

12-2001

# Institutional Constraints and Policy Choice: An Exploration of Local Governance, by J.C. Clingermayer and R.C. Feiock

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## Original Citation

Elkins, David R. 2001. "Institutional Constraints and Policy Choice: An Exploration of Local Governance, by J.C. Clingermayer and R.C. Feiock." *American Political Science Review* 95:996-997.

## Repository Citation

Elkins, David R., "Institutional Constraints and Policy Choice: An Exploration of Local Governance, by J.C. Clingermayer and R.C. Feiock" (2001). *Political Science Faculty Publications*. 17.

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classifications we learn that (1) the majority of vetoes occur over minor bills (56%); (2) vetoes of landmark and important legislation usually occur in veto chains (65%); and (3) most vetoes of minor legislation are final (70%), that is, there are no other bills or vetoes regarding the matter.

The book is quite comprehensive in its coverage, but there is no mention of the line-item veto. Every president since Jimmy Carter has asked for the authority to single out items for veto on spending bills after signing the other parts of the bill. Congress gave this power to the president in 1996, but in 1998 the Supreme Court ruled it unconstitutional in *Clinton v. City of New York*. The issue is important, as 43 of the 50 governors have line-item veto power.

All students of the presidency and Congress should read this book. The importance of the findings and the breadth of the original data collected and interpreted alone make it worth reading. This should be required reading in graduate courses on the presidency and on legislative behavior. It is also an excellent example of how to do rational choice research and do it well. The book is probably not appropriate for most undergraduates, especially those who have not been exposed to formal theory, although advanced undergraduates would benefit from the findings in chapter 2, based on data from the post-World War II era.

**Institutional Constraints and Policy Choice: An Exploration of Local Governance.** By James C. Clingermayer and Richard C. Feiock. Albany: State University of New York Press, 2001. 151p. \$17.95 paper.

David R. Elkins, *Cleveland State University*

For more than twenty years, urban scholars have debated whether economic determinism and its fiscal implications trump municipal political action in local government policy choices. In a very real sense, the debate is about whether local politics matters. Somewhat lost in this discussion, although not entirely, is an issue that was once at the forefront of urban scholarship: the role of institutional structures. With the maturing theoretical interest in the new institutionalism, the time is ripe to revisit this area and determine whether institutional structures matter. According to James Clingermayer and Richard Feiock, they do.

The term "exploration" in the subtitle is an apt description of this work. Using seven separate data sets (three are derived from the authors' surveys conducted during the 1980s, three from 1980 Census data, and one from the International City Management Association for 1988), the authors explore issues as diverse as economic development decision making, municipal practices associated with zoning, citizen-initiated contacts and casework activities of council members, contracting out for services, and debt financing decisions. In addition, they explore how external constraints associated with annexation policy, exclusionary zoning practices, and the Tax Reform Act of 1986 affect municipal policymaking. The breadth of the empirical analysis makes a convincing case that urban scholars should seriously consider the role urban institutional structures have in shaping local policy decisions. Indeed, Clingermayer and Feiock hope that their work will reenergize research in this area.

The authors define *institutionalism* as the "formal and informal rules operating within or across organizations" (p. 2). In their analysis of municipal governments, they place great emphasis on the formal rules of institutions. It is argued

that institutions are important because they provide stability, shape choice sets, and structure decision making. Specifically, "electoral rules and constituency boundaries affect policy makers' behaviors by determining what sorts of voters they must please if they are to remain in office or rise to higher office" (p. vii). Although the research is firmly anchored in the new institutionalism, there is also a strong linkage, which the authors readily acknowledge, to the classics in this field.

The effects of institutional features on municipal economic development activities are examined from several angles. First, the authors explore how differences in structural features, particularly those of elected officials, are associated with five separate economic development policies and practices. Second, they ask whether the adoption of comprehensive zoning is attributable to either market failure or distributive politics. Third, they turn to the question of how institutional structures shape development-based constituency-related experiences of council members. The conclusion is that institutional structures do matter with regard to these varied economic development activities, but institutional effects are subtle.

