

# Movers and Shakers: A Qualitative Investigation on the Role of Policy Entrepreneurs

Jeni Jenkins: McNair Scholar

Dr. Les Alm: Mentor

Department of Public Administration



## Abstract

*Using the theoretical concept of 'policy entrepreneurs' in public policy, this study draws on interview data from six key figures in a controversial city debate, to examine the impact, role, and characteristics such entrepreneurs have in policy making in city politics. This paper begins by providing an overview of public problems and the concept of policy entrepreneurs in relation to their role in the agenda setting process of policy formation. A historical summary of the case in study is then provided. Research is based on an in-depth analysis of data collected during one-on-one oral interviews in August 2004 with six key leaders about their role in the Ten Commandments Monument debate. Numerous characteristics of policy entrepreneurs are examined [as identified by Anderson, 2003, Baumgartner & Jones, 1993, Birkland, 2001, & Kingdon, 1995]. The interviews suggest that such variables as persistence, a willingness to invest in resources, value systems, expertise, opportunity, and influence contribute to the effectiveness of policy entrepreneurs. Some unexpected characteristics emerged as significant including belief system and occupation. Analysis of interview results also highlights the fact that all respondents were not proactive with respect to the Ten Commandments issue; rather they were reactive.*

## Introduction

*"If nothing is to be done in the given situation, he must invent plausible reasons for doing nothing; and if something must be done, he must suggest the something. The unpardonable sin is to propose nothing, when action is imperative."*

*-Charles Merriam*

The progressive political scientist Charles Merriam believed that there comes a time when theories of political process need to be linked to actual political activity. This study is significant in that it links theories about agenda setting policy to a case study. Reading about the processes in public policy and how policy decisions are made is important. (However, researching a case study can provide useful insight.) Because the purpose of this study is to explore the concept of a policy entrepreneur in relation to a case study, using a qualitative approach was critical. This study begins with an overview of some key concepts in agenda setting, followed by a historical review and then analysis of a local community case that was approached with one initial question in mind: How did community members in Boise, Idaho become involved in a nationwide controversy?

This preliminary question led towards a series of other questions such as: What is public policy's role in creating solutions to existing social problems or unexpected conflicts in our society? How do issues get onto the agenda? Who are the so-called *movers and shakers* that initiate the policy process? What motivates these figures to get involved? Once they are involved, what resources do they utilize? The intention of this study is to examine the process of policymaking as it relates to the key figures involved in public policy.

## The public policy process

Though politics have existed essentially since humans began to organize and utilize power, there is currently no simple explanation of public policymaking. It has often been described as a chaotic and an imperceptible process involving many aspects, many players and many issues, making it a never-ending intangible process that is difficult to grasp.(Shafritz and Russell, 2000) A basic definition is that public policy is whatever governments choose to do or not to do.(Dye, 2002) Those choices affect the creation of rules, laws, goals and standards that produce resources, benefits, costs and burdens. Included in the public policy process are the decisions made by government and nongovernmental actors to address a problem that a significant number of people and groups consider to be important and in need of a solution. (Birkland, 2001: 5) Though some slightly different terminologies exist, numerous scholars have adopted a common simplified conceptual model that includes several stages of the policy process: (1) problem identification and agenda setting, (2) formulation or decision-making between alternatives, (3) adoption of an alternative (4) implementation and (5) evaluation.(Anderson, 2003: 27; Dye, 2002: ; Kingdon, 1995: 2-3) These stages essentially generalize the broad decision-making processes involved within the three branches of government and the administrative agencies. This study is concerned with the first stage of the policy making model, the agenda setting process: the process by which problems and alternative solutions gain or lose public attention.(Birkland, 2001: 106)

## Agenda setting

Recent literature in public policy places a great emphasis in studying the nature of public problems. By doing so it becomes possible to understand how problems shape policy. In *Public Policymaking* (2003), James Anderson describes a policy problem as “a condition or situation that produces...dissatisfaction among people and for which relief or redress by governmental action is sought.” These problems have a propensity to broadly affect a substantial number of people.(Anderson, 2003: 81)

In order to understand the process more clearly it is essential to look to a leading scholar in agenda setting research, John Kingdon. In his book *Agendas, Alternatives, and Public Policies* (1995,) Kingdon lays the foundation for the pre-decision public policy process of agenda setting, covering how issues came to be problems, how issues come to official's and the public's attention and get on the governmental agenda, and how those issues are played out. According to Kingdon, problems capture the attention of people in and around government through systematic indicators, focusing events and feedback. (Kingdon, 1995: 91-101) This study concentrates on the interplay of focusing events.

## Focusing Events

Focusing events are sudden moderately uncommon events that spark intense media and public attention because of their magnitude. These events attract attention to new issues or issues that may have been relatively dormant and often move towards formulating solutions.(Birkland, 2001: 100) Crucial to this study, in particular, are the ways in which a “crisis” comes to the surface and must be addressed. According to Kingdon, another category that affects agenda setting is the participants.(Kingdon, 1995: 21)

## Participants

For the purposes of this study we concentrate on advocates for proposals *in* and *out* of government who have a “willingness to invest their resources—time, energy, reputation, and sometimes money”—to promote a position in return for anticipated future gain in the form of material, purposive, or solitary benefits. These key players are what Kingdon calls policy entrepreneurs.(Kingdon, 1995: 21, 45, 122) Policy entrepreneurs push policy to keep an issue alive, build support for it, get it on an agenda, and secure action on it.(Anderson, 2003) These players prompt advocacy because they sense there is a problem, and they advocate solutions to the problems. Often their principal concern is to find some reasonable compromise that will reduce intense conflict.(Sabatier and Jenkins-Smith, 1993) However many entrepreneurs have pre-existing interests. These interests can be categorized into three categories. (Kingdon, 1995) The first category is what James Q. Wilson calls “material” incentives where direct, personal, concrete gain is at stake for entrepreneurs. (Wilson, 1973) Second, entrepreneurs want to promote their own values or affect the shape of public policy. Third, entrepreneurs want to maintain control of decision making either because they enjoy advocacy, being in power or being apart of the action.(Kingdon, 1995)

## Dynamics of entrepreneurs and their environment

According to the theories about policy entrepreneurs there are distinct qualities, manipulative tactics and specific opportunities that set them apart and determine the success of policy decisions. These dynamics are essential to the outcome of this study.

