

# Oregon at the Crossroads

What do we want government to do?

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## **Oregon Issues Forums (OIF)**

is a non-partisan program of public discussion on important challenges facing Oregon. The forums offer citizens and communities throughout the state an opportunity to examine public issues, consider options, and work together toward a common ground of action. OIF does not advocate any specific policy or point of view; instead it seeks to provide a way for Oregonians to work together productively. For more information about OIF, call Paul Sunderland in Portland 503-872-6636, or Bruce Weber in Corvallis 503-737-1432, or write to Oregon Issues Forums, OSU Extension Service, Oregon State University, Corvallis, OR 97331.

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# Oregon at the Crossroads

## What do we want government to do?

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## Chapter 1

# Oregon at the Crossroads

## What do we want government to do?

“There is a strong sense that government, which should work for us, is getting in the way.”

All over the United States people are critical of government. Some see it as overgrown, spendthrift, or captive to “special interests.” Others see it as failing to provide the most basic protection against crime, disease, or poverty. Dismayed, many retreat to cynicism and disdain, and dwindling numbers emerge to vote.

The 1990s have produced sobering signs of crisis: incumbents swept out of office; fractious ballot initiatives; and a strong sense that government, which should work for us, is getting in the way. Oregon has not escaped this experience.

Whether or not these perceptions of government are accurate, they create a climate of distrust. This makes it difficult to make important choices about how best to use our scarce resources. Polarized in our views, we need to find more productive ways to discuss solutions to the challenges we face.

The purpose of this Forum is to help Oregonians sharpen their abilities to make good decisions about government. To do this, we need to understand better both our own perspectives and other people’s. We need to examine the assumptions beneath what we consider important and what we consider suspect.

To help orient discussions, we have described three perspectives on government: Individual

Responsibility, Public Responsibility, and Shared Responsibility.

- **Individual Responsibility perspective:** Promotes individual responsibility. It looks toward government to provide only limited services. It looks toward user fees, the private sector, and individuals to solve public as well as private problems.
- **Public Responsibility perspective:** Promotes “the good of all.” It looks toward public programs to encourage equality and to provide services not adequately available in the private sector.
- **Shared Responsibility perspective:** Promotes the development of citizens. It looks toward partnerships between communities, businesses, and government to solve problems.

These three choices, though not mutually exclusive, reflect significantly different ways of thinking about government and its roles. Chapter 1 describes the differences between these perspectives.

Participants in this Forum are not likely to find their own personal views adequately represented by one particular approach. Nor is any of them meant to describe the government we currently have. Rather, each perspective represents a political outlook that has helped shape our views of government in general and the specific governments that have served us.

By better understanding all three approaches—both their advantages and disadvantages—we can better understand our own opinions and those we reject.

The purpose of this Forum is not to convince its participants to embrace one choice rather than another, but to use all three perspectives to help create solutions to specific problems. For example, in one discussion group that tried out these materials, participants brainstormed solutions for funding a public library.

Instead of trying to decide which perspective best reflected their own views about what kinds of libraries should exist and who should provide them, participants focused on what kinds of solutions each perspective would suggest. They then used suggestions from all three perspectives to help develop a practical plan for their community. In the process, those who considered themselves Public Responsibility advocates were surprised to find themselves suggesting that fines and user fees (Individual Responsibility concepts) would be excellent sources of revenue.

Conversely, Individual Responsibility advocates found themselves agreeing that libraries are good places for citizen groups to hold meetings (an idea more likely to

appeal to Public Responsibility or Shared Responsibility advocates).

The value in understanding the three perspectives, then, lies not in embracing or rejecting one or another, but in appreciating that all three perspectives can contribute solutions to a particular problem.

Participants in the Oregon Issues Forums should come away with enhanced respect for previously unfamiliar or unattractive ways of thinking. In the process, they should find themselves better able to converse with people they disagree with and to accept that at some level the ideas they are rejecting make sense.

