

CHAPTER 4.

ANALYZING IMPLEMENTING AGENCY BEHAVIOR USING THE ROCCIPI PROBLEM-SOLVING METHODOLOGY

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2. Chapter objectives

By the end of this chapter, students will be able to analyze and explain the causes of implementing agency behavior using the ROCCIPI problem-solving methodology. Behavior will be analyzed using the seven ROCCIPI factors (rules, opportunity, capacity, communication, interest, process, and ideology).

NOTE: In the Indonesian version, put the ROCCIPI factors in the appropriate order to match the “PKKPKKI” acronym. (See note later in chapter.) These are indicated in RED throughout the chapter.

Teaching Notes

Recommended Instructional Outline:

Lesson 4 consists of an interactive lecture session lasting about 2 hours and 15 minutes, with one in-class assignment. There is a homework assignment at the end of the lesson.

The lecture is as follows:

1. Review of Lesson 3 (15 minutes). Review Lesson 3 objectives. Review Lesson 3 homework. Resolve any outstanding questions the students may have from Lesson 3.

2. Preview of Lesson 4 (15 minutes). Preview Lesson 4, using the chapter outline above.

3. Lecture (1 hour). The main lecture portion will teach students to use the ROCCIPI problem-solving methodology to explain the behavior of the implementing agency, including the seven ROCCIPI factors: (1) rules, (2) opportunity, (3) capacity, (4) communication, (5) interest, (6) process, and (7) ideology.

4. In-Class Assignment (45 minutes). The in-class assignment will deal with the problem of traffic jams that was first introduced in Lesson 1. The students will work in groups to develop a report analyzing the behavior of the implementing agency.

3. Introduction

In the last chapter we saw how to use the ROCCIPI problem-solving methodology to analyze the behavior of role occupant. In this chapter, we will learn to use the ROCCIPI methodology to analyze implementing agency behavior.

Figure 4.1. [Insert description of figure or picture here.]

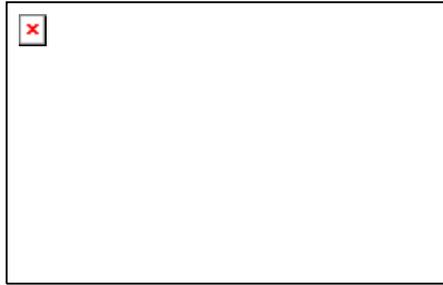
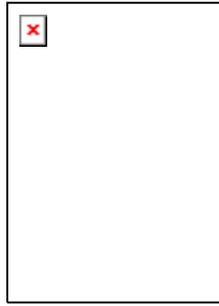


Figure 4.2. [Insert description of figure or picture here.]

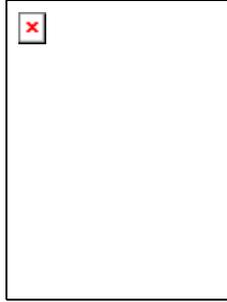


4. Using the ROCCIPI problem-solving methodology to analyze implementing agencies

(a) Rules

Rules are not only directed toward the general public, but also to the agencies that implement those rules. As with the analysis of how rules influence role occupants, pay special attention to (1) whether the rule is written with enough precision to provide guidance for the implementing agency, and (2) whether the rule grants broad discretion that (A) prevents effective implementation, or (B) permits arbitrary government decisions. Keep in mind that vague or poorly written laws can lead to ineffective implementation and abuse.

Figure 4.3. [Insert description of figure or picture here.]



Topic for Discussion

Where would you look, who would you talk to, and what questions would you ask in order to understand how a littering law could affect implementation by appropriate government agencies?

(b) Opportunity

Implementing agencies, of course, must have an opportunity to implement a law. When examining implementing agency opportunity, it is important to do more than simply state that the implementing agency has the opportunity. (For example, do not merely hypothesize, “Husbands assault their wives, therefore the police have the opportunity to implement the law against domestic violence.”)

It is important — especially in conjunction with an analysis of the implementing agency’s capacity — to thoroughly consider the opportunity factor. (For example, you might hypothesize, “In Jakarta, each month 1,400 wives complain of being beaten by their husbands and 200 of those women who complain are eventually murdered by the husband.”)

