

Governance and Policy Processes

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1. Course Overview

This course examines the enduring and changing nature of governance from both theoretical and practical perspectives. It is a broad introductory graduate course, designed to introduce a wide range of concepts in public policy. It employs classic texts and extensive case studies to demonstrate how policy-makers seek to formulate and implement public policy effectively and legitimately, in the face of domestic skepticism, evolving state structures and a fast-shifting global context, so as to serve the public good.

Governance, or the act of governing, begins with what states do. The term as used in this course refers first of all to the constitutional foundations, institutions, and formal and informal processes through which states protect and serve their people, and advance their interests. States remain the fundamental political organizations in international relations. But why states came into being, how the modern state and its bureaucracy evolved, and the challenges facing state governance today and tomorrow are all vital to understanding the practical business of governing effectively.

What is the state? How do states derive their authority and legitimacy? What are the commonalities and differences in state governance around the world? What is unique about the United States and its system? How do states operate and how does the bureaucratic machinery of government work? How much can or should states out-source and privatize core functions associated with state governance? Who sets the policy agenda and what are the dynamics of public policy making? How does the modern state try to fulfill traditional core functions of the state, such as security, territorial sovereignty, opportunity for enrichment, and basic welfare, and what are some of the challenges to those traditional roles? How can state governance best work with and mobilize civil society, non-governmental organizations, and institutions of global governance? In short, what does it mean to govern well in the 21st century—and how does that translate into practical advice for policy-makers? How do they get things done? These are the questions addressed in this course.

Beyond state institutions, “governance” encompasses all the ways that actors organize themselves to exercise authority and to accomplish common purposes. Multinational organizations, private for-profit corporations, bureaucracies, non-profit groups, faith-based organizations, city councils and community clubs all “govern.” Some of them even operate on behalf of governments when a state out sources to them. But from the time of the Enlightenment, political theorists have argued that there is something unique about

governments acting in the public interest—i.e., that there is a difference between citizens performing public duties and businesses pursuing profit. The distinction harks back to the philosophical sinews of today's modern state, relating to the strength, scope and legitimacy of government. Yet in an era of bloated bureaucracies, does it still hold? We will examine the future of government and governance so as to chart a course for public policy graduate students interested in accountably, efficiently and effectively serving the public interest.

Objectives:

The goal of all George Mason University School of Public Policy Masters' degree programs is to prepare students for professional positions in public policy, including the executive or legislative branches of U.S. government at the federal (both military and civilian), state or local levels; private sector businesses dealing with public policy; non-profit organizations concerned with public policy; non-US governments; and international organizations. This required course is an introduction to governance and the policy processes that leaders confront within the evolving national and international landscape of the 21st century.

Learning Outcomes:

Upon completing this course, students will be familiar with a range of contemporary challenges to state governance, both in the United States and internationally, including their origins, implications, and possible future trajectories. They will acquire the knowledge and understanding to place contemporary policy-making challenges within a broader historical, political, social, and economic context. The goal is to acquire the ability to think strategically, beyond the day-to-day challenges of a bureaucracy, so as to govern more effectively over time.

Theoretical lessons will then be paired with specific applications crucial to the professional development of effective leaders in the public sector. Through the study of practical case studies, in-class exercises, and writing assignments, students will learn to analyze and begin to formulate specific policy responses to those governing challenges.

Finally, effective speaking, research and writing are essential to the public policy professional. Students will have an opportunity to advance all of these vital skills: in-class presentations will cultivate speaking skills, and the policy memo and final paper assignments will develop research and writing skills.

2. Readings:

The following books are required reading in the course.

Alberto Alesina and Edward L. Glaeser, *Fighting Poverty in the US and Europe* (Oxford: Oxford University Press, 2004).

Philip Bobbitt, *Shield of Achilles: War, Peace, and the Course of History* (New York: Random House, 2002).

Francis Fukuyama, *State-building: Governance and World Order in the 21st Century* (Ithaca: Cornell University Press, 2004).

John Kingdon, *Agendas, Alternatives, and Public Policies* (New York: Longman, 2nd edition, 2003).

John Kingdon, *America the Unusual* (New York: St. Martin's Press, 1999).

Elliott D. Sclar, *You Don't Always Get What You Pay For: The Economics of Privatization* (New York: Cornell University Press, 2000).

Allison Stanger, *One Nation under Contract: The Outsourcing of American Power and the Future of Foreign Policy* (New Haven: Yale University Press, 2009).

The following Case Studies are also required.

