

OUR TOWN: RESTORING LOCALISM



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The Center for Opportunity Urbanism (COU) is a 501(c)(3) national think tank. COU focuses on the study of cities as generators of upward mobility.

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AUTHORS

Joel Kotkin is the executive director of the Houston-based Center for Opportunity Urbanism. He is the RC Hobbs Presidential Fellow in Urban Futures at Chapman University. The author of eight books, including the highly acclaimed *The Human City: Urbanism for the Rest of Us*, he serves as the executive director of the influential website www.newgeography.com and is a regular contributor to *Forbes.com*, the *Orange County Register*, *Real Clear Politics* and the *Daily Beast*.

Wendell Cox is a senior fellow with the Center for Opportunity Urbanism. He is principal of Demographia, a St. Louis based international public policy consulting firm which publishes the widely cited *Demographia World Urban Areas* survey and the *Demographia International Affordability Survey*. He served for three terms on the Los Angeles Transportation Commission as an appointment of Mayor Tom Bradley. He also served as a visiting professor at the Conservatoire National des Arts et Metiers (CNAM) in Paris.

Editor: Zina Klapper is a journalist and editor with numerous national credits. Most recently, she has edited a major volume of essays for MIT's Center for Advanced Urbanism, scheduled for publication by Princeton Architectural Press in 2017. Previously, her international media outreach for the Levy Economics Institute of Bard College included commentaries on major news outlets worldwide.

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RESTORING LOCALISM: AN AGENDA FOR TWENTY-FIRST CENTURY AMERICA

INTRODUCTION

America is facing a critical moment in its evolution, one that threatens both its future prosperity and the integrity of its institutions. Over the past several decades, government has become increasingly centralized, with power shifting from local communities to the federal level. This has been accompanied by a decline in non-governmental institutions, a matter of concern to thinkers on both the right and the left.¹

The issue here is not the irrelevance or intrinsic evil of government itself, nor is it a debate of liberalism vs conservatism. Rather, it is a question of how to meet society's primary challenges. Is it most effective to try and solve our myriad problems from a central federal, state or regional authority, or from a more local one?

We believe the right answer, in many cases, is to make a shift back towards local governing agencies, to neighborhoods, and to families. This change in direction would be a return to the roots of our current federal system, which allows different levels of government to make their own decisions, providing a marketplace for various ideas and approaches. To be sure, local governments also make mistakes, and they can be authoritarian, corrupt, and short-sighted in meeting the needs of residents. But for the most part, locally generated negatives remain contained to local jurisdictions, and can be fixed through the democratic process at the more accessible local level.

A variety of views on the topic can be found at every point on the political spectrum.

Former Defense Secretary Robert Gates, for example, notes that the country needs to return to "... the system of gov-

ernment bequeathed to us by the Founders," saying that the expansion of government should be restrained "when so much of what we have works so poorly."²

The progressive justice Louis Brandeis came to a similar conclusion from a decidedly different perspective. Praising the role of states as "Laboratories of Democracy", he suggested that local governments can "...try novel social and economic experiments without risk to the rest of the country."³ This mantra was later picked up by the left-of-center American political theorist David Osborne in his 1990 book, "Laboratories of Democracy."⁴

Notably, Osborne's book featured a foreword by then-Governor of Arkansas, Bill Clinton. The future U.S. President praised "pragmatic responses" to key social and economic issues by both liberal and conservative governors. Such state level responses, he correctly noted, were critical in "a country as complex and diverse as ours."⁵

Many of the most radical advocates for local control have historically been on the American left. In the 1960s and '70s, leading thinkers like Milton Kotler and Karl Hess helped create what St. Louis University's Benjamin Looker defined as "the neighborhood movement's radical decentralist wing." The localists thought issues should be addressed through the lower levels of government and grassroots non-government institutions. This approach was also embraced by such disparate thinkers as the great urbanist Jane Jacobs and the conservative scholar Robert Nisbet.⁶

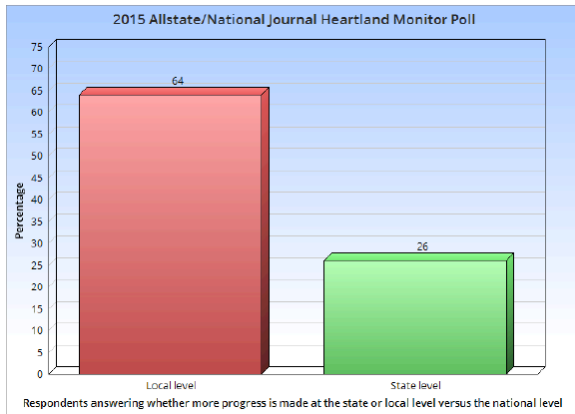
Today, many on the left embrace the ideal of localism as a reaction against globalization and domination by large corporations.⁷ For example, grassroots progressives often support local merchants and locally produced agricultural products.⁸ Some have adopted localist ideas as an economic development tool, an environmental win, and a form of resistance to ever-greater centralized big business control.⁹

Author Heather Gerken has argued that progressive social causes like racial integration, gay marriage, marijuana legalization, and others have historically tended to be adopted first at a local level before spreading to other areas. This sort of localism, of course, runs the risk of not spreading as rapidly to more conservative localities. Nonetheless, Gerken argues, it's necessary for cities and states to have these powers so that local "cities upon a hill" of social reform can be allowed to flourish and lead by example.¹⁰

Sadly, this embrace of localism often does not jibe with the contemporary progressive approach towards governance. For example, the New Urbanism movement is founded on the sound principle of small districts built around "the concept of community."¹¹ But its founding principles favor solutions that would require centralized planning around a fixed set of preferred, even mandated, options.¹²

Outside of political circles, localism is widely embraced by a broad majority of the American public. By a wide margin — 64 percent to 26 percent, according to a 2015 poll — Americans say that they feel "more progress" comes from the local level than the federal level. Majorities of political affiliations and all demographic groups hold this same opinion.¹³

Figure 1



The preference for localism also extends to attitudes toward state governments, many of which have grown more

powerful and intrusive in recent years, notably in California. Some 72 percent of Americans, according to Gallup, trust their local governments more than they do their state institutions; even in California, far more people prefer local control to control from Sacramento.¹⁴

AMERICANS FAVOR LOCAL GOVERNMENT

Figure 2

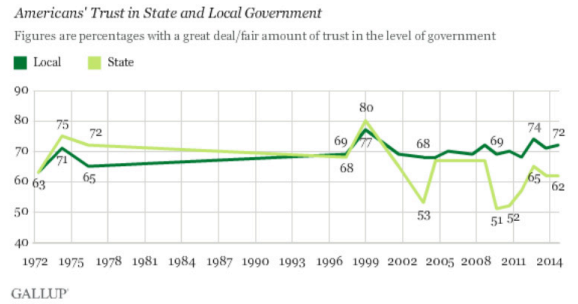
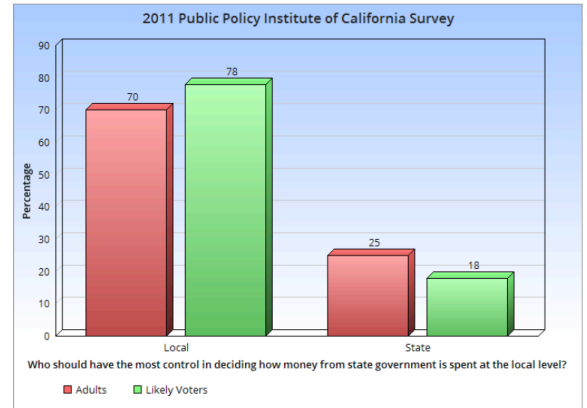


Figure 3



Even in California far more people prefer local control than that from Sacramento. Strong majorities (70 percent adults, 78 percent likely voters) prefer local government over state government (25 percent adults, 18 percent likely voters).

Millennials may largely be liberal on issues such as immigration and gay marriage, but, like older generations, they strongly favor community-based, local solutions to key problems. As one commentator has suggested, the use of social media may make them more "socially conscious," but they do not necessarily

favor the ideal of top-down structure embraced by earlier generations. They generally prefer small units to larger ones.¹⁵

Indeed, a recent National Journal poll found that less than a third of millennials favor federal solutions over locally-based ones. They are far less trusting of major institutions than their Generation X predecessors.¹⁶ Millennials' regard for large institutions like the courts, the police, and the media appears to have reached a nadir. Among the six institutions included in the poll, the military ranked highest, at 53 percent. "Millennials are on a completely different page than most politicians in Washington, DC," notes pollster John Della Volpe. "This is a more cynical generation when it comes to political institutions."¹⁷

THE LOGIC OF HYPER-CENTRALIZATION

The contemporary trend towards what might be best described as 'hyper-centralization' assumes the superior expertise and wisdom of bureaucracies with the power to regulate. It is tied to the nationalization of politics, an approach that ignores local conditions and rationalizes single solutions for a highly diverse country. It has also, as The New York Times' Tom Edsall has noted, served to make politics far more ideological, and less capable of addressing real problems, as the center weakens and the extremes in both parties carry out ever-more narrow agendas.¹⁸

Our counterpoint is a challenge to hyper-centralism: to its practical shortcomings, as well as to its authoritarian nature. In our research, we have found repeatedly that a federal and state expansion of powers over locally controlled policies often tends to be ineffective, expensive, and unnecessary.

