

CFS Notebook

WINTER, 1972
VOLUME I NUMBER 1

From the Editor...

One of the central reasons for establishing the Conference on Federal Studies was to foster better communication among those interested in the study of federalism and all its manifestations and ramifications. To this end the Conference will periodically issue a newsletter for its members of which this is the first issue. It is our present intention to publish the newsletter three times a year, fall, winter, and spring, so long as the material and level of interest warrant it. The Center for the Study of Federalism will undertake to edit, publish, and distribute the newsletter as part of its service to the Conference.

It is hoped that the newsletter will provide a means of communication among members of the Conference on matters of mutual interest and concern as well as communicate news of the field. Whether it does so or not depends upon the readers' response. Our format is of necessity experimental. We will do whatever it seems useful to do. In this first issue we indicate some of the things which we at the Center believe are worth doing and we await your response to them. This issue contains such items as descriptions of new Center projects, a syllabus for use in undergraduate courses on the American federal system, a list of new members of the Conference, plus requests for reader responses along a variety of fronts.

Future issues of the newsletter will include correspondence from members, research notes, or even short papers that are suitable for distribution through the newsletter format. CFS NOTEBOOK should be looked upon as a place where new ideas can be tried out, provocative suggestions raised, and important questions posed. Should any of you wish to pose a question to the membership at large please avail yourself of this opportunity. In sum, it is our belief that a newsletter should serve to circulate ideas and information that are in some senses "not for publication"; to solicit responses and foster communication as if we were all in the same room.

Material may be submitted for publication at any time. Simply address it to me, Center for the Study of Federalism, Temple University, Philadelphia, Pennsylvania 19122.

Daniel J. Elazar

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CFS NOTEBOOK is distributed free of charge to members of the Conference on Federal Studies. It is published three times a year.

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Bureau of Public Discussion
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Cheney, Washington 99004

Universitaet Konstanz Bibliothek
7750 Konstanz
Postfach 777
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Legislative Reference Service
Library of Congress
Washington, D.C. 20540

Lehman College Library
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Bedford Park Boulevard West
Bronx, New York 10468

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University of Texas at Austin
Austin, Texas 78712

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Columbia, South Carolina 29208

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U.S. Civil Service Commission
Executive Seminar Center
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Teaching the American Political System

Among the major concerns of the Center for the Study of Federalism is a development of new approaches to teaching Americans of all ages about the American political system through an understanding of the federal principles which animate it. The Center is presently involved in three major projects directed to that end: one for elementary and junior high schools students; one for senior high school students and adult education programs; and one for the civil servants engaged in making the federal system work.

1) I Am the Mayor. A simulation game for elementary and junior high school students devised, developed and tested by Donna S. and Jerome Allender. The game is designed to convey a sense of the role of a local government decision-maker within the context of the American political system at a level which can be understood by children beginning in the third grade and continuing into high school. The game in which the player takes on the role of mayor of a small city involves inquiry into up to ten problems likely to confront a small city mayor in the United States today. Thoroughly tested under an Office of Education grant, it is the first such game to include a significant intergovernmental component. The full game kit has just been published by the Center for the Study of Federalism and is available at a cost of \$30.

2) Guides to American Politics. The Center has prepared three guides to be used in college level courses to introduce students to the basics of American government and politics. The first, The United States Political System,

sets forth the basic presuppositions, techniques and institutions of the American political system in proposition form for easy assimilation and quick review. The propositions are based upon principles commonly held by Americans coupled

with the latest knowledge of how the American political system works. Still in an experimental edition is the companion volume, American Federalism: A Working Outline. This book provides a comprehensive view of the workings of federalism in the United States from first principles to current practices in outline form, covering historical and contemporary developments. A third pamphlet, Studying the Civil Community, is oriented toward giving students the conceptual framework for the study of local politics coupled with a guide to field research in civil communities of various sizes. All three books are available from the Center at a price of \$1.00 each.

In an effort to reach high school and adult education groups, the Center is presently developing an expanded version of The United States Political System which will illustrate the propositions contained within it through brief quotations from classic and contemporary sources illustrating the points they make plus guides for inquiry and discussion to be used by instructors and students, discussion leaders and participants. This material will be made available not only in book form but through other audio-visual techniques as well. An experimental edition of this material will be available by January 1, 1972 and will be used in connection with Federalism '76, a major educational project focused on the forthcoming bicentennial of American independence. For further information regarding this material, please contact the Center Director.

