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Peterson and Rasmussen: State and Local Politics Study Guide

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PETERSON AND RASMUSSEN: STATE AND LOCAL POLITICS STUDY GUIDE (Spring 2001) Steven Alan Samson

CHAPTER ONE: STATE AND LOCAL POLITICS: THEMES AND VARIATIONS

The last two decades represent one of the most dynamic periods in state and local politics since the early days of the republic. Structural changes in the economy, budget tightening at the national level, transference of responsibility to the state and local level without sufficient federal funding, the fierce competition among governments in the economics development game, the movement toward privatization of government services – all testify to a period of dramatic change in the intergovernmental system.

State and local governments have become more professional and are better able to deal with uncertainty than they were even fifteen or twenty years ago. Thus, especially at the state level, subnational governments are more capable of controlling their destinies as they steer through the shoals of change during the 1990s. State and local governments must make difficult decisions, among them the choice between **equity** (fairness) and **efficiency** (spending revenues in a very effective fashion). For instance, should states tax the middle class in order to provide basic medical care and better education for the poor, and risk an exodus of the middle class to other states where fewer of their tax dollars will go to those at the poverty level? [This, by the way, is a primarily reason social reformers of various sorts have sought to capture the administrative machinery of the national government, where they can create more uniform standards and to some extent block the tendency of middle class taxpayers to "vote with their feet."]

This introductory chapter examines in broad strokes some of the basic issues in state and local politics today. It begins with background material on federalism and intergovernmental relations, a survey of the kinds of subnational governments, and a brief discussion of state constitutions, which lay out the structure and rules governing state politics. The last part of the chapter introduces and briefly summarizes the material covered throughout this volume.

- 1. One theme is *equity vs. efficiency*. How does this conflict translate into political choices that must be made? (3)
- 2. Distinguish between a unitary system, **federalism**, a confederacy, and intergovernmental relations. (4)
- States sometimes serve as political laboratories for policy innovations as well as enforcement arms for federal laws. What are some areas of state policy and service delivery? Identify at least five kinds of governing bodies at the local level. What gives

cities political clout? (5-7)

- 4. Identify some universal features of state constitutions in the United States. [Another one is an acknowledgment of God]. What is earmarking? Home rule? What are some of the typical problems with state constitutions? [The strength of state political parties tend to vary in inverse proportion to the strength of interest groups. According to Daniel Elazar, states with individualistic political subcultures, like Indiana, tend to have weaker parties. Those with traditional political subcultures, like Virginia, tend to have stronger parties -- see pp. 52-53]. (7-10)
- 5. How has the role of state and local government changed since the nineteenth century? How have their responsibilities increased? How have revenue pressures made meeting these responsibilities more difficult? [The issue of "unfunded federal mandates" has been a source of anger at times, as has the laxness of federal law enforcement with regard to illegal immigration]. Identify some areas of state policy innovation. What are some problems with federal **grant-in-aid** programs with strings attached? (10-13)
- 6. Cite some examples of how state government is being professionalized. Who generally shapes the contours of actual public policy? [The concept of the **iron triangle** suggests a working alliance between three groups of experts in particular policy areas: legislative committees, bureaucratic agencies (including the licensing boards mentioned on p. 10), and interest groups affected by the policies, all of which may be insulated from the concerns of ordinary citizens]. (13-14)
- 7. How does the conflict between equity and efficiency (however they may be perceived) come into play with regard to redistributive policies? How have states promoted economic development? (15-16)

Review

federalism states as policy laboratories bills of rights licensing boards federal grants-in-aid economic development unitary systems types of local government earmarking income redistribution policies professionalization job relocation confederacy separation of powers home rule comparable worth law iron triangle

CHAPTER TWO: FEDERALISM AND INTERGOVERNMENTAL RELATIONS

Federalism is a form of governmental structure in which power is divided between a central government and lower-level governments. Changes in federalism have taken place many times over the course of American history. Among the more recent changes is the movement of responsibility from the national to the state governments. Such changes help define what subnational governments can and cannot do; they have to be acknowledged in considering the decisions these governments do—or do not—make, from economic development to the environment to law enforcement and criminal justice to education. Federalism evolves as Americans reconsider how government can best address important social problems. It adapts to changing conditions of society and new challenges that arise. Under a federal system there is always

the possibility of conflict among levels of government. Controversy over the relative power of national and state governments has waxed and waned over 200 years of American history. Some have argued that there should be a decided tilt toward the national government; others have contended that the states ought to be accorded more power.

