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#### **UPCOMING CONFERENCES**

### "The Meaning of American Pluralism"

On May 16-18, the Center for the Study of Federalism will host a Liberty Fund Conference on "The Meaning of American Pluralism." The conference papers include:

"William Penn's Conception of a Pluralistic Polity," E. Digby Baltzell, Department of Sociology, University of Pennsylvania

"The Idea of a Piuralistic Polity and Its Implications," William Allen, Department of Humanities and Social Sciences, Harvey Mudd College

"Political Expressions of Pluralism," Robert Pranger, American Enterprise Institute

"A Pluralism of Political Cultures," Aaron Wildavsky, Survey Research Center, University of California, Berkeley

"Pluralism and Federalism," Daniel J. Elazar, Center for the Study of Federalism, Temple University

"The Future of the Pluralistic Polity," Nelson Polsby, Department of Political Science, University of California, Berkeley

This is the third in a series of Liberty Fund Conferences sponsored by the Center for the Study of Federalism.

# "Federal Liberty as a Covenantal Theme in American Civil Society"

On May 20 and 21, the Workshop on Covenant and Politics will hold another in its series of seminars in Philadelphia. The topic will be "Federal Liberty as a Covenantal Theme in American Civil Society." The papers to be presented will include:

"The Almost Covenanted Polity," Daniel J. Elazar, Temple University and Bar-Ilan University

"Dimensions of Federal Liberty in American Civil Society," Donald S. Lutz, University of Houston

# "Federal Liberty as a Covenantal Theme in American Civil Society" (Con't)

"Federal and Covenant Principles in the American Union" Rozann Rothman, Center for the Study of Federalism

"Lincoln and Covenant," J. David Greenstone, University of Chicago

"Covenantal Perspectives on Freedom of Speech,"
John Kincaid, North Texas State University

"Covenant Foundations of the American Academic Community," John F. A. Taylor, Michigan State University

Please contact John Kincaid, (817) 788-2276 for more information.

#### CHANGES AT PUBLIUS

You will be seeing some changes in <u>Publius</u> in forthcoming issues as the journal has taken on two new staff members. John Kincaid, who has been associated with the Center for the Study of Federalism from its earliest days, has been appointed Associate Editor. Among other things, John will handle manuscript submissions for <u>Publius</u>; so please send manuscripts (three copies) to him at the Department of Political Science, North Texas State University, Denton, Texas 76203-5338. <u>Publius</u> is also happy to welcome Donald S. Lutz as the new Book Review Editor. Donald is in the Department of Political Science at the University of Houston. Daniel J. Elazar will continue to serve as Editor; Stephen L. Schechter will continue as Annual Review Editor; and Monica Wysong will continue to handle copy editing and production at the Center office at Temple University.

Unfortunately, owing to difficulties with our previous printer and subscription service, Publius fell behind in schedule and encountered some subscription problems. Every effort is being made to get the journal back on schedule and to remedy difficulties. If there have been problems with your subscription, please contact Garry Lee, at the Center for the Study of Federalism, Gladfelter Hall, Temple University, Philadelphia, PA 19122, (215) 787-7784. The last published issue was Volume II, Number 3. We will have these problems resolved soon and are looking forward to continued service to the wide international audience which has come to appreciate Publius: The Journal of Federalism.

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#### **NEW PUBLICATIONS**

The Center for the Study of Federalism has published a new dialogue entitled <u>Cities Without Citizens</u> by Norton E. Long with comments by Robert H. Salisbury and Theodore J. Lowi. It is available from the Center for \$4,00. Publication order form is on Page 30 of this Notebook.

Judea, Samaria, and Gaza, edited by Daniel J. Elazar, has just been published by the American Enterprise Institute, Washington, D.C. It is the third in a series which includes Self-Rule/Shared Rule: Federal Solutions to the Middle East Conflict (1979) and Federalism and Political Integration (1979), edited by Daniel J. Elazar and published by Turtledove.

Political Culture, Public Policy, and the American States, edited by John Kincaid will be published by the Institute for the Study of Human Issues (ISHI) press, Philadelphia, in June. It is another in the series of <u>Publius</u> books.

#### SPECIAL PUBLIUS ISSUES

We would like to call your attention to two special issues of <u>Publius</u>. "The Study of American Political Culture and Its Subcultures" edited by John Kincaid (Volume 10, Number 2, Spring 1980) is devoted to various uses and empirical approaches to the study of the theory of American political subcultures developed by Daniel J. Elazar. It includes articles by Russell Hanson, Richard A. Joslyn, John Kincaid, Nicholas P. Lovrich, Bryon W. Daynes and Laura Ginger, Susan Welch and John G. Peters, Frederick Wirt, and a response by Daniel J. Elazar.

"Covenant, Polity, and Constitutionalism" edited by Daniel J. Elazar and John Kincaid (Volume 10, Number 4, Fall 1980) is devoted to studies of the political theory of covenant and its relation to constitutionalism, especially American constitutionalism. The term federal comes from the Latin word foedus, meaning "covenant." The issue includes articles by Daniel J. Elazar, Gordon M. Freeman, John Kincaid, Donald S. Lutz, Vincent Ostrom, Neal Riemer, Rozann Rothman, Stephen L. Schechter, and John F. A. Taylor. Single copies of Publius are available from the Center for the Study of Federalism for \$7.50 each.

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#### RECENT GRANTS

DANIEL J. ELAZAR, JOHN KINCAID, and DONALD S. LUTZ have received a two-year grant from the National Endowment for the Humanities for research on the "Political Theories of American State Constitutions." They will be reporting the results of their research in the near future.

#### Recent Grants (Con't)

JOHN KINCAID of North Texas State University has received a challenge grant from the Texas Committee for the Humanities for a series of public lecture forums to be held in the Dallas area in 1982-83 entitled "Federal Democracy and Human Rights: Agenda and Prospects for America's Third Century." He is also doing research on rights and the idea of covenant under a fellowship from the Samuel E. Ziegler Educational Fund.