Different discussion groups will use this pamphlet differently. Some will choose to follow the path of the group mentioned above. They will select a local problem, then suggest an array of solutions that clarify the three perspectives and show how each contributes to a better understanding of the role government should play.

Others may decide to spend some time making a list of the services they consider essential to Oregonians. They can then discuss how each perspective on government suggests ways to provide these services.

Another way to think about these perspectives is by applying them to subjects that the people of Oregon have singled out as important.

Chapter 2 therefore applies each of the three perspectives to education, and Chapter 3 focuses on public safety. Assuming that government has a legitimate role in both areas, these chapters examine how advocates of each perspective might view specific strategies being tried both in Oregon and in other states.

We hope that by presenting the best justifications for and objections to each approach, we can better equip citizens to make choices about the future. Although it would be foolish to expect us all to reach agreement about what we expect from government, we can work to establish common assumptions and understandings. In the process we can begin to understand each other's views: both the appeal to other people of views we find unattractive, and the reservations of other people about our most cherished beliefs.

What we can agree on from the beginning is that a great deal is at stake. If we want our children to become citizens who take responsibility for Oregon's future—who lead productive lives and expand the opportunities of future generations—we need to be able to talk with each other more effectively about what we want government to do. We hope this pamphlet and the Oregon Issues Forums will help promote this discussion.

# Individual Responsibility Perspective

“Government should provide only certain essentials. Beyond this, it should let individuals provide for themselves what they want and need.”

**F**ew people would want to take their own garbage to the dump, pave all the potholes between home and work, or settle for any old quality of air and water. Supporters of the Individual Responsibility perspective believe that government should provide or regulate certain basic necessities: things like roads, water, sewage disposal, police and fire protection, emergency services, a court system, zoning, and access to education.

Your discussion group might want to expand or reduce this list. The point, however, is that advocates of this perspective think that government should provide only certain essentials. Beyond this, it should let individuals provide for themselves what they want and need. It should focus on infrastructure and leave many of its current activities to individuals and private businesses.

Instead of overregulating and encouraging dependency, say its advocates, the Individual Responsibility perspective promotes individual responsibility and free enterprise. It ensures that beyond the essentials people will select only the services they are willing to pay for. The laws of supply and demand will determine the availability of these services.

This approach sets a relatively low limit on what a government can and should do. No matter what the subject is—health care, public

safety, employment, education, etc.—the Individual Responsibility perspective looks first to the private sector to provide services.

According to advocates, this approach encourages citizens to solve their own problems with little interference from government. Thus it keeps taxes low, protects discretionary income, encourages private philanthropy, promotes mutual support within families, and maintains order.

## **Assumptions: Individual Responsibility Perspective**

**B**eneath this approach lie important assumptions about the nature of government and its relationship to the people being governed.

### **Government is a tool.**

Those who favor this perspective tend to see government as a tool for doing what individuals would find impractical to do alone. It can work well or poorly, efficiently or inefficiently. As merely a tool, however, it always is separate from the people governed.

From this perspective, city government happens downtown, state government happens in Salem or Portland, and national government goes on in Washington, DC, far removed from our daily lives. Even on the state level, the Individual Responsibility government rarely is something that people feel engaged

“Individual Responsibility government keeps taxes low, protects discretionary income, encourages private philanthropy, promotes mutual support within families, and maintains order.”

in, except to hold it accountable through elections.

When Henry David Thoreau wrote in 1849 that “the government does not concern me much, and I shall bestow the fewest possible thoughts on it” (Thoreau, p. 238), he could have been speaking 150 years later for a new generation of skeptics. Individual Responsibility advocates know they need government to accomplish certain tasks, but they see it as a tool with limited usefulness beyond those tasks and a tendency to grow dangerously large.

### **Government limits individuals.**

In *On Liberty* (1859) John Stuart Mill argues that we should be free to do what we want, unless we hurt someone else. According to him, “the only part of the conduct of anyone, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence . . . is absolute” (Mill, p. 11).