This chapter considers three main topics: the origins of American federalism, the evolution of federalism and intergovernmental relations, and federalism and intergovernmental relations today.

- 1. How did the concept of divided power develop during the colonial resistance to taxes, such as the Stamp Act, imposed by Parliament? What were some weaknesses of the national government under the Articles of Confederation? Describe the development of the idea of federalism in the theory and experience of the American colonies. [Other examples include church covenants, the federal character of the Fundamental Orders of Connecticut (1639), and Benjamin Franklin's proposed Albany Plan (1754)]. (22-23)
- 2. What contributions were made by the Virginia Plan and the New Jersey Plan to the final Constitution? [The Connecticut Compromise strengthened the idea of federalism by designing the Senate as a "federal legislature," as a forum for the states within the national government]. In *Federalist 41*, what reasons did Madison give for a more vigorous national government? What is "police power"? (23-25)
- 3. In addition to the principle of *intergovernmental tax immunity*, what are the major implications of the *McCulloch* v. *Maryland* (1819) decision of the Supreme Court? How did **John C. Calhoun** propose to restructure federalism through his concept of the **concurrent majority**? (25-29)
- 4. How does the Supreme Court's decision in *Hammer v. Dagenhart* (1916) reflect the idea of *dual federalism*? What are some examples of intergovernmental cooperation during this period? How have categorical grants favored the confusion of jurisdictions that is characteristic of *cooperative federalism*? What is the "grantsmanship game"? How has "marble-cake federalism" favored the increase of government spending at all levels and the growth of bureaucracy? [See Michael S. Greve, "A Federalism Worth Fighting For," *The Weekly Standard*, 6 (January 29, 2001): 28-29]. What are **matching funds**? (30-36)
- 5. How are the relations between *policy generalists* and *bureaucratic experts* characterized in *picket-fence federalism*? Why are ties between bureaucratic experts at all levels generally stronger than lateral or horizontal loyalties to the particular level of government that employs them? What is the typical approach taken to the sharing of funds in the *New Federalism*? (36-39)
- 6. What are **mandates**? Why are they generally disliked by officials that have to enforce them? Identify the constitutional obligations each state has toward the other states and their citizens. What is **Dillon's Rule**? What is the effect of state mandating on local government? (41-44)
- 7. Identify three varieties of intergovernmental cooperation at the local level. [See also pp. 81-82 in the lectures]. How did Lyndon Johnson bypass the states to funnel money directly into cities? How has this pattern changed? What do the authors mean by a downward spiral in programmatic responsibility? (44-48)

John Dickinson
Virginia Plan
police power
concurrent majority
grants-in-aid
matching funds
mandates
Councils of Government

Federalists
New Jersey Plan
McCulloch v. Maryland
Hammer v. Dagenhart
categorical grants
block grants
Dillon's Rule
metropolitan government

Antifederalists supremacy clause John C. Calhoun Morrill Act of 1862 types of federalism general revenue sharing Lakewood Plan Creative Federalism

CHAPTER THREE: POLITICAL CULTURE, PUBLIC OPINION, AND POLITICAL PARTICIPATION

The ideal of democratic theory is for the people to have significant input into government decisions. Few analysts call for pure democracy, with mass "town meetings" to make basic decisions at the state and local levels. More commonly, representative democracy is viewed as the practical means for citizens to have a voice in policy matters. That is, people elect representatives to act on their behalf. After electing public officials, segments of the public engage in many different actions — such as making phone calls, sending telegrams, and joining local groups — designed to make their representatives listen and act on specific issues (for example, putting in a new stoplight on a dangerous street). This chapter explores the extent to which the public has influence on its elected representatives. Does the unique political culture of a city or state affect policy outputs? What do citizens of state and local governments think, and what difference do their opinions make in terms of what government actually does? What is political participation and how might it affect government decisions?

One common argument is that state and local governments are closer to the people than is the national government and that government close to the people ought to be responsive to them. This chapter focuses very directly upon one of the themes of this volume: the extent to which state and local governments are accountable to their citizenry.