1. "The Turnaround Artist: Craig Coy Tackles Political Influence at Massport," [HKS Case #1896.0]
2. "Leasing the Pennsylvania Turnpike." [HKS case #1878.0]
3. "Inciting a Computer Revolution in Health Care: Weighing the Merits of the Health Information Technology Act," and the sequel "Inciting a Computer Revolution in Health Care: Implementing the Health Information Technology Act." [HKS Case #1937.0 and #1938.0]
4. "Wal-Mart's Response to Hurricane Katrina: Striving for a Public-Private Partnership." [HKS Case #1876.0 and #1876.1]
5. [The Blackwater case is directly accessible on-line; no purchase necessary.]
6. "Threat of Terrorism: Weighing Public Safety in Seattle." [HKS Case #1648.0 and #1648.1]
7. [The Google case is directly accessible on-line; no purchase necessary.]

3. Class Format

The course will be conducted in both lecture and seminar formats, mainly relying upon the Socratic method through interactive questions and answers. Students must read each week's assignments prior to arriving in class. The instructor will "cold call" on students, so please prepare. After the second week, at the instructor's discretion, there may be occasional short in-class reading quizzes to be graded and factored into class participation grades. The last hour of some sessions will be devoted to examination and analysis of case studies, where teams of assigned students will present the case and lead seminar discussions.

4. Course Evaluation

Policy memorandum	20%
Team Case Presentation and Analysis (group grade 10% and individual grade 10%)	20%
Research Paper	40%
Class participation*	20%

* Class participation will be the average of marks given for each class period, including reading quizzes. This weekly mark will reflect whether or not you have done the readings for that day's seminar and can answer questions on them, then go beyond them in seminar discussion with material drawn from the press, other readings, and your own creative thinking. Quality of participation is more important than quantity of comments made, but students should aim to contribute to discussion in every class. The course averages 150-200 pages of reading per week, which is standard for a Graduate-level seminar.

Late papers will be penalized one grade level (e.g., A- to B+) for each calendar day or part thereof, up to a full grade (e.g., A- to B-) each week. Barring officially-validated emergencies, the instructor will not give extra credit assignments or incomplete grades.

Mobile Phones must be turned off during class. Taking notes on your laptop is allowed; other computer activity is not. Our purpose is to engage in discussion, argumentation and debate; civility and respect to all members of the class is mandatory.

Students who must be absent for work or other foreseeable events should inform the professor beforehand so that make-up work can be arranged, as necessary. You are responsible for getting notes from colleagues for missed class periods. Attendance is important and has an impact upon the class participation grade: it is difficult to imagine a student earning above a "B" in the course if more than two classes are missed for any reason.

5. Course Overview

PART ONE: The Origins and Evolution of Governance

1. Introduction and Course Overview
2. The Western State and Its Evolution
3. Sovereignty, State Authority and Legitimacy
4. Foundations of the American Republic, and American Exceptionalism
5. Global Governance? Globalization, Networks and the State in the 21st Century

PART TWO: How Do States Operate?

6. Government Bureaucracy and the Machinery of Modern State Governance
7. Outsourcing State Governance and the Economic Limits of the Contract State
8. Setting the Public Policy Agenda in the United States
9. The Dynamics of Public Policy Making

PART THREE: Traditional State Functions and Contemporary Challenges

10. Protection of the Weak and Disadvantaged: Social Welfare and Its Challenges
11. Monopoly over Large-Scale Violence: Waging War by Proxy
12. Law Enforcement, Rule of Law: Confronting Transnational Threats
13. Territorial Demarcation and a Defined Population: Migration, New Communications and the Blurring of Borders

PART FOUR: Looking Ahead

14. Building New Paradigms: The Future of Governance and Public Policy in a Changing World

6. Discussion Questions and Assignments

PART ONE: The Origins and Evolution of Governance

1. Introduction and Course Overview

Purpose of the Course

Requirements and expectations

Introduction to the evolution of the Western State

Assignments:

Bobbitt, *War, Peace and the Course of History*, Prologue, pp. xxi-xxvii; Chapters 5-9 (pp. 69-209).

2. The Western State and its Evolution

How has the modern Western state evolved in recent history?

Does the evolution of the Western state provide a model for the rest of the world? Or is it an exceptional story?

What are the foundations of state legitimacy and governance today? Are they shifting?

Assignment:

Bobbitt, *War, Peace and the Course of History*, pp. 5-17; Chapters 1-4 (pp. 21-64); Epilogue, pp. 811-816. [For reference, note the plates on pp. 346-347.]

3. Sovereignty, State Authority and Legitimacy

What is the essence of “stateness”? How do states govern?

