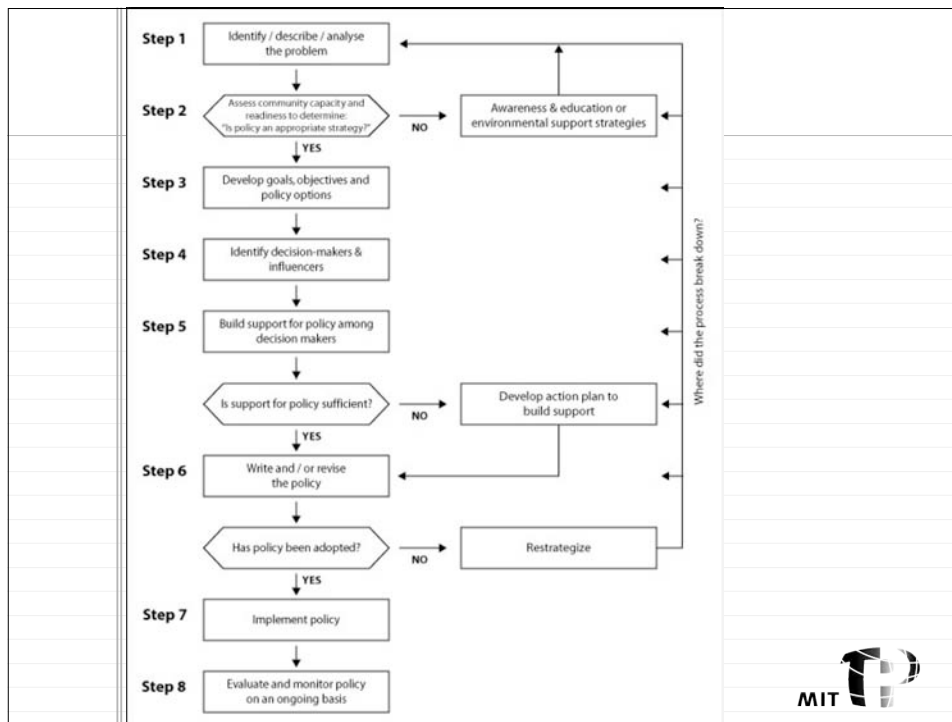
- A graphic from “What is Policy?” Sherri Torjman. September 2005. [www.caledoninst.org](http://www.caledoninst.org)
- A typical sort of representation
  - A focus on implementation, especially constituency-building



Courtesy of The Health Communication Unit (THCU) at The Centre for Health Promotion, Department of Public Health Sciences, University of Toronto. Used with permission.

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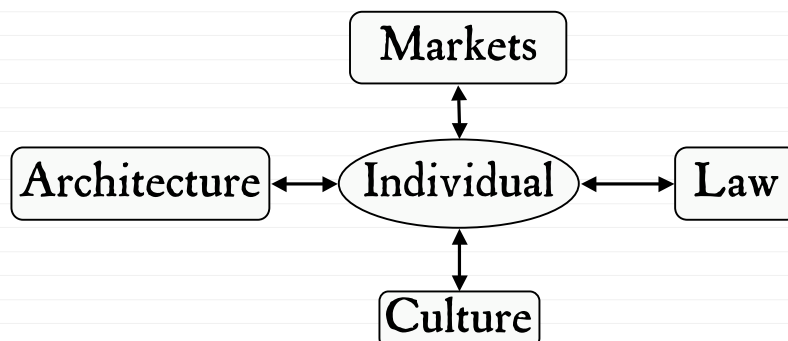




Courtesy of The Health Communication Unit (THCU) at The Centre for Health Promotion, Department of Public Health Sciences, University of Toronto. Used with permission.

## Getting People To "Behave" (Modalities of Control)

- Lessig's "New Chicago School" – **A** framing of the instruments of action **and** control

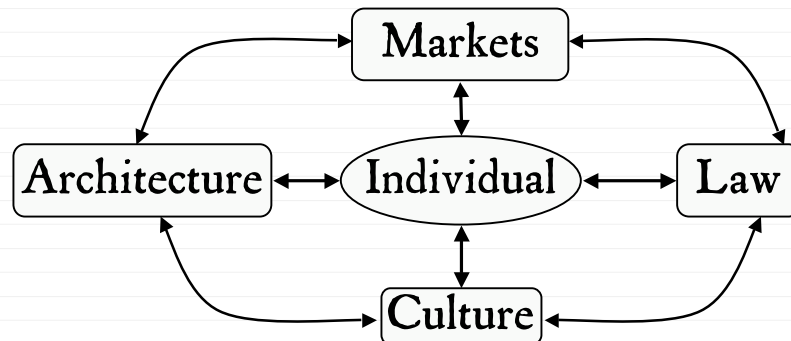


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## Modalities Need Not Be Unilateral

- Some interaction among modalities typical



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## Some Fundamental Policy Frameworks

- Ideology/Culture in Policy (from Stone)
  - What is Justice?
  - What is Freedom/Liberty?
  - What is Property?
  - What Motivates human action?
  - ...