## 1982 APSA CONFERENCE FOR FEDERAL STUDIES PANEL

The Conference for Federal Studies will sponsor the following panel at the APSA Meeting in Denver. The preliminary time and place of the panel will appear in the Spring 1982 issue of <u>PS.</u>

Topic: Federalism in Court: The Social Scientist as Expert

Witness

Chair: William H. Stewart, Political Science Department, 302 Ten Hoor, P.O. Drawer I, The University of

Alabama, University, Alabama 35486

Papers: "Experiences of an Expert Witness"

Charles Cottrell, Political Science Department St. Mary's University, San Antonio, Texas 78284

"Contributions of Social Scientists in Federal

District Courts"

William H. Stewart, The University of Alabama

Disc.: Katherine Rudder, Associate Director, American

Political Science Association;

Gary Orfield, The Brookings Institution,

1775 Massachusetts, Ave., N. W., Washington, D. C. 20036

#### PAST CONFERENCES

# Liberty Fund Conference on "The Continuing Legacy of the Articles of Confederation"

From August 30 through September 2, 1981, the Center for the Study of Federalism conducted a conference funded by the Liberty Fund entitled "The Continuing Legacy of the Articles of Confederation." The following papers were presented:

#### "The Continuing Legacy of the Articles of Confederation" (Con't)

"Confederation and Federal Liberty"

Daniel J. Elazar, Temple University and Bar-Ilan University

"Preconditions of the Articles of Confederation" Jack P. Greene, Johns Hopkins University

"The Legacy of the Articles of Confederation" Jack N. Rakove, Stanford University

"Political Parties: Federational or National" Leon D. Epstein, University of Wisconsin

"The Tenacity of the Confederal Principle: Interlocal Agreements in the Family of Governments" Frederick Wirt, University of Illinois

"Consociations of Fatherlands: The Revival of Confederal Principles and Practices" Ivo D. Duchacek, The Graduate School and University Center, City University of New York

These papers will be published in a forthcoming issue of <u>Publius</u>. Other participants at the conference included:

William B. Allen Harvey Mudd College

James M. Banner, Jr.
American Association for the
Advancement of the Humanities

Ellis Katz Temple University

John Kincaid North Texas State University

Norton Long Otis, Massachusetts

Donald S. Lutz University of Houston Nelson Polsby University of California, Berkeley

Filippo Sabetti McGill University

Stephen L. Schechter Russell Sage College

Donald Smiley York University

Kenneth S. Templeton, Jr. The Liberty Fund, Inc.

Gordon S. Wood Brown University

## Annual Meeting of the Association of Centers for Federal Studies

This year's ACFS Meeting was held in Kingston, Ontario from November 16-18, 1981. The following sessions were held:

Keynote Address:

Professor Gerhard Lehmbruch

Universität Konstanz

Overview of National Experiences: Summaries of Papers

Chairman: Hugh Thorburn

The Recent Canadian Experience in Constitution-Making

Chairman: Gordon Robertson

Conditions Generating Constitutional Change and Their Effect on Its Success or Failure

Chairman: Michael Stein

Political Forces and Participation in Constitutional Reform

Chairman: Andre Bernard

The Processes and Mechanisms of Constitutional Change

Chairman: Keith Banting

Banquet Speaker:

Professor Edward McWhinney, Simon Fraser

University

Chairman: Ronald Watts

The Impact and Consequences of Constitutional Reform on Political

Forces

Chairman: Ken McRae

The following is a list of participants:

Daniel J. Elazar

Jerusalem Institute for Federal

Studies, Israel

Richard Gunther

Department of Political Science

Ohio State University

Stephen L. Schechter

Center for the Study of Federalism

Temple University

James Kellas

Department of Politics

University of Glasgow

Maureen Covell

Department of Political Science

Simon Fraser University

Teresa Rakowska-Harmstone Department of Political Science

Carleton University

### Annual Meeting of the Association of Centers for Federal Studies (Con't)

Alan Cairns
Department of Political Science
University of British Columbia

Gerhard Lehmbruch Universität Konstanz

Edward McWhinney Professor of Law Simon Fraser University

Alan Whitehorn

Department of Politics & Economics
Royal Military College

Chris Thomson
Affaires intergouvernementales
Quebec

Hugh Thorburn
Department of Political Studies
Queen's University

Douglas Verney
Department of Political Science
York University

André Bernard Département de science politique Université du Québec à Montréal

David Cameron Federal-Provincial Relations Office Ottawa

Donald Smiley
Department of Political Science
York University

William Chandler Department of Political Science McMaster University

John Meisel Canadian Radio-Television and Telecommunications Commission Hull James Mallory
Department of Political Science
McGill University

Kenneth McRae
Department of Political Science:
Carleton University

Jean-Paul L'Allier Québec

Michael Stein
Department Political Science
McMaster University

Richard Simeon Institute of Intergovernmental Relations Queen's University

Keith Banting Institute of Intergovernmental Relations Queen's University

Gordon Robertson Institute for Research on Public Policy Ottawa

Doug Rowland
Centre for Legislative Exchange
Ottawa

James Hurley Federal-Provincial Relations Office Ottawa

Don Stevenson Ministry of Intergovernmental Relations Toronto

Grant Amyot
Department of Political Studies
Queen's University

Leo Panitch
Department of Political Science
Carleton University

# Annual Meeting of the Association of Centers for Federal Studies (Con't)

Ronald Watts
Department of Political Studies
Queen's University

Richard Hatfield Premier Province of New Brunswick

Fred Engelmann Department of Political Science University of Alberta Stephen Wolinetz
Department of Political Science
Memorial University of Newfoundland

# BIBLIOGRAPHY ON THE BEST POLITICAL WRITING BY AMERICANS DURING THE FOUNDING ERA 1760-1805

Over the past decade, Charles S. Hyneman and Donald S. Lutz have read comprehensively in the pamphlets, newspapers, sermons, tracts, essays, and books written by Americans during the founding era defined as 1760-1805. They have selected from this material amounting to over 400,000 pages the best political writing that has not yet been printed or made widely available to be published in a 1,400 page, two-volume set by Liberty Press. At the end of the second volume there will be an annotated bibliography of the 514 items which they consider to be the best writing, regardless of whether it has been reproduced before, grouped into three categories of excellence. Seventy-six of the items considered to be among the very best of these 514 items will be reprinted in the Liberty Press volumes due out in October, 1982, at an estimated price of \$20.00 per set for hardcover and \$10.00 for softcover. Reproductions of most of these 514 items are being reproduced and will be available at the Center for the Study of Federalism at Temple University later this year. The following is the list of items to be published by Liberty Press with a brief indication of contents for each.

