

5-1969

Metropolitan Problems and Local Government Structure: An Examination of Old And New Issues

Daniel R. Grant

Follow this and additional works at: <https://scholarship.law.vanderbilt.edu/vlr>



Part of the [Housing Law Commons](#), [Law and Society Commons](#), and the [State and Local Government Law Commons](#)

Recommended Citation

Daniel R. Grant, Metropolitan Problems and Local Government Structure: An Examination of Old And New Issues, *22 Vanderbilt Law Review* 757 (1969)

Available at: <https://scholarship.law.vanderbilt.edu/vlr/vol22/iss4/2>

This Symposium is brought to you for free and open access by Scholarship@Vanderbilt Law. It has been accepted for inclusion in Vanderbilt Law Review by an authorized editor of Scholarship@Vanderbilt Law. For more information, please contact mark.j.williams@vanderbilt.edu.

Metropolitan Problems and Local Government Structure: An Examination of Old And New Issues

*Daniel R. Grant**

At a time when our leading popular magazines are featuring cover headlines on "The Sick, Sick Cities," and articles on their "Battle for Survival"¹ it seems appropriate to examine some old and new issues concerning the relationship of metropolitan problems to local government structure. The journalists who write such articles probably hear a great deal about the frustrating legal and political obstacles to achieving more rational forms of government for our exploding, strife-torn metropolitan areas. They probably do not hear, however, that political scientists are divided on such questions as the reality of "metropolitan-type" problems and the feasibility of area-wide metropolitan government. It is the purpose of this article to take an analytical and somewhat reflective view of these older problems and arguments in the light of recent developments.

I. HOW REAL ARE "METROPOLITAN-TYPE" PROBLEMS?

In considering the question of exactly how real metropolitan problems are, it is appropriate to summarize the five or six problems traditionally said to grow out of the fragmented structure of our 233 metropolitan areas and their more than 20,000 units of local government.² Not every area is as badly fragmented as are the top ten in the United States, which average close to 500 separate governments for each. But no metropolitan area has only a single government, and the average for all metropolitan areas is close to 90 separate units of government.

Several years ago, 112 metropolitan surveys that had been conducted during a 30 year period were analyzed. Varying widely in sponsorship, purpose, methodology, and final recommendations, the surveys described, with unusual agreement, a common set of

* Professor of Political Science, and Director of the Urban and Regional Development Center, Vanderbilt University.

1. NEWSWEEK, March 17, 1969, at 40.

2. U.S. Bureau of the Budget, *Standard Metropolitan Statistical Areas* 4-23, 26-43 (1967).

problems which they attributed to the governmental patchwork quilt in the metropolis.³ These were not just *urban* problems, such as traffic congestion, crime, or slums; they were uniquely *metropolitan* problems said to be related to governmental fragmentation in the metropolitan area. This common set of problems includes: (1) the unequal distribution of financial resources and financial burdens between core city and suburbs, and between wealthier suburbs and poorer suburbs; (2) unequal service levels in different parts of the metropolitan area; (3) the absence of area-wide authority to cope with essentially area-wide problems; (4) wasteful duplication and inefficiency through the overlap and fractionalization of units of government within a single area; (5) the inability of citizens to fix responsibility and hold officials accountable for local government action or inaction; and (6) the political segregation of able suburban leaders from involvement in the most serious core city problems. Although this latter problem did not show up in bold type in most of the 112 metropolitan surveys studied, it should be included as an emerging problem dramatized by both the accelerated war on poverty and the intensified racial tensions of recent years.

Because political scientists conducted most of the surveys from which this summary of metropolitan problems was taken, it is sometimes assumed that this appraisal of metropolitan fragmentation constitutes a kind of "party line" of political scientists. Even if this assumption were once true, it certainly has run into strong countervailing winds in recent years. Vincent Ostrom and others accuse the metropolitan surveyors of arbitrarily jumping to the conclusion that many units of government are automatically bad and that a neat and clean organization chart is automatically good. These writers question the assumption "that the multiplicity of political units in a metropolitan area is essentially a pathological phenomenon."⁴ Charles Adrian mounts a strong attack on the assumptions of metropolitan reform advocates, primarily on grounds that such complaints as lack of efficiency and economy are serious problems only in the minds of the reformers and are of relatively little concern to the average voter. Adrian accuses metropolitan reformers of "almost total lack of concern with the political process and the probable ignorance . . . of the fact that a democratic public is a

3. See Grant, *General Metropolitan Surveys: A Summary*, in METROPOLITAN SURVEYS: A DIGEST 3 (1958).

4. Ostrom, Tiebout & Warren, *The Organization of Government in Metropolitan Areas: A Theoretical Inquiry*, 55 AM. POL. SCI. REV. 831 (1961).

