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*The Tumbler's Task:
A Collaborative Conception
of Port Protection*

Let's start with a scene from the past: Some of the guests on this first day of vacation—the big family groups, the veterans of previous seasons, and a few gregarious newcomers—are already hard at play right after breakfast. Some are on the tennis courts, others cautiously trying to revive horseback-riding skills, others playing the games clustered about the main house, and some just luxuriating in wide-slatted whitewashed chairs. As the sun clears the Catskill ridge and floods the whole resort, all of the right sounds—happy shrieks as old friends reunite, the clatter and clang of disks and balls and horseshoes, cheerful insults issued and repaid—echo through the valley. This is what they came here for. Their day will be good.

But others are stuck in cheerless torpor. A dozen or so are holed up in the game room, which by all rights should be empty on a brilliant morning like this. Others cluster by the pool mumbling mindless pleasantries to the general vicinity or sitting awkwardly alone. There's the sullen seventeen-year-old girl pretending to read a paperback copy of *Siddhartha*, radiating outrage at being dragged to the resort by her parents, whose excruciating voices can be heard all the way from the croquet lawn. There's the widower who has just realized, on the first morning of his first visit without her, that his wife had always been the one to make the plans and find the friends. There's the young rabbinical student—intelligent, kindly, reserved—who came to the resort knowing he needed to relax but now worries he'll be spending the next

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week working out endgames on the chessboard in front of him. There's the couple trying to rekindle their marriage with a week of fun, though so far they've scarcely exchanged a word with each other. And there are the hopeful singles, who aim to at least make a friend or two, and maybe make a match, on their vacation in the mountains.

Each of these isolated idlers would rather be engaged with others in the group, but they find themselves unable to take that first step to organize interaction. The equilibrium seems perverse; taking the initiative to forge a link might mean a minute or two of moderate discomfort but will yield many hours of satisfying interaction. But it's a step these people—and many of the rest of us—are, for a range of reasons, ill equipped to take.¹

The Classic Tumbler

Suddenly a brightly dressed fellow bursts on the scene. He is balding and somewhere in his thirties—maybe his forties—but he surges among the scattered guests with a toddler's jittery energy. He targets the nearest loner and commences a conversation, uninvited and unabashed. She is peppered with questions—New York, which borough? Which temple? Does she go to the mahjong nights on Tuesday? So she must know our regular, Hattie Strauss! Then he quickly moves on to the next idle guest. As he makes his circuit he continuously doubles back, often towing his current conversation partner to link with an earlier one, cementing the new bond with some shared hobby, or high school, or acquaintance. Like one of those toys in which a magnetic wand drags scattered iron filings onto a picture of a face, the man tugs the singletons and the pairs into larger clumps until the patterns he wants start to emerge.

It's time for Simon Says! The man knows that those who find it hard to strike up a conversation with a stranger will find it impossible to refuse his demands to join the game—lack of skill or a partner is no excuse, as neither is needed—and he soon has a dozen erstwhile loners out of their chairs and on the lawn. Each time he tricks a person into dropping his hands without Simon saying so, there is laughter, perhaps a bit of gentle kidding, and the “loser's” name called out repeatedly and memorably in the man's trumpeting voice. He suddenly stops the game. “Who knows what that big bird is that just alighted on that branch?” Three guests raise their hand. He asks their names and calls on Bernie. “You're right! He is a red-tailed hawk. He hangs around here; we've named him Ralph. Those of you who like birds go down to the meadow, especially the margin where the forest begins.”

After twenty minutes of Simon Says, he turns to the day's activities. "I need eight people who know how to play shuffleboard. I'll start with Gerry and George and Louise." All had admitted to him in his initial rounds that they played the game. "Who will join their team? Thank you, Alice." And so it goes. He shrinks the cost of shifting from idle to engaged. "Who is a rider? Come on, I know more of you than that." Ultimately, he coaxes up five hands and tells them to be at the stables at 11 o'clock to meet the hands and the horses. There is a method to his mixing. "Now, who is from New Jersey? You three? OK—tonight you guys are going to be a charades team. Charades is cutthroat here, and there are big prizes, so you might want to get your signals straight in advance." The Jersey contingent—as he had discovered before they had themselves—included the widower and two unattached women of a certain age.