The success of a policy entrepreneur is often dependent on these distinct qualities. According to Kingdon, policy entrepreneurs must have expertise in a field, an ability to speak to others or hold an authoritative decision-making position. In addition, the successful entrepreneur must also be persistent and willing to invest their resources to push an issue.(Kingdon, 1995)

There are many tactics that policy entrepreneurs use in order to direct the policy process. In order for their ideas to achieve high agenda status or enactment, many policy entrepreneurs “soften up” the public and the policy community. They do this by introducing their ideas and getting people use to new ideas so that by the time a decision needs to be made, their ideas are already out there.(Kingdon, 1995) James Q. Wilson developed a policy typology that explains the way in which policy entrepreneurs seek to persuade policy makers to regulate in the public interest, in the face of opposition. These policy entrepreneurs seek openings to advance these policies in the name of public interest. (Birkland, 2001)

## Windows of opportunity

The openings Wilson is describing have often been called policy windows. These are opportunities that open up allowing policy entrepreneurs to push their solutions. According to Kingdon, these advocates wait for problems to arise for which they can attach their solutions. Sometimes these windows are predictable, other times they are not. So often these advocates must be prepared so that the opportunity does not pass them by.(Kingdon, 1995) The trick for a policy entrepreneur is to ensure that the solution he or she favors is adopted once a given problem has emerged on the public agenda.(Baumgartner and Jones, 1993)

When windows of opportunity open policy entrepreneurs take advantage of the opportunity to push their proposals. In doing so entrepreneurs often must create a connection between a problem, how it concerns the public, and how policy is affected and or written. During this process in addition to advocating their proposals through softening up the public, entrepreneurs must act as brokers negotiating compromises. (Kingdon, 1995: 183)

## Public problems

Policy entrepreneurs fight to push their issue toward the public agenda because the degree of public indifference to given problems changes dramatically and most change occurs during periods of heightened attention to the policy. Successful entrepreneurs convince others that their view of an issue is the most effective in assisting them in achieving rapid success in altering public policy arrangements, even if these arrangements have been in place for decades.(Baumgartner and Jones, 1993)

It is imperative in this study to look at the way the public is informed about problems and possible policy change. The media has an essential role in elevating issues and creating this public awareness. Greater levels of news coverage have been found to be closely associated with greater levels of institutional attention to public problems.(Birkland, 2001) Important political questions are often ignored for years, but during certain periods almost every general media outlet prominently features similar stories prominently. Each time there is a surge of media interest in a given topic, we can expect some degree of policy change.(Baumgartner and Jones, 1993) Often a sensational event serves to dramatize an issue, causing public officials to feel compelled to respond. There may be awareness, discussion, and continuing advocacy of action on some matter, but without broad interest being stirred, some sort of triggering event seems needed to push the matter onto a policy agenda for decision.(Anderson, 2003)

In summary, the success of policy entrepreneurs is dependent on distinct characteristics. These characteristics give them the necessary tools to be prepared when focusing events arise and open policy windows. These windows allow policy entrepreneurs to deploy specific tactics that facilitate the advocacy of their proposals

The bulk of this review on the role of the policy entrepreneur is based on John Kingdon’s agenda setting theoretical framework that was established through research on government documents, party platforms, press coverage, public opinion and interviews conducted over four years with people in and around the United States Federal government. This literature is lacking in its coverage of case studies on

local government. By doing an issue focused and concrete analysis<sup>1</sup>, this research will help in determining the usefulness of this framework. Both research questions and hypotheses were utilized in this study. Research questions were used because the study is a qualitative case study, and because the study was attempting to discover how the case study developed. Hypotheses were developed because a theoretical framework structured the data collection process.

*Research Questions:* The research questions were designed to answer questions about this particular case study.

R1: To what extent does the research on policy entrepreneurs apply to this case study?

R2: To what extent were problems, windows of opportunity, focusing events, and media tactics factors in the outcome of this situation?

*Hypotheses:* The hypotheses were formed based on the literature in order to determine whether the people involved in this case study had characteristics that would qualify them as policy entrepreneurs:

H1: The participants in this case study will have either expertise in a field, an ability to speak to others or hold an authoritative, decision-making position that allowed them to be effective policy entrepreneurs.

H2: The participants in this case study will display characteristics of policy entrepreneurs in that it was necessary for them to wait for a “window of opportunity” to open in order to push their issues.

H3: The participants in this case study will display characteristics of policy entrepreneurs in that they softened up the public and or policy community in order for their ideas to receive high agenda status.

H4: The participants in this case study display characteristics of policy entrepreneurs in that it was necessary for the participants involved in this study to connect their interests to problems and solutions through advocacy and brokerage.

H5: In order to be successful policy entrepreneurs it was necessary for the participants in this study to be persistent and willing to invest their resources to push their issue

H6: The participants in this study displayed characteristics of policy entrepreneurs in that they prompted advocacy in order to (1) gain material incentives, (2) promote values or (3) maintain control of decision-making.

## **Methodology**

This study is unique in that it combines content analysis of primary and secondary<sup>2</sup> data split into two sections. Secondary data was collected in a historical review of national and local newspapers. This allowed for a determination of possible interviewees and for a more thorough understanding of the case study during analysis. The results of this are incorporated in Section 1. Section 2 then explains the primary data collection process.

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<sup>1</sup>From Robert S. Weiss's *Learning From Strangers, The Art and Method of Qualitative Interview Studies: An issue focused analysis is concerned with what could be learned about specific issues, events or processes. A concrete analysis is when a case study focus' on the individuals involved in the situation.* Weiss, Robert. 1994. *Learning From Strangers: The Art and Method of Qualitative Interview Studies*. New York: The Free Press.

