

A Greater Role for the States

By H. V. THORNTON

All who read or listen are aware of the present national Administration's insistence that the States assume a greater role in administration of public affairs. In the last campaign, both major candidates for the Presidency urged that centralization of power in Washington be stopped. This plea for more vigorous state government ought to have the support of every American who has a sympathetic understanding of the fundamental nature and worth of our federal system.

It is a magnificent system, both in its accomplishments and its promise. But the great rights and privileges, which it sponsors, can be lost by degree and by neglect. The gravest danger it will always face is the complacency of the populace, its tendency to overlook basic principles at the call of expediency.

The most casual student of American government knows that the States, in recent years, have fallen severely in the public's estimation. When problems arise, we almost habitually look to Washington for solutions. This habit is so common in our thinking that some observers conclude our federal system has become a thing of form rather than of substance. Perhaps this conclusion is unduly pessimistic, but it could acquire a basis in fact, unless with courage and understanding, we take steps to restore state government to a degree of competence befitting its position as a partner in our federal system.

States' Rights or States' Competence?

The competence of the State is a point too often overlooked by those who insist upon a greater role for the States. Are they now equipped to assume a greater share of the responsibilities of modern government?

Some seem to think that the centralizing tendencies in this country can be stopped by a simple reversal of public policy. Too often it is taken for granted that the States' loss of influence and prestige is due to the power-grabbing propensities of Washington bureaucrats. Throw these rascals out, these betrayers of our faith, and all will be well! Possibly there is some basis for this convenient belief, but as a complete and

final explanation it is a bit too pat. Probably it could be more truthfully maintained that the States, in large measure have simply abdicated.

In this connection, I like to point out a development in Oklahoma during the years of the depression, which never received much attention. In 1930, the total public debt, state and local, exceeded \$190,000,000. In 1937, after five or six of the worst years of the depression, this debt had been reduced to less than \$100,000,000. Oklahoma acted no differently in this respect than did many other States. It is a striking fact, nevertheless, that these States observed, complacently, the reduction of their debts while the federal government was solving the most serious aspects of their welfare problems. With a degree of insistence, scarcely becoming the "sovereign" state, they passed the relief burden on to the federal government. The passive role which they played during the depression, and subsequent developments in the field of federal-state relations, do not sustain the popular view of States robbed of their rights.

Governments which fail to serve effectively in a crisis do not long command respect. Several years ago, Senator Toll of Colorado observed: "Any claim of states' rights must now be justified by a demonstration of states' competence." This pointed and timely remark was made in 1936. In the meantime, the several States have not done a great deal by way of proving, or improving, their competence. "As if bent on suicide," Professor Leonard White has said, "many states obstinately refuse to put their houses in order."

It is of course obvious that our earlier, or doctrinaire, views of states' rights can no longer be sustained. Developments, both domestic and international, have forced federal action in areas of public affairs which could not have been foreseen by leaders who guided this nation in its earlier years. *But it does seem overwhelmingly necessary that the competence of state government be raised to such level that all doubts may be resolved against the further enlargement of federal powers.*

In a few States the voters have recognized the essential nature and importance of this challenge, and have given their support to measures leading to the modernization of their governmental structures and procedures. New Jersey and Missouri, particularly, have attacked their problems with a directness that justifies imitation. Other States, by the dozens, have appointed "Little Hoover Commissions," an indication that some awareness exists of the grave need for modernization of state government.

Steps in Oklahoma

Oklahoma has taken some modest steps in this direction, although less than four years ago the people repudiated a proposal to revise and modernize the state constitution. I believe now, as I did then, that Oklahoma cannot "put its house in order" without thorough going revision of our fundamental law. No one doubts that this constitution has served us well, but it was drawn in great detail to fit our economy and political development at the time of statehood. A rigid, or detailed, constitution grows out of date quickly. Without sweeping constitutional changes, we cannot go far toward the establishment of responsible administration in state government, or otherwise equip it with structures and procedures which might enable it to cope effectively with the problems of government in this age.