3) A course in the principles and practices of American government for practitioners was developed by the Center with the assistance of the Temple University Learning Center and in connection with the Technical Analysis Division of the National Bureau of Standards where it was tested in 1971. The course involves 30 hours of instructional time given in a concentrated two week period or

over as many as ten weeks, through lectures, readings and group involvement in simulated problem solving. A complete syllabus and course description is available from the Center. The Center's staff is prepared to teach this course at on-site locations or to arrange for the training of appropriate instructional personnel on the Temple campus. For further information please contact the Center Director.

The Center has been seriously considering inaugurating summer or mid-winter short courses or intensive courses in the American federal system from the perspective which it has developed, should there be sufficient interest in such programs. If any of the readers of this newsletter are interested or know of those who might be, please contact the Center Director.

Please address all correspondence to:

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When submitting manuscripts please send two copies.

Green Land-Clean Streams

Research on a possible solution to the water pollution crisis facing the nation has been underway at the Center for the Study of Federalism since spring of this year (1971). Supported by a private grant, a team at the Center has been gathering information in the field and from literature on the utilization of land as a method of advanced waste water treatment. Under this system, the soil and vegetation serve as a purifying media, recovering the nutrients that are causing the eutrophication of

streams and lakes and return these elements to the natural cycle. Pollutants in this sense are regarded as "resources out of place" and proper treatment requires that they be productively restored to the cycle.

The legislation on water pollution recently passed by the U.S. Senate (Senate bill #S.2770) and pending in the House calls for a no discharge policy by 1981 with strong reduction by 1974 and re-structures state-federal cooperation to meet these new standards. The measures will require that alternative methods be found to replace the now prevalent practice of discharging waste water, treated or untreated, into the country's waterways. The Center's project is designed to translate the technological breakthroughs in land treatment into public policy and concrete federal, state and local programs compatible with the goals of the new legislation.

The project is being coordinated by Mrs. Jeanne Schlesinger, a landscape architect. Staff includes Joseph Lockard, Mrs. Bernadette Stevens and R. Michael Stevens. Its first product will be a handbook that brings together existing information on land treatment in a systematic way by analyzing existing projects, for use by the public and policy makers. The handbook, entitled Green Land-Clean Streams, is presently being circulated in draft form.

Teaching About Federalism

The Conference for Federal Studies is as concerned with the teaching of the principles and practices of federalism as it is in defining and examining them. In order to foster improved methods of instruction and to disseminate new content, our NOTEBOOK will maintain a regular department devoted to the publication of syllabi for relevant courses, discussion of teaching problems and techniques, and review of the present state of the teaching in the field.

What follows is the first of what we hope will be a continuing stream of syllabi developed by conference members. It is devoted to undergraduate instruction in the American federal system. We are interested in both undergraduate and graduate syllabi, in teaching about other federal systems as well as the American system, and in any other exploration of fields related to federalism. All interested persons are invited to submit syllabi to the CFS NOTEBOOK for possible publication.

The NOTEBOOK will also welcome critical comment on the published syllabi from our readers. The Editors feel that frank and open discussion of content and method will aid all of us in improving our teaching in the field.

Syllabus for Undergraduate Course in American Federalism*

Daniel J. Elazar

INTRODUCTION

1. Central Hypotheses:

The United States "is a federal country, in spirit, in its way of life and in its constitution." Consequently, an understanding of American government and politics must be based from the first upon an understanding of American federalism. To that end, this course is designed to explore the American system of government as a federal system, with governments operating on three planes (Federal, State, and local) yet functioning as one integrated and interdependent governmental system.

The basic hypotheses underlying this course are: (1) Federalism remains the central political principle of the American political system. (2) The American political system is shaped in all its aspects by the existence of federal institutions and processes as well as being animated by the federal idea. (3) The American federal system is an evolving one in which there are both continuing patterns and new developments. (4) Within the American federal system, governments on all three planes have a share in virtually all governmental activities in the United States. The attention of this course will be directed to examining these hypotheses, learning to understand how the federal system operates in practice, and analyzing the relationship between theory and practice in American federalism.