# Bibliography on the Best Political Writing by Americans During the Founding Era 1760-1805

#### Introduction

- Abraham Williams, <u>An Election Sermon</u>, Boston, 1762.
   (General principles of government)
- 2. T.Q., and J., To the Printer, Boston, 1763. (Separation of powers)
- 3. U., [Untitled], Boston, 1763.
  (State of nature, and violence in civil society)
- 4. Anonymous, [Untitled], Boston, 1764. (Public virtue and self-government)
- Philo Publicus, [Untitled], Boston, 1764.
   (Frugality)
- 6. Stephen Hopkins, The Rights of Colonies Examined, Providence, 1764. (Relationship of American colonies to Britain)
- 7. Aequus, <u>From the Craftsman</u>, Boston, 1766. (Relationship of colonies to Britain)
- Richard Bland, An Inquiry into the Rights of the British Colonies, Williamsburg, 1766.
   (Legal relationship of colonies to Britain)
- 9. Britannus Americanus, [Untitled], Boston, 1766. (Relationship of colonies to Britain)
- The Tribune, No. xvii, Charleston, 1766.
   (Public virtue and freedom)
- 11. [Silas Downer] A Son of Liberty, A Discourse at the Dedication of the Tree of Liberty, Providence, 1768.
- 12. Daniel Shute, An Election Sermon, Boston, 1768.

  (Why government needs a constitution and what should be in it)
- 13. [John Perkins] A Well-Wisher to Mankind, Theory of Agency: Or,

  An Essay on the Nature, Source and Extent of Moral Freedom,
  Boston, 1771.

  (The foundations of liberty in moral philosophy)

- John Tucker, An Election Sermon, Boston, 1771.
   (The origin, nature, and end of civil government)
- 15. The Preceptor, Vol. II. Social Duties of the Political Kind, Boston, 1772. (The benefits of civil society)
- 16. A Constant Customer, Extract of a Letter from a Gentleman in the Country to His Friend, Boston, 1773.
  (Slavery)
- 17. Simeon Howard, A Sermon Preached to the Ancient and Honorable

  Artillery Company in Boston, Boston, 1773.

  (Justifies breaking with Britain)
- 18. [Daniel Leonard] Massachusettensis, <u>To All Nations of Men.</u> Boston, 1773. (Uses state of nature argument to justify break with Britain)
- 19. [Benjamin Rush] A Pennsylvanian, An Address to the Inhabitants of the

  British Settlements in America Upon Slave-keeping, Philadelphia,
  1773.

  (Opposition to it based on religion and practicality)
- Continental Congress, Appeal to the Inhabitants of Quebec, Philadelphia, 1774.
   (The founders of a free people)
- 21. Thomas Bradbury, The Ass: Or, the Serpent, A Comparison Between the Tribes of Issachar and Dan, in Their Regard for Civil Liberty, Newburyport, Mass., 1774.

  (Contrasts the slavish spirit with the freedom-loving spirit)
- 22. Nathaniel Niles, <u>Two Discourses on Liberty</u>, Newburyport, 1774. (The origin, nature, and consequences of liberty)
- 23. Monitor, To the New Appointed Councellors, of the Province of Massachusetts-Bay, Boston, 1774.
  (Representation and the basis for forming a legislature)
- 24. Gad Hitchcock, An Election Sermon, Boston, 1774.
  (On liberty--natural, civil, and religious)
- 25. Levi Hart, Liberty Described and Recommended: in a Sermon Preached to the Corporation of Freemen in Farmington, Hartford, 1775.

  (Freedom from sin, from the British, and for the slaves)

- 26. [Anonymous], An English Patriot's Creed, Anno Domini, 1775,
  Boston, 1776.

  (The true English Patriot loves liberty)
- 27. [Anonymous], The Alarm: or, an Address to the People of Pennsylvania on the Late Resolve of Congress, Philadelphia, 1776.

  (Constitutions should be written by special conventions)
- 28. [Carter Braxton], A Native of this Colony, An Address to the Convention of the Colony and Ancient Dominion of Virginia on the Subject of Government in General, and Recommending a Particular Form to Their Attention, Virginia, 1776.

  (Summary of political principles)
- 29. Demophilus [George Bryan?], The Genuine Principles of the Ancient
  Saxon, or English Constitution, Philadelphia, 1776.

  (The excellence of direct democracy)
- 30. [Anonymous], Four Letters on Interesting Subjects, Philadelphia, 1776. (The fundamental character of constitutions)
- 31. [Anonymous], The People the Best Governors: Or a Plan of Government

  Founded on the Just Principles of Natural Freedom, New Hampshire, 1776.

  (Representation)
- 32. John Adams, Thoughts on Government, Boston, 1776. (Succinct statement of republican principles)
- 33. Samuel West, On the Right to Rebel Against Governors, Boston, 1776. (The religious basis for resisting tyranny)
- 34. Worcestriensis, <u>Number IV</u>, Boston, 1776.

  (Separation of church and state, and religious freedom)
- 35. Berkshire' Grievances, Statement of Berkshire County Representatives, and Address to the Inhabitants of Berkshire, Pittsfield, Massachusetts, 1778.

  (How is it possible to have a government without a constitution)
- 36. [Theophilus Parsons], The Essex Result, Newburyport, Mass., 1778. (Comprehensive statement of American political principles)
- Phillips Payson, A Sermon, Boston, 1778.
   (On the virtues essential for popular self-government)

- 38. Zabdiel Adams, An Election Sermon, Boston, 1782.

  (Comprehensive view of relationship between citizens and governors)
- 39. [Anonymous], Rudiments of Law and Government Deduced from the Law of Nature, Charleston, 1783.
- 40. [Thomas Tudor Tucker] Philodemus, Conciliatory Hints, Attempting,
  by a Fair State of Matters, to Remove Party Prejudice,
  Charleston, 1784.
  (Coherent statement of strongly democratic principles)
- 41. [James Madison], Memorial and Remonstrance Against Religious

  Assessments, Virginia, 1785.

  (Freedom of religion)
- 42. Amicus Republicae, Address to the Public, Containing Some Remarks
  on the Present Political State of the American Republicks, etc.,
  Exeter, N. H., 1786.
  (Strong defense of state constitutions and Whig principles)
- 43. Dean Swift, Causes of a Country's Growing Rich and Flourishing, Worcester, Mass., 1786.
- 44. Joseph Lathrop, A Miscellaneous Collection of Original Pieces (Selections), Springfield, 1786.
  (Origin of government, virtue, frugality, industry, etc.)
- 45. Benjamin Rush, A Plan for the Establishment of Public Schools and the Diffusion of Knowledge in Pennsylvania: to Which are Added, Thoughts upon the Mode of Education, Proper in a Republic, Philadelphia, 1786.
- 46. Theophrastus, A Short History of the Trial by Jury, Worcester, 1787. (Opposed to removing names of Tories from jury lists)
- 47. The Worcester Speculator, No. VI, Worcester, 1787. (Public virtue, education, and republican government)
- 48. Bostonians, Serious Questions Proposed to All Friends to the Rights
  of Mankind, With Suitable Answers, Boston, 1787.
  (How a constitution should be framed and adopted)
- 49. An Elector, To the Free Electors of this Town, Boston, 1788. (Electioneering as a corrupt practice)

50. Benjamin Franklin, An Account of the Supremest Court of Judicature in Pennsylvania, viz., The Court of the Press, Philadelphia, 1789.