'satisficing' public and not one concerned with optimum economy." He also attacks such assumptions as "the core city of a metropolitan area must 'expand or die'" and "a metropolitan area is a monolithic interest—a single community."⁵ Martin Meyerson and Edward C. Banfield express sharp disagreement with what they call the "crisis view" of the American metropolis. They deny any impending catastrophe for the metropolis and contend that the crisis view leads to "foolish and futile policy prescriptions."⁶ James M. Banovetz dissents from the common charge that the core city subsidizes the suburbs because of fragmentation, and even doubts that serious problems of subsidies exist.⁷

This kind of skepticism of the reality of metropolitan problems stands in sharp contrast to the growing stream of literature on such subjects as air pollution, water shortage, stream pollution, traffic and parking congestion, mass transit dilemmas and the growing intensity of problems related to racial and economic ghettos. History has not been kind to Meyerson and Banfield, whose book denouncing the "crisis view" of the American metropolis was published shortly before the urban riots in Watts, Detroit, Newark, Washington, and elsewhere. Certainly one kind of metropolitan crisis was, and is, upon us. Furthermore, one can hardly read the six or eight most recent major books and reports on urban transportation without concluding that this particular problem is very "real" and is closely related to governmental fragmentation in the metropolis.⁸

The effects of governmental fragmentation upon urban renewal have been described very well by Scott Greer and David W. Minar:

Urban renewal is limited by the dichotomy of public and private control, tension between federal and municipal agencies, division of power between different federal agencies, and fragmentation of power at the local community level At the metropolitan level, the multitude of jurisdictions—cities, towns, suburbs, special districts, counties, and even states—makes any over-all planning of the city a farce The central city-suburb schisms turn urban renewal into a holy war to recapture the suburban, white, middle class—a war the central city is

5. Adrian, *Metropolgy: Folklore and Field Research*, 21 PUB. AD. REV. 148-49, 152 (1961).

6. M. MEYERSON & E. BANFIELD, BOSTON: THE JOB AHEAD 3 (1966).

7. Banovetz, *Metropolitan Subsidies—an Appraisal* 25 PUB. AD. REV. 297 (1965).

8. See, e.g., COMMITTEE FOR ECONOMIC DEVELOPMENT, *DEVELOPING METROPOLITAN TRANSPORTATION POLICIES: A GUIDE FOR LOCAL LEADERSHIP* (1965); M. DANIELSON, *FEDERAL-METROPOLITAN POLITICS AND THE COMMUTER CRISIS* (1965); J. MEYER, J. KAIN, & M. WOHL, *THE URBAN TRANSPORTATION PROBLEM* (1965); W. OWEN, *THE METROPOLITAN TRANSPORTATION PROBLEM* (Rev. ed. 1966); UNITED STATES ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS, 89th CONG., 2D SESS., *METROPOLITAN AMERICA: CHALLENGE TO FEDERALISM* (1966).

doomed to lose—and distract attention from the major clientele of the central city: the working class, the ethnics, the disprivileged.⁹

What can be more real than the role of governmental fragmentation in creating artificial political walls between “black power” core city governments and “white power” suburban city governments at a time when ghetto problems cry out for joint effort toward joint solutions? In a 1967 study of the fiscal aspects of metropolitanism, Alan Campbell and Seymour Sacks contend that metropolitan fragmentation has serious consequences for the core city’s education problem. They conclude:

The need is for the concentration of educational resources in the central cities. It is in these cities that the educational function is most difficult to perform adequately. Yet the present system distributes resources in exactly the opposite direction, less where the problems are most severe and more where the problems are relatively easy to cope with.¹⁰

In direct response to the original question, it seems clear to this writer that “metropolitan-type” problems are painfully real, perhaps more so now than ever before. The persistent distress signals from the cities are related too consistently to the fragmented condition of local government to dismiss fragmentation as an imaginary problem in the minds of “purist” academicians. This conclusion was thrust home by the almost pathetic testimony of Mayor Yorty of Los Angeles before a United States Senate subcommittee which was inquiring into the level of services provided in the Watts area. He responded that many, and perhaps most, of the functions and services with which the Senators were concerned were not the legal responsibility of the City of Los Angeles, but were split up between Los Angeles County, various school districts, special districts and authorities, and the State of California.¹¹ To the average television viewer, the mayor seemed to have been evading the Senators’ questions; indeed, one senator remarked that the City of Los Angeles “doesn’t stand for a damn thing.” In fact, however, the offspring of metropolitan fragmentation had come home to roost, and the mayor’s television performance merely dramatized the results.