<sup>2</sup>From Paul D. Leedy and Jeanne Ellis Ormrod, *Practical Research*. Primary data refers to true accounts of things that happen reported first hand from the person who lived it. Secondary data are data composed of observations derived from primary data. Leedy, Paul D. and Jeanne Ellis Ormrod. 2001. *Practical Research: Planning and Design*. Upper Saddle River: Merrill Prentice Hall.

## Section 1: Historical review

This historical review of the chronological events that took place throughout the duration of this case provides interesting insight into the nature of public policy, and allows for a more in-depth discussion of the variables involved in the outcome.

*The story that sparked a nation.* On October 7<sup>th</sup> 1998, two men, Russell Henderson and Aaron McKinney, lured 21-year-old Matthew Shepard, a gay student from the University of Wyoming, away from a bar in Laramie. The men told Matthew they were also homosexuals. They drove him to a remote area, tied him to a split-rail fence of lodge pole pine, and beat him until he was unconscious. He was then left to die in near freezing temperatures. He hung there for 18 hours before being discovered by a passing cyclist. He died four days later. ("Left on a fence," 1998: ; Shepard, Friday October 16, 1998) He was murdered in an act of hate because he was homosexual.

Shepard's murders shocked the nation attracting publicity around the world. As a result over 800 mourners attended the funeral in Casper, Wyoming. While more than a dozen antigay protesters from Kansas and Texas stood outside the funeral holding protest signs stating "God Hates Fags" and "Matt in Hell."

The anti-gay protesters were from the Westboro Baptist Church (referred herein as WBC) in Topeka, Kansas led by, Reverend Fred Waldron Phelps Sr. and members of his congregation. Phelps and his church are made up mostly of his 12 children and 52 grandchildren. Phelps and his clan have traveled for years picketing the gay community at hundreds of events nationwide. Most of the individuals protested by the Church are not homosexual but those who are accepting of homosexuality. Their strategy includes holding signs and harassing family members with the message of god's hate for homosexuals. Their first hate demonstration dates back to 1991 in Topeka. Since Shepard's death WBC has used him as an example to preach their beliefs. They believe that "God's hatred is one of His holy attributes." ("About The Westboro Baptist Church," 2000)

In October 2003, Phelps took his tactics one step further. For the five-year anniversary of Matthew Shepard's death, Phelps and WBC sent plans to erect a monument in Casper, Wyoming, Shepard's hometown, to the Casper city council. The proposed monument would be 6 feet tall and made of marble, bearing a bronze plaque with the image of Shepard and an inscription stating "Matthew Shepard, Entered Hell October 12, 1998, in Defiance of God's Warning: 'Thou shalt not lie with mankind as with womankind; it is abomination.' Leviticus 18:22." In his proposal Phelps cited two rulings made by the 10th U.S. Circuit Court of Appeals (whose jurisdiction includes Wyoming) in Utah cases in 1999 and 2002 that require equal access to public property under the constitutional protection of freedom of speech. The rulings meant that any city that displays a Ten Commandments monument on public property must also allow monuments with views of other religions or political groups on that same property. In 1965 the Fraternal Order of the Eagles donated a Ten Commandments statue to the city. ("The Fraternal Order of Eagles and the War over the Ten Commandments," 2004: ; Ryan, 2003: ; Staff, 2003b)

The history of those commandments dates to 1943, when E.J. Ruegemer, a Minnesota juvenile judge and chair of the Youth Guidance Committee of the Fraternal Order of Eagles, developed a plan to save America's Youth. He believed that the young "could benefit from exposure to one of mankind's earliest codes of conduct" and proposed that juvenile court houses post up paper copies of the Ten Commandments. The idea was initially rejected due to concerns that it "might seem coercive or sectarian". ("The Fraternal Order of Eagles and the War over the Ten Commandments," 2004) Eventually Ruegemer convinced the Eagles to print copies of the commandments. By 1951, 7,000 were distributed to courtrooms, churches, schools and homes in Minnesota. (Popkey, 2004) Shortly thereafter a council made up of Protestants, Jewish and Catholics endorsed a version of the proposal and the Eagles agreed to sponsor it. It was at this time that the movie director for the film *The Ten Commandments*, Cecil B. DeMille contacted Ruegemer and suggested that the commandments be inscribed on bronze monuments. DeMille's thought the monuments would help endorse his film. Ruegemer agreed except he felt that stone was more appropriate than bronze. With the final decision made, the monuments became crafted, paid for and distributed by various Eagle chapters in numerous state and local governments across the US. Is it believed that up to 2,000 were distributed during the 50's and 60's. ("The Fraternal Order of Eagles and the War over the Ten Commandments," 2004)

The Ten Commandment's statue in Casper Park was one of the monuments donated. The WBC used the statue's presence to argue that the city council must open the park to their monument. Otherwise, they would file a lawsuit against the city. The city council unanimously rejected WBC's proposal, and voted 5-4 to move the Ten Commandments monument. Since the initial proposal in Casper, Wyoming, the WBC has targeted other cities across the country including Topeka, KS, Lebanon, PA, and Greene County, TN. Shirley Phelps-Roper, attorney for the Westboro church and also Fred Phelps' daughter said "Every human being needs to see this monument more than they need oxygen to breathe. Their callous disregard for the commandments of the Lord has allowed sodomites to take over the land. The monument is the mechanism that will cause them to see their abomination." ("The Fraternal Order of Eagles and the War over the Ten Commandments," 2004)

In many of the cases there was already a considerable amount of discussion surrounding the monuments. Since the late 1990's, church-state separation enforcers like the American Civil Liberties Union (ACLU), the Freedom From Religion Foundation, and Americans United for Separation of Church and State have been engaged in litigation to remove the displays for violating the First Amendment by promoting one religion over another. However, in the case in this study, it was the WBC who initiated the debate.