The trend toward centralism is rooted in the belief that bigger and more concentrated government means better government. This notion has grown since the progressive era, and was embraced by the New Deal, the Great Society, and, more

recently, by the Obama administration.

At the core of the centralist idea is the notion — not totally off-base — that political fragmentation leads to an unequal level of services, as a consequence of the unequal capacity of jurisdictions to generate internal fiscal resources. The absence of a region-wide government, centralizers argue, hinders the formulation of policies to address this problem.¹⁹ Many politicians, intellectuals, and academics long have embraced the consolidation of numerous governments in metropolitan areas as a means of increasing efficiency and responsiveness.²⁰ Advocates cite opportunities to better coordinate public policy and to encourage economic development, and contend that local government fragmentation exacerbates racial and social class segregation.²¹ They also argue that new self-governing communities facilitate urban sprawl.²²

Movements favoring wider regional governance have adherents around the world, notably in the European Union and in emerging countries. British planners have been working to undermine local control for decades, and have targeted successful suburban developments, notably Milton Keynes outside of London, for not meeting the goals of national planners.²³ In Denmark, the Netherlands and Finland, national officials have all but forced localities to accept consolidations by withholding funds if they fail to comply. Say scholars Michiel S. de Vries and Iwona Sobis:

During the decision making process, often the word "voluntary" appears, however, always accompanied by wielding a big stick. In Denmark, municipalities got one year to merge voluntarily, and if they did not comply, central government would impose it. In Finland and the Netherlands, the national governments use financial incentives to induce municipal mergers.²⁴

The movement to centralize control in ever larger and more distant bureaucracies has been critical to the Brexit debate. This political shock has been

ascribed to nativism, racism, and opposition to globalization but as leftist author James Heartfield points out, the greatest reason was one largely ignored by the dominant figures of both the Conservative and Labour parties: a desire for local control. Heartfield notes, “The vote shows that very few of the experts, the academics, the media, lawyers and politicians have any insight into the will of the people, or even understand the meaning of the words sovereignty and democracy.”²⁵

The anti-EU rebellion is hardly limited to Britain. Since 2005, French, Danish and Dutch voters have voted against closer EU ties. Hostility to the EU, as recorded by Pew, is actually stronger in many key European countries, including France, than in Britain. Since the Brexit vote there have been moves for similar exit referenda in several European countries.²⁶

NEEDED: A NEW LOCALIST PARADIGM

Localism is not a panacea for solving all issues, some of which are indeed better addressed on a larger scale. The central government has historically played an important and often positive role in shaping our democracy. The founders correctly saw the hyper-decentralized, state-dominated regime under the Articles of Confederation as ineffective, particularly for the national defense and for the promotion of commerce.

Though they favored a strong federal government, the framers also were profoundly aware of the dangers posed by a concentration of power. They had studied the successful growth of the Roman Republic, with its intricate system designed to reduce too much power in singular hands, followed by its violent transition into a centralized state under one ruler. The American Republic itself emerged in large part against monarchical control and the political oppression dealt to the colonies by the central London government.²⁷

The Constitution divided power in

two ways: between the executive, legislative, and judicial branches of the federal government, and between the powers of the federal government and those “reserved to the states.”

JAMES MADISON ON CONCENTRATION OF POWER

Figure 4



“The accumulation of powers legislative, executive, and judiciary in the same hands ... may justly be pronounced the very definition of tyranny.” Federalist No. 47

The federal Constitution both sought to ensure stability and security, but in a context of limited and balanced powers. The Federalists among the Founders — as well as more skeptical thinkers like Thomas Jefferson — understood the dangers implicit in too much centralized power. Madison, for example, advocated a stronger federal system but insisted that “neither moral or religious motives” could be relied on to create a successful republic; that would require “checks and balances” to prevent any of society’s “factions” from gaining too much power and subverting the republican system, as occurred in Rome.²⁸

THE RISE OF LEVIATHAN: THE FEDERAL STATE EMERGES

In the first decades of the Republic, Federalists promoted federal regulation and interstate commerce by supporting infant industries with federal investment in infrastructure. These policies helped to open the then-largely uninhabited country. Congress addressed fierce conflicts between agrarians, including slave holders, and the emerging mercantile class, but ceded a large degree of local control on education, land use, and family law. Ultimately, this system broke down over the pressing moral and economic issue of slavery, which could only be addressed adequately by the federal government. Adherents of the Hamiltonian tradition, notes historian Michael Lind, roughly subscribed to some version of the “American System”: stable regulation of central finance, protection of infant industries, and federal investments in infrastructure and technology.²⁹

Critically, most advocates of that “system” were temperamentally conservative; they did not seek to transform society through the benevolent intentions of central planners, and most shared a relatively dark view of human nature. The Federalists despised the masses, and their Whig successors identified constant self-improvement as the critical means to redeem wickedness. Abraham Lincoln spoke more idealistically than did his forebears, but he never approached centralist utopianism. In his famous Fragment on Government he noted:

*The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves in their separate, and individual capacities... In all that the people can individually do as well for themselves, government ought not to interfere....*³⁰

Localism played an important role as the nation entered the progressive era at the turn of the last century. Many im-

portant reforms — conserving resources, regulating monopolies, and guaranteeing public health — were enacted first at the local and state level.³¹ Federal power grew under Theodore Roosevelt, who believed that, unless forbidden by the Constitution or the laws, it was the President’s “right and duty” to “broaden the use of executive power” for the well-being of the people and the nation.³²

Turn of the century progressivism, reflected in the growth of new agencies like the Interstate Commerce Commission and the Federal Trade Commission, was in many ways a necessary corrective to the assault on the lives of ordinary people by the industrial and financial ruling elites.³³ But, over time, the Progressives’ excessive faith in the rationality of planning led to a broad embrace of the institutionalization of central power and a belief in its efficacy.

The twin crises of the Depression and the Second World War greatly expanded the scope of the bureaucracy as a sort of fourth branch of government. New federal agencies and departments were created and expanded to meet new ‘needs’ in the complicated modern economy, and were given largely unquestioned regulatory power.³⁴ The New Deal would be a consummation of many of the centralizing reforms of the preceding half-century, but, as historian Richard Hofstadter suggests, with an embrace of gigantism that “would have horrified Brandeis and [Woodrow] Wilson, who saw themselves as protectors of traditional American values against powerful, concentrated interests.”³⁵

The Great Society launched by Lyndon Johnson represented, at least until the Obama administration, the boldest expansion of federal power since the New Deal. Federal involvement, epitomized by programs like the Economic Opportunity Act, gave Washington the ability to develop local economies without the aid of local government. In many Great Society policy areas this move was in part justified by the presence of often racist

local governments, even in big cities.³⁶

A deep-seated faith in the collective expertise of the federal government had taken hold. “The science of government,” as author William Schambra has noted, changes the political equation away from the balancing of interests and geographies to one that sees a technocratic answer to great questions. During both the New Deal and the Great Society, the “expert” was deemed to be above the political fray, unprejudiced and independent in ways that political appointees and legislators were not.³⁷ The advocates of a scientific approach, noted historian and social critic Christopher Lasch, “had redefined democracy in their own image.”³⁸

When conservatives returned to power in 1969 under GOP President Richard Nixon, he kept the administrative leviathan and its bureaucratic regulatory framework in place. Nixon, to his credit, tried to decentralize some functions, but he also expanded the regulatory state, particularly with the founding of the Environmental Protection Agency.³⁹

The size and, more importantly, the power of the federal government, has continued to expand inexorably. There were about 3,000 federal bureaucrats at the end of the federal period, and 95,000 when Grover Cleveland took office in 1881.⁴⁰

Since 1929, the federal government’s share of total public spending has risen from 39 percent to 53 percent. The federal bureaucracy has grown from a mere 600,000 employees before the New Deal, to 2.7 million in 2014; this represented a 350 % increase while overall population growth was 150%.⁴¹