Some improvement, however, can be brought about without change in the state constitution. I want to discuss briefly two possibilities. The first of these has a direct and serious bearing upon state budget practices. I refer to the legislative habit of earmarking revenues for specific public services.

Oklahoma state government is now spending annually about \$300,000,000. But more remarkable is the fact that the Legislature actually appropriates less than half of this amount. The rest is dedicated, or earmarked, for specific services or for specific agencies, by laws enacted in previous legislative sessions. This means, simply stated, that large sums of the public's money are spent each year without

regular and periodic examination by the representatives of the people. This is an extremely questionable practice for at least three reasons:

Earmarking - Economy — In the first place, any spending agency, receiving its funds in this manner, feels little inducement to exercise economy or to be greatly concerned about efficiency. Its income is assured. Actually, there are pressing reasons for spending all that is received because a surplus might invite reduction of amounts earmarked.

Unfair Allocation of Public Funds — In the second place, earmarking forbids the allocation of revenues according to need. In periods of low income, essential services are severely curtailed. Others, often less essential, are relatively well supplied with funds. This condition prevailed in Oklahoma, and in other States, during the years of the depression, and it could occur again. It is inconceivable, from the standpoint of good government and sound public administration, that certain public services should receive preferred treatment over other services of equal or greater importance.

Public Misunderstanding — Finally, earmarking, to the extent that it is practiced in Oklahoma, leads to public misunderstanding. Some departments, and other agencies, must report regularly to the Legislature and explain all of their needs; and, properly, the debates which follow are reported by newspapers and radio. But the public is often unaware that far greater sums of money are spent about which there is little or no debate, or publicity.

No budget system is sound which does not require, periodically, legislative examination of the expenditures and the needs of each spending agency. It is not sound if it permits the expenditure of public revenues when such expenditure is not authorized by appropriation laws, regularly and periodically enacted.

It is often maintained that the Legislature is not qualified to deal effectively with appropriations, and that the best way to stabilize state finance is the earmarking of revenues. This argument, particularly in recent years, rests upon some highly questionable assumptions. But if the soundness of the argument be granted, we embark upon a dangerous course when we deprive the law-making branch of direct control over public spending. Responsible government became a reality only after the parliaments of the people established their control over the purse strings of government.

This is a point not without significance today. The first step in the march toward irresponsible government, or dictatorship, has always been the debasement of the legislative branch. Too often in the history of state government, the people, in their

irritation over unfortunate incidents in the conduct of legislative bodies, have sought relief only in limitations upon their powers.

State legislatures, accordingly, have been denied substantially all power to create public debts, even when the states face emergencies. And the right to appropriate is circumscribed, by custom and constitutional provisions, in such way that this right rests, actually and to an increasing extent, in administrative agencies and authorities who are not accountable to the people in the traditional sense.

It is a questionable remedy which cures a disease by killing the patient. Representative, or responsible, government will not be sustained by those who suggest and embrace only those means which would prevent the legislature from legislating *badly*. More promising solutions will be found in reforms which might enable the legislature to legislate *well*. If legislatures fall below public expectations, the proper recourse lies not in stripping them of their traditional functions and responsibilities, but in providing forms of organization and procedures which offer some assurance of their effective operation in an increasingly complex world.

The County—Unchanged and Unchanging

In another important respect, Oklahoma can improve the administration of public affairs without change in our fundamental law. While the state constitution has a great deal to say about county government, its forms and procedures are largely subject to modification by the Legislature.

In the first place, it may be observed that the character and efficiency of county government is no longer, if it ever was, a matter of purely local concern. This is true for several reasons, but particularly because, to an increasing degree, the county is supported by taxes which are collected on a state-wide basis. The total expenditures of the seventy-seven counties in 1953 was approximately \$39,000,000, almost sixty per cent of which was supplied by the State.