### Case study: Boise, Idaho

On December 8, 2003 the Boise Parks and Recreation Commission voted unanimously to recommend the city reject a request from the WBC to build their anti-gay memorial to Shepard in Julia Davis Park. The WBC targeted Boise because the park contains a monument of the Ten Commandments that, like the one in Casper, was donated by the Fraternal Order of Eagles in 1965. The commissioners rejected the proposal. (Hem, 2003a) This was not the first time Phelps attacked Idaho. The WBC flew from Kansas in July of 2002 to picket Boise's "Pride Week Celebration", the First Methodist Church and St. Michael's Episcopal Church for their acceptance of homosexuality

As in the previous visits the WBC made to Boise, the proposal to build a monument celebrating Shepard's entrance to hell riled community members. Local Christian groups, government leaders and other community members began a debate. Though they do not agree with WBC's stance on homosexuality, the local ACLU chapter supported Phelps' point that government cannot selectively promote any religious message. They agreed that if Boise permits the Ten Commandments monument, it cannot discriminate against any other religion, but must make the park an "open forum" for all religious monuments. In fact, the ACLU has always defended the right to religious expression while opposing the government's promotion of religious views.

(Van Valkenburgh, 2003)

The local media responded to the WBC with an article written on December 17, directed towards the city council. In *Our View: Ten Commandments*, The Idaho Statesman declared that Boise should move its Ten Commandments monument out of Julia Davis Park. They stated the location on public property is unconstitutional because it supports one form of religion and it would open the parks to hateful religious expression. They stated, "Parks are the public places that should bring us all together, not divide us." At this time it was also suggested that the city find private property or church property for the existing monument. In addition, "Boise city government should not spend its time... or... taxpayer money on this kind of an issue." (Staff, 2003a)

On December 23, WBC threatened to sue the city of Boise if the City Council did not reverse the Parks and Recreation Commission decision. However, council members unanimously opposed the proposed monument, but were divided on whether the Ten Commandments monument should stay. Arguments supporting the monument included the idea that the Ten Commandments are not religious, but historical because they are the basis for Western law. WBC's supporting arguments in their appeal request was that Boise officials were violating the U.S. Constitution by basing their opposition to the Shepard monument on its content. They stated: "It is unfortunate that officials of the city of Boise, in spite of their oath to uphold the Constitution, have seen fit to articulate publicly their official disagreement with and disdain for the religious viewpoint of WBC," and "It appears that the officials of the city of Boise have not been properly instructed in the duty of government to always remain neutral in all matters religious. It is irrelevant as a matter of law what they believe about our viewpoint." (Hem, 2003b)

However, Boise city policy on memorials or monuments that was approved in 1998 says that park benches, trees, rose bushes, drinking fountains and other park amenities can be dedicated, although the city

prohibits plaques that include "text or images which may be viewed as inflammatory or discriminatory by the general public." (Hem, 2003b)

The final decision came down to the Boise City Council. One option was to keep the Ten Commandments monument in the park. This would allow any religious monument to be placed in the park, thus allowing Phelps to propagate his hate for homosexuals. The other option was to follow the lead of other city leaders across the nation and remove the Ten Commandments monument from the park and from government property. Already a least 26 monuments in 15 states have been moved since 2000 under court order or legal threat. (Popkey, 2004)

The Boise City Council voted on January 20, 2004, 4-2 to have the monument in Julia Davis Park removed and returned to the Fraternal Order of Eagles office. While the decision brought praise from the ACLU, local Christians criticized council members. The decision to return the monument was made when Eagles trustee Charles Lawrence sent the city a letter offering to move the monument and thanking the city for allowing it to be displayed for the past 39 years. (Hem, 2004e)

Due to the city council's decision to move the monument, an ad hoc group of conservative Christians formed, calling themselves The Keep The Commandments Coalition. The group requested a temporary restraining order in response to the city council's decision. (Hem, 2004m) Based on that order U.S. District Judge Edward Lodge prevented the city from removing the monument until a hearing could be held. The suit claimed the City Council discriminated against the Judeo-Christian faith in favor of religion of non-theistic beliefs, violating their rights under the First (freedom of religion) and Fourteenth (due process) Amendments to the U.S. Constitution. The Coalition also argued the council made a mistake by not holding a public hearing to let residents weigh in on the issue. (Hem, 2004m)

On January 23, 2004 Judge Lodge denied the Coalition's request for a temporary restraining order, because there was no evidence of "irreparable injury" and stated that city officials could move the Ten Commandments monument out of the park whenever they chose to do so. As a result, the Coalition members began to protest, stating they would attempt to stop anyone who tried to remove it from the park with "peaceful protest." Coalition spokeswoman Brandi Swindell said, "We will kneel around it and make them arrest us if that happens." Judge Lodge set a hearing for February on the Coalition's motion for a preliminary injunction to stop the city of Boise from removing the monument. Mayor Dave Bieter (in an attempt to avoid confrontation with the people holding daily vigils at the monument) then announced that the monument would stay put until Lodge's decision. The coalition said they were against the anti-gay monument, but that they were trying to protect their constitutional rights. (Orr, 2004a)

A rally at the Ten Commandments monument on January 25 brought approximately 150 people representing nearly a dozen area churches in support of keeping the monument in the park. At the rally, Swindell accused city officials of "caving in" to the Fred Phelps of the WBC. (Woodward, 2004)

Many opposed to the city council's decision believed that it was flawed. One argument was that the council took no public commentary before making a decision. The city council had decided not to hold a hearing to prevent putting emotion into a non-emotional issue, in addition the city code did not require a hearing except for appeals of planning and zoning decisions. The council made their decision in a pre-council session with no advance notice to the public. (Hem, 2004i) Many also believed that the council acted prematurely allowing a "hatemonger" to dictate city policy and that the city demonstrated "blatant anti-Christian bigotry." (Fischer, 2004) These are just some of the justifications that community members offered after the city council made its decision. Based on a review of editorials and letters to the editor in the Idaho Statesman one thing was glaringly clear -the community was in an upheaval with arguments both for and against the removal of the commandments and the council's decision.