From this point of view, government should limit individuals only as much as is necessary to protect them from each other. Thus there is a limit to how much government should interfere in people’s lives.

Individual Responsibility advocates agree with Mill about the necessity both for government to limit individuals and for individuals to limit government. To them the best government is one that limits individuals least, as long as they are not allowed to hurt each other.

Under these circumstances alone, individual initiative flourishes, because people, not government, are valued most. The market flourishes as well, because businesses are free to produce what people want to buy.

### **The market is self-regulating.**

In the *Wealth of Nations*, Adam Smith describes the “invisible hand” behind the self-regulating market, which turns individual selfishness into a force for good. If thousands of people set out to make as much profit as possible, their competition with each other, combined with the laws of supply and demand, will ensure that society as a whole benefits. Shoddy products will not sell well, while efficient, innovative ideas will come to prevail, and what is profitable for individuals will promote the welfare of all. The best government is one that stays out of the way of this process as much as possible.

## **Objections to the Individual Responsibility Perspective**

If Individual Responsibility advocates aim to provide only the “bare essentials,” what is to guarantee that the people of Oregon ever will agree about what these essentials are? Furthermore, say critics, the Individual Responsibility perspective is based on the faulty assumption that if left alone people will thrive. They argue that if left alone, some people will victimize others, and everyone will be at the mercy of the profit motive, which at worst reduces to selfishness and greed.

Even under ideal circumstances, a government that leaves to private philanthropy the needs of the disadvantaged may allow too many citizens to fall through the cracks into homelessness, hunger, or poverty. According to critics, giving everyone a chance at a good life should be the goal of government. To them, Individual Responsibility government is more likely to achieve the exploitation of the many for the benefit of the few.

# Public Responsibility Perspective

“Government should ensure that every Oregonian has access to the opportunity to learn and earn as a productive citizen.”

Advocates of the Public Responsibility perspective agree with Individual Responsibility supporters that government should provide essential goods and services. They also agree that government sometimes is too big and inefficient. Their solution, however, is not to limit government in favor of an expanded private sector, but to improve government.

Given Oregon’s size, its economic relationship to the rest of the United States and to international trading partners, and its need for long-term stability in employment and quality of life, advocates of the Public Responsibility perspective argue that only a well regulated state government has the resources to deliver what Oregon needs. Their idea of what is “essential” includes the list compiled by Individual Responsibility supporters. It also goes on, however, to include more extensive systems of public education, social services, health care, and cultural enrichments.

Advocates of the Public Responsibility perspective want to ensure that every Oregonian has access to the opportunity to learn and earn as a productive citizen. According to them, this access is

not likely to be provided by the private sector alone. Therefore they support social services like infant nutrition programs, senior services, low-income housing, health-care programs, early intervention programs, and other attempts to create a level playing field for all citizens.

When they look at issues like transportation, housing, or economic development, they emphasize the need for long-term planning in the interest of all the people of Oregon. They support private industry and even “contracting out” certain public services to the private sector. They see government, however, as responsible for making sure that the values and priorities of the people of Oregon are reflected in an array of programs that serve them.

Like Individual Responsibility advocates, Public Responsibility advocates want the government to be accountable to the people through the election process. Individual Responsibility advocates, however, see elections as the citizens’ opportunity to limit government’s role to providing basic essentials. Public Responsibility advocates prefer a wider role for government and view the electoral process as the citizens’ tool for guiding policy makers in that wider role.

“The function of government is to minimize inequalities of opportunity based on things that have nothing to do with merit.”

## **Assumptions: Public Responsibility Perspective**

### **Government is a tool.**

Like Individual Responsibility advocates, Public Responsibility supporters see government as a tool that can work well or poorly, efficiently or inefficiently, depending on how it is used and who uses it. Unlike Individual Responsibility advocates, however, they tend not to restrict government’s role within narrow limits.