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## Constructions of Justice – #1

- Justice is process
  - Historical Process Justice
  - Voluntary and fair process
  - Question: What is a fair process
  - What is fair about *ab initio* distributions/transactions

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## Constructions of Justice – #2

- Justice is social construct
  - End-Result Justice
  - Social goods must be distributed equitably
  - What are the characteristics of goods that make them “social;” what are the characteristics of individuals that make them a member of society

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## **Constructions of Justice – #3**

- Justice is innate/universally defined
  - Universal standards of justice, independent of context
  - Unjust allocations must be rectified according to these standards

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## **Liberty, Property & Motivation**

- Liberty
  - Freedom from constraint on action
  - Freedom to act as one wants
- Property
  - An individual construct
  - A social construct
- Human Motivation
  - Need Motivates
  - Need Inhibits

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## Dichotomy?

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>□ Social Conservatism<ul style="list-style-type: none"><li>▪ (Distributive) Justice<ul style="list-style-type: none"><li>› <i>Fair Process</i></li></ul></li><li>▪ Liberty<ul style="list-style-type: none"><li>› <i>Freedom to act</i></li></ul></li><li>▪ Property<ul style="list-style-type: none"><li>› <i>Individual creation</i></li></ul></li><li>▪ Need Motivates</li></ul></li></ul> | <ul style="list-style-type: none"><li>□ Social Liberalism<ul style="list-style-type: none"><li>▪ (Distributive) Justice<ul style="list-style-type: none"><li>› <i>Fair shares of social resources</i></li></ul></li><li>▪ Liberty<ul style="list-style-type: none"><li>› <i>Freedom from constraints</i></li></ul></li><li>▪ Property<ul style="list-style-type: none"><li>› <i>Social creation</i></li></ul></li><li>▪ Need Inhibits</li></ul></li></ul> |
|---|---|

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## Some Fundamental Policy Frameworks

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>□ The Legal System<ul style="list-style-type: none"><li>▪ Legislation<ul style="list-style-type: none"><li>› <i>Political bodies (legislatures) construct</i></li><li>› <i>Executives implement</i></li><li>› <i>Courts interpret and enforce</i></li></ul></li><li>▪ Regulation<ul style="list-style-type: none"><li>› <i>Delegation of functions of legislatures and executive</i></li><li>› <i>Constrained by legislation</i></li></ul></li></ul></li></ul> | <ul style="list-style-type: none"><li>□ Basics<ul style="list-style-type: none"><li>▪ Focus on process as mechanism for fairness</li><li>▪ Trial by combat</li><li>▪ "Rights" and harms ("torts")</li><li>▪ Argument</li></ul></li><li>□ Fundamental metaphors<ul style="list-style-type: none"><li>▪ Truth via "trial by combat"</li><li>▪ Rights (natural and otherwise) and Harms ("torts")</li><li>▪ Common law; precedent; consistency</li></ul></li></ul> |
|--|---|

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## Some Fundamental Policy Frameworks

- The Economic System
  - The market
    - *Producers*
    - *Consumers*
    - *“Referees”*
  - Transactions of exchange
- Fundamental metaphors
  - Opportunity available to all
  - Efficiency and equality
  - Competition
- Basics
  - Focus on efficient use/allocation of resources
    - *Social welfare*
  - Competition as goad to achieve efficiency
  - Remediation by institutions when competition cannot be sustained
  - Harms in terms of metrics of suboptimality
    - *Theory of second best?*

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## Language and Rhetoric

- Rhetoric: “The art of using language so as to persuade or influence others; the body of rules to be observed by a speaker or writer in order that he may express himself with eloquence” (OED)
- Better:
  - the use of discourse to understand and influence the quality of our lives through interaction and cooperation with others
  - the use of language to negotiate the meaning of events & coordinate response with others
  - the strategic use of language to motivate the public to coordinated action

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## Some Ideologies and Environmental Politics

- Conservative ideology — preservation ethos
- Authoritarianism — command and control
- Liberal ideology — eco-centric ethos
- Also consider anarchy & feminism
- Democratic ideals/decentralism/coordination problems
- Complex domain of political action

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