In less than an hour of rearranging people, jump-starting conversations, and a silly game or two, most of the former idlers are connected with promising people and activities. The man scans the scene one last time for lost souls that need immediate attention and decides that the morning roundup is over. He allows himself a wholly genuine private smile. He'll need to reserve some energy for making the rounds at the cocktail hour and tonight's opening dance, but for the moment his work is done. Because this *is* work, the man's job at the resort, and a respected, well-paid profession in this industry. He's the tummler.

The word *tummler* is conventionally—but inadequately—translated as social director. It has origins in Old German, like all the rest of Yiddish. Other linguistic shoots from the same root give us *tumult*, *tumble*, and the modern German name (*tuemmler*) for the joyously hyperactive bottlenose dolphin. The verb form in Yiddish is *tumlen*, "to make a racket." (You don't have to be noisy to be a tummler, but it helps.) Almost every Jewish resort in the borscht belt from the 1930s through the 1960s employed a tummler, sometimes several. Often the tummler had a sideline doing stand-up comedy on stage in the evenings, but the core job was to forge connections among guests, to ferret out and capitalize on their interests, to create synergies among them—in short, to do whatever it took to make sure a good time was had by all.

Today the borscht belt is no more, Grossinger's and Kutcher's and the Concord and most of the rest have been razed or have fallen into ruin or have mutated into something very different from what they were in their heyday. The profession of the tummler has mostly vanished, and the word itself has become archaic and obscure. Which is too bad, because the tummler's

task—to engineer the realization of a latent shared interest while unleashing dormant capabilities—is a timeless one.

Government's Missions and the Tumbler Metaphor

We resurrect the term *tumbler* and invoke the profession for a specific reason: In an era of complex collective-action problems and cross-sectoral collaboration, the tumbler's task is a useful metaphor for some of government's most urgent missions.²

This chapter represents variations of a theme we have developed at length in our book *Collaborative Governance: Private Roles for Public Goals in Turbulent Times*.³ In that book we assert, elaborate, and illustrate several propositions about the use of collaboration with private actors to advance goals conventionally considered to be government's responsibility. Briefly stated, the key notions are as follows:

—The distinction between direct governmental action and delegation to private parties is important, but equally important and far more sparsely studied is the distinction *among* forms of delegation.

—Models for private involvement in public undertakings span the spectrum from simple outsourcing, in which private contractors are paid to follow government's instructions, to voluntarism, philanthropy, and other arrangements in which private parties advance their own conceptions of the public good.

—This spectrum can usefully be characterized in terms of the *allocation of discretion* between the public and private sectors, with government holding all or most discretion in the case of simple outsourcing and the private sector holding all or most discretion in the case of philanthropy.

—The middle range, defined by a significant degree of *shared* discretion, is little examined and poorly understood relative to its practical importance. We use the term *collaborative governance* to designate this realm of shared discretion.

—Private collaborators' exercise of *production discretion* (the ability to innovate, customize, and otherwise deploy production models that are unavailable or awkward for government action alone) can and usually does promote the creation of public value. Private collaborators' use of *payoff* or *preference discretion* (the ability to tilt benefits to favor the private collaborator at the expense of the public, or to substitute the private collaborator's preferences for those of the public), conversely, undermines public value.

—The positive and negative aspects of private discretion tend to be entangled.

—Government's key responsibility for this category of collective action involve designing and maintaining arrangements that maximize the gains from production discretion, net of the losses from payoff and preference discretion. Discharging this responsibility calls for the simultaneous application of high-order analytical and managerial skills.

We suggest four generic motivations for government to accept the incremental effort and risk that the collaborative approach generally entails. These are *productivity* (the expectation that private actors possess efficiency advantages germane to the accomplishment of a governmental mission), *information* (facts relevant to the production of public value reside outside government itself), *legitimacy* (citizens, for whatever mix of reasons, prefer that the private sector have a role in the pursuit of some task), and *resources* (the belief that a collaborative delivery model will lead to an infusion of private resources to augment the governmental resources devoted to a mission). While it is rare for any real-world collaboration to be rooted exclusively in a single motivation—more than one, and frequently all four, tend to be at play—we find it useful on both analytical and managerial grounds to distinguish among them.