They see government as a mechanism to provide educational, economic, and cultural opportunities so that all citizens have a fair chance to create a good life.

The major difference between Individual Responsibility and Public Responsibility advocates is that the latter see government as a less limited, potentially more useful, tool. It serves citizens by providing education, welfare, a safe, healthy environment, and other services (or fails them by not providing these things).

Since it is a tool, this government also is separate from the individuals being governed. Unless people are government employees, they are not really part of the government.

In the Declaration of Independence, Thomas Jefferson set out to describe the “ends” that

government is the “means” for accomplishing: to secure “certain unalienable Rights,” including “Life, Liberty and the pursuit of Happiness.” Public Responsibility advocates might debate the exact meaning of “pursuit of happiness,” but they would agree that government should be a tool for promoting it.

### **Government enlarges the individual.**

Public Responsibility advocates would agree with Individual Responsibility supporters that we should be free to do what we want, as long as we don’t hurt anyone. The difference involves how this freedom is to be achieved.

Individual Responsibility advocates see freedom as the absence of interference. They assume that left alone a person can maximize his or her self-interest in a competitive environment of other people doing the same.

Public Responsibility advocates, however, want to make sure that all citizens, regardless of age, gender, race, sexual orientation, or disabilities, can take full advantage of educational and vocational opportunities. From their point of view, “leaving people alone” means abandoning them to the *status quo*, which involves numerous inequalities that need to be redressed.

To them, the function of government is not to minimize all inequality: it would be absurd, for instance, to expect that all people would weigh the same, or have the same height or intelligence. Rather, the function of government is to minimize inequalities of opportunity based on things that have nothing to do with merit. Public Responsibility advocates might disagree with each other about which categories should or should not be protected from discrimination, but they would agree about the principle.

From this point of view, a successful government is one that provides access to educational and vocational opportunities that help citizens succeed. Thus the goal of government is to create an open arena of fair competition, where individuals will be free to excel at whatever they do best.

Once the playing field is leveled, according to Public Responsibility advocates, the government should get out of the way. Since they regard this struggle for equality as a gradual, long-term process, they see no immediate prospect of the government getting out of the way. Theoretically, though, this is the goal. To them, the individual is more important than the government, which exists to ensure that each citizen has a fair shake at opportunities for a good life.

## PUBLIC RESPONSIBILITY PERSPECTIVE

### **The market is not self-regulating.**

Advocates of the Public Responsibility perspective have no faith that an unregulated market would be fair. They point to the need for laws and agencies to monitor air quality, prevent monopolies, and otherwise protect citizens from the predations of the selfish. From their point of view, shoddy products, if well advertised, can sell well, and consumers can be convinced that they “need” useless, or even harmful, items. The best government is one that protects citizens by regulating the market to keep it fair.

### **Objections to the Public Responsibility Perspective**

**C**ritics would say that the Public Responsibility perspective is based on the faulty assumption that if government provides what people need, they will be happy. The truth, they argue, is that if government is the provider, people become too dependent.

In 1835 Alexis de Toqueville warned that in a democracy where individuals are gradually robbed of self sufficiency by a government

that does everything for them, the casualty is freedom itself:

Above this race of men stands an immense and tutelary power, which takes upon itself alone to secure their gratifications, and to watch over their fate. That power is absolute, minute, regular, provident, and mild. It would be like the authority of a parent, if, like that authority, its object was to prepare men for manhood; but it seeks, on the contrary, to keep them in perpetual childhood. (de Toqueville, p. 303)

Critics of the Public Responsibility perspective see it as the quickest route to “perpetual childhood” for the citizens of Oregon. To them, focusing on the public’s responsibility for equal opportunity breeds dependence and leads to excessive spending.

# Shared Responsibility Perspective

“Problems can be solved most effectively through the cooperative efforts of citizens, businesses, and government.”