Clingermayer and Feiock also examine the decision-making effects of turnover in leadership and council membership. They propose two general explanations for the influence of turnover on local policymaking. The first suggests that private organizations involved in negotiations with a city that has a high level of turnover may be apprehensive about the city's ability to fulfill long-term obligations, and this political uncertainty drives up the transaction costs associated with negotiations. The second explanation hinges on the attempt by elected officials to avoid blame for potentially controversial decisions or to concentrate benefits to enhance political prospects. Clingermayer and Feiock find support, albeit weak, for both explanations but along an intriguing faultline. They find that administrative turnover is inversely associated with the level of services contracted out and that mayoral turnover is directly associated with contracting out. Also, in cities with council-manager structures, turnover in council membership is inversely associated with various measures of municipal debt.

Finally, the authors explore how state and federal decisions affect municipal policymaking. Their analysis of annexation and exclusionary zoning suggests that state-level attempts to limit the discretionary authority of local officials have largely succeeded. They also find that the Tax Reform Act of 1986 reduced the level of municipal revenue bond debt.

The book is not without flaws. The use of multiple data sets and methods creates a trade-off between breadth of analysis and continuity of argument. The authors remain focused on the exploration of the institutional dynamics of municipal policymaking, but the book seems to lack the unified theme typical of research based on fewer data sources. In some instances it seems this is a collection of discrete articles, with little connection between one chapter or section and another. The book would have benefited from an appendix with details about the various data sets, the construction of variables, and some of the statistical problems associated with the analyses. For instance, regarding citizen-initiated contacts, Clingermayer and Feiock note that "usable responses were received from 234 council members" (p. 39), but the statistical analysis refers to an *N* of 177 (p. 41). Why were so many cases dropped? Although I am inclined to find brevity a virtue, further development of some ideas would have been helpful. For instance, the discussion of time horizons is intriguing and warrants elaboration.

These criticisms should not dissuade urban scholars from

reading this worthwhile contribution. It undoubtedly will be cited among the classics in the institutional-structural explanations of municipal policymaking. Indeed, drawing on this earlier generation of scholarship, Clinger and Feiock conclude that institutions matter but in ways that “mediate and interact with other factors” to influence outcomes (p. 123). Whether Clinger and Feiock accomplish their goal of reinvigorating the institutional perspective in urban scholarship remains to be seen, but their exploration is a critical first step.

**Empire on the Hudson: Entrepreneurial Vision and Political Power at the Port of New York Authority.** By Jameson W. Doig. New York: Columbia University Press, 2001. 620p. \$49.50.

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*Empire on the Hudson* is a dual biography of the Port of New York Authority, America’s first semiautonomous, self-financing public development agency, which helped inspire the Tennessee Valley Authority, and of the individuals who shaped it. It is also much more. This case study of local government’s catalytic role in regional economic development is a major contribution to the twentieth-century history of the New York metropolitan region. In an era when bureaucracy has become synonymous with failed government programs, the Port Authority is a valuable reminder of the positive contributions that public agencies can make. It also serves as a useful prism through which the author views and critiques relevant theories of political leadership.

Doig shows that the Port of New York Authority, chartered in 1921 by the states of New York and New Jersey, was a latter-day child of the Progressive reform impulse of the early twentieth century, which sought rational planning by an activist government, purged of corruption and infused with “business-like” efficiency. The initial impetus was the fear that the region’s magnificent waterfront might lose its pre-eminent status to other East Coast ports because of the additional time and costs entailed by docking facilities located mostly in New York but rail terminals located mostly in New Jersey.

The newly created authority did, indeed, have a life of its own. From the 1920s through the 1950s, it evolved from the relatively narrow mission of rail-freight planning to a much broader mandate to build and operate bridges and tunnels, assume the dominant role in regional air transport (at Newark, LaGuardia, and Kennedy), and construct a containerized marine terminal, a gigantic mid-Manhattan bus terminal, and a new arterial highway system.

