

POLITICAL SCIENCE 213-001 Spring, 2013  
State and Local Government

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Maybank 111  
Class Times: MW: 4:00-5:15  
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On a daily basis we are bombarded with political news. A huge preponderance of the content of this news deals in one way or another with the Federal government. If an alien from another planet visited us and looked at the specifically political content of our media, it would no doubt conclude that state and local governments in the US are at best not very important or at worst, irrelevant.

Despite the Federal focus of our media, a very persuasive case can be made that state and local governments, together and individually, have far more impact on our daily lives than the Federal government. In fact, our major point of contact with government is at the state and local level. It is municipal police and state police that enforce laws that will (hopefully) punish someone who steals from us or decides to assault us and define how and when we can drive cars. In South Carolina, health inspectors who work for the SC Department of Health and Environmental Control determine which restaurants adhere to sanitary practices and food safety—an activity that hopefully keeps us from suffering food poisoning. Municipal and county governments tell us where we can build on our property, what we can build, and what construction standards (and even materials) to use. State and local governments determine voting registration requirements and where you can vote once registered. A local court will likely decide whether your neighbor can keep that junked car in his back yard or must move it or whether he can keep chickens. Most of you probably attended public schools that were primarily financed by state and/or local governments and were taught by teachers whose qualifications were determined by a local school board. Finally, even though there are many federally-funded programs out there, many are actually administered by state and local government employees.

These are but a few bullets to sensitize you to the impact of state and local governments. The learning goal for this course is to deepen your understanding of how state and local governments work, what their powers they have and do not have (and where things get fuzzy), how those powers are limited, and how they have evolved in our political system. Particularly in the last century, that evolution has been dramatic.

To illustrate, one hundred years ago (1910):

- the Federal government had direct revenue of \$874.8 million,
- state revenue was \$299 million and
- local revenue was \$1.386 **billion**.

Together, state and local revenue was nearly twice that of the federal government.

In 2010:

- federal revenue was \$2.163 trillion,
- state revenue was \$1.461 trillion and
- local revenue was \$1.087 trillion.

However, federal expenditures in 2010 were \$3,456 trillion (reflecting deficit spending) while state and local governments spent what revenue they took in, \$2.573 trillion (though, as we shall see, this is a bit of fiction since both state and local governments have bonded indebtedness). In 1900 the local governments raised and spent more money than the federal and state governments combined. In 2010, state revenues alone exceeded local governments' and if we look at expenditures (which includes the Federal government's deficit spending), the Federal government spent 58 cents of every governmental dollar spent.

[http://www.usgovernmentrevenue.com/year\\_revenue\\_2010USmn\\_13ms1n#usgs302](http://www.usgovernmentrevenue.com/year_revenue_2010USmn_13ms1n#usgs302)

In our national, federal system of government there are two, Constitutionally recognized entities (governments) each of which is given a degree of autonomy and political power—namely, what we call the Federal government (the central one that operates out of DC) and the (now) 50 state governments. In a test decided by the Civil War, these two parts of our political system are in a marriage that has no divorce

According to the *Forum of Federations* ([forumfed.org](http://forumfed.org)), there are 25 country-nations that have this form of government. Given the simpler alternative structures (either a unitary or confederacy), federalism is a very complex form of government. This complexity has led to a relative constant tension between the Federal government and the 50 states, individually and collectively. As a result, a good deal of American political history has dealt, in one way or another, with the tension between how much power the central, Federal government should have versus what should be properly exercised by the individual States. The Constitution is not much help in clarifying this relationship:

So, the teaching goal in this class is to give you an overview of state and local government in the United States and provide you with a comparative perspective of them.

We begin with a fact. Though you will find varying numbers cited, there are ~85,000 units of government in the United States <http://geography.about.com/library/faq/blqzusgovernments.htm> (says the 1997 US Census counted 87,504).

These would be:

- Federal Government = 1 (only 87,503 to go!)
- State Governments = 50 (only 87,453 to go!)
- Counties and county equivalents = 3,141 (only 84,312 to go!)

- Technically, there are 3007 counties, 16 boroughs and 11 Census areas in AK, 64 parishes in LA, 42 independent cities (1 in Maryland, 1 in Missouri, 1 in Nevada, and the remainder in Virginia), and the District of Columbia.
- FYI: DE (least number of counties) has 3 counties and TX (most number of counties) has 254. SC has 46.  
(<http://www.clickandlearn.cc/FreeBlacklineMaps/Counties.htm>)
- General purpose locals = 36,001 (now we are getting somewhere, only 48,311 to go!)  
These would be counties, cities and towns that are called different things in many states.
  - (If equally divided, that would be 720 per state)
- Special districts = 34,683. These would be such things as public service districts in SC, declared historic districts, fire control districts, soil conservation districts, etc.
- School districts = 13,726. This is not all school districts, only those that are independent of cities and counties (many are not).