- 1. What is meant by **political culture**? What are some of the factors that shape it? Identify three examples of an American ethos (culture) or subculture. How is politics typically understood in each? How do they influence interstate cooperation, policy liberalism, party competition, tax policy, and political tolerance? Distinguish between the Yankee (or middle class) ethos and the immigrant ethos. [Paul Rahe's "Don Corleone, Multiculturalist" is suggestive]. How do public-regarding vs. private-regarding attitudes affect public policy? (51-56)
- 2. Identify some typical ways of identifying and measuring public opinion. What issues did the early Gallup polls accurately measure? Is public opinion generally reflected in public policy? What is meant by *participation strategy*? How can the bias that results from *concurrence* be counteracted? (56-60)

- 3. How wide was the American voting universe late in the 19th century? Identify some of the constitution amendments that have expanded it. How does the Voting Rights Act of 1965 work? What factors are associated with higher voter turnout? Identify some examples of direct democracy. What are some problems associated with its use? What was the "grandfather clause"? (60-63)
- 4. What factors tend to affect the extent of political participation? What does the decline of community model suggest about the future of political participation? [It may be compared with Mancur Olson's pessimistic assessment in The Rise and Decline of Nations]. Identify some negative trends. What factors affect the likelihood of citizens making contacts with government officials? What were the chief causes of protest, according to the Kerner Commission? What were the political effects of the protests? What is the implication for cities of devolving responsibility downward? (63-70)

political culture
Yankee Ethos
concurrence
Voting Rights Act of 1965
recall
Kerner Commission

moralistic, individualistic, traditionalistic subcultures
Immigrant Ethos participation strategy
15th, 19th, 23rd, 24th, and 26th Amendments
initiative referendum
grandfather clause decline of community model

CHAPTER FOUR: POLITICAL PARTIES AND INTEREST GROUPS

This chapter examines the role of political parties and interest groups at the state and local levels of government. Both are important means for citizens to have some input into the decision-making process. The chapter begins by considering what parties are, what their three distinct facets are, how they function at the state and local levels, and how they might evolve. Next, it looks at interest groups: how their political activity varies across the states, the tactics they use, and the effect that they have on decision making at the state and local level.

The previous chapter discussed the role of public opinion and political participation in subnational politics. Parties and interest groups are designed to provide additional mechanisms for citizen influence on government. This chapter considers the extent to which that goal is met.

Several themes emerge from this consideration: the demise of party organizations after the heyday of the political machine and the recent revitalization of these organizations; the continuing role of old-fashioned politics even in a media-dominated era; the role of party identification; party competition and its effects on what governments do at the state and local level; the impact of interest groups on policy; and the bias built into the interest group system.

- Identify the three facets of a political party. Identify some of the corrupt practices
 Historically associated with political machines. What was the Progressive movement
 and what are some of the reforms its achieved? Contrast the new style with the old style
 of campaigning. (71-78)
- What contributes to the greater discipline and cohesion of the party-in-government? What is the coattails effect? What factors tend to weaken (or strengthen) party identification in the electorate? Identify the factors that most influence gubernatorial, legislative, judicial, and local elections. What is V. O. Key, Jr.'s theory of the effect of party competition? [This may lead to more disruptive competition called "outbidding"]. Identify specific practical effects of party competition. What does the (Austin) Ranney Index measure? (78-87)
- 3. Identify some of the most powerful interest groups at the state and local level. What are the most effective lobbying tactics? What is a political action committee (PAC)? [The founding around 1946 of the AFL-CIO's Committee on Public Education (COPE) was probably the first PAC]. What adverse effect does Mancur Olson attribute to interest groups? (87-92)

precinct patronage dual identification incumbency effect lobbying tactics ward Progressive movement split-ticket voting V. O. Key, Jr. PACs political machine coattails effect ideological polarization Ranney Index Mancur Olson

CHAPTER FIVE: STATE AND LOCAL LEGISLATURES

The legislature has been called the people's branch of government. Historically, citizens have seen the legislature as the most representative and most responsive branch of government — whether at the state, national, or local level. However, a great deal of variation exists in how legislative bodies work across both the states and their local governments. The principal differences are in degree of power, level of professionalism, extent of staffing, and dependence on other political actors for information.