Lawyers for the city stated that the absence of the monument in the park did not discriminate against any religion. The city also argued the Coalition failed to show evidence of injury other than claiming to be offended by the "nothingness" that would be left by the monument's removal. The city said the Coalition could not argue their free speech or equal protection rights were harmed because they neither owned the monument nor put it in the park. (Hem, 2004c)

On February 11, Judge Lodge rejected the request from the Coalition to block the city of Boise from removing the monument from Julia Davis Park. Lodge wrote in his judgment, "This decision...is not one dictated by the court but by the founding fathers who in their wisdom constructed a democracy that separated government from religion. Separation of church and state has served us well for over 200 years." Lodge's decisions came during a press conference in which the Coalition was attempting to persuade the city to compromise. (Hem, 2004i)

On February 18, Dean Richard Demarest of St. Michael's Episcopal Cathedral invited the city to put the monument on the cathedral's property in a prominent location across from the Idaho Statehouse as an effort to end the controversy. He asserted, "my primary reason for getting involved in this issue is reconciliation." (Hem, 2004k) Coalition spokeswoman Swindell opposed the idea stating, "we don't think it is solving the problem," and then sent an offer to buy an alternative monument for St. Michael's in exchange for their support. (Staff, 2004) Because the church never wanted their own monument they did not accept the proposal. After negotiating with the Fraternal Order of Eagles, St. Michael's reached an agreement to put the monument on the cathedral's property at the corner of State and 8th streets downtown. (Hem, 2004j)

On Monday, March 29, the city moved the 3,000-pound monument to St. Michael's. During the removal thirteen protesters were cited and arrested by police after kneeling in a semicircle in front of the monument. (Orr, 2004b) They faced misdemeanor charges for violating the city parks closure ordinance (Hem, 2004a)

Then the Boise City Council unanimously rejected WBC's request to put up the anti-gay monument in Julia Davis Park on April 6, 2004 without holding a public hearing. They did not take testimony from the three members of the WBC from Topeka, Kansas or from members of the Keep the Commandments Coalition who attended. The WBC responded with a plan to sue the city. (Hem, 2004b)

The Keep the Commandments Coalition held a referendum from June 13 through August 13, to collect 8,693 signatures in order to force a public vote. The number of signatures needed was equal to 20 percent of the registered Boise voters who voted in the 2003 election. The initiative asked city voters for a set of three monuments. The first monument would be identical to the original Ten Commandments monument. The second would be a quotation from Thomas Jefferson's 1786 religious freedom law in Virginia that asserts a citizen's right to join or shun a religious organization. The third would be a city disclaimer stating the city's commitment to religious freedom and acknowledging the secular influence of both monuments. Because the voter initiative would be a special city election during county, state and federal elections, the approximate cost would be \$45,000. (Hem, 2004h) This was the first voter initiative in Boise in more than 20 years.

Mayor Bieter instructed city attorneys' to study state law to research whether the voter initiative to place a monument in a city park was legal and found that city code limits voter initiatives to ordinances, not administrative matters. The Coalition turned in 18,507 signatures, which was nearly 10,000 more than needed to put their issue on the ballot. (Hem, 2004f) Once tallied, it was determined that 10,721 of those signatures were valid.

In an attempt to end the divisiveness over the controversy the Boise City Council asked a judge for a second opinion on whether to allow an election. If the judge rejected the city's stance on the initiative, the City Council would schedule the election and not appeal the ruling. However, if the judge supported the city's stance, the coalition would appeal to the Idaho Supreme Court. (Hem, 2004i)

Fourth District Judge Ronald Wilper ruled on October 6<sup>th</sup> that the city of Boise couldn't hold an election on the Ten Commandments monument voter initiative. "The placement of monuments in city parks is controlled by a well-established administrative process," Wilper wrote in his decision. "Therefore, the city is not only not required to place the initiative on the ballot but they are not authorized to do so." Leaders of the Coalition said they would appeal the decision to the Idaho Supreme Court. They said they would continue to fight until a Ten Commandments monument can be placed in Julia Davis Park, even if the Supreme Court upheld Wilper's decision. (Hem, 2004g) If the coalition had succeeded in getting their initiative approved, Boise would have been the first city in the country to remove a Ten Commandments monument from public property and then have voters overturn that removal. (Hem, 2004d)

## Section 2: Interviews

The historical review served to determine the sources needed for the following primary data.

### Participants

Based on the historical data, it was determined that there were many influential participants. Out of those, eight participants were selected. Of those eight, six agreed to participate. All members of the group lived or worked in Boise, Idaho. The participants consisted of one woman and five men. They were comprised of the mayor, one city councilman, the church pastor of St. Michael's Cathedral, the news



reporter who covered the stories, the ACLU attorney and the activist spokeswoman for the Keep The Commandments Coalition.

## Interviews

Prior to each interview a letter was mailed to each participant via US postal mail dated August 9, 2004. Each letter requested participation and included an explanation of the research design. After each letter was sent, a follow up phone call was made to establish contact and set up an interview appointment. The same researcher conducted each interview. Interviews were conducted between August 15 and September 15, 2004. With the exception of one telephone interview, each interviewee agreed to be audiotaped, during face-to-face interviews at the respective interviewees place of employment or organization office. For the telephone interview, the answers were typed into a log as the participant answered. In the taped, face-to-face interviews, the interviewer took notes and transcribed the taped answers later. Each interview varied in length from 25 minutes to 1½ hours. Each interview began with a brief overview of the concept of policy entrepreneurs, and an explanation of what purpose the participants input was to the study.

Each participant was asked a series of questions based on the six hypotheses. The interview questions are listed at the end of the paper.(Table 9) The left column contains the original hypotheses number and the right column contains the corresponding question(s), preceding each question was a clarifying statement. Participants did not receive the questionnaire; rather, each question was asked in an open-ended manner and worded appropriately based on the participant.

