Policy statement coherence: A methodological proposal to assess environmental public policies applied to water in Chile

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ARTICLE INFO

ABSTRACT

Research on analytical and assessment methods regarding environmental policies are scarce, despite the growing concern on environmental topics within governments and civil society. This proposal addresses such gap by offering a methodological tool used to elaborate, monitor and reformulate environmental policies. By using the theory of policy domains, we developed an analytical framework consisting of topics and objectives that build the environmental public policy domain, from which we assess its degree of coherence with the environmental regulatory response. This methodology, called policy statement coherence, will contribute towards the understanding of public policy formulation and implementation processes, an important methodological contribution in this field of research. This proposal revolves around the analysis of water policies in Chile.

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1. Introduction: the importance of public policy quality

Public policies are an essential element of governance since they condition social and individual wellbeing by solving specific problems through the regulation of activities and interactions within diverse actors. Due to its importance in daily lives, evaluating the quality of public policies is most definitely a relevant topic to any government, as it is the concern to create laws and regulations that provide suitable solutions to environmental problems. This is a challenging task, even in contexts of governmental stability: countries belonging to the Organization for Economic Co-operation and Development (OECD) have attempted to better their legislative and regulatory management, yet none are completely satisfied with their performance (OECD, 1994, 2012).

To speak of public policies, firstly it is useful to define what is meant by it. In general terms, public policies are determined by what the government does or does not do (Dye, 2005; Birkland, 2005). To be more specific, public policies are used as a course of action; determined by one or many governing

actors; aiming to put an end to a social problem or a public concern (Anderson, 2003). Secondly, considering that this study aims to assess the quality of public policies, we define a public policy of quality, a policy which ''is both *effective* in addressing an identified problem and *efficient* in terms of minimizing unnecessary compliance costs and other costs imposed on the community'' (Argy and Johnson, 2003: 5).

With this definition in mind, one needs to consider that the formation process of public policies consists of different stages, which can be organized linearly as: agenda setting, policy formulation, policy implementation, policy evaluation and policy termination (Simon, 2009). The second stage; policy formulation; defines goals, explores alternatives, decides on the actions required to solve specific social problems and exposes discussed proposals provided by interest groups, political parties and the government. At this stage, the course of public policy action is formalized through the creation of policy statements; being laws, decrees and executive orders, administrative regulations and judicial verdicts (Anderson, 2003); which aim to solve the identified social problem. Among them, the law is considered as the essential policy statement, taking into account both its degree of mandatoriness, as well as the participation of several interest groups in its formation through the legislative process.

The fourth stage; policy evaluation; is also relevant since it determines the impact and result of a new policy; whether or not these results correspond to those expected in the objectives; and allows an in-depth analysis on which steps should be taken to improve such policy. Governmental departments usually have their own evaluation systems, but also private and civil society organizations carry out their own evaluations.

This study concentrates on these two stages: policy formulation and policy evaluation; focusing on the early evaluation of the policy statement law, which according to Mickwitz (2003) is the public policy tool with the highest compulsory level. This proposal is closely related to the recently introduced policy evaluation instruments (RIPI *sensu* Mickwitz, 2003) and differs from the impact evaluation which requires regulations to have been applied for a period of time as to observe whether or not results are tuned with the stated objectives. Likewise, this proposal seeks to contribute to the necessary process of evaluating public policies and, to be a useful tool to elaborate environmental policy statements of quality. In order to do so, we propose a methodology of policy statement coherence, which allows generating relevant information for the whole process of public policy evaluation, from integrative analysis at the policy formulation stage to impact evaluation.[1]

In order to present the analytical framework proposed in this paper, we first developed; based on the theory of policy domains; a framework of topics and public policy objectives that gives shape to the environmental policy domain in order to identify and, then, evaluate the state of laws related to the topic being dealt with; in this case, water policies. Second, we proposed using the concept of policy statement coherence as a tool to evaluate the progress, delay or setback in the

development of public policies. Finally, we applied this analytical framework to the case of water policies in Chile during 1990–2012.

2.   Analytical framework: the environment as a policy domain, characteristics and analytical importance

The concept of policy domain has been studied within the areas of sociology and political science. Also known as policy areas (Freeman, 1985; Heinz et al., 1990) or policy subsystems (Baumgartner and Jones, 1991; Jenkins-Smith et al., 1991; Howlett and Ramesh, 1998); a policy domain can be defined as ''a subsystem identified by specifying a substantively defined criterion of mutual relevance or common orientation among a set of consequential actors concerned with formulating, advocating, and selecting courses of action that are intended to resolve the delimited substantive problems in question'' (Knoke and Laumann, 1982: 256). In a similar sense, Burstein (1991) defined policy domains as ''a component of the political system that is organized around substantive issues'' (p. 328).[2]

According to Burstein (1991), policy domains possess three characteristics which are relevant towards public policy analysis. The first characteristic is that policy domains are substantive: topics and public policy objectives, which define a policy domain, possess common and inherent characteristics that determine how they are portrayed and faced (Burstein, 1991: 329). When consulting different policy domain participants in the areas of agriculture, work, energy and health, Salisbury et al. (1987: 1221) state that topics composing the policy domains tend to be stable in time without much variation. This indicates that the topic is an essential component of the policy domain, therefore influential towards the framing process.

The second characteristic of policy domains is that they are social constructions ''made up of those institutions and actors that are directly involved in the policymaking process in a specialized policy area'' (Jenkins-Smith et al., 1991: 852). This point had already been emphasized by Laumann and Knoke (1987), who signaled that a policy domain ''is socially constructed by political actors who mutually recognize that their preferences on policy events must be taken into consideration by other domain participants'' (p. 10). These actors refer to all those who are looking to influence the course of public policies, including but not limited to companies, interest groups, associations, legislators and academics. Salisbury et al. (1987: 1228) use a charted example indicating actors within the working policy domain, including syndicates, commercial associations, businesses and citizen

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[1] Nilsson et al. (2012) state ''Integration analysis, coherence analysis and impact analysis can be seen as part of a wider comprehensive coherence analysis'' (p. 397).

[2] The concepts of policy domain and policy area are used indistinctively in other publications, where cross references are often found (such as, Heinz et al., 1990; May et al., 2006). Both concepts refer to topics of national interest: agriculture, energy, health, work and environment. The concept of policy subsystem, on the contrary, is linked to sub areas of the policy domain: Baumgartner and Jones (1991: 1045) identify topics as tobacco, water pollution, pesticides, among others, as policy subsystems which are part of policy areas (domains) at a bigger scope, such as health and environment.