A further overarching theme of our work is that collaborative governance requires continual monitoring and revision as priorities shift and as experience generates evidence about how well arrangements are working. No model of collective action, from the simplest direct bureaucracy to the most baroque collaboration, can be set up once and for all and left to run as is indefinitely. But collaborative governance is especially difficult to get perfectly right up front and is especially prone to fall out of alignment with the imperatives of public value production. Indeed, we stress the importance of a *cycle* of collaboration that begins with an *analysis* of the policy problem or opportunity, moves to the *assignment* of actors to be engaged in the effort, moves on to the *design* of the collaborative arrangement and ends with efforts to *adjust* the collaboration to better meet the mission—and, crucially, returning in an iterative fashion to analysis, and so on around the cycle.

The tummler's task represents an important subcategory of collaborative governance, applicable where the number of private actors is relatively small and (most important) where the interests of the private actors are *closely* but not *perfectly or obviously* aligned with each others' and with those of the public at large. Once established, mutually beneficial collective action is stable, sustainable, and self-reinforcing. But its establishment is not automatic or

inevitable. The potential for mutually beneficial cooperation remains dormant—only shallowly latent, but latent nonetheless. In such circumstances government's pivotal role is to make manifest the potential community of interest and to orchestrate its realization, like the tumbler helping resort guests achieve their shared goal of interactive fun.

This metaphor is at odds, we are aware, with many more familiar images of the government at work. One classic conception is the *protector*—the soldier, cop, or firefighter—standing between us and malign natural forces or bad guys at home and abroad. Another is the *obligator*, requiring all to contribute money or other resources so that it can spend on undertakings that offer shared benefits. Another is the *enforcer*, demanding that each of us fore-swear polluting, double-parking, dope smoking, or other offenses against collective norms. Still another is the *redistributor*, moving resources from the first round's designated winners (whether people or projects) to alternatives whose asserted worth the market misses.⁴

These roles—which call on other capabilities than those of the tumbler—endure and indeed make up the bulk of government undertakings, on whatever basis they are tallied. But some governmental tasks, we submit, are closely akin to kindling links among idle guests at a summer resort. Motives are to a substantial degree aligned—but not so completely or so obviously aligned that cooperative action is automatic. A nudge (or at times a shove) is needed to make manifest the latent community of interest. For those more inclined to scientific metaphors, consider a supersaturated liquid requiring only a seed for crystallization to occur.⁵

Some examples are straightforward. Consider the identification and promulgation of technical standards. Or the settlement of the American West, when hundreds of thousands of land-hungry families were eager to extend the frontier—but not all by themselves, without neighbors. (The various Homestead Acts of the late nineteenth and early twentieth centuries can be considered large-scale episodes of tumbling.) In Singapore the government takes on an even more ambitious task than the classic tumbler, aiming to engineer not just a nice game of tennis but actual matrimony between qualified lonely hearts.⁶

In other instances the tumbler's role is less obvious. The federal government's most important contribution to the rescue of the Chrysler Corporation a generation ago—in contrast to more recent rounds of brute-force bailouts—was not so much filling by itself the company's financial gap as it was helping, inducing, or in a few cases compelling a vast network of bankers, lenders, employees, suppliers, dealers, and state and local governments

to recognize and act upon their shared stakes in saving the automaker. If and when there is ever a large-scale shift from internal-combustion to electric vehicles, it will very likely involve governmental efforts to coordinate investments in the cars themselves and in the networks of charging stations that will make them feasible. And early in America's history Alexander Hamilton envisioned government as a financial tumbler, weaving connections between investable funds and promising projects.

In these and other cases, government's *primary* role is to bring people together to make things better or, as an economist might phrase it, to move to a superior equilibrium. The goal is to motivate voluntary cooperation. Dollars and edicts may be involved, but as catalysts or spark plugs rather than as the main engine of the enterprise. In pursuit of that improved outcome, there are four major tasks: *Define* the latent community of shared interests, *identify* the members' dormant capabilities, *create* a process that can identify outcomes that will be superior for all, and *coordinate* action so that such a beneficial outcome is realized. The Coast Guard's orchestration of a new port protection regime, we suggest, presents a prime example of pursuing these four tasks to produce an improved outcome.