**A**dvocates of the Shared Responsibility perspective see themselves as realists in a sea of dreamers. They criticize Individual Responsibility advocates for relying too much on the private sector, and Public Responsibility advocates for relying too much on big government.

Shared Responsibility advocates think that the government should be a facilitator, not the provider, of solutions to the problems of daily life. To them, problems can be solved most effectively through the cooperative efforts of citizens, businesses, and government. They see government as limited in what it can do by itself to solve problems. To them, this limitation is a virtue because it forces us to work cooperatively to set priorities and make solutions our own, rather than someone else's. Solutions achieved in this manner, they argue, are better, because they build knowledge and responsibility in citizens, rather than dependence. Like Individual Responsibility advocates, Shared Responsibility advocates point out that many of the financial resources needed for

problem solving in Oregon lie in the private, not the public, sector. Unlike Individual Responsibility advocates, however, they do not conclude that the government should turn over problem solving, whenever possible, to the private sector.

Rather, Shared Responsibility advocates argue that we need to find ways to encourage links between private resources and community actions that effectively solve specific problems. In this process, government acts as one of several “partners” that share responsibility for achieving a mutually agreeable solution.

This approach, argue its advocates, shows that the best solutions emerge from the cooperative efforts of the people touched most closely by a particular problem, rather than by government functionaries. By providing opportunities for citizens and businesses to discover effective solutions, the Shared Responsibility government encourages resourcefulness and creativity. Thus it promotes the development of citizens capable of cooperating with each other to improve their world.

**Assumptions:  
Shared Responsibility  
Perspective**

**Government is  
more than a tool.**

Paradoxically, while Shared Responsibility advocates see government as limited in its financial resources, they also see its role as going beyond the Individual Responsibility and Public Responsibility role of protector. These other perspectives see government as a tool to protect us from harm and to leave us otherwise free to follow our own self interests.

Although Public Responsibility advocates promote the largest protective role, believing that all citizens deserve a fair chance at productive lives, and Individual Responsibility advocates the smallest, believing that citizens should be responsible for solving most of their own problems, both approaches tend to limit government's role to protection.

From the Public Responsibility perspective, government protects individuals by providing them with education, health care, and access to employment, so they can be free to compete with others for jobs and goods. From the Individual Responsibility perspective, government protects individuals by not burdening them with the need to provide extensive programs

in education, health care, and employment for others. Unencumbered by these burdens, they are free to compete for jobs and goods. Despite their differences, both perspectives see government as a tool to protect individuals by freeing them to compete effectively.

Shared Responsibility advocates go beyond this protective role to see government as formative. A Shared Responsibility government looks for ways to build competence in its citizens, who need skills, knowledge, judgment, and character to cooperate with each other to solve problems.

From this perspective, it is not enough to give people choices; to be really free, they must be capable of making good choices. Shared Responsibility government encourages the development of such people.

Like Public Responsibility government it does this in part by guaranteeing all citizens access to educational opportunities. There are differences, however. Public Responsibility advocates focus on making formal education accessible to all. Without rejecting this goal, Shared Responsibility advocates reach beyond it to focus on opportunities for people to work together with others to solve problems.

From this perspective, the government is not just a tool to accomplish other ends. It is a framework within which citizens accomplish their own mutually agreeable ends.

**Government expands  
the individual.**

Like both Individual Responsibility and Public Responsibility advocates, Shared Responsibility supporters see government as necessarily limiting the individual, through laws and regulations that protect citizens from unreasonable harm. For Public Responsibility and Shared Responsibility advocates, however, the emphasis is not on these limits, but on expanding opportunities for individuals to become productive citizens.

Aristotle once said, "The *polis* is prior to the man." By *polis*, he meant "city-state," which we can think of as "community." He did not mean that the individual is less important than the community. Rather, without the opportunities available within the community—a nurturing family; the presence of others to teach language, skills, and values; the opportunity to take part in making significant decisions—the individual cannot really develop into a good citizen. In this sense, the *polis* makes a good life possible. Outside the *polis*, there can be no true civilization.