The audio taped interviews were transcribed and organized into categories. Sorting of the interviews began using the theoretical framework described from Kingdon's research on policy entrepreneurs. Each transcript was analyzed for the specific criteria, and other categories were created, as they emerged as significant.

## Results

The results of the qualitative data collected from both the primary and the secondary sources have been summarized. In the primary interview data responses were categorized by question. Participants were labeled as follows, 1=News reporter, 2=Activist, 3=Non-profit director, 4=Mayor, 5=Pastor, 6=City councilman. The full transcription of interviews is not included in the results. Only portions and the interpretation of their answers are presented.

### Primary Data Results

*Question 1:* Because the success of a policy entrepreneur is dependent on distinct qualities each respondent was asked whether they felt any special knowledge, skills, or influence facilitated them in the promotion of their ideas. For the purposes of this study the following operational definitions of each term were developed based off of Kingdon's Theory:

Expertise in a field and ability to speak were categorized into:

Skill: *expertise, proficiency, and ability to use one's knowledge competently, effectively and readily in execution*

Knowledge: *specific learned ideas, education or awareness of external issues*

Holding an authoritative decision-making position was defined as:

Influence: *the ability to produce an effect on people or having authority*

Respondent's answers were tallied into a simplified table (Table 1) and their answers were coded with a "y" for yes if they stated that the quality determined their success and an "n" for no if they did not state it as a factor in their role. In each of the interviews respondents indicated that some kind of skill or expertise played a role in their ability to promote their position. For the skills category, all six respondents indicated working with the public and having the ability to speak or communicate well; five of the respondents indicated their occupation. For the knowledge category, three indicated their understanding of the Christian belief system; two indicated their personal research on case law; four indicated their education. In the interviews, five of the six respondents indicated that the occupation they held gave them the power to have

authority or influence over someone else and gave them the opportunity to make decisions. Based on this information, hypothesis 1 is supported in this case study.

**Table 1. Responses to question 1**

<i>Q1</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
<b>Skills/Expertise</b>	y	y	y	y	y	y
<b>Knowledge</b>	n	y	y	n	n	y
<b>Influence/Authority</b>	y	n	y	y	y	y

*Question 2:* Kingdon's theory states that policy entrepreneurs often wait for special windows of opportunity to open up in order for them to push their issues. In order to determine if this was true each respondent was asked if they were waiting for the opportunity to push their agenda. Respondent's answers were tallied into a simplified table (Table 2). In addition, two categories emerged as significant and were tallied. All six respondents indicated that they were not waiting for any such window. Four respondents indicated that they reacted to the situation. Two respondents indicated that they chose to get involved. Based on participant's responses hypothesis 2 is not supported.

**Table 2. Responses to question 2**

<i>Q2</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
<b>Waited for window of opportunity</b>	n	n	n	n	n	n
<b>Reacted to situation</b>	y	n	y	y	n	y
<b>Chose to get involved</b>	n	y	n	n	y	n

*Question 3:* Each participant was asked in what ways, if any, did they inform the public, community, government and media about this issue in order to determine whether or not the participants softened up the media. Responses were categorized as they emerged and tallied into a table. (Table 3) All of the participants in this study indicated that they informed the public in various ways. Three out of the six respondents indicated that they informed the public via press releases; five respondents indicated they contacted "officials"; two respondents indicated that they informed the public through a public speech or through addressing a group. Two respondents indicated that they utilized newsletters or news articles to express their viewpoints on the issues. Based on the participant's responses hypothesis 3 is supported.

**Table 3. Responses to question 3**

<b>Q3</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>Responses:</b>						
<b>Press release</b>	n	y	y	y	n	y
<b>Contacting officials</b>	n	y	y	y	y	y
<b>Informed in public speech/ address</b>	n	y	n	n	y	n
<b>Newsletter/ news article</b>	n	n	y	n	y	n

*Question 4:* This question entailed three separate parts. Participants were asked if it was necessary for them to create a connection between the problem, how it concerns the public and how policy is affected or written. Then each participant was asked to indicate whether or not it was necessary to advocate their proposals and whether or not brokerage was involved. Responses were tallied in a table (Table 4). All respondents indicated that it was necessary for them to create a connection. In addition, respondents indicated that it was necessary for them to advocate their proposals. However, only two indicated that brokerage was involved, while three indicated that it was not involved. The information on brokerage was incomplete for respondent three. Based on participant's responses hypothesis 4 is supported.

**Table 4. Responses to question 4**

<b>Q4</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>Create connection</b>	y	y	y	y	y	y
<b>Advocate proposals</b>	y	y	y	y	y	y
<b>Brokerage involved</b>	n	n	n/a	y	y	n

*Question 5:* This question entailed two separate parts. First participants were asked to indicate whether or not persistence and a willingness to invest their own resources to push an issue were important factors in pursuing their issue. Then each participant was asked to indicate if they made personal sacrifices or invested resources. Responses were categorized in a table (Table 5). Five respondents indicated that they were persistent and willing to invest their own resources. Six respondents indicated that they made personal sacrifices. Three respondents indicated that they invested their own resources. Based on the respondent's answers hypothesis five is supported.

**Table 5. Responses to question 5**

<b>Q5</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>Persistence and willingness to invest</b>	n	y	y	y	y	y
<b>Personal sacrifices</b>	y	y	y	y	y	y
<b>Invest own resources</b>	n	y	y	n	y	n

*Question 6:* Participants were asked to indicate whether or not, in advocating their views, their issue was prompted to gain material incentives, promote values or maintain control. Answers were tallied and put into a table.(Table 6) No respondents indicated that material incentives were a factor in the promotion of their position. All respondents indicated that the promotion of values was a factor. Two respondents indicated that maintaining control was a factor in the promotion of their positions. Based on this information, hypothesis five is supported.