More specifically, this course will deal with such questions as the relationship between law, politics, and administration in a federal system; the functions of political parties in the maintenance of a federal system; "States' rights," centralization, and Federal power; and the impact of the Federal Government on the State and local governments and vice-versa. We will also deal more generally with concepts of shared power and concurrent governmental jurisdiction as political devices designed to maintain liberty. These questions will be raised in each of four units.

2. Course Structure:

The first unit is designed to examine the constitutional roots of the American federal system and its evolution in theory and practice to our own day.

*Political Science 142, Temple University (Fall 1971). Syllabus is slightly abridged to eliminate technical details concerning class procedures.

The second unit is concerned with the manner in which the American federal system handles the tasks of government. The central hypothesis of this unit is that in varying degrees, the Federal, State, and local governments contribute to the making of policy and share responsibility for the administration of all important public programs in the United States.

The third unit will attempt to understand the reciprocal relationships between the American political process and the American federal system in the shaping of public policy by asking two broad questions: How does the nature of the American party system affect the legislative and administrative processes of American government? How does the nature of the American federal system affect the operation of our political parties?

The fourth unit is devoted to a summary discussion of the nature, justification, and perplexities of American federalism, in which federalism as a type of political union in general and American federalism in particular will be assessed and evaluated utilizing criteria developed in the first three units.

READINGS

1. Required General Reading:

- Daniel J. Elazar, AMERICAN FEDERALISM: A VIEW FROM THE STATES (T.Y. Crowell, 1966).
- Daniel J. Elazar, AMERICAN FEDERALISM: A WORKING OUTLINE (Center for the Study of Federalism, 1970).
- Daniel J. Elazar, ed., THE POLITICS OF AMERICAN FEDERALISM (D.C. Heath, 1968).
- Morton Grodzins, THE AMERICAN SYSTEM: A NEW VIEW OF GOVERNMENT IN THE UNITED STATES (Rand McNally, 1966).
- Hamilton, Jay, Madison, THE FEDERALIST (any unabridged edition).
- Andrew C. McLaughlin, THE FOUNDATIONS OF AMERICAN CONSTITUTIONALISM (Fawcett, 1961).
- David G. Smith, THE CONVENTION AND THE CONSTITUTION (St. Martin's, 1965).
- Tressolini and Frost, CASES IN AMERICAN NATIONAL GOVERNMENT AND POLITICS (Prentice-Hall, 1966).

2. Suggested Reading:

- Herbert Agar, THE PRICE OF UNION (Houghton Mifflin, 1950).
- William Anderson, THE NATION AND THE STATES, RIVALS OR PARTNERS? (Minnesota, 1955).
- Daniel J. Elazar, THE AMERICAN PARTNERSHIP (Chicago, 1962).
- Elazar, Carroll, Levine and St. Angelo, COOPERATION AND CONFLICT: A READER IN AMERICAN FEDERALISM (Peacock, 1968).
- Robert A. Goldwin, ed., A NATION OF STATES (Rand McNally, 1962) and A NATION OF CITIES (Rand McNally, 1968).
- W. Brooke Graves, AMERICAN INTERGOVERNMENTAL RELATIONS (Scribners, 1964).
- Arthur N. Holcombe, OUR MORE PERFECT UNION (Harvard).
- Richard Leach, AMERICAN FEDERALISM (Norton Paperback, 1970).
- Arthur W. Macmahon, FEDERALISM, MATURE AND EMERGENT (Columbia, 1955).
- Roscoe C. Martin, THE CITIES AND THE FEDERAL SYSTEM (Atherton, 1965).
- INTERGOVERNMENTAL RELATIONS IN THE UNITED STATES, THE ANNALS (May, 1965).
- James Sundquist, MAKING FEDERALISM WORK (Brookings, 1969).
- Deil S. Wright, FEDERAL GRANTS-IN-AID: PERSPECTIVES AND ALTERNATIVES (American Enterprise Institute, 1968).

