

# STATE AND LOCAL GOVERNMENT IN A CHANGING SOCIETY

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RICHARD D. BINGHAM ■ DAVID HEDGE  
Second Edition



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## STATE AND LOCAL GOVERNMENT IN A CHANGING SOCIETY

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# PREFACE

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This edition represents a major expansion of the first edition of *State and Local Government in an Urban Society* as well as a change in focus. We have added chapters on state and local government finances, economic development, education, poverty, homelessness, and AIDS. At first glance the policy chapters seem to be an odd mix—and they are. We deliberately mixed traditional policy areas (education, poverty) with the most dynamic (economic development) and the new (homelessness, AIDS).

While we were deciding on these policy areas, the theme for the book emerged—change. One only has to look back to 1980 to recognize the dimensions of change. The national debt was miniscule by today's standards. The international trade deficit was nonexistent. There were relatively few homeless and a very small number of the homeless were women and children. We had never even heard of Acquired Immune Deficiency Syndrome (AIDS). Almost nothing remains the same a relatively short time later. And this is as true for governmental institutions as it is for society in general. As we shall see, change is as relevant a characteristic of governmental institutions as it is of public policy. It was within this framework of change that this text was written.

A textbook, however, must have more than an underlying focus. The book's emphasis must make sense to students as they read each chapter. To this end, a short theme opens each chapter. The purpose of these themes is to connect the focus to the substance of the chapter. They attempt, in effect, to raise the student's level of consciousness about the material presented.

A good text must also provide the appropriate information and must communicate that information effectively. It must capture student interest. This book attempts to do so in several ways.

*It is contemporary.* It emphasizes the problems state and local governments handle on a daily basis. The chapters cover issues such as the delay in our court systems, school desegregation, and government response to fiscal crisis.

*It is interdisciplinary.* While the majority of the material covered in the book is drawn from political science, much is not. We have a great deal to learn about state and local governments from historians, sociologists, economists, and educators.

*It has an intergovernmental focus.* State and local governments do not exist in isolation. They are an integral part of an overall system. The activities of the U.S. Department of Housing and Urban Development, for example, significantly affect what goes on in our cities and towns.

*It provides the latest in academic research.* Academic research is not very useful if it never goes beyond esoteric journals. The book attempts to synthesize academic research to make it meaningful to students. Why, for instance, do judges hand down the decisions that they do?

The first three chapters provide the background for our study of state and local government. Chapter 1 traces the historical development of the United States and illustrates societal change, focusing on the economy. Chapter 2 follows with the structural setting of our state and local system, state constitutions, and the place of states and local governments in the federal system. Chapter 3 discusses the role of political parties and indirect groups in our subnational governments. Chapters 4, 5, and 6 cover the three branches of state government: legislative, executive, and judicial. They describe the structure of the institutions as well as the major actors in each branch. The next five chapters are devoted to local governments—counties and special districts, cities, urban politics,

service delivery, and school districts. Chapter 12 follows with a general overview of state and local finances. Chapter 13 is somewhat special—it examines women and minorities in state and local politics. Chapters 14 through 18 are the policy chapters. They give the student some idea of the outputs of the state and local political systems.

This book, we hope, is unique. It is certainly personal. We have tried to include material and perspectives that we think are important, not necessarily those that are covered in other textbooks. We believe that the approach taken in the discussion of race and gender in government is unique. And we do not know of another text that emphasizes service delivery or public education to the extent that they are covered here. We hope that we have succeeded in bringing a fresh perspective to the study of our states and localities.

## ACKNOWLEDGMENTS

As is typically the case, this text reflects more than the efforts of its authors. At Cleveland State, Stephen Schwelgien spent countless hours in the photo archives of various libraries in Cleveland assisting in the selection of photographs for the book. Nora Kancelbaum spent many hours at the word processor trying to decipher Bingham's handwriting and correcting his spelling and grammatical errors.

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Finally, the book benefitted greatly from the encouragement and guidance of Bertrand Lummus, senior editor, and Fred Burns, senior editing supervisor, of the College Division at McGraw-Hill.