In the second place, it may be noted that

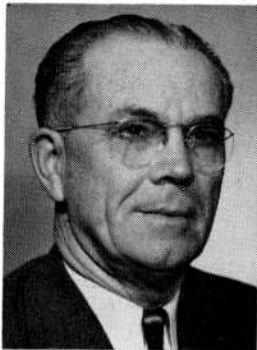
the organization and procedures of county government have been least affected by demands for modernization. No change, social, economic, technological, or "atomic," has greatly altered the even tenor of their way. This is not only a remarkable, but probably a very expensive fact.

Everyone knows of the great differences which exist among the counties. In area some are small while others are large. Some have a high per capita wealth; in others it is low. Some are thickly populated; others are thinly settled. Yet each county, in spite of these important social and economic differences, must operate under the same plan of government.

No doubt a great many people will agree that, in terms of modern needs, we have too many counties. If the constitution were being written today, probably a maximum of twenty-five would be regarded as sufficient. However, there is slight prospect, at this time, that we shall have less than the seventy-seven.

We can improve conditions on this level, nevertheless, if we will follow the example of several other States, notably, Virginia, and California. In these States, voters of a county may select one of several forms of county government. Laws which establish these options are based on a recognition of the varying needs of the several counties, social, economic, and political. Virginia and California, particularly in the years following World War II, have clearly established the advantages of this approach. In both of these States, voters are permitted to choose, instead of the prevailing commission plan, the county manager or the county administrator form. In a few States, counties are granted home rule privileges, by which they are authorized to draw up and adopt charters in the same manner that cities in Oklahoma may acquire charters.

The establishment of forms of county government is not a new or untried idea. It is incorporated in the laws of more than sixteen States. This approach to the solu-



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tion of county problems cannot be attacked as undemocratic; the choice lies with the voters. Oklahoma might try this recourse, since it offers some prospect of revitalized government on the county level without reduction of the number of counties.

State Grants—Perpetuation of Obsolete Forms and Procedures

Certainly any attempt to put the state in position to cope effectively with modern problems cannot overlook the great need for modernization of the county as a political subdivision. To account fully for the county's successful resistance to all suggestions of fundamental reform would be difficult, but, in part, it may be explained by the growing practice of supporting these units out of revenues supplied by the state.

It is possible that we make a mistake when we sustain local government in this manner. A better solution might have been found had we granted to these units powers of taxation, sufficient in extent to enable them to finance the costs of their own operations and activities.

There is no compelling reason for limiting the taxing power of local government to the ad valorem, or general property, tax. In any event, state aid, to the extent that it is granted in Oklahoma, may account, in part, for the perpetuation of obsolete, costly, and inefficient forms and procedures on the local government level. If funds are available, particularly if they seem to come from the outside, it will always be difficult to focus the attention of the public upon the most obvious defects in the administrative practices, or the general adequacy, of these political subdivisions.

Certain functions, or public services, may properly be financed jointly by two or more governments. *But the existence of one ought not depend upon the bounty of the other.* Local responsibility is the basis of vital local government, *a condition which imposes responsibility for raising revenue as well as spending it.*

"... True Barriers of Our Liberties ..."

Some observers regard with doubt all attempts to revitalize state government and its subdivisions. It is maintained that the role of the States must necessarily decline, and that, having served their purpose in our political development, they should be allowed to "wither away." This point of view has great appeal to those who find, in dependence upon the federal government, easier solutions to our immediate problems. It is approved by others who, rather impatiently, regard the States as obstacles which block the development of more "mature" social policies and administrative practices.

No one, I suppose, will deny that the States have too often dealt ineptly with

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A Sooner's Impressions of Brazil's Newest State

By GASTON LITTON

Of all the places in the world which might interest a native son of Oklahoma, the state of Paraná in the south of Brazil would be most likely to win top rating.

There must be many countries in the world which have wooded areas similar to Oklahoma's beautiful eastern counties, prairies like our western plains, mild and changeable climate comparable to that which brought forth Will Rogers' oft-quoted quip. Yet to one native son, no region so closely resembles his own Oklahoma and those pages of Oklahoma's history beginning in the 1880's as Brazil's state of Paraná which has just celebrated its centennial.