Among and between these there is enormous variation on a range of measures, even in the same category. California has 38 Million people and Wyoming has less than 600 Thousand. Los Angeles County, CA has over 10 Million and Logan County, NE has less than 1,000. New York City has over 8 Million people—twice the size of the entire state of South Carolina. The NY City Metropolitan area has over 18 Million (Charleston/North Charleston SMA has 670,000 and ranks 79<sup>th</sup> on this list). We could draw equally as dramatic distinctions based on income, education, racial make up etc. West Liberty, IA, according to the 2010 Census, has a Latino majority. The state of MN is 85 percent white and has almost as many Asians as African-Americans. Jackson, MS is almost 80 percent African American. Some cities are growing rapidly, some are losing people. Some are geographically large. Jacksonville, FL has 885 square miles while Hanahan, SC, has about 10.

The point of this flurry of statistics is to impress upon you the incredible variation among and between states and local governments. Even inside a single state, there is significant variation among and between local governments. Mount Pleasant is 91 percent white, Charleston is 70 percent and Orangeburg is 21 percent. The City of Greenville has more African Americans (percentage-wise) than the City of Charleston. The median income in Allendale County is ~\$20,000, while Lexington County's is a bit above \$52,000.

There are other important aspects of the US system of subnational government. With very few exceptions, the pattern of local government organization in the United State is characterized by a high degree of *fragmentation*. For example, Los Angeles County has 88 different local jurisdictions. In our own area, we have, in close proximity, Charleston, North Charleston, Mount Pleasant, Summerville, Goose Creek, Hanahan, Lincolnville, Sullivan's Island, Isle of Palms, and Folly Beach—and the town of James Island is trying to incorporate for a fourth time. Each of these has some unique characteristics and yet they all share the same economic base. The point here is

to reinforce upon you the fact that while 80 percent of the US lives in an urban area (which includes “suburbs”), most of us live in much smaller jurisdictions. This fragmentation is unique to the US—though even the degree of local government fragmentation varies from state to state in accordance with annexation and incorporation laws.

In one semester we will not be able to cover all the interesting and important phenomena and issues to which sub-national governance in the American political system gives rise. That having been said, we shall attempt to lay a good groundwork for an overall understanding of American states and sub-national governments.

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There are two required texts for this course:

*Politics and Policy in States and Communities*, Eleventh Edition. John J. Harrigan and David C. Nice. (available as an ebook online at [pearsonhighered.com](http://pearsonhighered.com)).

*State and Local Government: 2012-2013 Edition*. Kevin B Smith (ed.).

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1. JAN 9	First class
2. JAN 14	Overview and Federalism: Read: Harrigan and Nice, Chapters 1 and 3, Smith, Section 1, chapters 1-4. Watch “State and Local Government” at <a href="http://www.youtube.com/watch?v=uvdr-CJG1kA">http://www.youtube.com/watch?v=uvdr-CJG1kA</a> In writing: What do you think is the single most important contemporary issue focusing on states’ rights? Why?
3. JAN 16	Read: Saul Cornell and Justin Florence, “The Right to Bear Arms in the Era of the Fourteenth Amendment: Gun Rights or Gun Regulation?” <i>Santa Clara Law Review</i> . 1043 (2010), <i>MCDONALD V CHICAGO</i> , (2009) at ( <a href="http://www.oyez.org/cases/2000-2009/2009/2009_08_1521">http://www.oyez.org/cases/2000-2009/2009/2009_08_1521</a> ) <i>DISTRICT OF COLUMBIA V HELLER</i> ((2007) at ( <a href="http://www.oyez.org/cases/2000-2009/2007/2007_07_290">http://www.oyez.org/cases/2000-2009/2007/2007_07_290</a> )
JAN 21	MLK DAY—
4. JAN 23	State Constitutions and Participation: Read: Harrigan and Nice, Chapters 2 and 4, Smith, Section III, chapters 8-11, Federalist #10