II. WHAT IS MEANT BY “METROPOLITAN COORDINATION?”

One possible explanation for the widespread skepticism concerning the reality of “metropolitan-type problems” is that public

9. Greer & Minar, *The Political Side of Urban Development and Redevelopment*, 352 ANNALS OF THE AMER. ACADEMY OF POL. AND SOC. SCIENCE, 62, 67 (1964).

10. A. CAMPBELL & S. SACKS, *METROPOLITAN AMERICA: FISCAL PATTERNS AND GOVERNMENTAL SYSTEMS* 181 (1967).

11. *Id.* at 180.

administration consultants and reformers have relied too heavily on abstract textbook terms in describing the needs of metropolitan areas. To the political scientist, the term "coordination" is said to mean "the adjustment of the working parts of the whole in the achievement of common goals." The use of this academic jargon, however, makes it exceedingly difficult to communicate the urgency of the problem to the man on the street. The fact remains, however, that the future of the metropolis probably depends upon whether sufficient coordination, in its precise sense, can be achieved.

There are four types of coordination in metropolitan government: geographic, functional, financial, and human. Some of these "working parts of the whole" are recognized and understood more widely than others. For example, it is possible for the many separate cities in a metropolitan area to have worked out reasonable solutions to the problems of geographic or financial coordination only to have a paralyzing crisis in the coordination of human resources. Similarly, it is possible to achieve a high degree of functional coordination among health, educational, welfare, or other programs in one city, but to have these programs working at cross purposes to projects in several other cities within the same metropolitan area. Thus it becomes important to consider the nature of each aspect of the metropolitan coordination problem.

A. *Geographic Coordination*

The lack of geographic coordination in metropolitan areas—the "bad neighbor problem"—is perhaps the most visible and most often cited problem. Failure to coordinate the governmental effort of the several geographic parts of a metropolitan area may result in dumping of sewage by one government in ways that conflict with the efforts of another government to provide its residents with water supply or recreation facilities. Failure to achieve geographic coordination may also result in streets that do not meet, in police protection programs that operate in isolated ignorance of each other, if not in actual conflict, and in transportation regulation programs that militate against the overall interests of area-wide mass transportation. For example, at one time the city of Houston conducted a comprehensive anti-rabies program while the surrounding Harris County did not. Through no fault of their own, Houston's program was considerably undermined by the county's availability as a privileged sanctuary for unvaccinated dogs.¹²

12. HARRIS COUNTY HOME RULE COMM'N, METROPOLITAN HARRIS COUNTY 27 (1957).

B. *Functional Coordination*

Another coordination problem exists within and among both rural and urban governments—that of coordination of effort among different functions or services. This problem, however, is especially complicated by the multiplicity of special district governments or “authorities” in metropolitan areas. For example, failure to coordinate the functions of health and education may result either in a school program which provides inadequate access to school children by public health specialists, or in a public health program which gives inadequate attention to the importance of the educational aspects of public health for the child. Similarly, the functions of education and recreation may be operated so in isolation from each other that the physical location of schools and parks makes cooperation in these programs exceedingly difficult. What citizen has not commented on the stupidity of public works “planning” which permits new street construction to be followed in a few weeks by sewer or water department crews who tear up the new street for their own project? A city’s human relations commission may work energetically for racially integrated housing while the independent local housing authority may move ahead equally energetically with public housing plans which effectively produce or preserve racial ghettos. Coordination between different functions is difficult enough when all the functions are part of a single government, but it is doubly difficult when the functional bureaucracies are institutionalized into separate governmental jurisdictions.