What conditions are helpful, or even essential, if the tumbler is to succeed? First, there must exist at least one superior outcome—distinctly superior for some and for all others equivalent (or only trivially inferior) to the status quo—that can be reached via voluntary efforts. This implies that the costs falling on no party can be so onerous that compulsion or large side payments will be required. The tumbler's task would be of an entirely different nature, and far more prone to failure, if he had to pay or compel some guests to do things they actively disliked. This governance model applies only when the latent benefits of collective action are large relative to the costs.

Often there are many available mutually beneficial outcomes, which leads to our second condition: the parties must be sufficiently similar in the scale—though not necessarily in the nature—of their burdens and benefits such that none feels that he is getting an unfair deal.⁷ Third, it helps if the costs that private parties pay are small absolutely. Otherwise, quibbling over amounts may defeat the deal. If monetary costs are more than trivial it helps if the benefits are also reaped in dollar terms, since parties do not like to pay hard dollars for intangible benefits that go in some measure to other people. Fourth, it eases the outcome if a particular party's efforts visibly advance not just the collective interest but also his own. Thus when the cargo loading facility at the port puts up bright lights to deter terror threats, the facility

is protecting its own interests. The lighting deters all-too-conventional pilferage as well as terrorism.

Fifth, the group of participating parties must be small, for two reasons: they have to be effectively coordinated by a single individual, and small size helps them monitor each other and develop a sense of mutual obligation.

The tumbler's task, once again, is to coordinate and cajole individual decisionmakers to take (somewhat) costly actions that together produce collective benefits. When is the tumbler likely to add the greatest value? Two factors are critical, size (as just mentioned) and the ratio of external benefits relative to private benefits. On both factors, we are looking for a "Goldilocks" solution—group size and the relative scale of public and private benefits must both be not too large and not too small.

When external benefits are modest in comparison to the benefits collected by private parties, the outcome of simple market arrangements is close enough to the social ideal that it's not worth attempting to structure a non-market alternative. When the ratio of external benefits to private benefits is extremely high, by contrast, the tumbler's task of cajoling and coordination will seldom suffice to overcome the natural tendency to free ride. Government will have to rely on taxing and spending or on regulatory mandates (such as the requirement to be vaccinated or attend school for some minimum number of years) to ensure the right outcome.

The size of the group similarly requires intermediate values if the tumbler is to shine. Simple bargaining is superior to tumbling when just two or possibly three people are involved. And the tumbler's potential to coax a group into a collectively superior one fades when the group gets too large and it becomes hard to verify that others are cooperating. In rough terms, groups ranging from perhaps four to around twenty-five define the tumbler's sweet spot. Others of our five factors matter as well. Tumbling works better when parties are similarly situated and roughly equal in size. If similar parties get similar arrangements, none can complain of unfair treatment; none can reasonably expect to get a better deal.

Yet one might ask why it should be necessary for some overarching entity—whether the government or a Catskills resort—to take responsibility for ensuring that the tumbler's task is fulfilled. Should not the members of the group who stand to benefit be able to recognize and act upon their shared stakes by themselves? What circumstances call for a governmental tumbler, as opposed to an entirely private trade association or similar group? The private sector displays endless cleverness in devising guilds,

trusts, alliances, franchises, chambers of commerce, and other organizations to advance shared goals. So the question of whether, why, and when this is a role for government—in the person, for present purposes, of Captain Suzanne Englebert—requires some attention.

Government actually possesses significant advantages in playing this role for the particular function of port protection. It is perceived as a natural focal point for coordinating activity. There may be multiple impediments, moreover, to individual parties involved with a port taking the initiative to organize for common advantages. Any single private participant seeking to promote cooperative activity might inspire fears that it is guilefully promoting its own interests more than, or instead of, any shared agenda. From the perspective of the potential group leader herself, she might reason that taking the initiative would signal that she had more to gain than the rest of the group and thus can be expected to bear a disproportionate share of the burden.

The governmental tummler is also a logical focal point because it is different in nature from the parties being coordinated. In an emergency people tend to respond to someone in uniform, whether or not the uniform signals authority or expertise germane to the task at hand. People in a burning building are more likely to follow the lead of a person wearing a Marine officer's uniform than the same person in a business suit, for example. The uniformed person, recognizing this tendency, may feel more responsibility to coordinate activity, even in a venue where he has no responsibilities. In our case study, the government did have a distinctive role (its prime representative wore a uniform), and most participants probably did believe from the outset that it held a privileged position.