5. JAN 28	<p>Voting: Read: Harrigan and Nice, Chapter 5, review “Election 2012: “Voting Laws Roundup” at <a href="http://www.brennancenter.org/content/resource/2012_summary_of_voting_law_changes/">http://www.brennancenter.org/content/resource/2012_summary_of_voting_law_changes/</a> ,</p> <p>NY Times, “Voting Rights (Registration and Requirements)” at <a href="http://topics.nytimes.com/top/reference/timestopics/subjects/v/voter_registration_and_requirements/index.html">http://topics.nytimes.com/top/reference/timestopics/subjects/v/voter_registration_and_requirements/index.html</a></p> <p>Note: click on “read more” to see the entire article</p>
6. JAN 30	<p>More on Harrigan and Nice, Chapter 5</p> <p>Listen to interview with Michelle Alexander on the new Jim Crow Laws at: <a href="http://www.npr.org/2012/01/16/145175694/legal-scholar-jim-crow-still-exists-in-america">http://www.npr.org/2012/01/16/145175694/legal-scholar-jim-crow-still-exists-in-america</a></p> <p>Read: ‘Democracy and Disdain’ misses the point of judicial review by George Will at: <a href="http://www.washingtonpost.com/opinions/george-will-democracy-and-disdain-misses-the-point-of-judicial-review/2012/12/28/753b6c08-505b-11e2-8b49-64675006147f_story.html">http://www.washingtonpost.com/opinions/george-will-democracy-and-disdain-misses-the-point-of-judicial-review/2012/12/28/753b6c08-505b-11e2-8b49-64675006147f_story.html</a></p>
7. FEB 4	<p>Local government evolution: Read: Harrigan and Nice, Chapter 6, “Overview of Elite and Pluralist Models of Democracy,” (download at: <a href="http://www.cas.umt.edu/polsci/faculty/greene/eptheories">www.cas.umt.edu/polsci/faculty/greene/eptheories</a>), “Responses to Change by State and Local Government: Contemporary experiments in the laboratories of democracy,” by Ellis Katz (download at: <a href="http://infousa.state.gov/government/statelocal/docs/issues_democracy.pdf">http://infousa.state.gov/government/statelocal/docs/issues_democracy.pdf</a></p> <p>Review “Which States Have Most Fragmented Local Governments,” Mike Maciag at <a href="http://www.governing.com/blogs/by-the-numbers/local-government-consolidation-fragmentation.html">http://www.governing.com/blogs/by-the-numbers/local-government-consolidation-fragmentation.html</a></p>
8. FEB 6	<p>Community politics: Read: Harrigan and Nice, Chapter 7,</p> <p>Read: “The Shortcomings of Rival Urban Theories,” by William Domhoff at <a href="http://www2.ucsc.edu/whorulesamerica/power/rival_urban_theories.html">http://www2.ucsc.edu/whorulesamerica/power/rival_urban_theories.html</a></p>
9. FEB 8	<p>State Legislatures: Read: Harrigan and Nice, Chapter 8. Smith, Section IV, chapters 12-15.</p>
10. FEB 13	<p>Governors: Read: Harrigan and Nice, Chapter 9. Smith, Section V, chapters 16-19. Watch “Interview with Michael Dukakis” at</p>

	<a href="http://governors.rutgers.edu/interview_forum/Dukakis_interview.php">http://governors.rutgers.edu/interview_forum/Dukakis_interview.php</a> and the section “Problem of Gubernatorial Power: A historical overview” by Margaret R. Ferguson at <a href="http://governors.rutgers.edu/usgov/gov_intro_chpt1.php">http://governors.rutgers.edu/usgov/gov_intro_chpt1.php</a>
11. FEB 15	Bureaucrats: Read: Harrigan and Nice, Chapter 10, Smith, Section VII, chapters 24-27. Read: “Representative Bureaucracy: Assessing the Evidence on Active Repre- sentation,” Mark Bradbury and J. Eward Kellough at <a href="http://arp.sagepub.com/content/41/2/157.full.pdf+html">http://arp.sagepub.com/content/41/2/157.full.pdf+html</a>
12. FEB 20	Mid-term exam
13. FEB 27	Courts: Read, Harrigan and Nice, Chapter 12, Smith, Section VI, chapters 20-23
MAR 4	SPRING BREAK
MAR 6	SPRING BREAK
MAR 8	SPRING BREAK
14. MAR 11	Policy area
15. MAR 13	Policy area
16. MAR 18	Student Presentations
17. MAR 20	Student Presentations
18. MAR 25	Student Presentations
19. MAR 27	Student Presentations
20. APR 1	Student Presentations
21. APR 3	Student Presentations
22. APR 8	Student Presentations
23. APR 10	Student Presentations
24. APR 15	Student Presentations
25. APR 17	Student Presentations
26. APR 22	Student Presentations
27. APR 24	Student Presentations

**A note about the above schedule:** It is my intention to have three or four guest speakers for classes. At the time this syllabus in being prepared, two of four invites have responded positive-ly. I have therefore left some “slack” days before your in-class presentations. These may not be the days that guests come to speak—but allows us to shift assignments forward without losing topics/readings.