C. *Financial Coordination*

Failure to achieve coordination of the financial resources of a metropolitan area is clearly more than an academic problem. Such failure leads to a structure for financing public schools in which those areas ranking highest in number of school age children, may rank lowest in taxable resources. All too often the areas in need of expensive specialized education for underprivileged children are the areas least productive of tax revenue for the schools. It is only good luck when the particular jurisdiction with the greatest need for capital improvements is also the jurisdiction with the necessary capacity to issue bonds. Lack of coordination leads to such inequities as double taxation of citizens by overlapping layers of government and “free loading” by suburban citizens out of reach of the core city tax collector. In short, without fiscal coordination in metropolitan areas, it is impossible to achieve the twin goals of collecting the revenue

wherever the financial resources are located and spending the revenue wherever the problems and needs are found.

D. *Coordination of Human Resources*

A final type of coordination, one which seldom receives fanfare in the discussion of metropolitan problems, is coordination of the human resources of the metropolis. In examining the fragmented pattern of local governments in metropolitan areas, one finds several types of effects in the field of human relations and in the utilization of human resources. One obvious result is the legal segregation of able suburban business and civic leaders from involvement in the diagnosis of, and attack upon, the serious problems of the core city. These leaders are affected by core city problems and many feel a sense of moral responsibility for working toward their solution, but, with only rare exceptions, they are "carpetbaggers" who cannot vote, run for office, or even serve on boards or commissions in the inner city. A second result of fragmentation is the inability of smaller fragmented governments to recruit and retain highly specialized and professionalized administrative personnel to work at the complicated task of solving urban problems. The small, amateurish, splinter cities simply cannot compete with a much larger unit of government for trained municipal manpower. Additionally, the benefits of computer technology and automatic data processing can be secured for the many parts of small and medium-size metropolitan areas only if the parts agree in some way to coordinate their efforts in meeting human resource requirements.

Even in the matter of citizen control of his government, there is a problem of human resource coordination. One of the surest results of the fragmentation of local government in metropolitan areas is the confusion, frustration, and even disgust of citizens as they seek to pinpoint responsibility for urban problems and to find ways of bringing about change. With all the talk about metropolitan "super-governments" as a threat to easy political access by the citizen, there has been far too little talk about the citizens' present inability to participate effectively in solutions to present critical area-wide problems that cut across jurisdictional boundary lines. The typically fragmented metropolitan area today has few desks adorned with the sign, "The buck stops here." The metropolitan status quo is hardly grassroots democracy at its best.

III. CAN STRUCTURAL CHANGE PRODUCE METROPOLITAN COORDINATION?

Although it is a common mistake of over-zealous reform groups to assume that structural reorganization of local government in a metropolitan area will somehow *guarantee* these four types of coordination of effort, it is just as serious a mistake to assume that Governmental structure, at most, is only one of many important Truth probably lies somewhere between these two extremes. Governmental structure, at most, is only one of many important elements determining whether a metropolitan community governs itself effectively.

It is more accurate, then, to speak of local government structures which *tend* to produce coordination, rather than actually producing or guaranteeing coordination. No doubt certain structural changes tend to achieve greater coordination than others. It is possible to classify the dozen or so approaches to metropolitan reorganization in terms of those which tend to produce greater coordination and those which tend to produce more limited coordination. At the risk of oversimplification, the commonly proposed "metropolitan solutions" may be grouped as follows: (A) Approaches tending to produce greater coordination are: (1) annexation, (2) city-county consolidation, (3) metropolitan federation, (4) the reorganized urban county, and (5) unitary area-wide metropolitan government. (B) Approaches tending to produce limited coordination are: (1) single-purpose special districts, (2) multi-purpose special districts, (3) intergovernmental contractual agreements, (4) extra-territorial authority, (5) functional consolidation, (6) the council of governments, and (7) regional planning.

A. *Approaches Tending to Produce Greater Coordination*

1. *Annexation.*—Annexation, at one time the almost exclusive method proposed to achieve area-wide coordination, was used by the nation's great cities to achieve their present size. But annexation has run into almost insurmountable political and legal obstacles because most of the older and larger cities in the United States are totally surrounded by an "iron ring" of separate suburban incorporations. Liberal annexation procedures in certain states have made it possible for smaller and medium-sized cities to continue to use the annexation method.¹³

13. Texas home rule cities may annex by vote of the city council without a vote of the residents of either the city or the fringe area. Virginia permits annexation decisions by a special

Oklahoma City, for example, has made spectacular use of annexation, taking in more than 550 square miles since 1959. Houston, Phoenix, and Tulsa have also carried out mammoth annexation programs.