Public Responsibility advocates see in this Aristotelian perspective a rationale for educating, protecting, and providing vocational opportunities for citizens. They see these functions as part of government's role as a tool that levels

“Not all problems are addressed by throwing money at them. Instead the best solutions emerge from the cooperative efforts of the people touched most closely, rather than by government functionaries.”

the playing field for all citizens and expands, rather than limits, individuals.

Without rejecting these Public Responsibility goals, Shared Responsibility advocates find in Aristotle’s vision a slightly different emphasis. They focus on the complexity of the community’s role in producing good citizens. Beyond formal education and training, Shared Responsibility advocates promote opportunities to participate in civic organizations, partnerships between businesses and citizens, and other forums for decision making. By promoting access to these opportunities, Shared Responsibility government expands each individual’s capacity to think and act.

### **The market is not self-regulating.**

Like Public Responsibility advocates, Shared Responsibility supporters are skeptical that in an unregulated marketplace the self interests of individuals would add up to the best world for all. They also agree that consumers must be protected from unsavory private interests.

Shared Responsibility advocates accept this role for government. They also go beyond it to argue that government should cultivate in the private sector a long-term interest in healthy, safe, prosperous communities. From this perspective, business would see profit-making as a necessary short-term motive that is balanced within a larger context of long-term public prosperity.

### **Objections to the Shared Responsibility Perspective**

Critics of the Shared Responsibility perspective see it as an unwieldy hybrid of Individual Responsibility and Public Responsibility approaches. To them, it combines the selfish tendencies of the former with the spendthrift tendencies of the latter.

Furthermore, it encourages cumbersome combinations of interested parties that might take forever to solve problems. Critics would argue that there are still disorderly drunks on the streets of Portland’s Old Town, despite the elaborate partnership designed to solve the problem.

Most importantly, they would ask what guarantees that the “common interests” of the participants in any particular partnership actually will reflect the will of the people or the good of all. To them, the Shared Responsibility perspective is a confused concept that is being considered only because it claims to be practical.

# Summaries

## **Individual Responsibility Perspective**

**I**ndividual Responsibility advocates think government generally is too big and too inefficient. They would like to limit government's activities to providing basic necessities agreed upon by citizens in the voting booth. They would leave the rest of what government currently does to individuals and the private sector, with the laws of supply and demand to regulate the process. By encouraging citizens to solve their own problems with little interference from government, this approach keeps taxes low, stimulates economic growth, encourages philanthropy, promotes mutual support within families, and maintains order.

## **Public Responsibility Perspective**

**P**ublic Responsibility advocates think government should guarantee a level playing field for all citizens, so that everyone will have a fair chance at a productive life. According to them, we cannot depend on the private sector to provide the goods and services the people of Oregon need. Only a well regulated state government can do this.

They argue that government is responsible for making sure that the values and priorities of the people are reflected in the programs that

serve them. Through elections and initiatives, government is answerable to the people for making and implementing policies in the public interest.

## **Shared Responsibility Perspective**

**S**hared Responsibility advocates think that people who cooperate with each other to create solutions become better citizens. According to them, people should be pragmatic about the limits of what government can do, given finite resources in a complex world. To make and implement the best possible decisions, government needs to involve itself in partnerships with citizens, communities, and businesses.

From this perspective, government is seen not as a provider but as a facilitator that brings parties together to discover their common interests. It also is seen as an educator that helps prepare citizens to cooperate with others to make good decisions.

The key to successful public/private partnerships, argue proponents, is to balance the "economic requirements of efficiency" with the "political requirements of accountability." The Shared Responsibility perspective is not merely a tool to accomplish other ends, but a framework within which citizens accomplish their own mutually agreeable ends.

## Chapter 2

# Some Choices about Education in Oregon

“If it does not intensify its efforts to improve education, America soon will lose its competitive edge in the international marketplace.”