Increasingly, though, the challenge of federal power has less to do with the number of people in the oft-maligned bureaucracy — federal hiring has not expanded rapidly in recent years — than with the growth of its financial and regulatory power under both parties. Reagan slowed the expansion of federal power, and Bill Clinton’s notion that “the

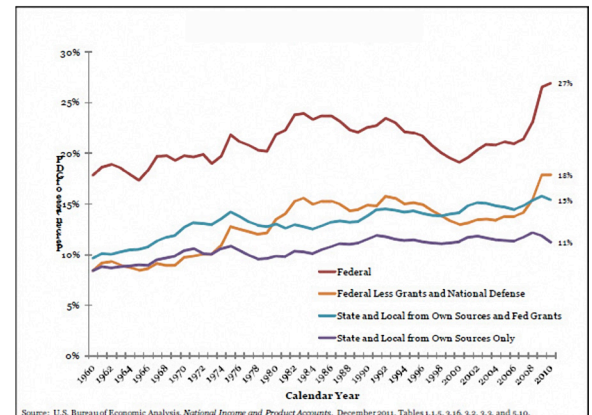
era of big government is over,” was not far different.⁴²

Despite this, the growth of centralized power has continued unabated.⁴³ For his part, George W. Bush increased the regulatory apparatus by 90,000 workers. Bush expanded the federal role in education and health, and generally did little to reverse the concentration of power in Washington that already reached beyond the traditional federal role in the military.⁴⁴

Some of this power has been ‘the power of the purse’, by which federal agencies can influence local decisions through both regulations and subsidies. The share of government spending controlled by the federal government — but often dispersed by states and localities — has risen from 3 percent of GDP in 1900 to almost 22 percent in 2016. The total amount of money spent by the federal government every year has continued to climb, as every decade has brought more federal regulations from more agencies and departments.⁴⁵ Local government employees may implement programs on the ground, but more of the flow of funds originate from Washington.

GOVERNMENT EXPENDITURES BY LEVEL

Figure 5



The growing role of the central authority, notes authors Richard Epstein and Mario Loyola, has helped turn local governments into “mere field offices of the federal government.” They note:

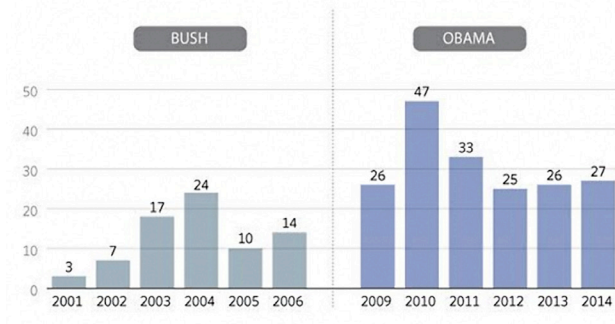
Federal officials exert enormous influence over state budgets and state regulators, often behind the scenes. The new federalism replaces the “Laboratories of Democracy” with heavy-handed, one-size-fits-all solutions. Uniformity wins but diversity loses, along with innovation, local choice, and the Constitution’s necessary limits on government power.⁴⁶

THE OBAMA PRESIDENCY: THE RISE OF HYPER-CENTRALISM

The propensity to expand executive power considerably predates Barack Obama’s presidency. It seems to generally be the case that, as an administration approaches its end, there is an increased tendency to impose regulations via federal diktat. But this centralizing trend has certainly accelerated in the current Administration. Under his administration the federal government has issued more and more regulations, vastly expanding the power of the executive branch. The conservative Heritage Foundation estimates that as of 2015 the Obama administration had passed at least 184 “major rules” (regulations with at least a \$100 million economic impact) and thousands of smaller rules. During its first six years, the Obama administrations promulgated more than twice as many major rules as the first six years of the predecessor Bush Administration.⁴⁷

OBAMA ISSUES TWICE AS MANY MAJOR NEW RULES AS BUSH

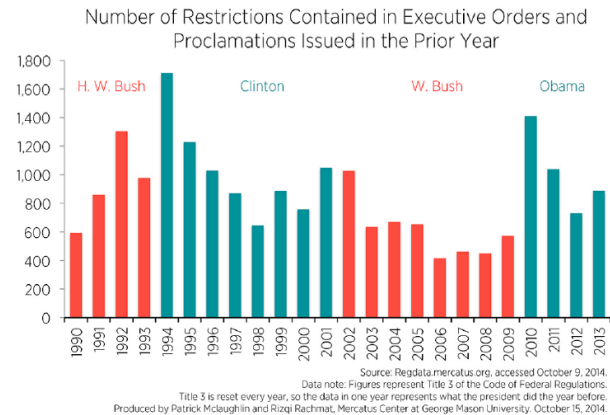
Figure 6



In its first six years, the Obama Administration imposed 184 major regulations on the private sector. That figure is more than twice the number imposed by Bush Administration in its first six years.

Source: U.S. Government Accountability Office, gAO Federal Rules database Search, <http://www.gao.gov/legal/congressact/fedrule.html> (accessed April 17, 2015).

Figure 7



Significantly, many of these directives — particularly those dealing with the environment, housing, labor, race and gender — have been implemented without legislative approval, a marked shift from earlier eras of legislative-executive cooperation.⁴⁸ As commentator Ross Douthat notes, Obama resembles an “Imperial President.”⁴⁹ He has proposed and implemented major regulations concerning climate change and made important decisions on without even bothering to submit his proposals to a Congress that,

as one White House spokesman once said, constitutes a body that is “hard to take seriously.”⁵⁰ Some of this has been ascribed, with some justification, to the actions of an often obstructionist Congress. Facing less strident opposition, other presidents have also expanded executive power, but still the Obama administration’s expansion of executive power is remarkable in peacetime.

As the President prepared for his last year in office, his agenda was defined primarily by a set of new executive orders and regulatory edicts, as opposed to the more traditional route of submitting a legislative agenda.⁵¹ This profound disregard for the restraints of federalism is in parallel to — or a reflection of — a growing acceptance in both parties of the notion that executive authority should be superior to that of the legislative branch.⁵²

Similarly, there appears a growing tendency at the state level to preempt local authority. As analyst Aaron Renn points out, assaults on local control are being carried out by conservative legislators who want to contravene the progressive agenda of core cities, while in other states, progressive-dominated state governments frequently seek to override more conservative local authorities.⁵³

All these actions, federal and state, liberal and conservative, have worked to diminish the role of local government and their citizens. Previous large federal programs, such as Social Security, did not seek to micromanage results, but to redistribute incomes, and came as a result of legislation. What we see now is profoundly different and, from a constitutional perspective, profoundly disturbing.

THE NEW PROGRESSIVE MINDSET

Following his progressive predecessors, President Obama has made a point of embracing the ‘science’ of policy, suggesting that political considerations should be overridden by objective, demonstrative truth. This has led to the expert-led construction of Obamacare

— as opposed to more gradual reforms — as well as to a host of new regulations, not mandated by Congress, on environmental, energy, housing and land-use issues. This marks the emergence of an uncontrolled and ever-expanding leviathan, largely unbound by the traditional restraints built into our constitutional system.⁵⁴

Choices have been made on the assumption that there are ‘right’ answers to questions. This is opposite the Madisonian view that “... as long as the reason of man continues to be fallible, and he is at liberty to exercise it, different opinions will be formed.”⁵⁵ As Schambra puts it:

“In one policy area after another — from transportation to science, urban policy to auto policy — Obama’s formulation is virtually identical: selfishness or ideological rigidity has led us to look at the problem in isolated pieces rather than as an all-encompassing system; we must put aside parochialism to take the long systemic view; and when we finally formulate a uniform national policy supported by empirical and objective data rather than shallow, insular opinion, we will arrive at solutions that are not only more effective but less costly as well. This is the mantra of the policy presidency.”⁵⁶

The new progressive mindset was laid out recently in the Atlantic, which openly called for the creation of a “technocracy” to determine energy, economic and land use policies across the world. In the estimation of the writer, mechanisms like the market or even technological change are simply not up to the challenge. Instead, the entire world needs to be put on a ‘war footing’ that complies with the technocracy’s edicts. This includes a drive to impose energy austerity on an already fading middle class, and limiting mundane pleasures like cheap air travel, cars, freeways, suburbs and single family housing.⁵⁷

Has this cycle of centralization reached its peak? Will it now slow down or recede? Or are we just at the beginning of an unprecedented consolidation of gov-

ernmental power? Certain factors suggest that the consolidation wave will continue, particularly given the growing centralization of economic and media power, as well as the growing role of institutions — subsidy-seeking businesses, universities, lobbyists, non-profits and the bureaucracy itself — that have a natural interest in an expanded central authority.⁵⁸