When discussing opportunity, it is also important to keep in mind what kind of agency you are dealing with. If the agency is a *reactive* agency, such as a court, the agency must wait until another agency or person brings the matter to its attention. On the other hand, if the agency is a *proactive* agency, such as a public prosecutor’s office, it may have discretion to search out cases to deal with on its own.

Topic for Discussion

Where would you look, who would you talk to, and what questions would you ask in order to understand how an implementing agency’s **opportunity** effects its ability to implement a littering law?

(c) Capacity

Capacity is a useful category for examining implementing agency behavior because agencies very often operate under monetary or bureaucratic constraints (that may, for instance, affect expertise or efficiency). This is where it is important to consider what you discovered when analyzing agency opportunity.

In the example above, the police have the opportunity to make arrests in 1,400 cases each month in Jakarta but yet do not make so many arrests. One of the reasons they may not actually make that many arrests is simply that they lack the manpower to react to so many cases. Moreover, even if the police had the manpower, they may lack the training and expertise to investigate and make the arrests effectively.

The differences between reactive and proactive agencies (discussed above) may also have an important affect on the factors of capacity and process. (For example, in the case of a public prosecutor, could the agency's limited resources — that is, its capacity — influence the decision whether to prosecute certain cases — that is, its process?)

Topic for Discussion

Where would you look, who would you talk to, and what questions would you ask in order to understand how an implementing agency's **capacity** influences how it can implement a littering law?

(d) Communication

It may seem odd that people who work for the very agency that is given the job of implementing a law may be ignorant of the law's provisions, but sometimes that happens — with negative consequences. (For example, a police officer may be unaware of a new regulation and therefore does not enforce the new law.)

It is the responsibility of the drafter to ensure that the law or policy includes language that requires agencies to inform and train all possible implementers on their responsibilities to carry out the law.

In addition, agencies very often fail to communicate the law to those affected by the law — the role occupants (or stakeholders). It is also important, if necessary, for the drafter to include language directing an implementing agency to inform those regulated by the law.

(e) Interest

When looking at interest, or incentive, as a factor influencing implementing agency behavior, consider both the collective interests of

the agency and the personal interests of the individuals within the agency.

Collective interests may include (1) increasing influence, (2) acquiring resources, and (3) protecting “turf”.

Personal interests may include (1) gaining prestige, (2) avoiding work, (3) avoiding risks (for instance, physical danger or the risk of losing a job), and (3) gaining material (monetary) or non-material rewards.

(f) Process

When analyzing implementing agency behavior, an investigation of process can yield very interesting and important results. This is because, unlike role occupants, implementing agencies are usually complex organizations — they are, in and of themselves, ‘institutions’. Implementing agency processes can be broken down into three “phases”: (1) the input phase, (2) the conversion phase, and (3) the output phase.

The *input phase* is characterized by (1) *what* issues and ideas can be introduced into the machinery of the implementing agency, and (2) *who* may introduce such issues and ideas. A statement of an agency’s jurisdiction, or rules of engagement, may give you an idea of the nature of the agency’s particular input phase.

The *conversion phase* is characterized by *how* the implementing agency deals with the information or resources it gathers in the input phase. (For example, the actions the police take after discovering a possible crime.) Questions you may want to ask are: (1) *Who* makes decisions (for instance, is the decision-maker a group or an individual), and (2) *How* do they make decisions? (of instance, are new decisions based on prior decisions, or precedent?).

Finally, the *output phase* is characterized by *what use* the implementing agency makes of the converted information or resources.

After examining these phases, it is also important to consider what “feedback process” the implementing agency may utilize. For example, how does the agency learn from its own mistakes or successes? How does the agency consider public input on the agency’s operation?

Topic for Discussion

How would you describe the three phases of implementing agency process when describing a professor’s behavior in assessing student achievement?

(g) Ideology

Agencies, like individuals, value certain ideologies. These values and attitudes are often important in explaining implementing agency behavior.

For example, otherwise non-corrupt police officers may nevertheless protect their corrupt colleagues due to an “unwritten code” that prohibits “ratting”, or informing, on another officer. Another example could be the belief, in the armed forces, that profiting from extortion is an allowable form of compensation for serving in a dangerous post.