What are the sources of state legitimacy? What are the effects of weak state governance?

Scope

Strength/Capacity

Rule of Law

Use of Force

Territoriality

(Democracy?)

Assignments:

Fukuyama, *The Origins of Political Order*, Chapter One: “The Necessity of Politics,” pp. 3-25.

Fukuyama, *State-building: Governance and World Order in the 21st Century* (all—121 pages).

Stephen D. Krasner, "Think Again: Sovereignty," *Foreign Policy*, Jan/Feb 2001, pp. 20-29.

4. Foundations of The American Republic and American Exceptionalism

What is different about the United States? Is it unique?

What are the sources of American legitimacy? How is the U.S. system structured?

What are the tensions built into the governing institutions?

How resilient is the American system?

How have the American people responded to vast social, political and economic change in the past?

Assignments:

The Constitution of the United States of America, Articles I and II

James Madison, *Federalist No. 10*

James Madison, *Federalist No. 51* [The U.S. Constitution and the *Federalist* papers may be easily downloaded from the web. Please type the terms into Google.]

Kingdon, *American the Unusual* (all—100 pages).

5. Global Governance? Trade, International Law and the State in the 21st Century

What is the role of global governance in the 21st century? Is it evolving?

Are global laws and institutions replacing those of individual nation-states?

What are the implications for the future of governance?

Assignments:

Stuart Malawar, TBD.

Anne-Marie Slaughter, "Sovereignty and Power in a Networked World," *Stanford Journal of International Law*, Vol. 40, No. 283 (2004), pp. 283-327.

Richard Samans, Klaus Schwab, et al., "Running the World after the Crash: Has the Era of Global Cooperation Ended before it Began?" *Foreign Policy*, 1 January 2011.

PART TWO: How Do Modern States Operate?

6. Government Bureaucracy and the Machinery of Modern State Governance

Where did the study of public policy come from?

Where did today's government bureaucracy come from?

What are its strengths and weaknesses?

What are the trends for the future?

Assignments:

Woodrow Wilson, "The Study of Administration," *Political Science Quarterly*, Vol. II, No. 2 (June 1887), pp. 197-222.

Max Weber, *Bureaucracy: "Characteristics of Bureaucracy,"* and "The Position of the Official."

James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1989), chapters 1, 2, 7, pp. 3-28, 113-136.

James Pfiffner, "Traditional Public Administration Versus the The New Public Management: Accountability Versus Efficiency," in A. Benz, H. Sidentopf, and K.P. Sommermann, eds., *Institutionenbildung in Regierung und Verwaltung: Festschrift für Klaus König* (Berlin: Duncker & Humbolt, 2004), pp. 443-454.

Case Study #1 : "The Turnaround Artist: Craig Coy Tackles Political Influence at Massport," [HKS Case #1896.0]

7. Outsourcing State Governance and the Economic Limits of the Contract State

How well does the contract state work?

What are the implications of relying on private markets for traditionally public functions?

Assignment:

Sclar, *You Don't Always Get What You Pay For: The Economics of Privatization*, all, pp. 1-167.

Case Study #2: "Leasing the Pennsylvania Turnpike." [HKS case #1878.0]

8. Setting the Public Policy Agenda in the United States

[**Policy memo due at the beginning of class.**]

How are policy problems identified and decided?

Who participates in the process, and how?

How are alternatives or options determined?

Assignment:

Kingdon, *Agendas, Alternatives, and Public Policies*, Chapters 1-4, pp. 1-89.

Case Study # 3: "Inciting a Computer Revolution in Health Care: Weighing the Merits of the Health Information Technology Act," and the sequel "Inciting a Computer

Revolution in Health Care: Implementing the Health Information Technology Act.”
[HKS Case #1937.0 and #1938.0]

9. The Dynamics of Public Policy Making
[Paper prospectus due at the beginning of class.]

How do ideas mature and reach the top of the agenda?
How does the actual policy process differ from idealized models?
How can practical knowledge of the process enable participants to be more effective?

Assignments:

Kingdon, Agendas, Alternative and Public Policies, Chapters 5-10, pp. 95-244.

Case Study #4: “Wal-Mart’s Response to Hurricane Katrina: Striving for a Public-Private Partnership.” [HKS Case #1876.0 and 1876.1]

PART THREE: Traditional State Functions and Contemporary Challenges

10. Protection of the Weak and Disadvantaged: Social Welfare and Its Challenges

Has the age of the welfare state ended?
Why are the U.S. and European approaches so different?
Which social policy model will/should prevail in the future?