**A**mong states in which a large percentage of public school students take the SAT (Scholastic Aptitude Test), Oregon consistently ranks first in average test scores. Thus advocates of the *status quo* would argue that Oregon’s schools already are highly successful.

Nonetheless, in Oregon, as in the rest of the United States, there is a widespread perception that America’s schools are lagging behind those in other developed countries. If it does not intensify its efforts to improve education, America soon will lose its competitive edge in the international marketplace.

Passage of House Bill 3565 in 1991 indicates that the Oregon Legislature considers educational reform a high priority. This bill, revised by the 1995 Legislature, calls for school boards throughout the state to implement changes designed to make Oregon’s work force more competitive.

Given this climate of educational reform, it seems appropriate to outline some approaches to education that help distinguish between the three perspectives for government outlined in Chapter 1. We begin with public traditional and alternative schools, which probably would be most attractive to Public Responsibility and Shared Responsibility advocates, and we conclude

with vouchers and charter schools, which might appeal more to Individual Responsibility advocates.

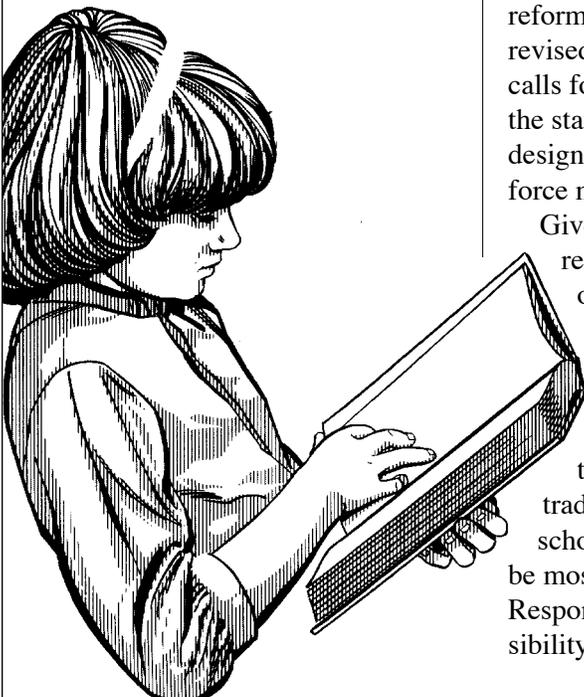
### Traditional Public Schools

**A**dvocates of traditional public schools argue in favor of excellent public education, from K–12 schools through community colleges and a higher education system that includes state colleges and universities. They see Oregon’s investment in education as an investment in its citizens and its future.

They are alarmed by the cuts in educational funding at all levels since 1990, when Measure 5, the property tax limitation initiative, was passed by Oregon’s voters. They point out that Oregon is the only state that actually has cut funding to higher education for the past 2 years.

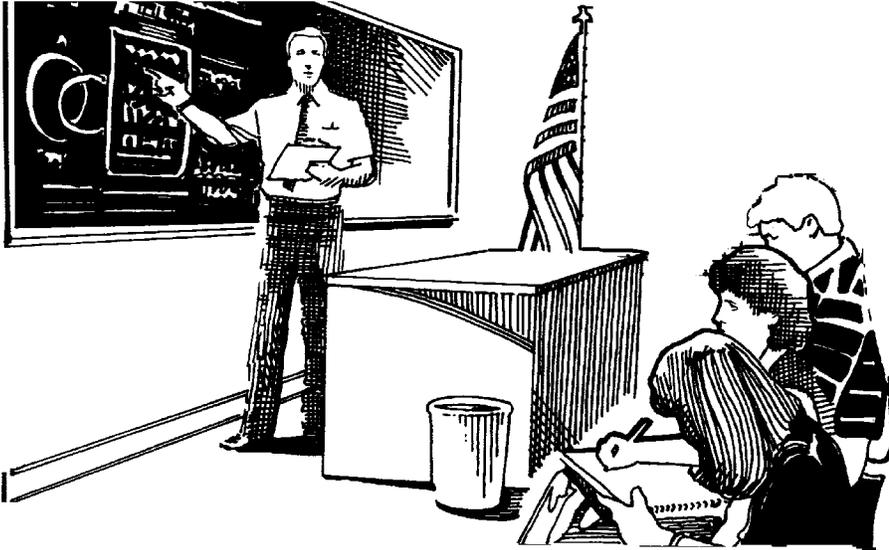
Beyond funding considerations, these advocates are concerned also about equality of access to educational opportunities in Oregon. They want to make sure that whatever funds are available are distributed equitably among districts and among levels of education, K–12 through university.