What is remarkable about today's expansion of federal power is that it is taking place amidst growing public skepticism about its efficacy. As noted above, confidence in large governmental institutions — outside of the military and police — has trended towards record lows. The Presidency has suffered along with Congress, whose ratings are particularly abysmal.⁵⁹

Roughly half of all Americans, according to a 2015 Gallup poll, now consider the federal government “an immediate threat to the rights and freedoms of ordinary citizens”; in 2003, only thirty percent felt that way. Currently, just 19 percent say they can trust the government always or most of the time. Only 20 percent would describe government programs as being well-run. Elected officials are held in such low regard that 55 percent of the public says “ordinary Americans” would do a better job of solving national problems.⁶⁰

A recent survey conducted by Chapman University found more Americans now fear their own government more than they do than outside threats.⁶¹

The notion that such policies are inherently less biased than those developed through the democratic process has been challenged by expert. The expert driven policy developed largely outside the democratic process has been challenged in recent decades by the ‘public choice’ school of economics, which evaluates government performance by looking beyond expertise. Public choice economists show that individual incentives — and not just a concern for the public good — still influence among elected officials and government employees at every level of government participation.⁶²

DEFINING INCOMPETENCE UP

The public's skepticism is borne out by the record. The federal government is a blunt instrument which often wastes money without producing results. Indeed, “[the] federal government has no idea how many tax dollars it's wasting on redundant federal programs every year — but it's likely in the neighborhood of \$45 billion,” noted the Government Accountability Office, which identified more than two dozen new areas of inefficiency and overlap in a recent report. This is on top of the more than 160 redundant areas it identified in its three previous reports.⁶³ “It's impossible to account how much money is wasted through duplication, in part because the government doesn't keep track of which programs each agency is responsible for,” Comptroller Gene Dodaro said in prepared congressional testimony.⁶⁴

Massive duplication and money-wasting seems endemic, even as the federal regulatory scope expands. A 2015 GAO report highlighted egregious examples of redundancy, including \$30 million worth of catfish inspections performed by two separate agencies, and \$66 million in contracts awarded by two different arms of the Department of Homeland Security unknowingly researching the exact same thing.⁶⁵ The total cost was greater than the impact of the entire sequester.⁶⁶ Given this record of incompetence, it's tragic that the continued concentration of power has been so little questioned by the media and most progressive politicians.

Much of the problem can be seen as inherent mission creep, as agencies expand. A classic case is the Federal Reserve System, which has moved from regulating monetary policy to serving as the key drivers of economic recovery through massive purchases of bonds, supervision of investment banks, and ultra-low interest rates. In the process, a remarkable concentration of economic and financial power in fewer hands occurred during the Obama years, shifting resources away from Main Street. Government policy was a hand-maiden in

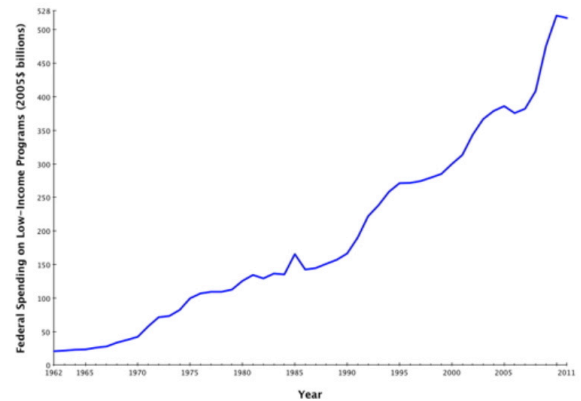
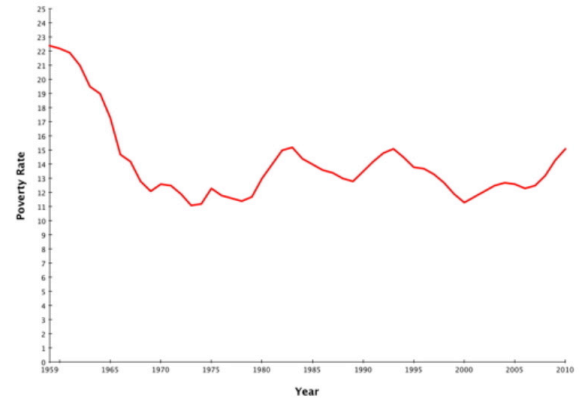
this process.⁶⁷

"The Economist" notes that the Federal Reserve Board has become more "politicized" than in the past, and is playing a more critical role in managing the country's economy than elected officials. "It's getting into areas that are not typically thought to require the degree of independence that monetary policy does," notes former Fed Chairman Paul Volker. The policy adopted by the Fed has been successful in some ways, but also created an economy heavily tilted towards the rich and large banks, and away from grassroots, Main Street businesses and middle class families, notes supply-side guru and conservative philosopher George Gilder. This led him to refer to the Federal Reserve System as "the God that failed."⁶⁸

Similarly, federal approaches to poverty have not been successful, and may have actually been counter-productive. Up until the 1970s the federal government's efforts could be credited, along with a strong economy, to reducing poverty, which fell nearly in half between 1959 and 1969.⁶⁹ Yet as welfare spending continued to expand, largely through federal programs, the poverty rate began to grow once again after 2000, doubling in the first ten years of the millennium. By 2010, the poverty rate, despite massive spending increases to alleviate it, was actually higher than it was at the onset of the Great Society.⁷⁰

IMPACT OF FEDERAL SPENDING ON POVERTY

Figure 8

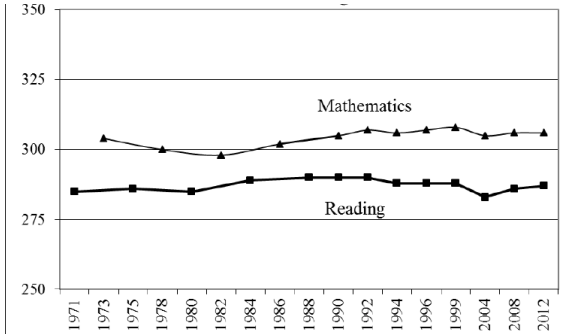


As welfare spending continued to grow, largely through federal programs, the poverty rate since 2000 began to grow once again, doubling in the first ten years of the millennium. By 2010 the poverty rate was actually higher than it was the onset of the Great Society

In much the same way, the rapid increase in Federal government involvement that accompanied the Great Society has not improved educational performance, nor resulted in more poor students attending college.⁷¹ Growing federal involvement with primary education has done little to improve scores, which continue to deteriorate, with High School graduation rates actually declining in the years following the establishment of the Department of Education.⁷²

NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS, SCORES FOR AGE 17

Figure 9

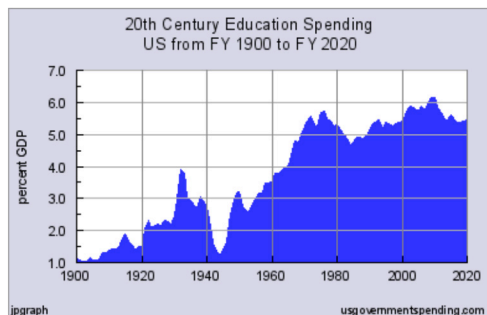


“Despite the large increases in federal aid since the 1960s, public school academic performance has ultimately not improved. While scores on the National Assessment of Educational Progress have improved for some groups and younger ages, math and reading scores for 17-year-olds—essentially, the school system’s “final products”—have been stagnant. In addition, America’s performance on international exams has remained mediocre, yet we spend more per-pupil on K-12 education than almost any other country.⁶ Federal funding and top-down rules are not the way to create a high-quality K-12 education system in America.”