Assignment:

Alesina and Glaeser, Fighting Poverty in the US and Europe, all, pp. 1-221.

11. Monopoly over large-scale Violence: Waging War by Proxy

Is Statesmanship dead?
Does the state still control the legitimate use of force?
How can government maintain (or regain) legitimacy, while interacting effectively with non-state actors?
What are the strategic implications of these tactical decisions?
What are the advantages and disadvantages of using contractors on the battlefield?
What are the legal implications of contractors acting as state proxies?

Assignments:

Stanger, One Nation Under Contract, Chapters 1-6, pp. 1-135.

Case Study#5: Rebecca Dunning, “Heroes or Mercenaries? Blackwater, Private Security Companies, and the U.S. Military,” The Kenan Institute for Ethics at Duke University, Case Studies in Ethics.

12. Law Enforcement, Rule of Law: Confronting Transnational Threats

Are modern states well-equipped to meet transnational threats?
Is there a trade-off between civil liberties and security?

Assignments:

Chapter 7 of Stanger: "Laissez-Faire Homeland Security," pp. 136-161.

Robert Killebrew, Crime Wars: Gangs, Cartels, and U.S. National Security, Center for a New American Security; available for free downloading here:

<http://www.cnas.org/node/5022>.

Audrey Kurth Cronin, "Behind the Curve: Globalization and International Terrorism," International Security, Vol. 27, No. 3 (Winter 2002/03), pp. 30-58.

Case Study #6: "Threat of Terrorism: Weighing Public Safety in Seattle." [HKS Case #1648.0 and #1648.1]

13. Territorial Demarcation and a Defined Population: Migration, New Communications and the Blurring of Borders

Do states still control their territory and populations? Should they?

Is 'cyberwarfare' a serious threat?

What do new communications mean for the ability of states to mobilize their populations? How are new forms of communication changing governance?

How do states and private companies make ethical business decisions in different cultural settings? When is censorship okay, and when should it be fought? Who decides?

Assignments:

Audrey Kurth Cronin, "Cybermobilization: The New Leveé en Masse," Parameters Vol. 36, No. 2 (Summer 2006), pp. 77-87.

William J. Lind, Defending a New Domain: The Pentagon's Cyberstrategy," Foreign Affairs, September/October 2010.

Tim Maurer, "The Case for Cyberwarfare: Why the Electronic Wars of the Future Will Actually Save Lives," Foreign Policy.com, accessible at

http://www.foreignpolicy.com/articles/2011/10/19/the_case_for_cyberwar?page=full.

Bobbitt, Chapter 10, pp. 213-282.

Case Study #7: Kirsten E. Martin, "Google, Inc., in China," Business Roundtable Institute for Corporate Ethics, Case BRI-1004.

PART FOUR: LOOKING AHEAD

14. Building new Paradigms: The Future of Governance and Public Policy in a Changing World

[**Research Papers Due at the beginning of class**]

Building new paradigms: What should government do?
What capacity does it need to accomplish these goals?
How is governance evolving, and not evolving?
What are the practical implications for the policy-maker of the future?

Assignments:
No new reading assignment.

7. Written Assignments

Paper No. 1: Policy Memorandum

You are a staff analyst, tasked to advise your superior on the merits of either public or private delivery of a public good or service. Choose a policy or program at the federal, state, or local level in the United States or another country, and analyze whether it should be implemented by a public or private organization. The policy you choose may be currently implemented in the public or private sector, meaning that you may either recommend change or advocate for the status quo. But be sure that you cover all sides of the argument so that the program is ethically and accountably delivered, and your superior will not be blindsided in a public debate over the issue. The paper should be no longer than three pages long.

Paper No. 2: Write your own Analysis of a Public Policy Problem

The purpose of the second written assignment is to do in-depth scholarly research and analysis of a public policy problem. You may write about a topic that reflects your career, policy, or organizational interests. The finished paper should be about 12-15 pages long (between 3,000-4,000 words), not including citations.

Choose a specific problem in governance and explain how a decision-maker (or several decision-makers) dealt with that problem. Your goal is to write a practical, real world case study that is similar to the ones we have been studying in class. Appropriate topics could include problems in education, health care, transportation, delivery of aid, counterterrorism, military recruitment, weapons modernization, housing, drug regulation, prison regulation, and so forth. These problems do not need to be in the United States; pick

a country that you are familiar with and can do in-depth research about. Remember to provide specific evidence to support an understanding of the initial problem, what the decision-maker did to address it, and further evidence to support thorough analysis of the success or failure of the policy-maker's response.