(The limits of freedom of the press)

- 51. [Anonymous], Ambition, Charleston, 1789. (The importance of ambition for excellence)
- 52. Benevolous, <u>Poverty</u>, Charleston, 1789. (The effects of poverty)
- 53. David Ramsey, The History of the American Revolution (Selections), Philadelphia, 1789.
- 54. Robert Coram, Political Inquiries, to which is Added A Plan for the

  Establishment of Schools Throughout the United States, Wilmington, Delaware, 1791.
- 55. Joel Barlow, A Letter to the National Convention of France on the Defects in the Constitution of 1791, New York, 1792. (Equality and effective popular control of government)
- 56. Timothy Stone, <u>Election Sermon</u>, Hartford, 1792. (Liberty, leadership, and community)
- 57. David Rice, Slavery Inconsistent With Justice and Good Policy, Augusta, Kentucky, 1792.
- 58. Theodore Dwight, An Oration Spoken Before the Connecticut Society,
  for the Promotion of Freedom and the Relief of Persons Lawfully Holden in Bondage, Hartford, 1794.
  (The effects of slavery on slaves, masters, and society)
- 59. [Timothy Ford] Americanus, The Constitutionalist: Or, An Inquiry

  How Far It Is Expedient and Proper to Alter the Constitution

  of South Carolina, Charleston, 1794.

  (Representation)
- 60. James Kent, An Introductory Lecture to a Course of Law Lectures, New York, 1794. (Justifies judicial review by Supreme Court)
- 61. Samuel Williams, The Natural and Civil History of Vermont (Chapters XIII, XIV, and XV), Walpole, N. H., 1794.

  (How material circumstances affect culture and politics)

- 62. [John Leland] Jack Nips, The Yankee Spy, Boston, 1794. (Freedom of religion)
- 63. Peres Fobes, An Election Sermon, Boston, 1795.

  (Freedom of speech, respect for public officials)
- 64. Judge Rush, The Nature and Importance of an Oath, Rutland, Vermont, 1796.

  (Oaths and political obligation)
- 65. Nathaniel Emmons, A Discourse Delivered on the National Fast,
  Wrentham, Massachusetts, 1799.

  (Civil disobedience and obedience to constituted authorities)
- Jonathon Maxcy, An Oration, Providence, Rhode Island, 1799.
   (Liberty and equality)
- 67. Alexander Addison, Analysis of the Report of the Committee of the Virginia Assembly, Philadelphia, 1800.

  (Limits to freedom of the press, compact theory of government)
- 68. Joel Barlow, To His Fellow Citizens of the United States. Letter II: On Certain Political Measures Proposed to Their Consideration, Philadelphia, 1801.

  (Federalism)
- 69. An Impartial Citizen, A Dissertation Upon the Constitutional Freedom of the Press, Boston, 1801.
- 70. Jeremiah Atwater, A Sermon, Middlebury, Connecticut, 1802. (Liberty, republican government, human nature, and virtue)
- 71. John Leland, The Connecticut Dissenters' Strong Box: No. 1, New London, Connecticut, 1802.

  (Religious freedom)
- 72. Zephaniah Swift Moore, An Oration on the Anniversary of the United States of America, Worcester, Mass., 1802. (Public opinion, virtue, education, and popular government)
- 73. Noah Webster, An Oration, New Haven, Connecticut, 1802.
  (The underlying principles and design of American government)
- 74. Samuel Kendal, Religion the Only Sure Basis of Free Government,
  Boston, 1804.

  (Dependence of government upon religious sentiment)
- 75. James Wilson, On Municipal Law (Chapter V), Philadelphia, 1804. (Law, consent, and political obligation)
- 76. Fisher Ames, The Dangers of American Liberty, Boston, 1805. (Equality, faction, bigness, corruption, community, virtue)

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# THE STATES AS EXPERIMENTAL LABORATORIES: POLICY INNOVATIONS AND THEIR DIFFUSION

### Robert L. Savage University of Arkansas

Since the inception of the American union, there have been those who have questioned the utility, relevance, and/or vitality of its federated structure. The justification of plural government given by the Founders is a conservative one as their concern was with reducing the likelihood that a given person, group, or cause might easily assume all trappings of power throughout the nation. Later critics, not to mention historical experience, however, argue that the obverse is also a consequence of the American federal structure. That is, those who would thwart the "national will" by pursuing contrary causes and policies are abetted by the semi-autonomous power granted to the constituent states; most often these perversions of the national will are conservative obstacles raised to protect locally vested interests.

One of the traditional responses to these critics has been that state governments actually allow for a stronger commitment to political experimentation as risks in trials of new policies can be limited to a small subset of constituent elements in the union. Moreover, the existence of such semi-autonomous political entities promotes at least a semblance of experimentation, given the heterogeneity and the likely competition between them. This response is assuredly a plausible retort, but other than for occasional, isolated case studies, it remains a largely untested assumption. That is, have the states actually functioned as experimental laboratories in the adoption of public policies? The answer will not resolve conclusively the conflict between supporters and opponents of state governments, but it will clear the air so that they may join more directly in what is ultimately a clash of values.

This more empirical question also directs us to what has become an increasingly important topic of research in the comparative analysis of American state politics: the diffusion of innovations. After all, if the states are to serve as laboratories in the federal system, they must adopt novel, i.e., innovative, policies as experimental stimuli to be tested. For present purposes, then, an innovation is a policy adopted by a state for the first time. But if the notion of the states as experimental laboratories has any meaning, the assumption that some policies will be tested and found "true" must also follow; hence diffusion of those innovative policies must ensue. Diffusion refers to the process by which state governments become aware of policy alternatives and either accept or reject them.

To evaluate the extent to which the states act as experimental laboratories, three separate queries must be considered. First, do the states generally pursue the risks entailed by adopting policies that are more or less untested, i.e., never previously adopted by their sister states?