The parallel of similarities covers many points. One of these is the almost overnight settlement of vast sections of the state. Like those portions of Oklahoma which were colonized in a day by the various land openings, Paraná has had an equally swift settlement. Long dormant economically and largely forgotten in the national scheme of things, Paraná was awakened from its tranquil existence by a discovery that rich lands along the northern border were capable of a coffee yield seven times that of the older, soil-eroded coastal regions.

During World War II, when Brazil was our top ally among the Latin-American nations, a staying hand halted the colonization for several years. The cessation of hostilities in Europe opened up the flood gate of emigration from the war-torn areas to the New World. There was literally an almost overnight transformation of a rich hunter's paradise into hillsides of coffee trees which began to break peak harvest records in five years.

The new settlers from Europe were matched by large numbers of Japanese who moved into the region from nearby states. There was also a considerable influx of Brazil's own basic population. Railroad lines were laid into the area, highways were commenced, airplane landing fields were cleared in the brush—to move in this new population and to take out the mount-

ing thousands of sacks of coffee beans—harvested by the new settlers.

Looking at the map of Paraná today one finds many reminders of the various ethnic groups which also swelled Oklahoma's population. German communities are noted, and there are sizable segments of Polish, Italian, Bohemian, Ukrainian, and Syrian immigration. Travelling about the state of Paraná, an Oklahoman is reminded of Okarche, Krebs, Prague, Corn, and other communities which had a distinctly European ethnic beginning.

Another striking similarity is noted in the obviously adventurous spirit of the people. There is throughout the state of Paraná a definite willingness to take a chance, an attitude of give and take, ample evidence of resourcefulness and ingenuity.

Paraná is larger than Oklahoma by some 23,000 square miles. Its surface fluctuates in elevation more than Oklahoma's. Paraná has a small front on the Atlantic and a few mountain peaks and high plateaus, with an average elevation of some 2,000 feet which exceeds Oklahoma's average elevation by some 700 feet. The soil is fertile, watered by numerous rivers. Two of the world's most spectacular waterfalls—the lovely Sete Quedas, a series of seven cataracts, and the mighty Iguassu, forty feet higher and more powerful than Niagara—attract many tourists to the state.

A large part of the state is covered by a forest containing a great variety of fine woods, including a species of pine which is becoming well-known in world markets today. There are some 900 miles of railroad in operation in the state, the most important line being one that links the city of Rio with the Uruguayan capital. There are nearly a thousand miles of highways connecting the principal cities.

Agriculture is the chief business—coffee and *herva maté* (sometimes called Brazilian tea) being the principal exports. Potatoes, beans, corn, wheat, rye, manioc, and bananas are also grown in considerable quantities.

Many of the people of Paraná today, like

(4) Wider spacing of wells has made it possible to get commercial production out of fields with small per-acre recoveries.

(5) Longer life for wells and reduced producing costs have added greatly to the recovery of oil.

Those are all impressive achievements. Yet the unasked and unanswered problems in petroleum engineering still remain legion. And the solution of many of these problems may very well become a matter of economic necessity. It is estimated, for instance, that out of all the oil found in the United States from 1859 to date, some 40 to 60 billion barrels cannot be recovered by any method or process now in use. This fact alone should spur us to technical efforts several times greater than the efforts we have been able to muster in the past.

As for working conditions, the young engineer will find that reasonable work schedules are usually the rule. Because of the nature of the service he renders, however, the engineer is not inclined to be clock-conscious.

The physical demands on a petroleum engineer are certainly not extreme. Extremely aggressive and effective safety programs prevail throughout most of the major oil-producing organizations. Many oil companies also have relatively liberal benefit programs covering such items as vacations, savings plans, retirement, sickness and accident benefits, and so on.

Much has been written and said about what industry expects of the engineer. Most of the desirable qualities in an engineer are traits that make for success in any field of endeavor, and they are neither unreasonable nor difficult to acquire. To mention a few:

The engineer should have a fundamental interest in the work he is doing. He should have a sound educational background. He should have vision, which entails the ability to anticipate problems and solutions. He should have character and integrity. He should be skilled in human relations, which is just another way of saying he should be able to work as a member of the team. He should have tenacity—the ability to take defeat and still stay in there and pitch. And he should have drive—the will to get things done.