The government is also likely to have preexisting relationships with the members of the latent group. Most or all of the private entities associated with a port will have had prior dealings with the Coast Guard or will find it reasonable to respond to an invitation from the Coast Guard to begin a conversation. This network advantage may not be unique to government, to be sure. At every port there is probably some private player known to have a particularly diverse, intense, and lengthy history of relationships with other interests associated with the port. But had he called the meeting, he would be relying on those personal relationships. Those with whom he did not have such links might not come, or might come grudgingly, thinking they would be disadvantaged. A prime asset of the governmental tummler is that it is natural for her to possess and to invoke an extensive set of connections but with the expectation of evenhandedness across the network.

The final advantage of the government, when it takes on the tumbler's role, is that it does have coercive powers. Such powers can be important even when they are not invoked (not necessarily applicable to the case at hand)—or indeed not even mentioned. No party would like to be known for having refused to attend a port protection meeting convened by the Coast Guard. It is entirely possible that the Coast Guard would not have the legal ability to apply the slightest sanction to a no-show. But few would want to find out.

We do not wish to suggest that the governmental tumbler's task is to simply point to some mutually beneficial solution and get out of the way as the private parties race to implement it. Often the process of realizing some latent store of shared value involves a great deal of time, effort, and risk of failure. Defining, identifying, creating, and coordinating an outcome—the four elements we outline above—can involve many steps. They start with discovery, then move to trust building, and finally move toward the solution. The tumbler's second day in the resort week is likely to go more smoothly than the first. The guests already know how to talk to each other and trust each other a little. And so it is with governmental tumblers, as they build what is sometimes called community.

We recognize that our depiction of the tumbler's role as someone who conjured collective benefit without coercion might seem Pollyannish. There is an enormous literature on the challenge of promoting shared action, and the baleful term free riding gets preeminent attention in this literature. But free riding is not inevitable, as Mancur Olson showed us decades ago.⁸ The key, in Olson's formulation, is an appropriate alloy of private and collective benefits. Assembling a coalition to advance a common goal is vastly easier if the coalition's members reap individual gains in the course of the enterprise. Doctors are willing to join the American Medical Association and pay stiff dues to support its lobbying mission in part because membership delivers some private benefit. An AMA card conveys professional gravitas and can be helpful with referrals. (AMA membership as a share of American physicians has fallen significantly since its peak in the 1960s, and the association is trying to ramp up the ratio of private benefits—such as offering discounts on office-management software, or concentrating on newly minted doctors with more to gain from the AMA cachet—in hopes of reversing the trend.)

We view our work as building on Olson's central insight: that the availability of private—or, in his word, “selective”—benefits plays a significant role. But we add three elements. First, we consider explicitly the role of the coordinator. Olson, while technically a political scientist, spent enough of his career consorting with economists to adopt their fabled tendency to assume

the existence of some pivotal piece of the collective-action puzzle. Second, we focus on cases where decisionmakers take actions directly to provide a good, rather than contributing resources to a common pot for funding the provision of the good. Third, though Olson's argument could readily apply to organizations such as corporations as providers, his case studies overwhelmingly focus on individuals. We expect tumbler illustrations, by contrast, to frequently involve organizations such as government agencies, nonprofit groups, corporations, or even nations as the decisionmakers. In doing this, we recognize that such organizations will often be represented by one or a few individuals.

Protecting American Ports

Given the perceived threat to the ports of the nation after the terror attacks of September 2001, there was plenty of private benefit—bolstered security for shippers, vessels, and port-based facilities, meaning more secure cash flows for their shareholders—to motivate collective action to provide protection. The day of 9/11 alerted officials and citizens to other vulnerabilities that—like tall buildings and fuel-filled airplanes—had not (until that day) occasioned major concern. At the top of any knowledgeable observer's list had to be maritime ports. Over 360 ports open to international commerce dotted America's vast coastal reaches. They ranged from small harbor facilities catering to mostly local commerce to enormous complexes that included factories and refineries, truck and rail hubs and even airports, as well as loading, unloading, repair, and maintenance facilities for seagoing vessels and their cargo. All told, around 95 percent of American imports arrived by sea.⁹ It was not hard to imagine all manner of evils slipping into America unnoticed amid the daily tide of oil and toys and oranges and televisions and sneakers, most arriving in sealed containers.