Previously unused data on states as original adopters are analyzed here to address this question. Second, to what extent are some states more generally prone to early adoption, i.e., more experimental, than others? Research by the present author and others is reviewed as a response to this query. Finally, what does the present state of knowledge about patterns of policy diffusion suggest regarding the states! roles as laboratories?

#### Original Adopters as Innovators

The adoption of a policy by a state for the first time among the whole population of states is a potential risk with consequences that may only be dimly guessed in advance. <sup>4</sup> The analysis here flows from the dates of initial adoption by an American state of 380 different policies. As shown in Table 1, only one state, New Mexico, was not an originator of at least one novel policy. On the other hand, two other states Massachusetts and New York, were responsible for 24% of the original adoptions. Moreover, only eight other states added to these innovators account for more than half of these original adoptions.

Assuredly, the overall results are skewed somewhat by including data from the period 1600-1849 when many states were not yet even a gleam in their founders' eyes; but in no period was the Massachusetts/New York contribution less than 18%. And only in the period 1900 1929 was the contribution of the top ten states less than half (45%). Clearly, the majority of states do not appear to be radical experimenters.

But the ranks of these innovators are not, on the other hand, static. It is reasonable to expect that as the nation expanded westerly, some of the new states would join those ranks. Table 2 casts this movement in high rank. Utilizing U.S. Census Bureau regional demarcations, only states from the Northeast and the South appear among the leading innovators (four or more new policies) in the first time frame. In the second period, three North Central states—Illinois, Ohio, and South Dakota— and one state from the West—Utah—supplant several states to the east. This westerly movement continues in the twentieth century with the especially noticeable rise to prominence of Wisconsin in the North Central area and California in the West. Overall, however, and not only because of their temporal advantage, states of the Northeast dominate the rankings. Seven of the top ten states are from that region, and Massachusetts and New York would still easily be the top two states even if their adoptions in the first time period were excluded from consideration.

But as has been pointed out elsewhere, policy innovativeness is not unidimensional. <sup>6</sup> The substantive content of policy induces variation as well. In Table 3, policy content and regionalism are cross-tabulated with one control for temporal variation. The overall dominance of the Greater Northeast is evident in every policy category except regulation of the electoral process where the Transmississippi states have a slight edge. But once the temporal control is exerted and only original adoptions since 1850 are tabulated, this nearly all-pervasive dominance is somewhat reduced. In the shorter, more contemporary period, the western states supersede the northeastern states in education and the protection of natural resources as well. The states of the Greater Southeast tend to lag behind in all policy areas.

In sum, some states seem strongly inclined to run the risk of "original" innovations while the great majority of states are only occasionally adopters of such novel policies. At the same time, the determination of top innovators is related to time, region, and policy content.

## Innovation as Diffusion Responsiveness

Using only original adoptions of new policies is a "radical" conception of innovativeness, for it emphasizes novelty, or even "creativity," over responsiveness to new ideas. This latter conception is a more sensitive approach as it incorporates those adopters who may seldom be first but are nonetheless consistently early in choosing policies. The definition of innovativeness as responsiveness to new ideas also suggests an operational definition based upon speed of adoption of policies new to a given state. Jack L. Walker followed this path in reintroducing the diffusion perspective to political studies, measuring the relative speed of adoption of 88 policies across the 48 contiguous states and combining these in a single index of innovativeness for each state. 7

However, some problems exist with such an index. Even if the policies used by Walker are representative of the universe of public policies, the single statistic created may be only an artifact and there is no test of external validity. In a study reported elsewhere, the present author attempted to deal with this problem, gathering complete adoption data for 181 policies across the 48 contiguous states. 8 This number of policies permitted the creation of separate innovativeness indices for the nineteenth century early twentieth century, and later twentieth century. Thus, a test could be made of the stability of this hypothesized trait of "innovativeness." The rankings of the states across these three measures of diffusion responsiveness are compared with their ranking for number of first-time adoptions (excluding Alaska and Hawaii) in Table 4. A visual examination suggests that the pattern for the later twentieth century is considerably different from those of the earlier periods, with a correlation of 0.27 and 0.31 with these earlier periods respectively. 9 However, the earlier periods are correlated much more strongly with r=0.62. And a dozen states -- California, Minnesota, Ohio, Illinois, Maine, Maryland, Michigan, Nebraska, New York, Oklahoma, Oregon, and Washington--score consistently across time in the top half of the states. Another eleven states -- Delaware, Georgia, Mississippi, South

Carolina, Alabama, Kentucky, Montana, Nevada, New Hampshire, North Carolina, and Wyoming--just as consistently score among the lower half of the states. Thus, innovativeness seems valid as a generalized trait shared in varying degrees by the states. Such inconsistencies as may appear in the relative rankings of the states here with those for the original adoption analyses largely flow from the fact that the innovative-ness indices include not only the occasions when states may have found some policies less desirable, even unacceptable, but also a correction factor for consistency of performance. Thus, for example, Massachusetts has often led her sister states, but she has frequently lagged well behind.

These innovativeness indices do not address the problem of substantive variation among policies, however. This is a critical problem as Gray 10 and Eyestone 11 suggest because such summary indices may obscure the actual patterns of diffusion involved in the adoption of policies across the states. That is, there are alternative models of diffusion which appear to characterize different types of policies.

#### Models of Diffusion in a Federal System

Comparative research on the diffusion of policies among the states follows the older tradition of anthropological diffusion studies where the "spread" of a similar idea or artifact is assumed to indicate communication between decision-makers (or more often, societies). This is in contrast to the tradition of sociological research, especially rural sociology, where the communication process itself is a central focus of research concern. For practical reasons, comparative state studies are pushed toward the anthropological paradigm, but this does not lessen the concern for understanding actual mechanisms of diffusion. 12

Moreover, familiarity with state decision-making processes suggest alternative communication-based models of diffusion applicable to different policies. Eyestone identifies three such models: independent, interactive, and federal, recognizing that empirical instances may actually be mixtures of these. <sup>13</sup> These structural models emphasize the determinant role of a propagating agency; hence, the interactive model is a polynuclear propagation structure, the independent model is a special case of this same model where the number of polynuclear centers equals the population of potential adopters, and the federal model reflects a mononuclear propagation structure. <sup>14</sup> Emphasizing attention to the structure of propagation prior to specification of sources seems preferable as actual sources are probably more varied than Eyestone appears to suggest. For example, Walker has pointed to the importance of national organizations other than the federal government in policy diffusion. <sup>15</sup> It is not clear that Eyestone subsumes these under his federal model.

