

**BOWDOIN COLLEGE**  
**GOVERNMENT 3025**  
**THE POLITICS OF POLICY IMPLEMENTATION**  
**SPRING 2019 [REVISED]**

**Professor Andrew Rudalevige**

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Office Hours: Monday/Wednesday, 2:30-4, or by appointment

***“Central government must entrust the execution of its will to agents, over whom it frequently has no control and whom it cannot perpetually direct.”***  
– Alexis de Tocqueville, *Democracy in America* (1835)

This advanced seminar will examine the politics of policy implementation--what happens *after* a bill becomes a law? How do we move from policy ideas to tangible programs with effects on real people? During implementation, the separated system of American governance comes into sharp relief: not only does “ambition counteract ambition” across the *branches* of government but across three (or more) *levels* of government as well. How do the wide range of institutional players involved – legislators, regulators, chief executives, judges, front-line service providers – act and interact to help “central government” achieve its goals? We will address these questions by using real-world case studies to evaluate competing theoretical frameworks, aided where possible by discussion with those who shape and implement public policy.

The following assigned books are available on reserve or for purchase at the Bowdoin textbook center and from on-line booksellers; you are encouraged to shop around. Other readings will be made available on-line via the class Blackboard site. You are also expected to keep up to date with ongoing happenings affecting politics and the issue-areas central to the course. Additional articles “ripped from the headlines” will likely be assigned as the semester proceeds.

- Daniel Beland, Philip Rocco, and Alex Waddan, *Obamacare Wars* (Univ. Press of Kansas, 2016)  
ISBN 978-0-7006-2191-0
  - Steven Brill, *America’s Bitter Pill* (Random House, 2015) - ISBN 978-0812986686
  - Christopher Carrigan, *Structured to Fail?: Regulatory Performance under Competing Mandates*  
(Georgetown University Press, 2017) - ISBN 978-1316632802
  - William Eggers and John O’Leary, *If We Can We Put a Man on the Moon...: Getting Big Things Done in Government* (Harvard Business Press, 2009) - ISBN 978-1422166369
  - Jeffrey Jenkins and Eric Patashnik, eds., *Living Legislation: Durability, Change, and the Politics of American Lawmaking* (University of Chicago Press, 2012) - ISBN 978-0226396453
  - Cornelius Kerwin and Scott Furlong, *Rulemaking*, 5<sup>th</sup> ed. (CQ Press, 2019) - ISBN 978-1483352817
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## COURSE REQUIREMENTS

1. *Attendance and participation* (15%). This is an advanced seminar and depends on your active involvement – and, of course, your preparation for each class. The reading load reflects the high expectations I have of upper-level Bowdoin students. If you cannot be present for a given class session please notify me well in advance. More than one unexcused absence will have a negative effect on your grade.
2. *Short response papers and/or questions for outside speakers* (30%). Discussion topics will be distributed in advance of (normally) one class session per week, along with a question to which students should respond using the readings in a brief ( $\leq 1$  page, single spaced) essay. For sessions involving outside speakers, this will normally include developing questions, based on the readings, for those speakers. Papers are due in class. Late papers or other assignments will not receive full credit: extensions will be granted only in advance and in the most exigent circumstances.

You may “pass” on two weeks during the semester (thus you will write ten response papers during the semester.)

3. *Rulemaking assignment* (15%). This will require you to analyze and comment on a proposed rule of your choice at the state or federal level. **Due in class, April 3.**
4. *Research paper* (40%) of 20-25 pages on an approved topic of policy implementation, to be due at **5 p.m. on Wednesday, May 15.** (This date is specified by the Registrar.) You may of course turn in your papers before this deadline, but after it only in the case of emergency *and* with my advance permission.

This is a very open assignment, obviously, and you should start thinking about it early in the semester. You may want to expand upon one of the topics we touch on in class. But you are welcome to select a different issue-area. I will hold individual meetings with members of the class shortly after spring break to discuss paper topics and how you might continue (not begin!) your research for the paper.

While you do not need to do primary research for this paper, you do need to construct a clear hypothesis, think of appropriate ways to test that hypothesis, outline and gather relevant data for conducting that test (these could be qualitative, quantitative, or both), and draw conclusions about the validity of your hypothesis.