Richard D. Bingham  
David Hedge



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# 1

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## THE DEVELOPMENT OF THE UNITED STATES

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The amount of scientific knowledge in the world doubles every fifteen years. This means that there have been more new discoveries in your lifetime than in the whole history of mankind before you were born. This much discovery and the accompanying change is hard on the human soul. It makes for a frantic life and induces high levels of stress.

Take something presumably as simple to operate as a telephone. While on vacation one of the authors tried to call Joliet, Illinois, but instead reached Japan. How did that happen? Simple. He dialed "1" for long distance and "815," the area code for Joliet. The only trouble was that he was using MCI and "1" is the code for international calls and "81" is the country code for Japan. He should have dialed "0" for a domestic call and then "815" for Joliet.

In the office the same author has a telephone system called ROLMphone. The ROLMphone does everything. The only problem is that it comes with a fifty-page instruction manual and you have to take a course to learn how to use it. It is no wonder that we yearn for the good old days.

Change is with us whether we like it or not. And government must help us deal with change. In order to fully understand the institutions that govern our society, we must first come to grips with the way our nation has developed.

When we were growing up there was an old saying, "In life there are only two sure things: death and taxes." Today we can add a third—change. As we look back over our lives and reflect on the momentous events that have occurred, the list is staggering—the bomb, television, computers, AIDS, homelessness, crack, superconductors, air travel—and endless.

One of the authors of this book is over 50 years old. The United States as a nation has

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\*Derek J. de Sola Price, *Little Science Big Science... And Beyond* (New York: Columbia University Press, 1986), p. 5.

been in existence only a little over 200 years. That means that the author has personally experienced about one-quarter of our nation's history. And he doesn't even feel old!

This is a book about state and local government in the United States. Given our rapidly changing society, we think it is necessary to set the stage for our study of government with a short historical review to see what we look like as a nation and how we came to be that way. We then focus on more recent developments, exemplified by the changes in the structure of our economy.

## HISTORICAL DEVELOPMENT

A brief overview of the historical development of the United States will allow us to evaluate the forces of development that have been most important in the growth of our nation.<sup>1</sup> For convenience, we can group the development of America into five time periods: (1) the colonial setting (early settlement through 1789); (2) the mercantile era (1789–1860); (3) the inland expansion (1860–1910); (4) the emergence of the metropolis (1910–1950); and (5) suburban dominance (1950 to date).

### Colonial Setting

The American colonies, like all others of the crown, existed as sources of English wealth. They were designed to function to profit the Empire, or at least to profit those who controlled the Empire. Towns were essential to colonial life from the very beginning. They were necessary centers from which agriculture, the fur trade, and other activities could move inland and still maintain contact with England.

The early towns in America were also instruments of social control. Individual life was strictly regulated. The early settlers were legally responsible to work on public and private projects when they were in the best interest of the community. Social life was also regulated. Laws governed dress, social rank, and residential location. Different areas of the towns were set aside for the estates of the rich and the modest homes of the working class.

**Planned communities.** Virtually all of the colonial cities and towns were planned communities, even though planning came to be strongly opposed by some interests in the twentieth century. The values of urban life were believed to be inherent in the regulation and planning of communities. William Penn, for example, carefully planned Philadelphia. Streets were laid out in a gridiron pattern interspersed with large squares to provide space for civic and religious centers.

The most impressive example of planning came with the establishment of Savannah, Georgia—designed by a well-to-do Englishman, James Oglethorpe (Figure 1.1). On a level site, ten miles upstream from the mouth of the Savannah River, Oglethorpe outlined the town limits in a large rectangle. Within the rectangle, house sites were grouped in square wards of forty lots each. A gridiron of wide main streets divided the wards. The squares where the main streets intersected were, for the most part, given over to churches and other public buildings. Around the outside of the rectangle was a common ground, an area divided into five-acre garden plots. Outside the garden plots the land was divided into forty-acre farms.

Even Boston, where the maze of streets and alleys still frustrates tourists, was carefully planned. The city fathers took pains to follow the local topography when they developed their city.