There seems to have been little improvement from George W. Bush’s No Child Left Behind reforms, which insinuated the federal government ever-more into local education. As the progressive-leaning Atlantic concluded, “The idea was that further accountability would lead to higher achievement; however, its impact was debatable at best.”⁷³

RISE IN FEDERAL EDUCATION SPENDING

Figure 10



Despite the ineffectiveness of Washington’s role, localities and states find themselves more enmeshed in the federal system; nearly half of the Massachusetts Department of Education’s employees are now in federally funded positions, performing federally mandated activities.⁷⁴ Worse still, federal agencies such as the Education Department’s Office for Civil Rights have recently attempted to make local districts conform to its edicts in everything from sexual harassment, school discipline, instruction of English language learners, and even the allocation of local “educational resources.”⁷⁵

Some also see federal moves to create “community schools” — attempts to expand local educational institutions to encompass community service and outreach — as an assault on familial roles.⁷⁶ These concerns extend to fears about the elimination of local elected school boards, and any move towards giving control of schools to local or federal political leaders.⁷⁷

A top-down focus could impact not just communities, but families. The very logic that favors experts overruling local decision makers could also be used to reduce the family’s role. Recent moves by the Health and Human Services Department to promote “family engagement” stresses the role of the state in raising children, although parents are seen as partners in this enterprise.⁷⁸

The conservative author Heather Williams raises the prospect that families will be supplanted by “... an army of micromanaging bureaucratic Grand Pooh-Bahs” who represent “an expanding government that wants to be your dad.”⁷⁹

Even if this is not the intention, government attempts have failed to address what may be the largest source of poverty, the breakdown of families: one quarter of American children live in one-parent families, and a third live without fathers. This has been linked repeatedly in large part to declining social mobility.⁸⁰

More of the same can be seen in the environmental arena. The Environmental Protection Agency, along with some state

agencies, have effectively improved and maintained air and water quality. This effort largely succeeded, but increasingly the EPA is engaged in classic mission creep, delving into areas such as “anxiety and poor nutrition,” and environmental “justice.” And as the levels of pollution have dropped, often dramatically, the agency simply moves the goal-posts ever further back, allowing it to speak of unhealthy pollution at levels well below the original standards. The bad news proffered to the public, however, has been very good for increased power — and funding — for the agency.⁸¹

For a science-based agency, the emphasis on “equity,” “justice” and “anxiety,” seems out of place. Warnings should not increase as danger decreases. But so it goes with big agencies pushed by special interests, and a federal government that wants to be all things to all people, especially when there are budgets to expand. The most recent expensive programs to reduce greenhouse gas emissions, for example, have not paid off. Instead, the primary reducer of carbon emissions has been more efficient and cleaner energy technology solutions, such as the substitution of natural gas for coal, made possible by fracking advances.⁸²

In contrast, neither draconian regulation of fossil fuels nor the subsidization of expensive renewables have had much of an effect on reducing emissions, and have seriously harmed small businesses and mass-employment industries.⁸³ In contrast, U.S. Department of Energy projections indicate that improved fuel economy regulations will result in a 50 percent reduction in greenhouse gases (GHG), emissions from cars and personal trucks compared to the level that would have occurred under regulations as they existed in 2005.⁸⁴

Rather than coordinate with local jurisdictions, the EPA increasingly promotes a single national approach to environmental issues. It would be more effective if it were limited to its original role: protecting waterways, endangered

species, and air quality in a narrow sense.

For example, a proposed definition attempts to clarify EPA’s jurisdiction over navigable waters, their tributaries, and other waters to include wetlands and streams with a significant nexus to a navigable water or tributary. This would essentially extend federal jurisdiction down to the smallest creek if it eventually flows into a navigable river. And it would include treating areas that flood even occasionally as national wetlands, which further threatens new peripheral developments. Developers, farmers and local jurisdictions fear that they will be forced to comply with complex and costly new regulations.⁸⁵

Overreach into this area and others is often ineffective and wasteful. It often causes severe economic dislocation in manufacturing regions, slows housing construction and impacts those regions that produce fossil fuels. Not surprisingly, the greatest opposition to the EPA comes from energy producing states and from manufacturers.⁸⁶

CLIMATE CHANGE: A KILLER APP FOR EXPANDED FEDERALIZATION

Overreach has been particularly notable in the EPA’s expansion into climate change regulation. There is a growing movement to curb GHGs through prescriptive land use regulations that contravene traditional local controls. These strategies seek to substantially increase the density of urban areas, and to induce people to give up driving and instead travel by transit.

In many cases the regulations have been unnecessary or even counterproductive. Research shows these regulatory strategies have at best a marginal impact on GHG emissions. A report by McKinsey and Company indicates that sufficient GHG reductions can be achieved without reductions in driving or forcing people into ever denser communities.⁸⁷

In addition, such land use regulations

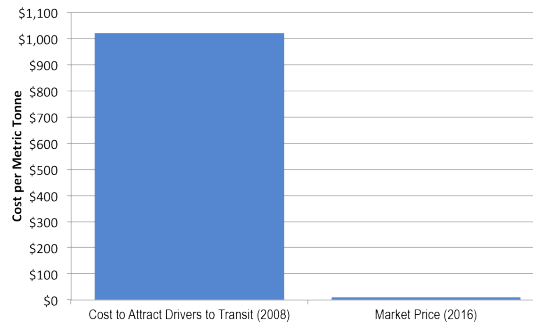
have been associated with higher house prices, which have the effect of reducing living standards and increasing poverty. Higher urban densities are also associated with greater air pollution (especially along busy corridors), greater traffic congestion, and longer travel times. Those travel factors have the potential to reduce economic growth, since research indicates a strong relationship between travel times and productivity.⁸⁸

Even federal projections indicate scant future gains from such policies, with minimal reductions achieved only at exorbitant costs.⁸⁹ Moreover, projections virtually always exclude the higher housing costs associated with the urban containment policies that are a requisite for meeting the objectives of densification.

There are, however, substantial opportunities to reduce GHG emissions at lower costs. The Environmental Protection Agency's 54.5 mile per gallon standard is projected to reduce GHG emissions at a cost of minus \$250 per metric ton by 2040.⁹⁰ More broadly, McKinsey & Company estimates that the potential to reduce GHG emissions sufficient to achieve Intergovernmental Panel on Climate Change recommendations for 2030 for far lower cost per metric ton, an average cost of \$6 (a range of from approximately minus \$140 to plus \$90) per metric ton.⁹¹ This is somewhat below the current market price to offset a metric ton of GHG emissions from air travel (\$13.12), but well below the cost of expanding transit to attract drivers from cars, which was estimated in 2008 at more than \$1,000 per metric ton.⁹²

ATTRACTING DRIVERS TO TRANSIT: COST COMPARED TO MARKET PRICE OF CO₂

Figure 11



THE FEDERALIZATION OF ZONING AND LAND USE

Perhaps the most radical shift in recent years has been to challenge the traditional prerogatives of communities to shape their future through zoning and housing regulations. This campaign has its roots in the Fair Housing Movement of the 1960s and '70s, which sought, with limited success, to build public housing, largely for minorities, in predominately white suburbs.⁹³ The effort has been recharged under Obama through the Department of Housing and Urban Development.

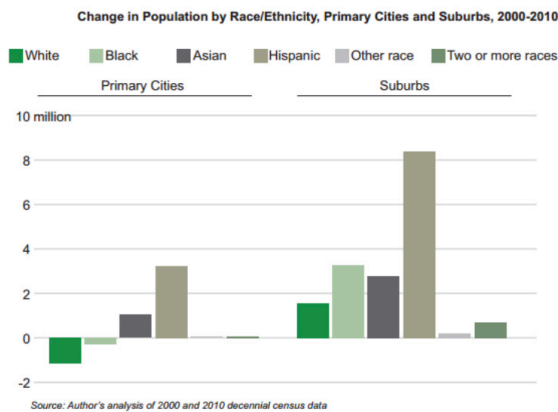
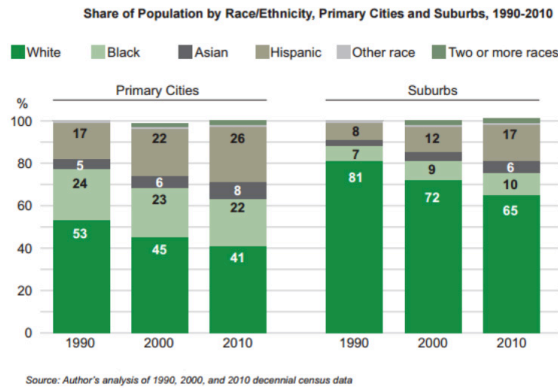
New HUD regulations could force communities to accommodate a designated number of poor households, to achieve greater sociological and racial balance. This would be accomplished by suggesting that current housing patterns, despite no evidence of discrimination, have a "disparate impact" on the poor.