Congress quickly passed the Marine Transportation Security Act, which incorporated the provisions of the International Ship and Port Facility Security Code that had been negotiated, in record time, after the 2001 attacks. The Coast Guard—still adjusting to its recent relocation from the Department of Transportation to the newly created Department of Homeland Security—was tasked with putting the new legislation into effect.

The most straightforward way to respond to this mission—especially, one might think, for a military organization—would be for Coast Guard experts to huddle with a handful of other security specialists and issue stepped-up new security rules to which shippers, operators, and other port denizens

would be expected to submit. But to predict this path would be to miss both the essence of the security task and the culture of the Coast Guard. No uniform, top-down, port security regime could work—at least not without strangling port operations, stifling trade, and triggering bankruptcies. American ports were so diverse in size, layout, and function—and hence in security considerations—that no single approach could work for all of them.

Most ports were technically owned by a local government or special authority but were leased to, or otherwise put under the control of, a private (and usually non-U.S.) port operator.¹⁰ Tens of thousands of other private parties—shipping firms, shipowners and insurers, trucking and transshipment firms, and many others—each occupying its own economic niche, were involved in and dependent on the functioning of the ports. Roughly 7.5 million containers—each embodying its own far-flung trade network—entered the United States by sea every year.¹¹

Knowledge on how to provide protection was diffused among dockworkers, shipowners and crews, warehouse workers, truckers, longshoremen, and others who—each by playing their own semiautonomous role—permitted the complex entity called a port to function. A port is more like a city—with scores of institutions and interests interacting without central control—than it is like a centrally directed corporation. No mechanism for complete top-down control existed or could easily be constructed.

If top-down would not work, why not bottom-up? Each of the entities involved in the operation of a port, after all, surely has an interest in deterring terror. They are demonstrably competent at cooperating—just look at the balletlike coordination that keeps the cargo flowing. Can't we just count on these separate players to come together to protect the port without government involvement? For the whole range of reasons discussed earlier—including the wrong ratio of private to public benefits, significant real or perceived differences in parties' situations, or the wrong group size—collective benefits that are in principle achievable can be elusive in practice. Even where self-organization is a manageable task, that work can take time. And port protection is a dramatically new task countering a committed and creative external threat. The separate entities that make up a port no doubt *could* figure out on their own how to mount effective defenses against that threat. It would likely take years or decades, however, and the consequences of a successful attack—if defense is ineffective or delayed—could be catastrophic. Most resort guests would eventually find a way to engage with each other, after all, absent the tumbler—it just might take twelve of the fourteen vacation days to do so. The tumbler's task is to make the connections

happen expeditiously—to capitalize on dormant capabilities and coordinate action, quickly enough, around the new collective mission.

These private players had expertise, stakes, and vulnerabilities that the Coast Guard could not hope to incorporate into port protection plans unless the players themselves were brought into the system. Fortunately, a one-size-fits-all security plan imposed by government fiat was also antithetical to the Coast Guard's culture. For a range of reasons—some well understood, others mysterious—the Coast Guard had long been known for flexibility, innovation, and a collaborative mind-set. Its distinctive orientation would prove a perfect match for the challenge of rapidly building the right kind of security system for hundreds of diverse American ports.

A cross-continental series of marathon meetings was organized and moderated by Captain Suzanne Englebert, as other authors have described. At one level these meetings were simply the standard review-and-comment sessions required by the Administrative Procedure Act. But Captain Englebert's intent—and by all evidence the actual outcome of the process—was to identify and implement a security agenda that generated benefits for virtually everyone involved (with the obvious exception of aspiring terrorists). The regime features a significant degree of discretion for private parties, placing it squarely within the broad category of collaborative governance. It has close affinities with approaches taken by the Environmental Protection Administration and the Occupational Safety and Health Administration, among other regulatory agencies, that let regulated firms take the lead in developing plans to protect the public interest, with the government's main role being to assess the private plans and judge their adequacy.¹²