**Table 6. Responses to question 6**

<b>Q6</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>Material incentives</b>	n	n	n	n	n	n
<b>Promotion of values</b>	y	y	y	y	y	y
<b>Maintain control</b>	n	n	n	y	n	y

*Emergent factors:* Throughout the interview process several factors emerged as significant to this case. Although each of them related to the theory posed by Kingdon, these factors stood out on their own as specific to this issue focused analysis. Participant's responses have been tallied into a table. (Table 7) The answers were not factors in all of the respondent's responses. Four participants indicated that their external knowledge about the history of the monument in the US was a factor in the way decisions were made and how they pushed their agenda. Three participants indicated that their belief system drove them in the pursuit of their ideas. Five participants indicated that the positions that they held were a factor in how they became involved and the structure of their agenda. All participants indicated that they were reactive in one of two ways, either because they chose to get involved based on the circumstances (3) or because they had to get involved because of the position they held (4).

**Table 7. Emergent factors**

<b>Question #(s)</b>	<b>Emergent factors</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>Q1, Q4</b>	<b>Knowledge of external issues</b>	y	y	n	n	y	y
<b>Q1, Q6</b>	<b>Belief system</b>	n	y	y	n	y	y
<b>Q1, Q6</b>	<b>Occupation</b>	y	n	y	y	y	y
<b>Q2</b>	<b>Reactive</b>	y	y	y	y	y	y
<b>Q2</b>	<b>Chose to get involved</b>	n	y	n	n	y	n
<b>Q2</b>	<b>Had to get involved</b>	y	n	y	y	n	y

## Secondary Data Results:

In documenting and analyzing the historical review of the Ten Commandments Monument policy item several themes emerged as significant. In order to organize the themes, a simplified table tabulated the number of instances involved for each issue. (Table 8) Through the analysis, twelve different *problems* emerged as effecting the outcome of the situation. Seven *focusing events* were targeted that attracted public attention. Four *windows of opportunity* were targeted that allowed different entrepreneurs to push their agenda. Ten different groups of *policy entrepreneurs* were established that pushed their agendas. Finally these themes included seven groups that used *media* as a tactic to manipulate the situation.

**Table 8. Emergent themes**

<b>Pattern</b>	<b># of instances</b>
<b>Problems</b>	<b>12</b>
<b>Focusing events</b>	<b>7</b>
<b>Window of opportunity</b>	<b>4</b>
<b>Policy entrepreneurs</b>	<b>10</b>
<b>Media tactics</b>	<b>7</b>

## Discussion

The results of this historical review and interviews provide substantial evidence that the theory about policy entrepreneurs offered by Kingdon does apply to this case study. Consistent with the theory, several themes evolved throughout this research that helped to answer the research questions. The heart of this case includes the rise of problems that were brought to the public's attention by various focusing events. Both the problems and the focusing events were orchestrated through various policy entrepreneurs that essentially determined the outcome. These policy entrepreneurs utilized certain windows of opportunity and media tactics to push their agenda.

## Policy entrepreneurs

Fred Phelps and the Westboro Baptist Church's belief system and views on homosexuality have served both in the past and present to motivate them to preach their views. Matthew Shepard's death and funeral were catalysts in this process. Although the Phelps are not targeting a specific policy, they are actively promoting their views to the world to promote change, which sets them apart from other policy entrepreneurs who are often motivated by policy alterations. Shepard's funeral was a focusing event that served as a window of opportunity for the Phelps to push their agenda. The existences of all of the Ten Commandments monuments have served as additional opportunities. Without them the Phelps would not have had the same opportunity or as much ease in attracting public attention to their proposed monument.

An aspect that sets Fred Phelps apart from the other participants in this case study is that Phelps initiated the process while promoting his views. Of utmost significance is that all of the interviewed participants responses indicated that they did not prompt the situation; rather for one reason or another it was necessary for them to react to the situation. This piece of information adds to Kingdon's theory on policy entrepreneurs, which does not discuss becoming an entrepreneur out of necessity. This finding helps in understanding why these people became involved.

When each participant reacted from the situation, they began to exhibit the defined characteristics of policy entrepreneurs. Each of them began promoting specific values and it became necessary for some to maintain control of certain decision-making processes. This is demonstrated with the mayor and city council member who found it necessary to make a decision about the Ten Commandments while maintaining a balance between the values of the citizens, their personal values and city policies. Similar patterns are also displayed through both the activist and the pastor whose value systems motivated them to get involved and influence the decision making process and also through the non-profit watch group whose mission includes advocating for a separation between church and state as described by the free exercise clause of the First Amendment. The exception was the reporter who covered the greater part of the new stories; his basis to get involved was to carry out "the idea of people being informed and being able to decide the issue for them selves."

Though many of the policy entrepreneurs were not successful in the final outcome of their proposals, each participant indicated they made personal sacrifices. As the city councilman stated about his opposition to remove the commandments in the park:

"Oh I made some personal sacrifices, I got some people pretty mad at me over it, but those kind of people—they being mad at me—makes me think I am wearing a badge of courage."

With the exception of the reporter they each had a considerable amount of persistence and willingness to invest resources. Most indicated time, money, and energy as factors. The mayor indicated that a great portion of time and city money was spent deciding this issue:

"We used both our resources in our office [and] in the city."

The activist and non-profit director indicated that they would do what was necessary to push their proposals. The activist risked jail time; the non-profit director anticipated legal proceedings. While the pastor said that the resources he invested were "Time, energy, and space."

Another significant aspect of this study was that four of the participant's occupations positioned them as policy entrepreneurs. The mayor, city councilman, reporter and the non-profit director all held positions requiring that they take action on this item. As opposed to the activist and the pastor who did not hold positions, but got involved for personal reasons. In addition five of the six participants indicated that their positions gave them power to influence, although the actual decisions that were made were not the same because each held a different authoritative position. These finding are interconnected with all of the defining characteristics involved in becoming an effective policy entrepreneurs.

One defining characteristic that does not support Kingdon's theory is that the participant's involvement was not motivated by material incentives. It is important to know that not all policy entrepreneurs advocate their proposals for more reasons than just money. Some times they have to, or sometimes their values draw them to it.