Each member of the class will provide a brief presentation on their topic in class during the first week in May.

*And keep in mind...*

If you are taking this course on a Credit/D/Fail basis, a ‘credit’ grade requires completion of all work for the course (exams, papers, etc.).

Late papers or other assignments will not receive full credit without an extension; extensions will be granted only in advance and in exigent circumstances.

Recent research universally finds that the use of computers as notetaking devices is counterproductive: the physical act of writing enables far more recall than does typing, and foregoing a computer provides far fewer potential distractions to yourself and others sitting near you. **Thus I ask you not to use electronic devices of any kind during class.** Obviously there are valid reasons for exceptions to this rule (for instance, see the next paragraph) and you should certainly approach me if one is warranted.

I encourage you to address any special needs or special accommodations with me at the beginning of the semester or as soon as you become aware of your needs. Students requiring learning or testing accommodations also need to be in contact with the Office of the Dean of Student Affairs.

I expect all students to be aware of and abide by the Bowdoin Academic Honor Code. It goes without saying – and yet I will say it! – that you are responsible for your own work. This means following the most stringent rules of quotation and citation in your written assignments.

In this course, unless otherwise specified, we will use Chicago Manual of Style-format footnote: for the proper “formula,” see [http://www.chicagomanualofstyle.org/tools\\_citationguide.html](http://www.chicagomanualofstyle.org/tools_citationguide.html)) or consult with a reference librarian. If you have any questions or concerns about any aspect of your writing or research, or citation, please be in touch with me. **Plagiarism is *never* acceptable** within a community of scholars (or, frankly, anywhere else); it is grounds not only for a failing grade on a given assignment or in the course but also, potentially, for dismissal from the College.

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## SCHEDULE OF READINGS

*Subject to change, with notice*

(\*) indicates readings available on-line via Blackboard

### *January 23: Introductions and Overview*

## THINKING ABOUT POLICY IMPLEMENTATION

### *January 28. Players and Context*

(\*) The United States Constitution, as amended

(\*) *Federalist* #23, 37, 51, 70

(\*) Jeffrey Pressman and Aaron Wildavsky, *Implementation*, preface and Ch. 5  
Eggers and O’Leary, preface and introduction

### *January 30, February 4. Politics and Administration*

(\*) Woodrow Wilson, “The Study of Administration,” *Political Science Quarterly* (1887)

(\*) Norton Long, “Bureaucracy and Constitutionalism,” *APSR* (1952)

(\*) Graham Allison, “Conceptual Models and the Cuban Missile Crisis,” *APSR* (1969)

(\*) Richard Waterman and Kenneth Meier, “Principal-Agent Models: An Expansion,”  
*Journal of Public Administration Research and Theory* (1998)

(\*) Paul Tucker, from *Unelected Power* (2018)

***February 6. Time and Durability***

- (\*) Paul Pierson, "Positive Feedback and Path Dependence," from *Politics in Time* (2004)
- (\*) Andrea Campbell, "Policy Makes Mass Politics," *Annual Rev. of Political Science* (2012)
- Maltzman and Shipan, Ch. 6 in *Living Legislation*
- Glazer, Ch. 7 in *Living Legislation*

**THE SEQUENCE OF IMPLEMENTATION: THEORY AND PRACTICE**

***February 11, 13. Ideas and Opportunities***

- Eggers and O'Leary, Ch. 1
- (\*) Deborah Stone, "Causal Stories and the Formation of Policy Agendas," *Political Science Quarterly* (1989)
- (\*) John Kingdon, *Agendas, Alternatives, and Public Policies* (excerpt)
- (\*) Paul Starr, *Remedy and Reaction* (excerpt)
- Brill, Ch. 1-5

***February 18, 20: Formulation and Design***

- Eggers and O'Leary, Ch. 2-3
- (\*) Robert Caro, "The Best Bill Drafter in Albany," from *The Power Broker* (1974)
- (\*) Suzanne Mettler, "Reconstituting the Submerged State," *Perspectives on Politics* (2010)
- Patashnik, Ch. 8 in *Living Legislation*
- (\*) Barbara Sinclair, "Health Care Reform in 2009-10," from *Unorthodox Lawmaking* (2016)
- Brill, Ch. 6-12