COURSE SCHEDULE

Week

- 1 Introduction
- Assignment of memorandum on prior study or knowledge of the American federal system
- 2 Some Basic Hypotheses for the Study of American Federalism
- First written assignment due
- Required:
- "Federalism," INTERNATIONAL ENCYCLOPEDIA OF THE SOCIAL SCIENCES
POLITICS OF AMERICAN FEDERALISM (PAF) - Introduction.
- Suggested:
- COOPERATION AND CONFLICT - Selection 1.
- The Character of American Federalism
- Required:
- THE FEDERALIST, Nos. 2, 9, 10, 37, 51 (available in PAF)
- Grodzins, Chapter 1.
- Suggested:
- Anderson, Chapters 1 and 2.
Graves, Chapter 1.
Martin, Chapter 2.
- I. The Roots and Evolution of American Federalism
- 3 Colonial and Revolutionary Origins of American Federalism
- Required:
- Andrew C. McLaughlin, FOUNDATIONS OF AMERICAN CONSTITUTIONALISM (Read the entire book.)

Suggested:

Carl Becker, THE DECLARATION OF INDEPENDENCE (Vintage Books), Chapter III
Winston V. Solberg, THE FEDERAL CONSTITUTION AND THE FORMATION OF THE UNION OF THE AMERICAN STATES (Bobbs-Merrill, 1958), Editor's Introduction
Graves, Chapter 2

Assignment of paper on the ideas of the framers.

4

The Constitution and American Federalism

Required:

Smith, entire book
THE FEDERALIST, 37-46, 51
Herbert Wechsler, "The Political Safeguards of Federalism: The Role of the States in the Composition and Selection of the National Government," in PAF

Suggested:

Martin Diamond, "What the Framers Meant by Federalism," in Robert A. Goldwin, ed., A NATION OF STATES (Rand McNally, 1963). Also available in ESSAYS IN FEDERALISM (Claremont Men's College)
Martin Diamond, et al., THE DEMOCRATIC REPUBLIC, Chapters 1, 2, and 3

5

The Course of Constitutional Interpretation and Development

Required:

Anderson, "National-State Relations Today; The Constitutional Essentials," in PAF

Suggested:

COOPERATION AND CONFLICT, Selections 3-9
Anderson, Chapters 5, 6, 7, and 8
Graves, Chapter 4
Walter Berns, "The Meaning of the Tenth Amendment," in Goldwin
James J. Kilpatrick, THE SOVEREIGN STATES (Pegnery, 1957), Parts I, II, III

The Three Stages of American Federalism: An Overview
of the System in Action

Required:

Elazar, "The Shaping of Intergovernmental Relations
in the Twentieth Century," in PAF

Grodzins, Chapters 2 and 3

AMERICAN FEDERALISM: A VIEW FROM THE STATES,
Chapters 1, 3, and 6

Suggested:

Anderson, Chapter 9

Elazar, THE AMERICAN PARTNERSHIP, Parts I and II

Leonard D. White, THE FEDERALISTS (Macmillan, 1956),
Chapter XXXI

THE ANNALS, Articles by Adrian, Benson, Coleman,
Elazar, McCulloch and Reynolds

Graves, Chapter 15

COOPERATION AND CONFLICT, Selections 10-13 and 27

MacMahon, Part III, Section 1; Chapter 12

Paper on ideas of the framers due.

II. Federalism and the Functions of Government

The States in the Federal System

Required:

Anton, "State Planning...", in PAF

Tressolini and Frost, CASES IN AMERICAN NATIONAL
GOVERNMENT AND POLITICS, Cases 2 and 4

VIEW, Chapters 2, 4, 5

Suggested:

Anderson, Chapter 12

ANNALS, article by Monypenny

COOPERATION AND CONFLICT, Selections 31, 32, 34, 36,
37

Graves, Chapters 17 and 18

Martin, Chapter 3

V.O. Key, Jr., AMERICAN STATE POLITICS: AN INTRODUC-
TION, Chapters 1, 2, and 3

Leonard D. White, THE STATES AND THE NATION
(Louisiana, 1953)

8

The System in Local Perspective

Required:

VIEW, Chapter 7

Elazar, "Local Government in Intergovernmental Perspective," in PAF

Grodzins, Chapters 6, 7, 8, 9, 15

Tressolini, Cases 1 and 15

Suggested:

Anderson, Chapter 13

COOPERATION AND CONFLICT, Selections 38-46

Daniel J. Elazar, "Are We A Nation of Cities," in THE PUBLIC INTEREST (September, 1966)

Martin, Chapters 1, 4, 5, 6

Note: Students should have selected and approved research topics by October 29.