## Attendance:

Attendance: Class attendance is a powerful predictor of your final grade—if you attend class, your grade trends up and if you do not, it goes down. Therefore, I expect for you to attend class and roll will be taken for every class (sign-in sheet). You will be permitted two unexcused absences during the term with no penalty. Another instrument for counting absences is quizzes.

Please note re absences: If you have a documentable reason for being absent to include personal, health, and emergency situations, the Dean of Students will issue you an Absence Memo. Either go to 67 George Street (white house near Stern Center) and fill out a request or do so online at: <http://studentaffairs.cofc.edu/about/services/absence.php>.

**If your reason is undocumented I will not consider it even if you request an absence memo from the Dean.**

If you have a chronic medical condition that may disrupt your attendance you should have your health care provider complete a Verification of Chronic Condition Form and take it to the Center for Disabilities Services located at the Lightsey Center, Suite 104.

If you approach me in advance of an absence I may grant an excuse in certain circumstances. These circumstances do not include your having to attend a wedding, concert, or the like, nor a planned long-weekend or early get-away for a break. Only absences that I approve in advance will be granted—no post facto dispensation will be granted.

## Course requirements:

1. Each student will be responsible on designated days to review newspapers and/or web sites for news about state and local government. At the beginning of each class they will briefly report on the story, indicating why they think it is important, what questions it raises and how they see the class addressing it. Assignments will begin when the class roll stabilizes.
2. Each student will be responsible for a research/term paper. Papers will address a problem, policy area or other issue facing state and local governments. (Some possible topics are listed below). The term paper findings will be presented to the class on one of the days designated in the syllabus. I expect you to read and incorporate at least 5 scholarly articles in your term paper. You may use books as you wish, but the scholarly article requirement remains the same. Term papers will be presented in-class, according to the schedule. Term papers will also be submitted for final grading. They should be ~7 pages in length, double spaced, normal margins and font.

Follow APA style in writing your paper:

<http://www.apastyle.org/learn/tutorials/basics-tutorial.aspx>

3. In addition to the above, two exams will be given—a midterm and final. The midterm is on the syllabus but may change in accordance with guest speakers. The final will be during the scheduled final exam period and will be comprehensive.
4. Finally, quizzes will be given throughout the semester that reflect the current assignment. These should be easy to pass if you have done the required readings or other assignments.

Grades will be determined as follows:

Exam #1 (Mid-term):	25%
Final:	20%
Term paper:	30%
Quizzes:	10%
Issue review (#1 above):	5%
Term paper presentation:	5%
Class participation	5%

(Note, I reserve the right to take points away for lack of participation)

Grades will be calculated as follows:

93-100	A	90-92	A-
87-89	B+	83-86	B
80-82	B-	77-79	C+
73-76	C	70-72	C-
67-69	D+	63-66	D
60-62	D-	59 and below	F

**Special testing arrangements:** If you need special arrangements for testing, please provide me with documentation along with what the needs are—usually this means additional time and your taking exams in the SNAP office.

Please familiarize yourself with the policies and rules reflected in the College of Charleston Honor Code and Academic Integrity. Rather than use additional paper on this syllabus, please go to:

<http://academicaffairs.cofc.edu/documents/honor-code-language.pdf>

and read.

Possible research topics:

Any major area of policy for either state or local:

Environmental

Transportation

Health

Education (K-12 or Higher Ed)

Economic Development

Welfare (could be TANF, Medicaid, or other low income support)



- Drugs
- Energy
- Land use and/or zoning (probably local)
- E-government (should focus on participation)
- Agriculture
- Fiscal (variations among and studies of effectiveness)
- Homeland security issues
- Interstate or interlocal issues (for states this might be water—for locals it could be a range of things.
  - Cooperation (agreements)
  - Competition
  - Conflict
- Issues in local or state government finance
- Contracting for services
- Demographic specific populations
  - Illegal immigrants
  - Minority rights
  - LBGT rights
- Women in local or state government
- African Americans in local or state government
- Local efforts toward sustainability
- Transparency (probably state)