Several key points are highlighted in this chapter. The increasing professionalization of legislatures, especially in the states, is one of the most significant, for it has made these bodies more effective and more responsive. A clearly related issue is the extent to which legislatures are truly representative. The chapter also evaluates the structure and the functions of legislatures at the state and local levels and portrays the kinds of real people who work as legislators.

First, though, some historical perspective is useful. In pre-Revolutionary America, representative assemblies were often in conflict with colonial governors appointed by the king of England. The royal governors had great powers on paper, such as the veto, the power to dissolve assemblies at will, power over the judiciary, and the ability to make church appointments. The colonists saw the governors' legal powers as both threatening their freedoms and violating the

(unwritten) English constitution. The representative assemblies were their bulwarks against executive tyranny.

Now, while the governors had great paper powers, their authority was much less in actual practice. For example, they did not have the power of the purse. The elected legislatures normally exercised this power. Hence, governors had to work with the colonists' representatives. Moreover, it was difficult for the governors to exercise power by getting their cronies elected to the legislature because of the practice of "instructing" representatives. Constituents in many places would literally tell their representatives how to vote, thus reducing the ability of the governor to control affairs within the assemblies.

The result was frequent confrontation between colonial governors and legislatures. Mutual distrust grew. After the Revolution, Americans feared reestablishing strong executives. They had come to view elected legislatures as the best defenders of their freedom. From the beginning, then, Americans have looked to their legislatures as the most naturally representative bodies in government.

In addition, the colonists were steeped in the Lockean liberal tradition, with a belief in limited government (government constrained in the extent of power granted it), separation of powers (legislative, executive, and judicial powers in different hands), and government by consent of the governed. These different values, as read through the lenses of English radical Whig thinkers whose ideas were embraced by the colonies, also supported the notion of a strong and independent legislature. When the colonists feared that their independent legislatures were being assaulted by royal governors, the distrust increased even further.

Study Questions

- 1. What was the typical relationship between the colonial governors and legislative assemblies? What are the chief positions of leadership in today's legislatures? Identify some of the practical effects of the professionalization of legislatures? Where is most legislative work done? What role is typically played by governors' vetoes? (93-100)
- Identify three types of municipal governments [the town meeting variety is omitted].
 Where is each type most likely to be found? Identify six functions of legislatures. Identify some roles of legislators respecting lawmaking and representation. (100-06)
- 3. Identify some of the typical attributes of legislators. What are some of the predictors of effectiveness? What is the irony of term limits? How has reapportionment of state legislatures changed since 1960? What is gerrymandering [named after Elbridge Gerry, one of the framers of the Constitution, governor of Massachusetts, and Vice President]? Compare the typical effects of at large elections, district elections, and cumulative voting? Identify some factors in decision making. (106-14)

Review

Speaker professionalism brokers

lieutenant governor types of city governments roles of legislators majority and minority leader functions of legislatures trustees

delegates casework *Reynolds* v. *Sims* politicos oversight gerrymandering impeachment reapportionment types of local elections

CHAPTER SIX: GOVERNORS, MAYORS, AND PROFESSIONAL MANAGERS

This chapter examines the changing roles of state governors, city mayors and city managers, and county executives and county managers. State and local governments employ more workers, spend more money, and provide more services today than ever before. Two hundred years ago, the United States was a lightly populated, primarily rural society whose self-sufficient people required minimal government services, valued close control of their elected officials, and feared strong executive authority. With rapid industrialization in the late nineteenth century, Americans became increasingly urban, interdependent, and in need of more government services. Although the center of governmental power in the United States has shifted to Washington, D.C., in the last sixty years, state and local governments play a large role in implementing programs mandated and financed by the federal government.

As state and local governments are called upon to assume greater responsibility, they have given governors and mayors more power. States and localities require executives strong enough to provide leadership, to monitor bureaucratic performance, and to coordinate service delivery. Also, in order to provide services more efficiently, state and local governments are building a work force of politically neutral, technically expert civil servants.