The analogy to organizing a bunch of isolated resort guests into a rousing round of activities, with most directed to their own interests and skills, is only a little strained. Captain Englebert herself, for starters, displays many of the tummler's classic features. She is intuitive, creative, empathetic, tireless—and maybe even a little noisy. She explicitly understood her role to be one of mobilizing other groups to recognize and act on a shared interest. Consider, some key characteristics of the outcome:

—*More permissive than coercive.* Once the products of stakeholder meetings and internal deliberations had been distilled into a final plan, what emerged was a security regime in which the Coast Guard took a hard line on the *what* of port security—the performance levels that had to be met—but left its private collaborators lots of discretion on the *how*. An operating company, portside factory, or trucking depot linked to a container port faced a nonnegotiable mandate from the Coast Guard to control access to their

facilities to ensure that only screened personnel could enter. But the private parties had almost unlimited freedom to develop their own ways to control access, as long as they could convince the Coast Guard that their plan would do the job and would be faithfully implemented.

—*More tailored than uniform across ports.* There is no single port security regime for the nation but rather an enormous array of interrelated plans customized to each port and to each private party within the port. Individual Coast Guard port officials are encouraged and empowered to learn about and accommodate the specific requirements of the various constituencies involved in “their” port.

—*Embracing, and merging, disparate motives.* Nongovernmental actors involved in ports had a range of motives to support stepped-up security in the wake of 9/11. Some were strictly private—the desire to shrink the risk of financial losses from direct damages and subsequent lawsuits resulting from a terror attacks. Some were no doubt entirely public spirited—the urge to help safeguard a country suddenly seen as imperiled. And some motives were in between, such as the hope of burnishing a firm’s reputation by visibly participating in a patriotic task or of gaining a position near the center of the action that might yield advantageous information or connections. The Coast Guard’s approach invited collaborators to participate without drawing sharp distinctions among reasons for joining the effort.

—*More flexible than rigid at a single port.* Security arrangements can vary not just by port and by the particular configuration of operators, shippers, and other private parties but also by the season, time of day, and type of shipment. A change in the array of shippers and shipments, or the assignment of a new chief port officer, can trigger significant amendments to security arrangements without the need for changed laws or even regulations.

It is important to note that the tumbler’s role—to define a latent community, capitalize on dormant capacities, and coordinate action toward common benefits—does not exhaust the Coast Guard’s role in port security. Some of its functions, such as cruising around on fast boats bristling with machine guns, evoke classic protective roles.¹³ Its enforcement responsibilities are meant to head off obvious ways the security regime could fail—detering free riders from exploiting other private players’ security expenditures, for example, or diverting agreed-upon security spending to protect against garden-variety theft rather than terrorism. The constituencies that surround a harbor, after all, have some interests in common but by no means all, as Captain Englebert knows very well. But a Coast Guard strategy that started from or emphasized some other aspect of the governmental repertoire would

have produced a port protection regime quite different from and arguably considerably less effective than one rooted in the tummler's task.

Can such a convoluted and shifting system actually work? There have been no noteworthy terror incidents at American ports since the passage of the Marine Transportation Security Act. But terror attacks are, fortunately, rare events, so even a decade of safe operation does not assure us that protection is effective. As Robert Behn (chapter 4, this volume) establishes, there are no perfect metrics—nor even truly reliable proxies—for the level of risk at any one time. And thus there is no good gauge for whether current port protection arrangements have substantially improved upon the status quo ante.

This indeterminacy highlights one of the gravest vulnerabilities of the tummler approach, both in this instance and more generally: the risk of choosing the model because it is the most feasible, even when it is not the most effective, approach to collective action. The model presumes that there is only a narrow gap for the tummler to bridge between potential and actual cooperation—that the confluence of interests is only shallowly latent and that a modest nudge will suffice to make it manifest. If this presumption is wrong, then the tummler approach is misguided—invisibly and insidiously so, since it can masquerade for effective action.