2. *City-County Consolidation.*—City-county consolidation was traditionally proposed primarily as a means of eliminating the duplications and inequities between two layers of government. Until recently, it was “written off” by most political scientists as a dead issue, unfeasible because of legal complexities and popular resistance to changing old landmarks. In 1962, however, city-county consolidation was used as a means of achieving a unique metropolitan form of government for the Nashville, Tennessee, area.¹⁴ Nashville used this approach not only to eliminate city-county duplications and inequities, but also to provide coordinated area-wide government for an urbanizing area of 533 square miles and nearly 500,000 people. As if to prove that the Nashville experience was not merely a rare accident, the citizens of Jacksonville, Florida, and Duval County voted in 1967 to consolidate their governments in a plan very similar to the Nashville approach.¹⁵ The ratio of defeats to adoptions still runs heavily against the reformers, but the Nashville and Jacksonville examples make it a little premature to sound the death knell for city-county consolidation.

3. *Metropolitan Federation.*—A compromise between total consolidation and no consolidation is the metropolitan federation approach, as exemplified by Toronto’s two-tier government and, to a certain extent, by that of Dade County and Miami, Florida.¹⁶ A metropolitan federation for Toronto and its twelve suburban satellite cities was created by the provincial government in 1953. It divided the functions of local government, giving certain functions to the area-wide

annexation court which judges the merits of each attempt. Tennessee has a procedure which borrows from both the Texas and Virginia procedures, permitting annexation by the city council’s vote, subject to possible appeal to court for approval or disapproval based on standards of welfare and progress for the area as a whole.

14. For additional information on the Nashville consolidation, see D. BOOTH, *METROPOLITICS: THE NASHVILLE CONSOLIDATION* (1963); H. DUNCOMBE, *COUNTY GOVERNMENT IN AMERICA* 155-230 (1966); B. HAWKINS, *NASHVILLE METRO: THE POLITICS OF CITY-COUNTY CONSOLIDATION* (1966); R. MARTIN, *METROPOLIS IN TRANSITION* (1963); Grant, *A Comparison of Predictions and Experience with Nashville “Metro”*, 1 *URBAN AFFAIRS Q.* 34-54 (1965).

15. For a journalist’s account of the adoption of the Jacksonville plan, see R. MARTIN, *CONSOLIDATION: JACKSONVILLE AND DUVAL COUNTY* (1968).

16. For details of the Toronto approach, see J. GRUMM, *METROPOLITAN AREA GOVERNMENT: THE TORONTO EXPERIENCE* (1959); H. KAPLAN, *URBAN POLITICAL SYSTEMS: A FUNCTIONAL ANALYSIS OF METRO TORONTO* (1967); F. SMALLWOOD, *METRO TORONTO: A DECADE LATER* (1963). For studies of the Miami experience, see G. SERINO, *MIAMI’S METROPOLITAN EXPERIMENT* (1958); E. SOFEN, *THE MIAMI METROPOLITAN EXPERIMENT* (1963); R. WOLF, *MIAMI METRO: THE ROAD TO URBAN UNITY* (1960).

government and reserving others to the thirteen cities. In 1966, following a comprehensive study by a Royal Commission, the provincial government consolidated the thirteen cities into six (the core city plus five boroughs), and transferred some additional functions to the metro government. The Dade County metro government, adopted in 1957, incorporates, to a limited degree, the principle of federation. The city of Miami and 27 suburban cities were retained for the performance of "purely local" functions and Dade County was expected to provide functions which are "essentially metropolitan" in character. Because of strong opposition from the cities, a succession of life and death charter amendment referendums, a multitude of lawsuits, and court restrictions on the county's fiscal powers, Dade County's functions have been much less centralized than those of Toronto's metro. But the Miami plan, though only partially executed, has offered a strong ray of hope to other metropolitan areas.

4. *The Reorganized Urban County.*—A close proximation of the Miami approach to achieving metropolitan coordination is that of the reorganized urban county, which focuses primarily on achieving the benefits of area-wide government for either a doughnut-shaped portion of the county outside the core city, as in the case of Los Angeles County, or for a totally suburban county such as Montgomery County, Maryland. In these and many other cases the county government has become, in effect, the municipal government for large portions of the metropolitan population, while continuing to perform more limited and more traditional "county functions" for the core cities and some of the larger suburban cities. County performance of these urban-type services varies considerably from fairly mandatory and direct arrangements to such voluntary systems as Los Angeles County's "Lakewood Plan," which seeks to secure the benefits of large scale economies through "package contracts" with the county, while retaining the benefits of small city autonomy in the midst of a metropolis.¹⁷ The implicit assumption of this approach to metropolitan coordination is that the more the large urbanized county proves its capabilities in the suburban areas, the more the core city will gradually turn "area-wide" functions over to the county, thus achieving over-all coordination by means of evolution.