If he has those qualities, he will make his mark not only as an engineer but also as a leader. General George Patton once remarked that an army is like a piece of cooked spaghetti. You'll never move it very far, he said, by standing behind and pushing. You have to get out front and pull it. In many ways, that same principle holds true in the business world.

I should like to repeat, in conclusion, something I have told young engineers before:

For the engineer who can meet the requirements of modern industry, for the man who can accept and carry responsibility, there will always be great rewards—rewards both in the material things of life and in the spiritual satisfaction that comes from creative endeavor. And there will be no dead-ends to his career. He can move as far as his abilities and his personal qualities will carry him—and this often means into the ranks of top management.

But whether he accepts the responsibility of management or elects to remain an engineer must depend on the person himself. There are men—Kettering is an example—whose basic challenge is to continue as an engineer. Somewhere down the line each engineer must analyze his own ability and decide whether he wants to work through people as a manager or stick to reducing theories to practical use.

The important thing is for the engineer to find his own place in society—to find the place where his peculiar talents can accomplish the greatest good. His recompense will be not only in monetary returns but also in the more soul-satisfying rewards of universal respect and admiration.

A Sooner's Impressions

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of English in a series of sketches on American poets, which I developed in co-operation with a bi-lingual colleague of the state library, Miss Theresa de Amorim. English and Portuguese interpretations of representative works of American poets were recorded at these meetings and later broadcast.

Assignments to collaborate in a foreign cultural project, although particularly enjoyable to the recipient of such an invitation, must be justified on a high plane of technical need and as a contribution to international good will. The need for technical assistance in the Latin-American nations in certain fields is high. Their strong local support of projects involving technical assistance leaves no doubt as to their friendly receptivity. Thorough intelligent co-operation, when it is requested and when our country can provide it in an atmosphere of mutual give and take, can greatly strengthen other ties with the sister republics of the Western Hemisphere.

Brazil, our biggest neighbor and most constant ally, is currently buying about 34% of her imports from us. The United States is taking about 54% of Brazil's exports. We have been taking over 60% of Brazil's total coffee export. Some 53% of the foreign investments in Brazil represents

United States capital. Brazil has twice allied herself with us in world wars. Her people are friendly. This friendship is vital to us. It was a personal pleasure and privilege to have had, for a few brief months, the opportunity of contributing to the cause of good relations through the library-science program at Curitiba in Brazil's newest state. It was a pleasant surprise to discover that Paraná in 1953 bore such striking resemblance to Oklahoma and the Sooner spirit.

Greater Role for States

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evolving social and economic problems. They have at times, perhaps, impeded the convenient and prompt execution of national policy. But these limitations, obvious because of their nature and the immediacy of their impact, ought to be weighed carefully against the less dramatic, long term advantages of our federal system. It could be shown, I believe, that this system has served as an important restraint upon impulsive, opportunistic, or violent leadership in Washington. And it is highly probable that, in this manner, it will serve us again.

Thomas Jefferson, after citing other defenses, concluded that "... the true barriers of our liberties are our state governments" There may be many, in view of our experiences, who will question the soundness of this early observation. But to others, it would seem a grave misfortune should the time ever come when we may look to but one capital for a redress of our grievances, or an expression of our political convictions. The test of our federal system lies not altogether in the prestige, the power and glory, of the central government but in the vitality and effectiveness of the States and their local units.

HISTORY REPEATS ITSELF

From the regulations concerning the behavior of audiences at the theatre in Cincinnati, May 1, 1830:

III. The practice of cracking nuts, now abandoned in all well regulated Theatres, should be entirely avoided during the time the curtain is up; as it must necessarily interfere with the pleasure of those who feel disposed to attend to the performance.

Frances Trollope, *The Domestic Manners of the Americans* (1832); ed. by Donald Smalley. New York, 1949. Page 133, note 5.

Ever crunched popcorn or goobers at the cinema?