***February 25. Agencies and Appointees***

- (\*) Terry Moe, "The Politics of Bureaucratic Structure," in Chubb and Peterson (eds.), *Can the Government Govern?* (1989)
- Carrigan, Ch. 1
- (\*) David Lewis, "Trump's Slow Pace of Appointments," *Washington Post* (2017)
- Lewis, Ch. 9 in *Living Legislation*
- (\*) Michael Lewis, "People Risk," from *The Fifth Risk* (2018)

***February 27. Executive Actions and Administrative Implementation***

- (\*) Elena Kagan, "Presidential Administration," *Harvard Law Review* (2001)
- (\*) Andrew Rudalevige, "Old Laws, New Meanings," *Syracuse Law Review* (2016)
- Brill, Ch. 13
- (\*) Timothy Jost, "The ACA Under the Trump Administration," *Commonwealth Fund* (2018)

***March 4, 6. Agency Design Redux: in Practice***

Carrigan, Ch. 2-3

Brill, Ch. 14

Carrigan, Ch. 4-5

(\*) Amy Zegart, from *Spying Blind* (2007)

(\*) *Report of the 9/11 Commission*

Brill, Ch. 16-23

***No class March 11-20: Enjoy Spring Break!***

***March 25, 27; April 3. Regulation***

Kerwin and Furlong, Ch. 1-6

(\*) Cass Sunstein, *Simpler*, Introduction and Ch. 1

(\*) Robinson Meyer, "The Trump Administration Flunked Its Math Homework," *The Atlantic* (October 2018)

*April 1. Individual research paper meetings (during class and during the week)*

*April 3. Regulation assignment due.*

***April 8, 10: State and Local Implementation***

Eggers and O'Leary, Ch. 4-5

(\*) Michael Lipsky, *Street-Level Bureaucracy*, Introduction

Beland, Rocco, and Waddan, Ch. 1-5

Brill, Ch. 15

***April 15, 17: Privatization & Procurement***

(\*) John Donahue, from *The Privatization Decision* (1989)

(\*) Daniel Gitterman, from *Calling the Shots* (2017)

(\*) John M. Donnelly, "Zombie Zumwalt," *Roll Call* (May 21, 2018)

***April 22, 24. The Role of Courts***

(\*) Gerald Rosenberg, *The Hollow Hope*, Ch. 2

Chinn, Chapter 10 in *Living Legislation*

(\*) Christopher Walker, "Attacking Auer and Chevron Deference: A Literature Review," *Georgetown Law Review* (2018)

(\*) *NFIB v. Sebelius* (2012)

(\*) *King v. Burwell* (2015)

(\*) *Texas v. US* (US District Court, 2018)

***April 29, May 2. Oversight, Evaluation, Reauthorization***

Eggers and O'Leary, Ch. 6-7

(\*) Mathew McCubbins and Thomas Schwartz, "Congressional Oversight Overlooked," *American Journal of Political Science* 28 (February 1984)

(\*) Daniel Patrick Moynihan, from *Maximum Feasible Misunderstanding* (1969)

(\*) Ron Haskins and Greg Margolis, from *Show Me the Evidence!* (2014)

(\*) Weaver, Chapter 11 in *Living Legislation*

Brill, Ch. 24

(\*) Beland, Rocco, and Waddan, "Policy Feedback and the Politics of the Affordable Care Act," *Journal of Policy History* (2018)

**Note:** Students will make brief oral presentations on their paper topics during the last several class sessions; schedule to be determined.

**CONCLUDING THOUGHTS**

***May 4, 6. What works?***

Eggers and O'Leary, Ch. 8

(\*) Donald F. Kettl, "Ten Secret Truths About Government Incompetence," *Washington Monthly* (January/February 2015)

(\*) Andrew Rudalevige, "Government in a Box," in Hess and Kelly, eds., *Carrots, Sticks, and the Bully Pulpit* (2011).

**FINAL PAPER DUE MAY 15, 5 p.m.**