Here Malcolm Sparrow's warning (chapter 3) is particularly germane. American ports confront a diverse portfolio of threats. What if we are mistaken that the most serious bundle of threats is also the set in which public and private interests are most closely aligned? Suppose it were the case that the gravest danger is not an explosion in the harbor but a vial of smallpox virus smuggled through in a tiny corner of some container—to wreak devastation, untraceably, when opened and deployed hundreds of miles inland? If there really *is* no way to secure the ports without forcing private players to incur large costs—the expense of fine-grained inspection, the losses from disrupted commerce—in the name of lowering the risks to the nation at large, then tumbling is the wrong role for government. It is thus possible that the current port protection regime is not a success story but a distraction. This is a generic risk not just for the subcategory of collaboration we address in this chapter but also for the collaborative approach to collective action in the broad. The mere maintenance of a partnership ostensibly serving the public interest can be touted as a success—even independent of the empirically elusive production of actual public value.

Yet if the inevitably sketchy evidence can't guarantee that we have gotten port protection right, it also gives little basis for second-guessing the judgment of the public and private actors tasked with the mission. Neutral

observers, including the hard-to-impress Government Accountability Office, give the Coast Guard and its network of collaborators generally good marks for progress—while noting that the range of choice left to private players makes the enterprise highly, and inevitably, complex.¹⁴ Captain Englebert and her colleagues and collaborators deserve kudos for creatively improvising a reasonable response to a suddenly urgent collective mission and—in the process—illustrating a collective-action model with relevance to an admittedly finite, but enormously significant, range of tasks.

Notes

1. The situation for our isolated idlers, to invoke the formal terminology of game theory, is that they have two strategies available, idle or engaged. They are all stuck playing idle, since none would find it worthwhile individually to incur the cost to switch to engaged. Yet all would choose engaged if asked to do so or if sufficient numbers of others would have done so. It would be easy to join lively groups around the ping-pong tables or the shuffleboard courts, with the expectation of getting into the next game, or to talk to others with whom you knew you had some minimal connection, or to wander the trail to the waterfall with even a stranger who would like the same experience. The situation has aspects of the dance floor that stands empty, even though it would move to full if it could only start at half full.

2. We thank Mark Moore for strongly encouraging us to expand this section and for his constructive comments pointing out how to do so.

3. John D. Donahue and Richard J. Zeckhauser, *Collaborative Governance: Private Roles for Public Goals in Turbulent Times* (Princeton University Press, 2011).

4. Mark Moore usefully observed that there are also conventional images of government's roles—including the adjudicator, the convener, and the mediator—that are more consistent with the tumbler metaphor.

5. We are indebted to Malcolm Sparrow for this image.

6. Singapore's Social Development Unit within the Ministry of Community, Youth, and Sports is profiled in Dan Murphy, "Need a Mate? In Singapore, Ask the Government," *Christian Science Monitor*, July 16, 2002; and on the ministry's website (http://app.mcys.gov.sg/web/corp_orgstruc.asp#5b). Sun Myung Moon, founder of the Unification Church in South Korea, does much the same, sometimes marrying, at the same time, hundreds of couples he has matched up.

7. The nations of the world must find a way to curb their greenhouse gas emissions. Any one of the many cooperative solutions available to reduce emissions would be far superior to the outcomes predicted by leading climate scientists that will otherwise be our fate. Yet the greatest tumbler would have trouble getting even the major polluters to substantially curb their activities. The asymmetries are simply too great. China and the United States are the two largest emitters. Any agreement

with teeth that the United States would find acceptable would be rejected by China, and vice versa.

8. Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups* (Harvard University Press, 1965).

9. Katherine McIntire Peters, "U.S. Port Security Measures Cover the Waterfront," *Government Executive*, September 10, 2004.

10. Anne Khademian, "The United States Coast Guard and a Port Security Network of Shared Responsibility," in *Unlocking the Power of Networks: Keys to High-Performance Government*, edited by Stephen Goldsmith and Donald Kettl (Brookings Press, 2009), pp. 149–50.

11. *Ibid.*, p. 145.

12. Howard Kunreuther and others, "Third-Party Inspection as an Alternative to Command and Control Regulation," *Risk Analysis* 22, no. 2 (2002).

13. Port security jumped from about 1 percent of Coast Guard spending before 9/11 to about 58 percent in the year after the attacks, stabilizing at around 25 percent (*ibid.*, p. 154).

14. "Maritime Security: Substantial Work Remains to Translate New Planning Requirements into Effective Port Security," GAO 04-838 (Government Accountability Office, 2004), p. 4.