Study Questions

- 1. What factors have contributed to converting state and local government into "big business?" How do they differ from big business? Identify some factors that have contributed to their growth? What role is played by mandates? Discuss the evolution of executive power from the weak mayor/council form to the rise of political machines, the Progressive reform movement, and professional city managers. (116-25)
- 2. Identify the typical reasons people run for governor or mayor. What are some of the functions of these offices? How have the formal executive powers been expanded? Limited? What are some informal executive powers? (126-33)

Review

factors in state and local government growth
weak mayors political machines
civil service city managers
functions of governors and mayor
limits on executive power informal executive power

mandates progressive reformers commission form expanding powers

CHAPTER SEVEN: BUREAUCRACY

Our elected governors, mayors, and state and local legislators pass laws and allocate funds to operate schools and hospitals, to hire police officers and judges, to maintain highways and recreation areas, and to provide clean water and collect garbage. In our complex interdependent society, the quality of our lives depends upon how well 14 million state and local employees carry out these basic services. These employees, called bureaucrats, have considerable discretion in implementing policy directives and spending money. Bureaucratic rules and regulations define the law as citizens experience it; therefore, bureaucrats have real power over our lives.

This chapter discusses basic principles of bureaucratic organization, how well state and local bureaucracies work, and to what extent bureaucrats are representative of and responsive to the broader population. In a highly industrialized society, bureaucracy is the dominant organizational form because people organized in hierarchies who develop specialized skills and follow standard operating procedures can accomplish tasks more efficiently than if each person works alone or with very few others.

Real-world bureaucrats in both public and private organizations sometimes work together well in pursuit of the organizations sometimes work together well in pursuit of the organization's goals, and sometimes do not. Individual bureaucrats have personal goals which may or may not be consistent with the organization's goals. By monitoring behavior, evaluating performance, creating incentives, and encouraging employees to identify with the organization, managers increase the odds that employees will work for the organization and its goals.

Finally, citizens are supposed to have control over state and local bureaucrats through their elected governors, mayors, and legislators. At issue is to what extent bureaucrats are representative (have demographic characteristics similar to the broader society) and responsive (implement policies that reflect accurately the preferences of the citizenry). The adoption of the civil service system for hiring bureaucrats increased efficiency, but it also increased civil servant autonomy and created a predominantly white male bureaucracy. Recently, affirmative action and comparable worth policies have increased the representativeness of the bureaucracy, but such policies have generated considerable controversy over fairness and efficiency issues.

- 1. Are bureaucrats likely to be representative of the larger society? Identify the chief characteristics of bureaucratic organizations. In what ways do bureaucrats act as public servants? In their self-interest? How do organizations combat shirking? Identify some techniques to evaluate the effectiveness of government. (135-49)
- 2. How has Woodrow Wilson's view of the distinction between politics and administration been modified in more recent years? How do bureaucrats influence policy. How did the civil service system get started? How has discrimination been practiced in the bureaucracy? How has the problem been addressed? How is the principle of

discretion
shirking
incentives
program budgeting
Pendleton Act of 1883
comparable worth

bureaucratic characteristics close monitoring management by objectives Woodrow Wilson affirmative action motivation of bureaucrats performance evaluations line-item budgeting bureaucrats and policy reverse discrimination

CHAPTER EIGHT: STATE COURT SYSTEMS

Each state has its own unique judicial system, and court structures vary widely from state to state. This chapter explores similarities and differences across the American states. It begins with some historical background, then outlines the structure and functions of the state court systems. Local courts are part of the state system and therefore are not discussed separately. This chapter also considers the kinds of people who are likely to serve as judges and examines various methods of selection.

In any state, civil and criminal procedures are clearly drawn. These procedures are summarized as background for discussion of the factors that shape the courts' decision making.

Study Questions

- 1. What was the role of the state courts during the colonial period and how did it change following independence? How are state court systems typically arranged? What are their typical functions? How are judges typically selected? What is the incumbency advantage? Identify some of the historical trends in judicial selection? How much do these methods influence the type or quality of judges selected? How may judges be removed? Identify the typical characteristics of state judges. (157-67)
- Outline the typical steps in the criminal process. Identify important procedural safeguards that have been devised by the courts. Identify other issues that have been raised about the criminal process. Outline the typical steps in the civil process. Identify some issues that have been raised. What factors help shape judicial decision making?

