

## Devolution: A Much Over *Stated* Case

“Devolution” is not exactly a household word. Pray it never will be. If the large-scale transfer of monies and missions from Washington to 50 state capitals is a way to curb government, then copy machines are a way to cut paperwork. True, state governments, which have become rather popular since the 1994 sea change in Congress, are not completely without merit. They can experiment in various ways to end welfare and reduce healthcare costs before the whole nation becomes committed to a new course. Furthermore, the states are closer to the people, at least in the narrow sense that citizens have to travel fewer miles to get to their state capital than to Washington. However, those who do make the voyage find it is no pilgrimage.

By practically any measure the typical state government is even less responsive to its citizens than Washington (whose record in this department is far from enviable). The major reason is that state legislatures are much less accountable than Congress and many are even more corrupt.

The problem starts with most state assembly members serving as part-timers. The standard length of a legislative session in New Mexico and Montana is 90 days every two years. The state of Washington’s legislature meets an average of 82.5 days per year, while Nevada’s legislators are only paid for 60 days every two years. For Wyoming, it is only an average of 30 days per year.

State legislators are legally entitled to work at other paying jobs, and practically all do, including at jobs that entail representing industries that the state governments are supposed to regulate. When I served as a staff director of a New York State Commission investigating nursing homes I learned that many members of the assembly

in Albany were lawyers on retainers from the nursing home lobby. They ended up rejecting most of the recommendations the commission made to clean up the industry in spite of rampant scandals headlined in the daily press.

In many state legislatures, written records of votes are not kept, making it possible for legislators to vote for special interests while telling the citizenry they voted in the public interest. Indeed, many state legislatures use “voice votes,” which means that an estimate is made about whether the nays or yeas sounded more numerous, without recording individual votes. For instance, in Florida an estimated 93 percent of all votes were disposed of in that manner.

Members of Congress often dash from one roll call to another (more than a thousand times a year) with little knowledge of what they are voting about. (A lobby opposed to the Clinton healthcare bill set it back by demanding a promise from Congress members not to vote for it unless they read it in its entirety at least once.) Instead Congress members rely on huge staffs. In the states, legislators typically have only minuscule staffs or none at all. In Rhode Island a new representative was recently dumbfounded when he discovered that one can find out which bill is up only two days before the vote, making proper preparation virtually impossible.

Outright corruption is far from unknown in Washington but distressingly rampant in the states. When the Maryland assembly allocates scholarships, many are allotted to children of politicians, their friends, and their supporters. Arizonan legislators have been indicted for accepting cash bribes to support a gambling bill. Florida legislators have been charged with accepting numerous gifts and junkets from lobbyists. When the FBI set up a sting in South Carolina, so many legislators showed up that they practically caused a traffic jam. The governor of Rhode Island was fined \$30,000 for steering state contracts to friends and business associates.

A comparison of federal and state administration agencies is also revealing. The FBI is so squeaky clean, few would even think of offering a bribe to an agent; on the other hand, few need to think twice about greasing the palms of police officers in many parts of the country. Medicare (100 percent federal) shines in comparison to Medicaid (partly state-run). The IRS, not beyond reproach, is a

paragon of virtue when compared to state tax agencies. If you hate bureaucrats, shifting from Washington to the states will hardly help spell relief.

As a result of all this, the people of New York City hardly feel that Albany is much more understanding than Washington, D.C.; the citizens of Los Angeles and San Francisco do not feel particularly appreciated in Sacramento. And so it goes. All this should not come as a great surprise; after all, devolution is simply moving from one level of government to another, with little if any net reduction in government.

The solution is not simply to keep all the public's business bottled up in Washington. For one, we may well be able to privatize some additional public missions. And state assemblies, if they are to be effective, need to become much more transparent and accountable, and enact limits on lobbies and campaign contributions. But above all, we need to bring social missions and funds close to the people—to the community level—where people can see what their government does. More public programs should be run as many public schools, our best hospitals, and numerous colleges are run now: by local boards, subject to federal guidelines and accounting. This is the way community-based organizations run economic development projects (e.g., launch a supermarket in a low-income area). It is also the way early HIV intervention programs are run by Community and Migrant Health Centers, which are funded, but not managed, by the Department of Health and Human Services. (The largest program funded this way is Head Start.)

A number of highly successful community programs have been killed by previous administrations that favored state block grants. The abandoned programs include neighborhood self-help development programs funded by the Department of Housing and Urban Development, and community anti-crime programs in which the Department of Justice paid only for community organizers. The rest of the work, such as crime watch groups and marking property with identifiers, was done by community members themselves. These should be revived. Other programs could be delegated to communities working within federal guidelines. Local nonprofit organizations are ideally suited to generate community service jobs for those on

welfare who will not be able to find work in the private sector. Programs to curb teen pregnancy must be part of local schools, preferably as part of full-service health clinics. Community policing is a good idea—if the community is truly involved. Voluntary recycling, a low-cost answer to the flood of garbage, is a community job, not a state one. Increased parental involvement in education is best done neighborhood by neighborhood. And so are most other social missions.

We should re-read the 10th Amendment which declares that the powers not in the purview of the federal government “...are reserved to the States respectively, *or to the people.*” One never ceases to wonder at the wisdom of the Founders.

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## The Brain: His and Hers

An old story made page one news in the *New York Times* recently: “Men and Women Use Brain Differently, Study Discovers.” That headline could have run over a roughly similar story any time during the eighties. An enormous heap of scientific evidence on sexual differences has been accumulating for 15 years or more. Yet this story probably deserved front-page treatment because of the significant photo that ran alongside it. Old news: The brains of males and females are constructed differently, resulting in important differences in perceptions, emotional expression, priorities, and behavior. “The truth is that virtually every professional scientist and researcher into the subject has reached that conclusion,” Anne Moir and David Jessel wrote four years ago in their book, *Brain Sex*.

Despite this evidence, American culture still seems to operate on the broad assumption that sexual differences are unimportant, and that male and female brains essentially function the same way. In part, this is because of the civil-rights approach to the rise of women