5. *Unitary Area-Wide Metropolitan Government.*—The utopian model for achieving governmental coordination of the entire metropolitan area is so simple that one not accustomed to the

17. For a description and appraisal of the Lakewood Plan, see J. BOLLENS & H. SCHMANDT, *THE METROPOLIS: ITS PEOPLE, POLITICS AND ECONOMIC LIFE* 388-92 (1965).

“American way” of structuring local government might fail to see why it has not been universally adopted. The structure would be a single, expandable, area-wide unit of metropolitan government created by the state to govern each metropolitan community. All other units of local government within a metropolitan area would be abolished except for those judged absolutely necessary to protect important values of local diversity and to provide a sense of sub-community representation in the overall government. The political feasibility of this and other approaches is considered subsequently in this article, but it is obvious that this approach must be rated low on the American political totem pole.

B. *Approaches Tending to Produce Limited Coordination*

1. *Special Districts.*—Turning to approaches which tend to produce more limited coordination in the metropolis, many more options are available from which to choose. The most popular from many standpoints is the special district, a separate unit of government whose boundary lines may be drawn to coincide with the boundaries of the problem, irrespective of other political boundary lines. The fact that it is usually a single-purpose unit of government adds to its political feasibility by minimizing the amount of disturbance to other aspects of local government. In recent years, however, there has been a growing willingness on the part of state legislatures to permit special districts to exercise more than one function, and some metropolitan specialists have begun to see in the multi-purpose district an evolutionary approach to general metropolitan government. Among the older and better known special metropolitan authorities are the Chicago Sanitary District, organized in 1889, and the Port of New York Authority, established by interstate compact between New York and New Jersey in 1921.

Although special districts score well on the limited objective of executing a specific project, they are presently the major contributor to the multiplication of the independent “thousand islands” of local government which divide the metropolis. Roscoe C. Martin is sharply critical of the widespread tendency to resort to special districts, and cites several ill effects: it separates the program from the mainstream of city affairs; it purports to “remove the program from politics” but in actuality tends to replace the general politics of the city with a more narrow, less visible, less public, politics of a special clientele; and finally, it “tends to atomize local government,” making comprehensive

planning of local programs a virtual impossibility.¹⁸ In summary, it may be said that area-wide special districts tend to produce intra-functional coordination but tend to frustrate inter-functional coordination.

2. *Intergovernmental Contractual Agreements.*—Contractual agreements between different units of government have long been a voluntary approach to metropolitan coordination, and their over-all achievements range from outstanding success to dismal failure. The successes most frequently occur where service is the major element of governmental activity, and the failures most frequently occur where regulation and control are involved. One city seldom volunteers to be regulated by another; so the element of voluntarism is both the strength and weakness of the intergovernmental cooperation approach to metropolitan coordination.

3. *Extra-Territorial Authority.*—Extra-territorial authority—the power of a city to perform certain functions outside its city limits—is granted by the state and does not depend upon voluntary consent for its validity. This makes it more effective than voluntary cooperation, particularly in regulatory matters of great concern to a large city in the immediate fringe area outside its boundaries. However, this device runs into several difficulties when considered as a permanent approach to metropolitan coordination. The problem of financing extra-territorial functions in an equitable way is troublesome, and the problem of exercising governmental power over persons who cannot participate in the democratic control of that government is even more troublesome.

4. *Functional Consolidation.*—Functional consolidation is similar in many respects to the area-wide special district as an approach to metropolitan coordination. It involves the performance by one unit of government, frequently the county, of a function previously performed by two or more units, without a complete territorial or political merger of those units. It differs from the typical special district in that it utilizes an existing unit of government rather than creating a new one. Thus, to a certain extent, it is less vulnerable to the charge that it achieves intra-functional coordination at the expense of inter-functional coordination. Functional consolidation becomes a kind of half-a-loaf strategy for governing the metropolis.