5. Using the ROCCIPI agenda to create hypotheses about implementing agencies

**In-Class Assignment:
The Problem of Traffic Jams**

Now that you have an understanding of the ROCCIPI factors and how the factors relate to the behavior of implementing agencies, you can use the factors to analyze, explain, and understand problematic behavior in order to create effective policy solutions.

Consider again the problem of traffic jams in Makassar. Identify an implementing agency, then use the materials about the problem of traffic jams previously provided to fill in the ROCCIPI categories in Figure 3.2 below.

Figure 4.4. Analysis of ROCCIPI factors for the implementing agency.

Factor:	Hypothesis or Explanation:
R <u>R</u> ule	_____
O <u>O</u> pportunity	_____
C <u>C</u> apacity	_____
C <u>C</u> ommunication	_____
I <u>I</u> nterest	_____
P <u>P</u> rocess	_____
I <u>I</u> deology	_____

Figure 4.5. [Indonesian version:] Analysis of PKKPKKI factors for the implementing agency.

Factor:	Hypothesis or Explanation:
P <u>P</u> eraturan	_____
K <u>K</u> esempatan	_____
K <u>K</u> emampuan	_____
P <u>P</u> roces	_____
K <u>K</u> omunikasi	_____
K <u>K</u> epentingan	_____
I <u>I</u> deologi	_____

Teaching Note

In-Class Assignment

Break the class into the same groups as in Lessons 1 and 3. Instruct the groups to work for about 30 minutes to prepare an analysis of the ROCCIPI factors for the implementing agency they identified in the in-class assignment in Lesson 1.

Then reconvene the class and ask each group to report its analysis and discuss it with the class. (The group discussions should last about 15 minutes total.)

Figure 4.6. Progress chart.

NOTE: Pipit, please insert progress chart here. Use dark outlines for the steps already covered and dotted lines for the steps not yet taken. Muktasam and Gau used the chart.

[Insert chart HERE.]

6. Homework assignment

Prepare a one-page analysis for the behavior of one of the implementing agencies you identified in your Chapter 1 homework assignment (on page ___) using the ROCCIPI factors.

7. Further reading

The following materials provide further information about the issues discussed in this chapter and may be referred to for additional information.

Ann Seidman, Robert B. Seidman, and Nalin Abeysekere, *Legislative Drafting for Democratic Social Change* (Indonesian version, 2d ed.), ELIPS II National Library, Jakarta, 2002. Pages 85–123.

NOTE: The appropriate pages for the above Seidman reference should be the pages in the Indonesian version that correspond with pages 85–123 in the English version. (This identical reference is used in Chapters 2–4.)

Ann Seidman, Robert B. Seidman, and Nalin Abeysekere, *Assessing Legislation: A Manual for Legislators*, online at <http://www.bu.edu/law/lawdrafting/manual/>, 2003. Chapters 6 and 7.

M. Irfan Islamy, *Prinsip-Prinsip Perumusan Kebijakan Negara*, Ed. 2, print 10, Bumi Aksara, Jakarta, 2001. Pages ____–____.

Ronny Hanitiyo Soemitro, *Studi Hukum dan Masyarakat*, Alumni, Bandung, 1985. Pages ____–____.

Satjipto Rahardjo, *Masalah Penegakan Hukum Suatu Tinjauan Sosiologis*, Sinar Baru, Bandung, [\[CLICK HERE TO FINISH THIS CITATION\]](#). Pages ____–____.

Sedarmayanti, *Good Governance* (Kepemerintahan yang Baik) Dalam Rangka Otonomi Daerah, Mandar Maju, Bandung, 2003. Pages ____–____.

Solichin Abdul Wahab, *Analisis Kebijakan, Dari Formulasi ke Implementasi Kebijakan Negara*, Ed.2, Bumi aksara, Jakarta, 2002. Pages ____–____.

NOTES:

- 1. These Indonesian sources should be checked for accuracy with respect to (1) the precise author(s), book title, etc., (2) consistency in form among the citations, (3) consistency among the citations that are repeated in other chapters, and (4) actual chapter or page references.**
- 2. Any inappropriate references (that is, the book or material is not applicable to the lesson) should be omitted.**