Ironically, this targeting of suburbs is occurring just as minorities are flocking to them on their own volition. Like other Americans, most minorities generally prefer relatively lower-density living. Ever since the Civil Rights movement broke discriminatory restrictions, African American 'strivers' have moved

away from the city in increasing numbers; the Brookings Institution has noted the change over recent decades.⁹⁴

SUBURBS ATTACKED AS THEY GET MORE DIVERSE

Figure 12



Immigration and the growth of non-Anglo groups have accelerated this process. Roughly 60 percent of Hispanics and Asians, notes Brookings, already live in suburbs; more than 40 percent of non-citizen immigrants now move directly to suburbs.⁹⁵ Given these circumstances, HUD's assault undermines the rapid organic integration — the 'multiculturalism of the streets' — already underway. America's suburbs have already become more diverse, and in many regions are actually more diverse than their adjacent core cities. That some of these suburbs

may remain heavily tilted to one group or another does not prove discrimination but, rather, ignores evidence that, in some cases, people — including racial, religious, cultural, sexual preference and ethnic minorities — sometimes naturally cluster in neighborhoods that cater to their own specific needs.⁹⁶

The head of HUD, Julian Castro, openly admits that "disparate impact" does not suggest racist intent, but seeks to impose ethnic and class guidelines even on communities that don't discriminate. For example, suburban Westchester County, just north of New York City, has been subject to this kind of policy mandate, even though its Latino and African-American population grew by 56 percent between 2000 and 2010, making it the fifth most diverse county in the state, and the most diverse county outside New York City.⁹⁷

Overall, HUD would like 1,250 predominantly white communities across the country to build affordable housing for minorities, who would be recruited to leave their existing neighborhoods — a policy almost certain to rouse opposition and worsen racial tensions in middle-income communities, already adapting to rapid increases in diversity.⁹⁸

The policy is cast as fighting institutional racism, but, as one court has ruled, this often is not the case. The 1,250 communities can now be sued, or lose HUD funding, if their zoning and housing policies do not conform to HUD regulations. To many suburbanites of all ethnicities moving poorer people into their neighborhood can be seen as a threat to their property values, the quality of their schools and safety ---essentially undermining what is often their most important financial anchor of the poor "Section 8" tenants into middle class areas tends to drive up crime and reduce property values.⁹⁹ In some cases, such as in Dubuque, Iowa, cities are being forced to expand such housing not only for people already in the area, but for populations living as far away as Chicago.¹⁰⁰ A more

market-based approach, tied to greater economic opportunity, has traditionally been the way minorities have achieved their housing goals; this more centrally-directed approach is likely to sow discord and discourage local attempts to address the shortage of housing.

The policy has produced at best mixed results for those who make these moves. Assessments of dispersal programs such as HOPE VI do not provide any evidence of households' increased access to employment or rises in economic independence after dispersal. The scattering of immigrants and refugees to small towns, in particular, has resulted in a spatial mismatch between residential location and job opportunities and services. And studies have shown that dispersal of poor minorities disrupts their original communities and destroys existing social networks, without concomitant development of new ties.¹⁰¹

In the coming years, enforced densification — against the clear preferences of most Americans — could cause intra-party rifts, even in areas that are as blue as indigo. The strongest opposition to infringement on communities of single family homes often has been from liberal bastions like the northern suburbs of Washington, D.C. and Westchester County, New York. It can be seen, ironically, in college towns like Davis, California and Boulder, Colorado, and in the 'greenest' areas, such as Marin County, north of San Francisco, where residents have objected to densification schemes which, they maintain, would undermine the "the small-town, semi-rural and rural character" of neighborhoods that drew them there in the first place.¹⁰²

This does not mean that local communities should ignore the pressing needs for housing in their communities; this needs to be addressed, particularly using market-based incentives. But the control issue is critical: When it comes to preserving the character of our communities, there is often no red or blue. Yet, ultimately, every community may find

that its future lies in the hands of HUD, the EPA, or the regional agencies charged with complying with these edicts.

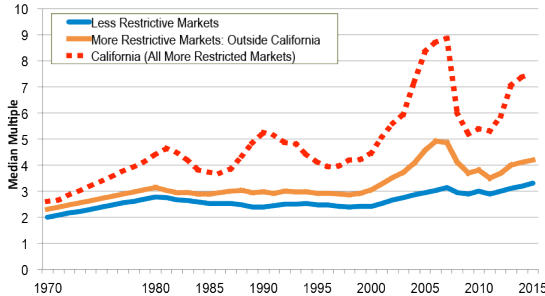
CALIFORNIA: THE NEW MODEL OF THE CENTRALIZED "COERCIVE" STATE?

The quest for expanded centralized control is not limited to Washington. In the last few decades, California, the nation's largest state, has emerged as the new role model for centralized government planning and ever-greater intrusiveness into the lives of citizens and companies. California has led the country in imposing state regulations on everything from gender rights, to fair pay, to new licensing requirements for a never ending panoply of professions.¹⁰³

Some of the most intrusive regulations predate the two administrations of Governor Jerry Brown, including some in the 1960s and the 1970 enactment of the California Environmental Quality Act (CEQA). Together with Brown era regulations, they have led to a far more regulated, and increasingly expensive, housing market.¹⁰⁴

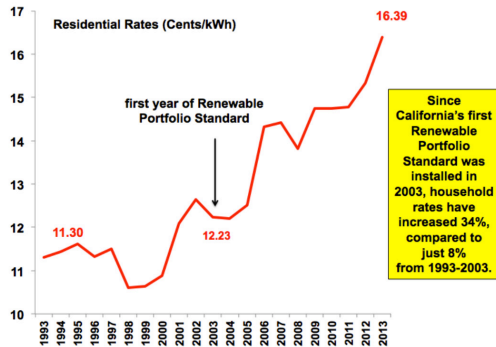
MIDDLE-INCOME HOUSING AFFORDABILITY UNITED STATES MAJOR METROPOLITAN AREAS: 1970-2015

Figure 13



In its passion to make California a model for planning, Brown has openly touted — in a way that is far outside the usual political rhetoric — “the coercive power of the state.”¹⁰⁵ Senate Bill-350 is a broad-reaching and comprehensive energy/environment law which originally had the aims of generating half of statewide electricity using renewable sources by the year 2030, and of using renewable sources to provide 50 percent of all California’s energy by that year. That would be up from barely ten percent today; according to the state’s own agencies, oil and gas still feeds well over 80 percent of California’s energy consumption.¹⁰⁶ Due to opposition by Republicans and moderate Democrats, a more radical plan was withdrawn before the bill was eventually passed into law.¹⁰⁷

Figure 14



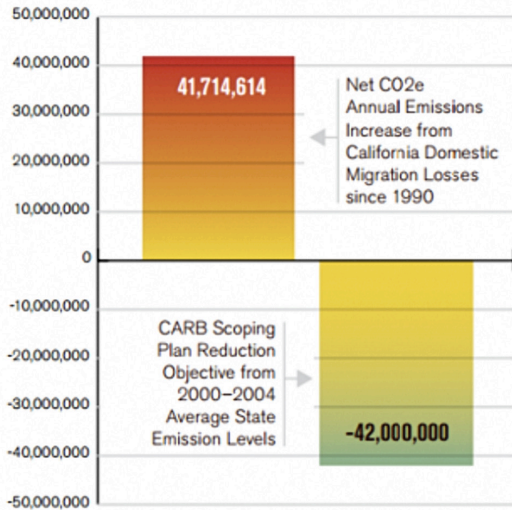
Nonetheless, the remaining goals — doubling energy efficiency and increasing statewide renewable energy usage to half of total usage — will have significant consequences. It will put more power in the hands of regulators, and will likely result in higher energy prices, as it already has.¹⁰⁸

Many poor people, particularly in the state’s interior, are already suffering from ‘energy poverty’. High electricity prices may take away blue collar jobs, but they don’t bother the affluent and well-educated nearly as much; better-off residents also tend to be located closer to the temperate coast where energy usage is lower. A recent study found that the average summer electric bill in rich, liberal and temperate Marin County was \$250 a month, while in the impoverished, hotter Central Valley communities the average bill was twice as high.¹⁰⁹

What about the ‘green jobs’ which have been offered by Brown and others as a palliative for the negative impacts of energy policy? Overall, California leads the nation in green jobs, simply by dint of size, but on a per capita basis, notes a recent Brookings Institution study, California ranks about average. First place in wind energy goes to Texas, which boasts twice California’s level of production.¹¹⁰ Ironically, one reason for this mediocre performance lies in the environmental regulations that make California a tough place even for renewables.¹¹¹

CALIFORNIA EMISSIONS: COMPARISONS EMISSION REDUCTION GOALS & OUT-MIGRANT INCREASE

Figure 15



Source:
Derived from CAIT 2.0. See Figures 3 and 4.

Emissions increases caused by Net Domestic Migration from California Versus CARB2020 Reduction Target from 2000-2004 Levels (tons of CO2e per annum)

DENSITY, CALIFORNIA, AND THE END OF LOCAL CONTROL

One critical goal of the Brown GHG policy is to radically change how cities are allowed to develop, despite clear evidence that changing housing patterns have little to no influence on GHG levels. Under California's current regime any local dissent is increasingly futile, because state laws and regulations have pre-empted local political authority, particularly under Senate Bill-375, which requires regional plans that decrease GHG by increasing housing densities and forcing commuters from cars to transit. This despite clear evidence that they are not cost effective and, as a result, could be more economically damaging than more cost effective strategies. The state, by mandating that

localities create their own environmental guidelines that meet state standards, now effectively controls land use and zoning across California.¹¹²

California's messianic GHG reduction policies are largely based on the idea of changing how people live, notably to choosing an urban as opposed to suburban lifestyle. Market forces and consumer preferences are rarely considered, one reason these policies have stimulated much local opposition.¹¹³ In the past, these decisions were debated within communities, some of whom might embrace more density for economic reasons or as a way to appeal to younger residents, accommodate seniors or provide housing for local workers.