The concern here, however, is with the states' roles as experimental laboratories. Clearly, the polynuclear propagation model is suggested by that analogy, whether in an interactive case such as exists where some states become regional centers of innovation or in the special case of independent adoption decisions. As Eyestone has pointed out, insufficient research attention has been given to the actual pattern of emergence and diffusion of specific policies. Yet, the polynuclear model of regional innovation centers appears to apply to such policies as municipal home rule and enabling of local direct legislation. Table 5 presents the dates of adoption of state constitutional provisions for municipal home rule by regions. The regional pattern is quite clear although there are ano malies such as Vermont adopting it first among states of the Northeast, although the other New England states adopted it more than thirty years later. Obviously, it is not clear that states in each of the regions looked to their regional leader as a model for emulation but the pattern is suggestive. Moreover, there tends to be even a regional basis in the spurts and lulls of adoptions.

Other policies appear to exhibit a mixed pattern with initial activity in a few or many states subsequently reinforced by actions of the national government or other national organizations. Eyestone specifically traces minimum wage legislation as an example of this mixed pattern. Other candidates include aid to fatherless households where a federal grant program eventually superseded the earlier Mothers! Aid laws enacted in several states, and prohibition of alcohol where innovation began in the northeastern states, slowly became extinguished, only to be re-lit in the south and midwest and reaching ultimate conflagration in the Eighteenth Amendment to the U.S. Constitution. Federal intervention through the use of grants-in-aid is of particular interest here. Table 6 presents adoption dates for blind pension programs with the same regional breakdown as in the previous table. Table 5 takes on much greater significance in comparison. Through 1931, only half the states had established a blind pension program, some 33 years after Ohio's invention. Fourteen years later Delaware was the 48th state to establish such a program. Less than half of these new adoptions of the 1930's were initially the Federal Aid to the Blind program, but no doubt many of the others were anticipatory of the national legislation. Whatever the case, the contagion-like pattern exhibited here is indicative of the mixed model.

Few, if any, innovations seem to fit altogether the federal model that Eyestone proposes. Even where national forces become dominant, it seems that most innovations receive initial attention and adoption in more localized areas. Thus, diffusion research seems to support the image of the states, or some of them at least, as experimental laboratories. Still, only a thorough review of rigorous case studies of a representative sample of policy measures will establish the relative adequacies of the existing models. As Eyestone argues, such future research should, where possible, take into account rescissions, lapses, failures to appropriate funds (where relevant), and so forth.

#### Conclusion

In answer to the queries raised in the introduction, it can be said that 1) perhaps as many as a third of the American states are characteristically willing to risk experimentation through initial adoption of novel policies on a relatively frequent basis; 2) that more generally a number of states are prone to early adoption of innovative policies; and 3) that while the diffusion of many policy innovations reflects the activity of national forces, the states tend to be willing partners and sometimes even "guinea pigs" in such experimentation. Certainly, a number of qualifications to these generalizations have been stated above; no doubt many more will be added by subsequent research. Nonetheless, the available evidence supports the image of the states as experimental laboratories in the American federal system, perhaps less than their supporters wish but more than their detractors contend.

Again, these findings do not resolve the controversy. After all, many would find some of the policy innovations utilized in these analyses as sufficient cause to scrap the present system in favor of a unitary government. But if hetereogeneity (and whatever resulting creativity and vitality) is a valuable asset, then state governments, even in the face of powerful nationalizing forces, seem to perform adequately in preserving that quality for the American political system.

<sup>\*</sup>This is a much revised version of a paper originally presented at the Fall Meeting of the Community College Social Science Association, Atlanta, Georgia, November 1977.

#### Notes

- 1. Problems and prospects of differing aspects of this literature are reviewed in Robert Eyestone, "Confusion, Diffusion, and Innovation," American Political Science Review, 71 (June 1977), 441-447; and Robert L. Savage, "A Note on Policy Innovativeness as a Trait of American States," Journal of Politics, 40 (February 1978), 212-224.
- Any notion of "testing" which suggests rigorous scientific evaluation will
  not be pursued here. Not even the national government is strongly committed to, let alone capable of, such an approach across all areas of public
  policy.
- 3. For more general reviews of theoretical and empirical work relating to the diffusion of innovations, see Everett M. Rogers, Diffusion of Innovations (New York: The Free Press, 1962); Everett M. Rogers and F. Floyd Shoemaker, Communication of Innovation: A Cross-Cultural Approach, 2nd Edition (New York: The Free Press, 1973); and Gerald Zaltman et al., Innovations and Organizations (New York: John Wiley & Sons, 1973).
- 4. However, risks may be reduced if prior knowledge of similar adoptions in local communities is available, as may often be the case. Moreover, some policies may derive from other nations, such as the various types of direct legislation adopted in modified form from the Swiss example.
- 5. These policies and their original dates of adoption for the first time were gathered from more than two hundred sources over a period of several years. As a "sample," this compilation is of the "accidental" variety, but the scope of the policies, both temporally and substantively, suggests that the assumption of representativeness is a reasonable one. A listing of the 380 policies is available from the author upon request.
- 6. See Virginia Gray, "Innovation in the States: A Diffusion Study," American Political Science Review, 52 (December 1973), 1174-1185; Eyestone, "Confusion, Diffusion, and Innovation," and Savage, "A Note on Policy Innovativeness as a Trait of American States,"
- 7. Jack L. Walker, "The Diffusion of Innovations Among the American States," American Political Science Review, 63 (September 1969), 880-889.
- 8. "A Note on Policy Innovativeness as a Trait of American States."
- 9. The measure of correlation is the Pearsonian r, based upon the original index values. For a description of these indices, see ibid.

#### Notes (Con't)

- 10. "Innovation in the States: A Diffusion Study," and also her "Expenditures and Innovation as Dimensions of Progressivism: A Note on the American States," American Journal of Political Science, 17 (November 1974), 693-699.
- 11. "Confusion, Diffusion, and Innovation."
- 12. In order to focus on the communication process itself, expensive techniques such as survey research are required. Thus, such studies are by necessity limited to two or three policies. Most such research to date has been directed at the urban level. Exemplary and useful studies include Richard D. Bingham, "Innovation in Local Government: The Case of Public Housing," paper presented at the Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, May 1975; and James N. Danziger and William H. Dutton, "Technological Innovation in Local Government: The Case of Computers" (Irving: Public Policy Research Organization, University of California, 1977; mimeo). Also, Jack L. Walker, "Innovation in State Politics," Politics in the American States: A Comparative Analysis, 2nd Edition, Herbert Jacob and Kenneth N. Vines, editors (Boston: Little, Brown, 1971), 379-385, presents some interview data from a survey of state administrators.
- 13. "Confusion, Diffusion, and Innovation," 446-447.
- 14. Cf. Lawrence A. Brown, "The Market and Infrastructure Context of Adoption: A Spatial Perspective on the Diffusion of Innovation,"

  Economic Geography, 51 (July 1975), 185-216; and Lawrence A. Brown and Susan Gustavus Philliber, "The Diffusion of a Population-Related Innovation: The Planned Parenthood Affiliate," Social Science Quarterly, 58 (September 1977), 215-228, where propagation models are used in examining diffusion among private agencies within the United States.
- 15. "The Diffusion of Innovations Among the American States," 893-895; and "Innovation in State Politics," 375-378.