Review

judicial review school financing cases the merit plan characteristics of judges information bench trial exclusionary rule role definition structure of state courts methods of selection impeachment felonies indictment *Miranda* v. *Arizona* plea bargaining functions of state courts incumbency advantage recall misdemeanors nolo contendere Mapp v. Ohio tort reform

CHAPTER NINE: THE POLICY PROCESS IN STATE AND LOCAL POLITICS

How do decisions get made by state and local governments? What actors are involved? Who wins and who loses? What forces help to shape the actual choices made by governments at the subnational level? These are the questions addressed in this chapter.

The policy process itself is often divided into several stages: problem recognition, agenda setting, decision making (or policy making), implementation, service delivery, evaluation, and feedback. Different dynamics govern each state, and different actors are dominant at each stage. Policy itself has been defined as "whatever governments choose to do or not to do." In short, in the context of state and local governments, policy is what these governments do and the decisions that they make (or choose not to make). This chapter examines five stages of the policy process, from problem recognition through service delivery.

The chapter concludes by looking at some of the factors that affect decisions actually made by state governments. Prior chapters have noted the importance of intergovernmental relations, public opinion, political culture, interest group activities, party competition, the executive, the legislature, the courts, bureaucracy, and socioeconomic factors. In the following six chapters, these various influences will be reexamined in light of several major policy areas to see the extent to which they help to shape the contours of state policy.

Study Questions

- 1. What are the chief actors in the policy process? Identify the four stages in the policy process. What are some ways problems can be identified? What did E. E. Schattschneider mean by saying that "organization is the mobilization of bias?" Identify two models of how decisions are made. [Similarly, budget making may use either the traditional incrementalism or the more modern zero-based budgeting]. What are the basic assumptions of elitism, pluralism, and the bureaucratic politics ("New Machine") models? Who are the decision makers in each of these models? Identify three substantive types of policy. Identify some problems in implementing policies. (179-95)
- 2. Identify the chief influences on policy. (195-99)

Review

social indicatorspolicy entrepreneurmobilization of biastypes of decision-makingelitismpluralismNew Machinetypes of policyimplementation problems

CHAPTER TEN: TAXING AND SPENDING

States and localities make taxing and spending decisions in economic, political, and demographic contexts over which they have little control. National

economic trends, for example, affect taxing and spending decisions. Federal government policies also affect state and local taxing and spending decisions. The federal government mandates that states and localities make public facilities accessible to handicapped persons, devise plans to reduce air pollution, and provide health care for the medically indigent. Politicians in Washington may change the level of funding available to carry out these mandates.

The politician's dilemma is that voters and interest groups favor most government spending programs but dislike paying the taxes to support them. That is why the federal government has consistently run budget deficits over the last thirty years. Since most state constitutions prohibit state and local governments from running deficits, governors and legislators must put together balanced budgets of taxing and spending that will be tolerable to the electorate. This chapter examines the tax alternatives available to state and local governments, discusses which taxes are most objectionable to taxpayers, and assesses the redistributive impact of state and local taxing choices.

On the spending side, the chapter describes trends in state and local spending over time and assesses some attempts to account for changing spending patterns. More detailed discussion of spending in particular policy areas, including education and health care, will be reserved for subsequent chapters. Social welfare, the fastest-growing portion of state and local government spending, has had a substantial redistributive impact and is the most controversial policy area.

In years of fiscal crisis, governors and legislators who make up the budget are caught between declining revenues and the rising cost of providing services. During hard economic times, personal incomes stagnate and unemployment rises. Government revenues fall and taxpayer resistance to higher taxes intensifies. At the same time, the cost of providing police protection and meeting social welfare obligations rises rapidly

Study Questions

- 1. What are (or were c. 1994) some major economic and demographic trends? How have cities been affected by national policies? Identify the chief sources of state revenues and local revenues. How may taxes be made more palatable to taxpayers? How do taxes variously distribute the tax burden? How do taxes redistribute wealth? (200-12)
- What are the trends in state and local spending? Why is incrementalism prevalent in spending decisions? What are some of the pitfalls associated with predicting revenues? What are some advantages of moving toward a longer budget cycle? What are some of the ingredients of the urban fiscal crisis that has beset places like East St. Louis and Bangor? What are some of the tricks for coping with fiscal crisis? (214-18)

Review

national and international economic trends
urban programs state revenue sources
minimizing opposition to taxes tax burden
incrementalism longer budget cycle

demographic trends local revenue sources trends in spending fiscal crises