**Early cities.** By 1730 there were a number of communities in the American colonies that could be classified as cities. They were the seaports of the East Coast linking the colonies to England. At this time, the population of Boston numbered about 13,000; New York, 8,000; and Philadelphia more than 11,000. The growth of these port cities was nourished by specialized economic activity. Plymouth and the other Massachusetts Bay Colonies, for example, found that fishing gave them a surplus product that they could sell or trade for articles they needed. Boston, Salem, and Marblehead specialized in shipbuilding that supplied both the fishing fleets and the wider maritime trade. Other industries developed to support the shipbuilding: foundries, forges, sailmaking shops, and so on.



base of most of the colonial towns was secure with commerce dominating the economy. New England towns and cities specialized in the manufacture of ships and masts, and the shipping industries; New York and Philadelphia in furs; Norfolk and Charleston in pitch, tar, and turpentine; and Baltimore in agricultural products.

It is important to note that in spite of the fact that cities and towns were growing, town dwellers in the early decades made up a decreasing percentage of the total population. In 1690 approximately 10 percent of the American colonists could be classified as urban. A century later, the first federal census found that only about 5 percent of the population lived in urban places. The proportion of Americans living in urban areas continued to decline until 1820. It was not until 1830 that urban dwellers again constituted 10 percent of the American population.

### **Mercantile Era**

Large urban centers began to appear in the late eighteenth and early nineteenth centuries. By 1820 one American in fourteen could be called urban—although one-third of those people lived in New York City and Philadelphia—and the country contained twelve cities with populations of more than 10,000. By 1860 there were 101 such cities, including 8 that had populations of more than 100,000. In part this was not an American phenomenon, but was a manifestation of a worldwide trend. Urbanization reflected technological progress, changes in social organization, and the development of nations. At the beginning of the nineteenth century the large cities of the United States were strung out all along the East Coast. They faced the sea and had developed because of their maritime trade. By the time of the Civil War, however, all of this had changed. New cities appeared deep in the interior along the major rivers and waterways. Many of the interior trade cities began as forts, but they soon became speculative enterprises. Pittsburgh developed from Fort Pitt, established during the early stages of the French and Indian War. Cincinnati, though not originally a military post, became the site of a tem-

porary and important fort soon after its founding. Lexington, Kentucky, began as a stockade against the Indians.

As the eastern seaports sought to develop their western trade, their activities opened up the land to the West. The opening of the Erie Canal granted access to a new region—the Great Lakes—triggering the growth of a new urban complex. The effects of the Erie Canal's completion could be felt by the small communities around the Great Lakes. Cleveland, for example, grew from 6,000 in 1840 to 17,000 in ten short years. The finishing of the Erie Canal, coupled with the end of the War of 1812, spurred Detroit's growth. Detroit's location along the narrow connection between Lake Erie and Lake Huron began to return dividends. Detroiters began outfitting migrants who developed the agricultural land in Michigan and sent Michigan's agricultural surplus back to the East. Detroit's population grew from only 1,400 in 1820 to 21,000 by 1850.

The Erie Canal also created great speculative interest in Illinois. Although Chicago is a relatively young city, not incorporated until 1833, interest in the site was very old. The location was important because it was one end of a potential canal site connecting Lake Michigan with the Illinois River, and thus the Gulf of Mexico. In 1827 Congress granted the State of Illinois sections of land along the proposed canal route. Two years later the Illinois legislature established a canal commission. Although twenty years were to pass before the canal was completed, Chicago's strategic location led to much speculation and, in turn, a boom. Real estate values increased by as much as 20 to 25 percent per day before the crash of 1837. Naturally, all of this attracted attention to Chicago, and its population grew rapidly. By the time of the 1837 crash, enough people had sunk their fortunes in Chicago's prospects to give it a nucleus of leaders who fought for its continued growth. Chicago quickly sought and found an industrial base—meat packing—for its economic growth. At about the same time, Cyrus McCormick moved his agricultural implement factory to the city. These beginnings, coupled with the success of Chicago's railroad planning, secured the city's place in American history.