5. *The Council of Governments.*—The newest device for achieving greater harmony of effort in the metropolitan area—the council of governments (COG)—is praised by its advocates as the wave of the future and criticized by its opponents as a toothless tiger and a protector

18. R. MARTIN, *THE CITIES AND THE FEDERAL SYSTEM* 178-79 (1965).

of the inadequate status quo. The COG is a voluntary association of local governments in a metropolitan area, usually a council of elected officials, designed to facilitate discussion and study of common problems. A real shot in the arm was given to the COG's by a 1965 congressional authorization of financial assistance for planning. Although it tends to over-represent the small suburban governments in its decision-making structure and is plagued by the usual weaknesses of voluntarism, the COG seems destined to become a common institutional addition to the metropolitan scene.

6. *Regional Planning.*—A related proposal to the COG approach to metropolitan coordination is that of regional planning. As with motherhood and the home, regional planning has few opponents. The only debate is whether regional planning will accomplish the major purposes of metropolitan area coordination without significantly restructuring the local governments. Regional planning is based upon the premises that effective planning always depends upon the “authority of ideas” and that any planning worth its salt can be sold to the elected officials of the fragmented governments in the metropolis. Regional planning was given a strong boost in 1966 when Congress provided that certain applications for federal assistance within metropolitan areas must be submitted for review and comment by an approved regional planning agency for that area. Known as the “204 review process,” the requirement provides that:

All applications made after June 30, 1967, for Federal loans or grants to assist in carrying open space land projects or for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review to any area-wide agency which is designated to perform metropolitan or regional planning for the area.¹⁹

The U.S. Bureau of the Budget designates the appropriate regional planning agency in each area to perform this function. Where regional planning agencies did not already exist, a COG was frequently established for this purpose, and subsequently designated by the Bureau of the Budget. Some federal aid programs provide a financial bonus to those applications which are certified as consistent with the existing official plans for the region. It remains to be seen whether regional planning, in concert with the COG, can achieve the purposes of metropolitan coordination without structural change of local

19. The Demonstrations Cities and Metropolitan Development Act of 1966 § 204, 42 U.S.C. § 3334(a) (Supp. II, 1965-66).

government. However, without a significantly stronger policy of state and federal carrots and sticks, this approach seems to fall far short of achieving over-all metropolitan coordination, particularly with respect to the coordination of both financial and human resources as discussed earlier.

IV. IS AREA-WIDE METRO GOVERNMENT A LIVE OPTION FOR THE 1970'S?

Although the rational case for some kind of unified government for the metropolitan area would seem to be overwhelmingly strong, the prospects that our 233 areas will have such governments in the 1970's are poor indeed. The record of previous rejections of elaborate schemes for metro-type governments, if projected to the future, would suggest that no more than a baker's dozen of the 233 can be expected to adopt metro within the next two decades. The "American way" of permitting the small parts of the metropolis to determine at the polls the over-all governmental structure for the area serves as a strong guardian of the status quo. Furthermore, the likelihood that many presently separate metropolitan areas will become merged with other areas into a giant "megalopolis," such as that between Boston and Washington, puts an additional damper on proposals for unified metropolitan government. The prevailing position of many urban officials seems to be that of a prominent mayor who once told this writer, "I am not an advocate of metropolitan government but I am an advocate of metropolitan cooperation." It would be necessary to change this kind of thinking before one could speak of metropolitan government as a "live option."

The evidence that area-wide government for the metropolis *is* a live option rests primarily on the rather surprising recent successes in Nashville and Jacksonville and the rash of new interest which has been generated in many of the smaller and medium-sized metropolitan areas. City officials and civic leaders in Nashville and Jacksonville have entertained a steady stream of visitors from other areas who wish to know how area-wide government operates, and whether the plan is exportable. Miami's two-tier scheme and Baton Rouge's partial consolidation have also been in the spotlight. In addition, such foreign cities as Toronto, Winnipeg, and London provide the nagging reminder that area-wide metro government is not a total impossibility for those who think it worth the effort.

The United States Supreme Court reapportionment decisions have set in motion political changes bordering on revolutions, and some have suggested that they have contributed to making metro government a live

option. *Baker v. Carr*²⁰ and *Reynolds v. Sims*²¹ signal the demise of rural domination of state legislatures. It remains to be seen, however, whether the new suburban strength will be any more sympathetic to metro. *Avery v. Midland County*,²² which extended the one-man-one-vote reapportionment decision to county governing bodies, may prove to be instrumental in increased use of the county as a unit of area-wide metropolitan government. Certainly the old rural stance of county government was one of the most serious barriers to city-county consolidation.