Throughout this case history ten groups or individuals who displayed some characteristics of policy entrepreneurs were identified. EJ Ruegemer, the judge whose belief system in the 1940's instigated the proposal to put up the Ten Commandments in courthouses; Cecil B. DeMille, the director of the film *The Ten Commandments* who instigated the production and distribution of granite Ten Commandments monuments across the US; The Westboro Baptist Church and Fred Phelps whose belief systems led them to use Matthew Shepard's murder as a vehicle to propagate their disdain for homosexuals. The Boise Mayor whose occupation led him to support the decisions made by the city council and the Boise Parks and Recreation; the city councilman whose office opened the opportunity to vote against the removal of the Ten Commandments; the Coalition and activist whose belief system led them to get involved to try and prevent the removal of the commandments and then try to initiate a new monument after its removal; the American Civil Liberties Union who got involved to protect civil liberties; The media who got involved in order to cover the aspects of the case and to inform the citizens of the events going on; and the Dean of St. Michael's Cathedral who stepped forward to try and offer a solution to the problem.

### Problems, focusing events and windows of opportunity:

Essential to this case was the rise of problems that eventually affected a substantial number of people. The problems were focusing events that attracted community, government and media attention. Each of these problems was interrelated to the others and affected the final policy decisions and the outcome. In addition each of these focusing events opened up a window of opportunity.

The initial event that produced a significant amount of controversy was WBC's picketing of Shepard's funeral, as stated before, Phelps and WBC used his death as a window of opportunity. The controversy was further fueled with the proposal to put up monuments in conservative communities throughout the country, followed by the picketing of those communities by WBC members. In addition, Phelps used the existence of the Ten Commandments monuments as windows of opportunity to push his belief system.

In Boise, the decision made by Boise Parks and Recreation led to an increased awareness about the existence of the monument in Julia Davis Park. The possibility of being sued for violating the first amendment and for not allowing another religious monument spurred the decision to remove the monument. This decision made by the city council opened another window of opportunity, impelling the Keep the Commandments Coalition to protest at the vigil and file complaints against the city. This opened another window to motivate the pastor at St. Michael's Cathedral to alleviate the problem by advocating it be put on church property.

Most significant about this is that all of the participants indicated that they did not actively wait for a window of opportunity to push their agendas and get involved. In fact, all of the interviewed participants indicated that they did not even know that the monument existed. This information contributes to Kingdon's theory. According to this not all policy entrepreneurs are opportunists, rather as stated above, their occupations or belief systems incited them to react to the situations.

### The Separate role of the media

The media played a strong role in the outcome of this case study by "softening up" the public. The participants in this case study used media tactics to attract and elevate the issue to a higher agenda status. Phelps and WBC did this by using a controversial monument. The other participants did this by addressing their concerns through press releases, op-ed pieces in the newspaper or organization newsletters. In addition there were interviews on radio talk shows and local television news coverage. In the interviews the news reporter indicated that he did not participate in the softening up described by Kingdon as a way to push issues, but instead reacted to everyone else. However, in my opinion journalism for the public a description of the issues and writing public opinions about what should be done does influence public opinion. Without his coverage this story may not have ever come out. Without the media this event would not have attained so much attention or controversy.

## Conclusion

The brutal killing of Matthew Shepard initially sparked my interest in this case in 1998. Then when Fred Phelps and his clan demonstrated at his funeral I was horrified by his blatant disrespect for a human being; like many across the nation I was in disbelief. I followed the news of Shepard's attackers and their eventual trial ending in their life sentences. Then in 2003 when I heard news of Phelps's proposal to put up the display glorifying Shepard's murder I was disgusted. However, it wasn't until Phelps targeted my hometown that I became intrigued with analyzing the factors involved.

This qualitative issue focused study does what it set out to do, by linking the agenda setting theory about policy entrepreneurs to a city case study. This study included dynamic factors that made it purely circumstantial. For this reason it cannot be generalized to the entire population.

So what does it all mean? Essentially public problems are dynamic and often driven by competing values and perspectives. Each case study involving the rise and fall of an agenda item is significant. This study can help us to understand how belief systems structure policy, how policy makers can foresee future problems for which they may need to find solutions and how those wishing to advocate their proposals for incentives can jump when the window opens.

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#### **Table 9. Interview Questions**



Hypothesis	Questions
H1	Advocates often must have specialized knowledge, special communication skills or influence in the decision-making arena. What special knowledge, skills or influence do you have that facilitated you in promoting your ideas?
H2	Often it is necessary for advocates to wait for an opportunity to push their issue. Did you have to wait for a special opportunity? Were there any vital matters that needed to be in place?
H3	<p>Many recognize that an efficient way to promote an issue is to push their ideas towards certain forums to get people talking about it. In what ways, if any, did you inform the public about this issue?</p> <ol style="list-style-type: none"> <li>Did you target the community? If so, what were some of your tactics? Or How did you go about doing this?</li> <li>Did you target the media? If so, what were some of your tactics? Or How did you go about doing this?</li> <li>Did you target (other) government officials? If so, what were some of your tactics? Or How did you go about doing this?</li> </ol>
H4	<p>Was it necessary for you to create a connection between the problem, how it concerns the public, and how policy is affected and or written?</p> <ol style="list-style-type: none"> <li>If so, was it necessary to advocate your proposals?</li> <li>If so, was brokerage involved? Did you have to negotiate anything along the way?</li> </ol>
H5	<p>Many advocates are persistent and willing to invest their own resources to push an issue. Were these important factors in pursuing your issue?</p> <ol style="list-style-type: none"> <li>Explain how you were persistent.</li> <li>Explain some of the personal sacrifices you made or resources you invested.</li> </ol>
H6	<p>You promoted one side of this issue, why was this important to you? What was the driving force?</p> <ol style="list-style-type: none"> <li>Tell me about any personal gains at stake for you?</li> <li>Often activists promote an issue because they want to support certain values in their community. Did you have specific values that you wanted to promote?</li> <li>Is having influence in decision-making an important factor in the promotion of your position?</li> </ol>