These are all legitimate reasons to allow and even make it easier to build greater density, but forcing higher densities is another matter. But, for the purposes of this paper, the real problem lies in the pattern of shifting power and responsibility to higher levels of government. Today, notes Ontario (CA) Mayor Pro Tem Alan Wapner, planning decisions are being systematically usurped both by Sacramento and through regional bureaucracies such as the Southern California Association of Governments (SCAG) and the Association of Bay Area Governments (ABAG).¹¹⁴

This shift disturbs many conservatives, suburban moderates and even some progressives. "The Nation" contributor and Bay Area activist Zelda Bronstein has attacked ABAG's state-mandated plans as indicative of an insular, peremptory style of decision making. She accuses local politicians and planners of caving into what she refers to as "real estate Democrats" — local crony capitalists who benefit from densification policies. In the Bay Area, planners now mandate that all growth in the next 25 years will take place on four percent of the land, contrary to the largely suburban growth that long has characterized the region. It's hard to see how this approach will do anything but spike real estate prices even higher.¹¹⁵

Packing people more closely together is

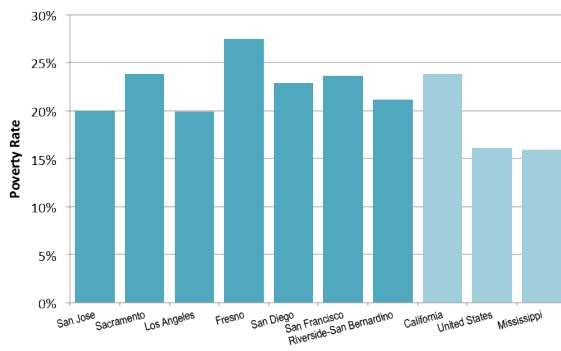
also opposed by many central city residents, including those living in San Francisco and Los Angeles who feel justifiably concerned that this approach could destroy the local ambience and strain critical infrastructure.¹¹⁶

Density certain has its place, and should be accommodated as required by market forces. But it is not an elixir for prosperity, as is commonly asserted.¹¹⁷ Los Angeles, which has pursued densification as a priority for a decade, lags on virtually every key measurement — poverty, unemployment, education — compared to not only relatively prosperous Orange County, but even state-wide averages. Indeed, a recent city-appointed commission concluded, that LA is “becoming a City in decline.”¹¹⁸

Throughout the state, restrictions on housing development have led to soaring house and energy prices, making California the state with the worst housing cost-adjusted poverty rate in the country, and home to roughly one-third of all welfare recipients.¹¹⁹ California policies are important nationally, since they are widely seen as harbingers of the future.

POVERTY IN CALIFORNIA V. U.S.: HOUSING COST ADJUSTED 2013

Figure 16



THE DRIVE FOR LOCAL GOVERNMENT CONSOLIDATION

Perhaps the quintessential case against localism and for regional governance, notes the Manhattan Institute’s Howard Husock, was made by urban scholar and one-time Albuquerque mayor David Rusk in his 1993 book, “Cities without Suburbs:” “Segregating poor urban Blacks and Hispanics has spawned physically-decaying, revenue-strapped, poverty-impacted, crime-ridden ‘inner cities.’ These inner cities are isolated from their ‘outer cities’ — wealthier, growing, largely-white suburbs.”¹²⁰

In order to reverse these inequities, according to advocates of regional consolidation, there needs to be a diminution, if not total elimination, of the small town governments that are particularly common in the suburbs. The goal, suggests Jeff Madrick, Director of Policy Research at the New School, is to ‘agglomerate’ America through federal agencies, for both environmental and social reasons.¹²¹

Even as suburbs are increasingly diverse, in areas such as Minneapolis-St. Paul, regional governments, with the concurrence of HUD, have been busy setting goals to fully disperse poverty throughout the area’s 186 municipalities. There, as in many other places, social engineering favors higher density development, by steering transportation funds away from roads, which would help the vast majority of commuters, and towards train travel used by often a small fraction of the population.¹²²

The attempt to push consolidation and forced densification works against clear public preferences. Early migrants to the suburbs were mostly white but have been followed in recent years by upwardly mobile immigrants and minorities who are simply following the same shared preference. The move to the suburbs fostered a massive expansion in the number of municipalities. As reflected in data from the US Census of Governments,

between 1952 and 2012 the number of US municipalities increased significantly, from about 16,500 to 19,500. Between 1950 and 2010, the population of core US cities (where city boundaries remained intact) declined by more than five million, while surrounding suburban area populations increased by 32 million. Moreover, as would be expected, those jurisdictions to which Americans were moving had smaller populations, per municipality, than those places that they were leaving behind.¹²³

The move to suburbia expressed a clear preference for more accessible government. Sociologist Herbert Gans, in *The Levittowners: Ways of Life and Politics in a New Suburban Community*, studied households moving into what was then known as Levittown, New Jersey. Gans' survey research found that, for a significant group, the "principal aspiration for life in Levittown" lay in "[a] desire to have influence in civic affairs."¹²⁴

Local governments have historically played a critical role in seeing to it that communities are built in ways that reflect local preferences. This includes a willingness to tax for specific infrastructure projects, critical services, and schools. There were more than 50,000 US independent school districts in 1957, compared with just over 13,000 in 2007.¹²⁵ Public education in urban cores remains worse. Suburban schools tend to have more successful graduation rates and math achievement scores than city schools, and only about 19 percent of urban students seek higher education, compared to 70 percent of their suburban counterparts.¹²⁶ These patterns can be found around the country, as illustrated by this map of schools in greater Philadelphia and Chicago.¹²⁷

Finally, what smaller jurisdictions offer, albeit often imperfectly, is a way for citizens to affect policy. To run for office in a city of 5,000 or even 50,000 is very different than trying to get on the City Council of a municipality ten to twenty times bigger. Urbanites are also less likely than suburbanites to have been in their areas for long; overall, notes a recent Pew study, residents in dense, large cities are "the least" engaged and interested in local issues.¹²⁸

Governance expert Robert Bish of the University of Victoria has observed that "...regional organizations may be governed by directly elected officials, but the scale of elections is such that the officials are much less likely to represent the views of the electorate and more disposed to the special interest groups that are willing to finance their election campaigns," adding, "...amalgamation of municipalities inevitably leads to less voter access to elected officials. This occurs simply because the ratio of voters to elected officials increases."¹²⁹

Consistent with this effect, there may be lower levels of voter participation in consolidated municipalities.¹³⁰ Voter turnout, which has been declining in general, has fallen most in the larger cities, and less so in suburbs and smaller towns.¹³¹

As Husock observes, writing about suburbs:

*One simply cannot dismiss the fact that Americans in great numbers have chosen, and continue to choose, such governmental units. Some aspects of suburban home-rule might even be brought, to good effect, to central cities.*¹³²

IS CONSOLIDATION REALLY MORE EFFICIENT?

Beyond the clear problems that larger jurisdictions pose for democracy, advocates for consolidation, such as David Rusk, maintain that consolidation of governments, essentially eliminating suburban jurisdictions, makes regional

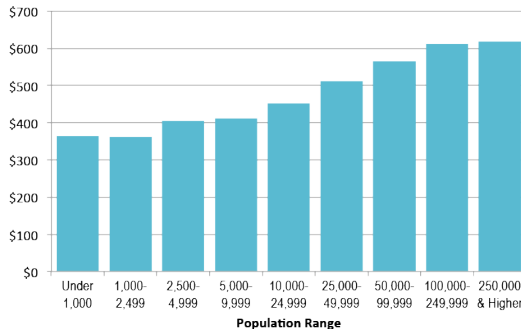
governance more efficient.