In balance, the most optimistic answer possible to the question of whether metro government is a live option for the 1970's is simply that "it all depends." While much of the evidence is discouraging to advocates of major structural reform, the ultimate answer does depend upon what happens in four critical issue-areas: (1) state urban policy outcomes—the direction and extent of state involvement in urban affairs; (2) black power and white power issues—the extent to which white and/or black backlash may lose votes or gain votes for metro; (3) the possible use of federal carrots and sticks to bring about significant structural change in local government; and (4) the degree of success by reform advocates in exploiting crisis situations.

It is theoretically possible for all four of the above factors to turn solidly in the direction of support for metropolitan government, and if so, government for the metropolis might undergo radical surgery in the next decade or two. The possibility, however, is considerably greater that all four factors might turn against the establishment of area-wide metro governments. Although states seem to be shaking off their rural dust and moving toward urban involvement, there has been almost no indication thus far that states will assume the same strong hand in restructuring the metropolis that led the Canadian province of Ontario to reorganize Toronto. The states' strong hand in achieving massive consolidation of school districts shows that it can be done, but no state has really moved on the metropolis yet. The race issue is a two-edged sword that seems destined to cause black-power leaders to resist the expansion of core city boundaries and white-power leaders to favor such expansion, each for the same reason—the belief that to do so would dilute Negro political power. Sincere reform advocates, whether black or white, will be caught in strange alliances with persons they think want to do the "right thing for the wrong reason."

20. 369 U.S. 186 (1962).

21. 377 U.S. 533 (1964).

22. 390 U.S. 474 (1968).

It seems clear that federal carrots and sticks will be used increasingly to accomplish national objectives in metropolitan areas, and that "coordination" is definitely one of these objectives. While it is theoretically possible that these federal incentives and sanctions might be used to promote metropolitan consolidations of general-purpose governments, past history indicates that federal pressure usually promotes only "cooperation" among separate units or, at most, special-purpose consolidations on a function-by-function basis, such as for health, airports, or sewers. Only a sharp change in federal direction could make federal programs a significant force in the creation of area-wide metropolitan governments. The fourth factor mentioned as holding the key to the establishment of metropolitan government, the possible exploitation of crisis situations, is closely related to future federal policy on the structure of government in metropolitan areas. "Muddle through" is the theme song except in cases of extreme crisis, and a tendency to muddle through almost never produces radical new structures for governing the metropolis.

V. WHAT ARE THE MOST LIKELY ALTERNATIVES TO METRO?

If area-wide metropolitan government of some kind is not achieved for the bulk of the metropolitan areas in the United States, what are the most likely alternatives? The goal of metropolitan coordination will probably be pursued through an increasingly confusing maze of intergovernmental techniques which have come to be known as cooperative federalism or "creative federalism." Coordination of financial resources between core cities and suburbs of various degrees of poverty and wealth can only come from state or federal taxation and grant-in-aid programs. Intra-functional coordination will continue to be attempted through the creation of special district governments, metropolitan authorities, and some functional consolidations. Inter-functional and geographic coordination will be attempted in part through increased support for comprehensive planning agencies and the voluntary COG's, and in part through coordination battles fought out between the involved agencies in Washington. It is possible, though less likely, that inter-functional coordination may be achieved by inter-agency arrangements at the state level. Human resource coordination within metropolitan areas will be the most difficult of all to achieve, but the most likely alternative to area-wide metropolitan government is the reliance on essentially non-governmental structures for the metropolis and on the governing bodies of single-purpose area-wide authorities.

If the picture just described seems to resemble a kind of

intergovernmental jungle in metropolitan areas, it is no accident. Basically, this is the direction in which we are headed if no way is found to develop a drastically simplified structure of local government for the American metropolis. The picture is one of constricted core city governments predominantly black in ethnic make-up, surrounded by scores to hundreds of separate islands of suburban government, and overlaid with several county governments, a multitude of ad hoc special districts and occasional multi-purpose districts, with strong vertical lines of financial assistance, controls, and guidelines leading through and around the state government to a variety of parent federal agencies. The picture is not one of metropolitan catastrophe, for the American people have a way of acting just short of governmental catastrophe. But it is hardly a picture of a governmental system designed to respond with reasonable effectiveness to the felt and expressed needs of urban people.