Table 1

THE AMERICAN STATES COMPARED ACROSS TIME FOR NUMBER OF FIRST-TIME ADOPTIONS

	N	umber of F	irst-Time	Adoptions	
State	1600- 1849	1850- 1899	1900- 1929	1930- 1976	Overall
AL	-	1	3	_	4
AK	-	die	<b>.</b> .	1	ī
AZ	-	-	1	***	1
AR			1	_	1
CA	-	3	4	9	16
co	<del>-</del> .	-	1	3	4
CT	5	4	4	5	18
DE	1	-		1	2
FL	1	-	1	1	3
GA	4	2	2	1	9
ΗI		-	~	5	5
ID	-	2	1	<b>-</b> .	3
IL	1	8	3	5	17
IN	_	-	$\frac{3}{2}$	1	4
IA	-	2		-	$ar{4}$
KS	_	3	1		4
KY	1	2	1	-	4
LA	1	2	2	-	5
ME	2	1	-	2	5
MD	6	2	-	3	11
MA	18	21	6	5	50
MI	1	3	1	1	6
MN	-	~	5	1	6
MS	2	2	2	1	7
MO	1	1	3	<del>-</del>	5
MT	<del></del>		1.		1
NB		1	<del></del>	1	2
NV	-	1		2	3
NH	3	1	1	-	5
NJ	6	5	-	2	13
NM	-		**	_	-
NY	8	11	10	12 3 2	41 5 4
NC	1	1.	1	3	5
ND			2 3 1	2	4
OH	2	5	3		10
OK	_	Main	1	1	2
OR	<u></u>		5 2	1 1 2 3	6
PA	5 6	4	2	2	13
RI SC	6	2	3	3	14
SC	1	2 5	- PAM	2	14 5 5
SD	<del>-</del>	5			5
TN	3 1	Alba-	•	I I	4
TX	1	.ī.	1.	1.	4

Table 1 (Con't)

Total	90	109	88	93	380
WY		1	· · · · · · · · · · · · · · · · · · ·	<del>.</del>	
WI		_	7	,	ኔ <i>ተ</i> ነ
WV	-	-	-	7	1.4
WA	•	1	-	<u>1</u>	1
VA	3	2	Z	1	9
VT	7	3	1	4.	13
UT	-	4	1	~ 4	5 15

Table 2
HIGHEST RANKING STATES IN FIRST-TIME ADOPTIONS
ACROSS FOUR TIME PERIODS\*

1600-1849	1850-1899	1900-1929	1930-1976	Overall
Mass. (18) N.Y. (8) Vt. (7) Md. (6) N.J. (6) R.I. (6) Conn. (5) Pa. (5) Ga. (4)	Mass. (21) N.Y. (11) I11. (8) N.J. (5) Ohio (5) S.D. (5) Conn. (4) Pa. (4) Utah	N.Y. (10) Wisc. (7) Mass. (6) Minn. (5) Ore. (5) Calif. (4) Conn. (4)	N. Y. (12) Calif. (9) Wisc. (7) Conn. (5) Haw. (5) Ill. (5) Mass. (5) Vt. (4)	Mass. (50) N.Y. (41) Conn. (18) Ill. (17) Calif. (16) Vt. (15) R.I. (14) Wisc. (14) N.J. (13) Pa. (13)

Number of first-time adoptions are enclosed in parentheses.

REGIONAL DISTRIBUTION OF FIRST ADOPTIONS BY POLICY AREAS

Table 3

		49	60	76	75	81		174	Total
MA, NY	2 1 1 1	1 2	&   &	10	1 2 1 1 1 1	i 2 i 1	1 CO 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1 13	Other
11	2	2	i	-	10	10	6	00	Welfare
но	2	2	4	7	7	7	4	00	U.S. Constitution
NY	2	2	1	<b></b>	i	1	9	9	Transportation
NY, PA	w	ω	U1	ъ	7	7	7	9	Taxacion
YY	اسبو	<b>,</b>	2	4	<b>,</b>	ω	ω	7	Race Relations
CT	ديا	فيا	4	£	4	4	vo	9	Professional Licensing
C <sub>A</sub>	α	œ	2	w	4	4	7	16	Natural Resources
NY, OH	2	2	w	4	<b>0</b> 0	œ	6	7	Local Government
MA	2	2	1	ı	ı	ı	9	12	Labor
MA	<b>Jures</b>	<b></b>	2	w	2	2	6	10	Health
RI.	on .	σ	4	11	15	18	13	22	Government Operations
SD, VI	ás.	i. Öh	<b>∞</b>	12	•	9	U+		Electoral Process
MA	6	σ	4	5	<b></b>	1	4	9	Education
MA	2	N	4	6	w	4	٥	10	Crime & Corrections
МА	<b>Junu</b>	<del></del>	i	ŧ	12	<b>13</b>	9	μ u	Business Regulation
Leading State	West er-Post- 1 1850	0ver- all	1850	South Over- F	North Central Over- Post- all 1850	North Over- all	Northeast Over- Post- all 1850	Nort Over-	Policy Content