## Inland Expansion

The modern American city emerged between 1860 and 1910. During this period urban population increased from 19.8 percent of the population to 45.7 percent, although urbanization did not proceed at an even pace. Movement to the city was accelerated in good times and fell off in bad. The trend, however, was unmistakable. The United States was clearly becoming a nation of city dwellers.

Between 1860 and 1910 the number of cities over 100,000 increased from 8 to 50, while the number of urban areas from 10,000 to 25,000 increased from 58 to 369. This era marked the emergence of an urban network of national, regional, and subregional cities. Numerous specialized technological and economic developments contributed to the growth of individual cities. Dayton, Ohio, for instance, became the home of the National Cash Register Company; Schenectady, New York, the home of General Electric; Holyoke, Massachusetts, specialized in paper; Corning, New York, in glass; Hershey, Pennsylvania, in candy, and so on.

Similarly, mining booms in gold, silver, copper, and oil in the late nineteenth century created a number of urban communities. Tulsa, Oklahoma, was located at the site of an oil discovery; Butte, Montana, copper deposits; and Wilkes-Barre and Scranton, anthracite.

The railroads, however, were really responsible for the most dramatic growth of urbanization in the American interior. Railroads could be built anywhere, creating cities where they chose. From early on railroad developers and speculators were well aware of profit in the urban growth of the West. The plotting of town sites and the sale of lots became an integral part of the process of building railroads.

The rise of Kansas City as a regional metropolis is one of the best examples of the relationship between railroad planning and real estate promotion and development. The Civil War nearly destroyed Kansas City; the town's population declined by half as it acquired a reputation as a center for sectionalist sentiment. The overland wagon trade, which was centered in Kansas City, moved north to Leavenworth, a military fort and center of Union operations.

After the war, knowing they were fighting Leavenworth as a regional center, the property holders of Kansas City used stock in a paper railroad company, a congressional land grant, local bond issues, and grants of blocks of potentially valuable real estate to persuade officials of the Hannibal and St. Joseph Railroad to connect with the transcontinental branch being built through Kansas by way of Kansas City, rather than by way of Leavenworth. Within a decade the city had developed its important meat-packing facilities, and its population grew from 32,000 in 1870 to 55,000 in 1880.

The railroads and real estate speculation were fundamental to the development of the cities of the West as commercial enterprises. Railroad and real estate booms were responsible in large part for the development and promotion of such places as Los Angeles, Oakland, Portland, Seattle, El Paso, Denver, and Wichita.

## Emergence of the Metropolis

By 1910 American culture had become urbanized. However, the period 1910 through 1950 represented a distinct change in the American way of life. The era is characterized by a great increase in the number of metropolitan areas and their total population. Between 1900 and 1950 the metropolitan population increased from 31.9 percent of the nation's total to 56 percent, a growth rate that was substantially higher than for the country as a whole. Finally, there was the tendency for rapid growth to take place in the outlying areas of the metropolitan centers at an accelerating rate. During the first decade of the century metropolitan rings, or suburban areas, claimed only about one-sixth of the total U.S. population growth. By 1950 this figure had risen to nearly 50 percent.

Many different factors influenced the spread of the urban population. The techniques of modern merchandising and the development of the department store and its branches were important contributors to suburban growth. Another significant aspect of suburban development was the industrial suburb. In the late nineteenth and early twentieth centuries, the substitution of electric power for steam coupled with improvements in transportation made it



possible for manufacturers to move away from the central cities to areas where they could find vast amounts of cheap land to build factories that incorporated economies of scale. They also found lower taxes and freedom from regulations regarding smoke and noise. Gary, Indiana, the largest city ever built by an American manufacturer, illustrates this development. In 1905 the United States Steel Corporation purchased eleven square miles of empty land in Indiana below Lake Michigan. The corporation, through a subsidiary, constructed a system of utilities for a city of 200,000, plotted out streets and lots on a simple gridiron design, and had housing built by private contractors and sold to incoming workers on long-term contracts. New industrial towns such as Gary reflected a general pattern of decentralization clearly indicated in manufacturing statistics. A Census Bureau study of twelve of the thirteen largest industrial districts in the United States showed that from 1899 to 1904 the number of persons employed in industry in central cities increased by 14.9 percent while in the outlying zone the number increased by 32.8 percent. The trend toward industrial decentralization became even more pronounced with the dramatic growth of the suburbs after 1920.