This idea appears more popular with planners and pundits than it is with the public. As Rusk himself has admitted, consolidations are usually voted down (in the US, voter referenda are normally required before a consolidation can be implemented). Voters have approved less than 20 percent of such proposals, even when communities have held more than one referendum; for example, Knoxville has held three.¹³³

Yet the evidence for consolidation — greater efficiency and lower costs — have been repeatedly challenged by researchers who found that the advantages of consolidation was largely theoretical, and rested on weak or non-existent empirical foundations, and that savings were small or did not materialize.¹³⁴

SPENDING PER CAPITA BY GOVERNMENT SIZE: UNITED STATES MUNICIPALITIES 2008

Figure 17



One of the few major North American examples of local government consolidation took place in Canada in 1998. The Ontario government claimed that Toronto would save \$300 million annually. Some researchers have found that costs actually rose, while others have suggested much smaller savings.¹³⁵

In 2011, Lawrence Martin and Jeannie Hock Schiff conducted research limited to peer-reviewed journal articles. Of the approximately 3,150 US county

level governments they studied, approximately 50 have become amalgamated city-county governments. Martin and Schiff concluded, “Overall, the research provides little support for the efficiency argument.”¹³⁶

They also concluded that “evidence in support of consolidation to improve economic development is “less than convincing.”¹³⁷

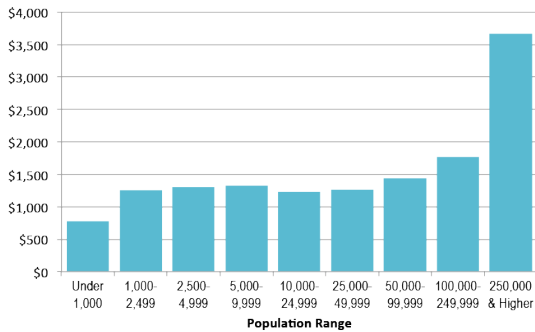
There is also a lack of empirical evidence to support economies of scale in municipal service production. Elinor Ostrom, when accepting the Nobel Prize in Economics in 2009, noted, “... the evidence leads us to be skeptical of automatic acceptance of an assumption that larger scale always leads to improved performance.”¹³⁸

Indeed, US Census Bureau municipal data in four states and in the Chicago metropolitan area yielded the conclusion that lower spending per capita is associated with smaller units of government per populations. The data revealed the same general tendency on a national level.¹³⁹

Debt, though often overlooked in government consolidation debates, is very important. Municipalities that have filed for bankruptcy or reached severe financial distress have often borrowed heavily.¹⁴⁰ Research in Pennsylvania and Ohio indicates that smaller governments have lower debt levels per capita, tend to be the most sustainable, and generally spend less per capita than larger governments.¹⁴¹

DEPT PER CAPITA BY GOVERNMENT SIZE: UNITED STATES MUNICIPALITIES 2008

Figure 18



When municipal governments merge, the level of public services is normally harmonized to the level in the most expensive merging jurisdiction. This raises outlays, because higher service levels cost more, unless there are sufficient efficiency improvements.¹⁴² The largest local government expenditure is labor compensation, generally accounting for 50 percent or more of annual operating expenses. To obtain sufficient efficiencies to offset the higher service levels would require staff reductions, which rarely occur in consolidations.¹⁴³

Research indicates that reducing the number of elected officials — often cited as a big boost to local efficiency — can prove a false economy. Expenditures on elected officials are minuscule compared to overall budgets. Moreover, having fewer elected officials in a larger jurisdiction will require additional administrative staff to perform duties, and costs could rise. It also could be argued that the loss in democratic access from a merger is far more important than the small savings that might be achieved from reducing the number of elected officials.¹⁴⁴

Finally, the consolidation of organizations and governments, researchers have noted, often fails to account for important political and human elements. Human nature and protection of turf, for

example, cannot be ruled out. Nor can they be adequately measured or modeled in economic predictions of consolidation impacts.¹⁴⁵

ALTERNATIVES TO CONSOLIDATION

There are alternatives to municipal consolidation and the creation of ever-larger cities. In the past, regional issues were handled by county and state governments. Where a regional interest exists, special districts have been formed to deal with highways, transit, solid waste management, and regional planning. Most states provide municipal governments with broad latitude to cooperate with other governments through contracts, in order to better provide services.

The late Alvin Toffler's 1970 book, *Future Shock*, coined the term "adhocracy" to describe "... the fast-moving, information-rich, kinetic organization of the future, filled with transient cells and extremely mobile individuals." Such adhocracies, Toffler said, would be composed of experts from different fields who came together to swarm a project objective, rotate leadership during different phases, then disperse at the end of the project.¹⁴⁶ In California, the system of contract cities that make ad hoc arrangements with local governments has been widely hailed by participants, such as the city of Lakewood, for lowering costs and allowing local government to concentrate on areas closer to their competence.¹⁴⁷ Municipalities can also competitively contract with private service providers.

The late Oregon Senator Mark Hatfield once compared the US political landscape to the dystopic world of Franz Kafka's novel *The Castle*, a realm of suffocating bureaucracy and robotic obedience to authority. Hatfield maintained that Americans, like the colonial-era revolutionists, must return authority to "the town meeting, the voluntary organizations, the PTA, the neighborhood association."¹⁴⁸

CREATING A LOCALLY-FOCUSED, DIGITAL DEMOCRACY

This may seem fanciful, but we do not necessarily have to continue on the road to hyper-centralization. We can have a leaner government that is more conducive to free enterprise, political diversity and entrepreneurship, if we employ policy creativity to get us there. Fortunately, advances in information technology could provide the tools to build a government that relies less on central authority than in the past.

Technology could prove the biggest opportunity for a more effective localism, but also could pose its greatest danger. The increasing availability of information could be used not to extend central control but allow for more efficient decentralization; it gives even small communities, not to mention individuals, new access to ever more sophisticated information.

Yet, as former Clinton administration Labor Secretary Robert Reich has pointed out, this promise has been diminished by the increasing consolidation of technology into a few hands, notably Apple, Google, Facebook, Microsoft and Amazon. The power of these companies to influence decisions and, increasingly, to determine the information that people can access, threatens decentralization.¹⁴⁹

According to author John O. McGinnis, the very technology that allows for crowd sourcing, betting pools and creation of online communities could also help create a more decentralized, market driven economy:

*Today, technology permits knowledge to bubble up from more dispersed sources filtered through more competitive mechanisms, sustaining a more decentralized system of social discovery. We can acquire general expertise without being beholden to particular experts.*¹⁵⁰

Digital technology, suggests Massachusetts Institute of Technology's David Winston, gives us a second chance to revive political conversation in this coun-

try. We can go beyond the Information Age to a new Age of Reason, he suggests, where people will demand, and will be able to receive, real-time information about political and policy choices. They will get much of this information not from large centralized media, but rather from diverse sources: the majority of young people don't even read newspapers, and the television industry is not doing much better than print journalism. In the new era, political communication will be two-way, and can be effectively targeted to discuss local issues.¹⁵¹

The economic historian Joel Mokya also has noted that the new technology is perfectly suited to decentralization. "Twentieth Century technology," he writes in Manhattan Institutes's *City Journal*, "was primarily about 'large' things," saying that large technology tended to encourage large bureaucracies and large government. Now technology has gone small — nanotechnology, genetic engineering, custom-engineered materials, "mass customization" through 3-D printing. Whereas large technology needed standardization, small technology makes it easier for individuals and communities to make choices best suited to them. "Standardization," he suggests, "yields to customization."¹⁵²

Already there are some cities — Louisville, Austin, St. Paul, and Detroit — where local agencies are working to increase input from citizens via the internet. In all cases, there appears to be greater involvement in government decision-making, including from young people and minorities historically disengaged from politics.¹⁵³

Although digital democracy holds great promise, it does not provide a good substitute for the direct process of local civic debate. Progressive writer Zelda Bronstein notes that despite all the digital world's conveniences and avoidance of debate, internet politicking may be good therapy for those who wish to express themselves, but it does not work so well at implementing change. Ultimately there is

no substitute for democratic local governance:

As well understood by Tocqueville, nothing is more basic, “the habits of self-government” are only acquired through civic association. It’s in local venues that the claims of democratic citizenship are most keenly felt.¹⁵⁴

CONCLUSION: THE END OF AMERICAN EXCEPTIONALISM

The current, seemingly relentless movement towards a concentration of power represents a dangerous break in American ways of governance, as well understood by de Tocqueville. Nothing is more basic to the American identity than, whenever feasible, leaving control of daily life to local communities, and, as much as is practical, to individuals. The rising new regulatory regime seeks decisively to change that equation. Although regulation is often necessary, this need not be the reason to expand the centrally-directed, regulatory state.

The great challenge here is to find ways to stop and reverse the gradual breakdown of our key civic and family institutions. This is not merely an issue for conservatives or fans of limited government; it is an area of agreement between libertarians like Charles Murray and progressives such as Robert Putnam. Both have denounced the erosion of what Murray calls a “common civic culture” that was built primarily around local institutions, families and neighborhoods. Both these thinkers tie this decline to the increase in inequality that is rightfully condemned so widely across the political spectrum.¹⁵⁵

Although regulation is often necessary, this need not be expanded without restraint or reason.

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