The financial underpinnings of this “imperial” bureaucracy were the bridge and toll revenues that allowed the authority to self-finance most of its capital projects by issuing revenue bonds rather than depend on local and state governments for funding. In classic survival-of-the-fittest fashion, it successfully fought off challenges from both within and without the region. New York Mayor John F. Hylan in the 1920s mobilized Tammany Hall against the Port Authority, but he was forced into retirement by the authority’s good friend, Governor Al Smith. Robert Moses, the region’s well-connected transportation “power broker,” tried unsuccessfully to block the authority’s new airport management role as well as its Manhattan bus terminal, but he later cooperated with the authority on bridge and highway improvements. Earlier, there was a serious challenge from Washington when the New Deal attempted to end the tax-exempt status of munic-

ipal bonds. This was defeated by a nationwide, ostensibly “grassroots” campaign skillfully orchestrated from the offices of the Port Authority.

Doig quotes Ralph Waldo Emerson’s aphorism that institutions are “the lengthened shadow of one man” but credits three individuals. Julius Henry Cohen, the authority’s general counsel from 1921 until 1942, first emerged into prominence as a garment industry lawyer who promoted the Brandeisian cause of commercial arbitration of labor disputes. He carried his cooperative principles into the public sector and crystallized the idea of bi-state partnership embodied in the 1921 Port Compact. Swiss-born Othmar H. Ammann, the authority’s chief engineer from 1928 to 1939, lobbied for, designed, and supervised the construction of the George Washington Bridge and the Lincoln Tunnel. He returned in the 1950s to design the second deck of that bridge as well as the new Throgs Neck Bridge and the Verrazano-Narrow spans. The third creative bureaucrat was Austin J. Tobin, the authority’s assistant attorney and then its executive director. A graduate of Holy Cross College who lost his interest in theology, he committed himself to the authority as a crusade. He ran the campaign that defeated the aforementioned New Deal policy in the 1930s and then field marshaled the authority’s new initiatives in the 1940s and 1950s as airport manager, bus terminal operator, and highway engineer.

The author impartially documents not only the authority’s successes but also its failures and periods of drift and retrenchment. In the 1920s, the authority was fought to a standstill by the dozen railroads that served the metropolitan region and had no interest in centralizing their competitive operations. Declining revenues during the Depression and the early years of World War II coincided with the ascendancy of Frank C. Ferguson as Port Authority chairman. A conservative investment banker, he focused his tunnel-vision on balance-sheet considerations. Tobin’s career from the late 1950s to his abrupt retirement in 1971 (after alienating governors of both states) was a mixed bag. His successes in constructing new bridges and highways were counterbalanced by a financially disastrous mass transit experiment, the billion-dollar grandiosity of the World Trade Center project, and the defeat of a proposed jetport in northern New Jersey.

Doig’s concluding chapter covers in less detail the embattled post-Tobin era. Since the 1970s, the authority has alternated between “malaise” or retrenchment and controversial new initiatives that the author views as disguised attempts to divert its revenues into nontransportation projects run by local and state politicians. Critics, including New York Mayor Rudolph Guiliani, want to scrap the authority, but Doig hopes for a rebirth of creative leadership in the twenty-first century.

This gracefully written book is a significant contribution to the literature. Doig offers a useful corrective to Robert Caro’s (*The Power Broker*, 1974) understandable overemphasis of the omnipotence of his protagonist, Robert Moses. Doig also provides a sensible critique of James Q. Wilson’s view that public bureaucracies invariably are passive responders, of necessity driven by external forces, rather than proactive movers of events, motivated by creativity and innovation emanating from within. Finally, Doig gives deserved attention to the ethical dimension of public leadership, specifically the need to balance organizational efficiency with democratic accountability. In so doing, *Empire on the Hudson* joins the front rank of scholarship on public enterprise and enterprising public entrepreneurs.