Table 4

COMPARISON OF RANKINGS FOR FIRST-TIME ADOPTIONS AND THREE TEMPORAL INDICES OF POLICY INNOVATIVENESS\*

State	Ranking for First-Time Adoptions	Ninetaenth Century Innovativeness Ranking	Early Twentieth Century Innovativeness Ranking	Later Twentieth Century Innovativeness Ranking
AL	21	0.0		
AZ	31 45.5	29	33	44
AR .	45.5	40.5	14.5	41
CA.	5	38	18	29
CO		4	1	5
	31	6	9	13
CT DE	3	36.5	37.5	16.5
FL	41 37	42.5	41.5	42
GA		47	47	23
	13.5	36.5	41.5	45
ID	37	34	11	3
IL.	4	20	24	13
IN	31	14.5	37.5	10
IA	31	12	5.5	26
KS	31	2	19.5	38
KY	31	25	26.5	31
LA	22.5	22	28	35
ME	22.5	24	21	9
AD)	11	18	16.5	16.5
MA	1	30	19.5	21
II .	17	16	3	13
in	17	5	2	7
4S	15	45	46	46
10	22.5	9	30.5	24.5
at .	45.5	<b>3</b> 2	26.5	27
IB	41	10.5	16.5	24.5
W	37	26	43.5	48
TH .	22.5	39	36	33
IJ	9.5	27.5	12.5	18
IM	48	48	40	15
ΙY	2	10.5	14.5	8
<b>IC</b>	22.5	44	34	40
ID	31	23	7.5	32
H	12	7	5.5	2
K	41	1	12.5	22
R	17	17	4	
A.	9.5	27.5	22	6
I	7.5	40.5	48	28
Ĉ	22.5	46		19.5
D	22.5	19	43.5	47
N	31	42.5	29	30
		744 (A. )	30.5	11

# Table 4 (Con't)

TX	31	21	32	43
UT	22.5	32	25	4
VT	6	35	39	19.5
VA	13.5	13	35	39
WA	41	14.5	7.5	l
WV	45.5	3	23	37
WI	7.5	8	10	34
WY	41	32	45	36

Table 5

REGIONAL BASIS OF ADOPTION OF CONSTITUTIONAL HOME RULE FOR MUNICIPALITIES

	•	**************************************		Region	18	- 17		
	Nor	theast	North	Central	So	uth	W	est
1875			МО	1875			CA	1879
			MN	1896			WA	1889
1900	VT	1920	MI	1908	ок	1907	co	1902
	PA	1922	NB	1912	TX	1912	OR	1906
	NY	1923	OH	1912	MD	1915	AZ	1912
			WI	1924				
							NV	1924
1925	ŊJ	1947			wv	1936	UT	1932
					GA	1945		
					LA	1946	NM	1949
1950	RI	1951			TN	1953		
	MA	1964	KS	1960	FL	1968	<b>M</b> T	1969
	CT	1965	SD	1962			WY	1972
	NH	1966	ND	1967				
	ME	1969	IA	1968				
1975					·			
States Not			TL.	an the est table and the ex	AL		10	<u>-</u>
Adopting			IN		AR			
0			<del>-</del> -		DE			
					KY			
					MS			
					NC			
					sc			

VA

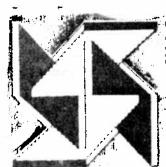
Table 6

REGIONAL BASIS OF ESTABLISHMENT OF A PENSION PROGRAM FOR THE BLIND

## Regions

	Northeast	North Central	South	West
1900	14.15% to 1	OH 1898 IL 1903 NI 1907	START CONTRACTOR CONTR	
1910	ME 1915 NH 1915 NJ 1918	KS 1911 TA 1915 NB 1915		ID 1917 CA 1919 CO 1919
1920	MA 1920 NY 1920 CT 1921	MO 1921 MN 1923	AR 1923 KY 1924 LA 1928	WA 1921 NV 1925
1930	PA 1933 VT 1935 RI 1936	MI 1933 IN 1935 NO 1935 SD 1937	MD 1929 FL 1935 MS 1935 NC 1935 OK 1935	UT 1931 AZ 1935 OR 1935 WY 1935
			WV 1936* AL 1937* GA 1937* SC 1937*	NM 1936* MT 1937
1940			TX 1937* VA 1938* DE 1945*	

<sup>\*</sup>Federal Aid to the Blind Program.



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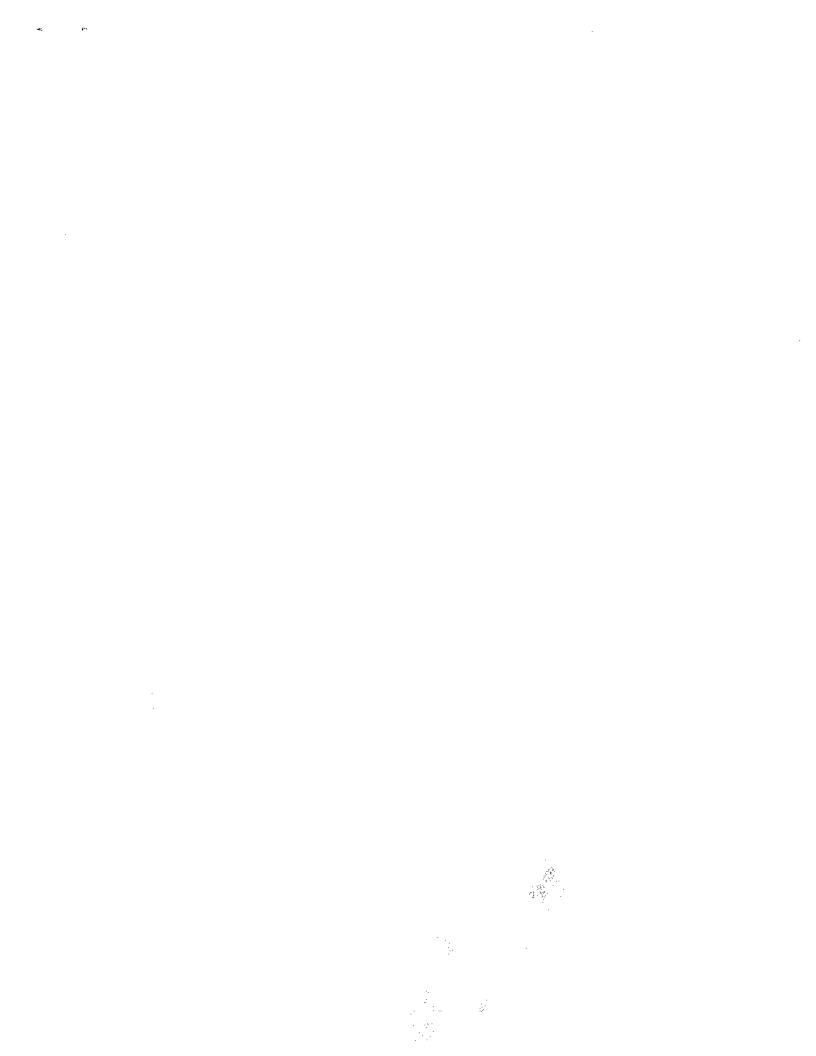
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