In doing this analysis, you should use the concepts and ideas from this course, as well as any others that you find useful. You must cite a minimum of ten different sources, not including texts used in this course. Do not confine your research to internet sources or the popular press (newspapers, magazines, etc.), although you may find them helpful as starting points to gain ideas. (E.g., the database Lexus-Nexis is not sufficient for high caliber, graduate-level research.) Interviews, where appropriate, are strongly encouraged. Be sure to cite all the sources you use, including websites, for which you should provide the name of the author of the material, the date accessed, and a full url. There should be footnotes (or endnotes—either is okay), as well as a Bibliography of sources used (i.e., do not pad the bibliography with sources that you did not actually use).

Paper #1

Policy Memorandum (Basic Template)

TO: [Your superior—use my name or make one up. But be clear to whom the memo is addressed. The position of the person may make a difference to the analysis.]

FROM: [You.]

QUESTION: [Concisely stated—should your policy or program be implemented using a public or private (business or non-profit) organization]

BACKGROUND: (Usually 2-3 paragraphs. Explain the program; give historical information, facts, data, evidence, whatever will help with the analysis. This section should have a research foundation that explains why the question is relevant. What problem has developed?)

ASSUMPTIONS: (a paragraph or two, explaining considerations that underlie your analysis)

OBJECTIVES: (extremely important section. What exactly are you trying to achieve? Cost-cutting, efficiency, effectiveness, fairness, etc. Think very hard about this section.)

OPTION 1: (up to one page) Clearly state the option in a sentence or two. [Please note that these should be feasible options—i.e., not just “straw men.” Be as balanced, objective and factual as possible: the reader should not be able to tell which option you might prefer until you provide a recommendation at the end.]

PROS:

CONS:

OPTION 2: (up to one page—as above)

PROS:

CONS:

[Most papers will have two options—one public and one private. But not necessarily....]

OPTION 3: (Possibly there is a creative way to combine public and private delivery?)

PROS:

CONS:

DISCUSSION: Which option best achieves the objective? Why? How can you determine that? Analyze the options and build support for your recommendation.

RECOMMENDATION: (a concise couple of sentences)

Note: Unlike typical policy memoranda, this one should cite sources using either footnotes or endnotes, in standard formatting.

Paper #2 Prospectus

Analysis of a Public Policy Problem

Your paper prospectus should be one or two pages (maximum) and contain the following elements:

1. Proposed Title
2. Your name and email address (if you are willing to share it with your classmates)
3. Concise explanation of the case that the paper will explain and develop.
4. Research Methodology: How will you go about researching this case?
5. Tentative Bibliography: major books, articles, interviews, archives, etc. that you plan to use for your research.

Notes about the final paper:

Remember that this is a formal graduate-level research paper: both form and content are important. Your final paper must have either footnotes or endnotes, as well as a Bibliography. Please use formal citations (which have a superscript number that refers to a footnote or endnote). Do NOT use informal MLA in-text citations (which are typically the author's name in parentheses in the text).

This paper should reflect weeks of hard work and revision. It cannot be produced overnight. Edit, edit, edit. No time-pressed superior will waste his or her time on sloppy or unreadable work. Successful policy analysts write carefully edited, clear analyses in standard formatting so that senior policy-makers can easily comprehend them.

How to Present Case Studies in Class

For group in-class presentations of case studies, please follow these six steps. It is easiest to divide the six elements among the team, but also be sure that the presentation hangs together as a whole and the individual parts do not overlap. Please practice together before you get to class. Your presentation skills will be factors in the group's grade. The cases do vary, and you can alter or embroider on this pattern as necessary; but these are the classic steps of case study analysis and should all be covered, one way or another.

1. Overview of the case: Tell the class the background to the story. Provide the key information needed to understand the situation described in the case.
2. Problem: What was the problem? (Or what were the problems?) Explain in depth. (Framing the problem(s) is crucial, as it sets the potential alternatives and may narrow their scope or bias the outcome.) Did policy-makers correctly perceive the problem(s)?
3. Options: What alternatives were available? What were the pros and cons of each alternative? Did the policy-maker(s) correctly perceive the range of options available?
4. Outcome: What did the policy-maker(s) do? (Or what happened?) Why?
5. Analysis: Did the policy-maker(s) do the right thing? What would you have recommended doing? How might things have turned out differently?
6. Relevance: What other situations might be comparable to the one described in this case? What specific resources that we have studied in this course (and events in

your own experience, as relevant) shed light on what happened here? Are there lessons to be learned? How has the context for the case changed or stayed the same? What are the broader implications of this case, now and in the future.