It was, however, the expanded opportunities created by the automobile that stimulated an urban land boom and radically inflated property values in the central cities. Inflation of downtown land values and the post-World War I boom in many sections of the economy stimulated the construction of great skyscrapers. As cities grew upward, they also spread outward. The 1920s saw the emergence of modern residential suburbs. This is exemplified by the spectacular growth of some of the more famous suburbs: between 1920 and 1930 Beverly Hills grew by 2,485 percent and Shaker Heights by 1,000 percent.

The automobile added a new dimension to one of the oldest economic activities associated with urbanization—town promotion. The use of the automobile enlarged opportunities in this area. With the construction of new highways, hundreds of promoters and salespeople went to work selling lots in small incorporated cities within driving distance of the central cities.

The character and distribution of the urban population also changed during this period. Legislation passed in the early 1920s reduced the annual immigration from overseas to a shadow of what it had been. With immigration from abroad sharply reduced, cities grew largely through internal migration until the 1940s.

One of the most significant aspects of urban development in the twentieth century was the movement of southern blacks to the cities of the East and Midwest and, on a lesser magnitude, to the cities of the South. The failure of the cotton crop in the South in 1915 and 1916, along with the demand for industrial labor caused by World War I, created a black migration to northern industrial cities. The trend was intensified during the next decade. In 1910, 89 percent of all blacks lived south of the Mason-Dixon Line. By 1930, however, as a result of these northern migrations, 20 percent of all blacks lived in the Northeast and Midwest, with 88 percent living in urban areas—primarily in the large cities.

The urbanization of the black population changed the social patterns of the large cities. Black settlements in the northern cities were much more homogeneous and much more permanent than the older ethnic ghettos. Some neighborhoods, for example, were 95 percent black by 1930. These concentrated ghettos intensified old urban problems. Racial segregation drastically limited the possibility of upward mobility by individuals or groups. The black metropolises of Chicago, New York, and other cities were areas where few blacks could benefit from economic growth and cultural advantages, but where the long-standing problems of crime, poverty, and disease existed in aggravated form. The urban segregation of the black population reflected a general tendency of increased economic and cultural segregation during this period of twentieth-century growth as the wealthy and more powerful members of the community steadily moved to the suburbs.

The economic and social segregation of minorities was enhanced by the maturation of zoning and planning. Residential suburbs became enclaves of wealth through vigorous zoning requirements. For newly developed areas,

comprehensive deed restrictions, controlled land use, minimum costs of building, open space requirements, setback lines, and restrictions on the sales of property to minorities all contributed to segregation.

### Suburban Dominance

Although the automobile was developed early in the century and soon became affordable for most families, the automotive society did not really develop until after World War II. The Depression delayed true mass production of the automobile, and World War II postponed mass automobile ownership for another five or six years. By 1946 personal savings were at an all-time high and there was a great pent-up demand for consumer goods. This resulted in a new automobile-centered society of detached homes in the suburbs, and a car-centered cul-

ture of drive-in movies, fast foods, and shopping centers.

At the same time, government programs contributed dramatically to the availability of homesites on the urban fringes and to the spread of suburbs out from the metropolitan area. Federal housing programs, such as the Federal Housing Administration and Veterans Administration insurance programs, had a "new housing" bias. Participation in these programs was normally limited to new construction—construction of single-family homes in suburban areas. The interstate highway program and many other federally assisted road programs provided funds for a massive road-building effort. These highways provided convenient and quick access to the cultural and economic opportunities of the central city for suburban residents.

By 1963 the percent of population outside the

*An aerial view of Levittown, Pennsylvania, one of America's tract suburbs. (AP/Wide World Photos)*