9

Aspects and Devices of the Sharing System

Required:

Clapp, "TVA and the States," in PAF

Grodzins, Chapters 4, 5, 13, 14

Sundquist, read widely in entire book

Tressolini, Cases 3 and 8

Roy Blough, "Fiscal Aspects of Federalism," in MacMahon

Suggested:

COOPERATION AND CONFLICT, Selections 12, 21-26, 28, 33

Anderson, Chapter 10

THE ANNALS, article by Campbell

Graves, Chapters 10 and 13

10

Grants-in-Aid and Their Impact

Required:

Tressolini, Case 10

Wright, entire book

PAF, Selections in "Federal Grants" and "Education"

Suggested:

Anderson, Chapter 11

THE ANNALS, article by Ham

COOPERATION AND CONFLICT, Selections 17-20, 29, 30

Graves, Chapter 16, Appendices A and B

Commission on Intergovernmental Relations, TWENTY-FIVE
FEDERAL GRANT-IN-AID ON THE STRUCTURE AND
FUNCTIONS OF STATE AND LOCAL GOVERNMENTS (read
at least five case studies and the summary
chapters in each)

III. Federalism and the Political Process

11 The Role and Functions of the Political Parties

Required:

PAF, Selections in "Noncentralization and the Party
System"

Grodzins, Chapter 10

Tressolini, Cases 5 and 7

Suggested:

ANNALS, articles by Anderson and Buchanan

COOPERATION AND CONFLICT, Selections 47, 49-51

Herbert Agar, THE PRICE OF UNION, Introduction,
Chapters IV and V, Conclusion. Also read
widely in the remainder of the book.

12 Congress and the Administration

Required:

Tressolini, Cases 9, 11, 12

Weidner, "Decision-Making in a Federal System," in PAF
COOPERATION AND CONFLICT, Selection 48

Suggested:

Arthur Holcombe, OUR MORE PERFECT UNION (Harvard,
1950), Chapters 6, 7, and 8

Lewis A. Dexter, "The Representative and His District,"
in Robert L. Peabody and Nelson W. Polsby, NEW
PERSPECTIVES ON THE HOUSE OF REPRESENTATIVES
(Rand McNally, 1963)

Allan Fiellin, "The Functions of Informal Groups: A
State Delegation," in Peabody and Polsby

Arthur S. Link, "Woodrow Wilson and the Democratic
Party," in REVIEW OF POLITICS, XVIII (April,
1956), reprinted in Link, WILSON: THE NEW
FREEDOM (Princeton, 1956)

Arthur W. MacMahon, "Congressional Oversight of Administration: The Power of the Purse," in Peabody and Polsby

13

Federalism, The Law and The Courts

Suggested:

COOPERATION AND CONFLICT, Selections 14-16, 32, 43
Paul A. Freund, "Umpiring the Federal System," and
Henry M. Hart, Jr., "The Relations Between
State and Federal Law," in MacMahon

Federalism and Civil Rights

Required:

PAF, Selections in "Civil Rights"
Grodzins, Chapter 11
Tressolini, Cases 18, 19, 20

Suggested:

COOPERATION AND CONFLICT, Selections 32, 52-54
Graves, Chapter 9
Tressolini, Cases 23, 24, 25

IV. The Meaning and Perplexities of the American Federal System

14

American Federalism: An Evaluation

Required:

PAF, Part III
VIEW, Chapter 8
Grodzins, Chapters 12 and 16
Tressolini, Cases 16 and 22

Suggested:

Anderson, Chapter 14
Elazar, THE AMERICAN PARTNERSHIP, Part 3
THE ANNALS, article by Hart
Martin, Chapter 7
Kilpatrick, Part IV
COOPERATION AND CONFLICT, Selections 55-57

RESEARCH PAPERS DUE