Public Responsibility advocates would support these arguments and add that the government of Oregon has a responsibility to make sure all children in the state have a chance to take advantage of these educational opportunities. Thus they would emphasize the need



## EDUCATION

“Advocates of traditional public schools . . . are alarmed by the cuts in educational funding at all levels since 1990, when Measure 5, the property tax limitation initiative, was passed by Oregon’s voters.”



for support services in housing, health care, nutrition, abuse prevention, and other forms of early intervention.

Public Responsibility advocates also would argue that state government has a role in establishing guidelines for what constitutes an educated citizen. Thus they might emphasize the need for public schools to implement Oregon’s landmark education legislation, House Bill 3565. Passed in 1991, this bill establishes the Certificate of Initial Mastery (CIM) and the Certificate of Advanced Mastery (CAM) as the benchmarks of a student’s progress toward graduation.

These certificates will be phased in gradually. The implications for curriculum are being discussed in schools throughout the state, as educators consider how best to meet the new standards, which will replace the traditional transcript

and diploma. Both Public Responsibility and Shared Responsibility advocates would see this legislation as an example of how state government can establish general guidelines for local school districts to implement.

In addition, Shared Responsibility advocates would look toward partnerships with the private sector and with local communities to meet the goals of educational reform. For example, Roosevelt Middle School in Eugene requires every eighth grader to arrange a 6-week mentorship with a member of the community. The student must line up a mentor, spend time at an organization, government office, or place of business, learn how it functions, contribute to its success, and report on the experience.

This mentorship program, to which community members donate

their time for free, is the result of a partnership between the school and local residents. Advocates argue that it benefits both parties by teaching students how to function in the world and teaching the community how students can contribute their talents. They see mentorship programs as forging links between schools and communities without adding expenses to already strained budgets.

### **Objections to traditional public schools**

Opponents to traditional public schools, including many Individual Responsibility advocates, would dispute the claim that Oregon’s schools are the envy of the nation. They might argue that although our students score well on the SAT compared to those in other states where large numbers take the test, Oregon’s students are outscored by students in many other states.

More importantly, the average scores across the nation are significantly lower than those earned by students in many other nations. If Oregon’s work force is to compete successfully in an international arena, they argue, Oregon needs to improve its system of education. Individual Responsibility advocates would argue that as long as public schools have a monopoly on school funding there will be no real incentive to provide consumers (parents and students) with a better product.

“Alternative public schools always reflect the choices of those who participate in running and attending them.”

From a different perspective, Public Responsibility advocates might argue that mentorships in public schools sound like a great idea until we think about making sure that every child finds a mentor or that every portfolio gets the attention it deserves. They would point out that someone needs to coordinate every mentorship program to make sure that all students, regardless of parental involvement, find mentors, secure transportation to the mentorship, and follow through with the reporting process. Teachers already overburdened with large classes and few resources can't be expected to take on these extra responsibilities. To these critics, a mentorship program winds up benefiting students whose parents are able to help them succeed, while it penalizes students who lack these extracurricular resources. Unintentionally, but inevitably, it exacerbates inequality.

### Alternative Public Schools

Alternative public schools are funded in the normal way and subject to district and state requirements for teacher certification, curriculum, and enrollment policies. Although these schools vary a great deal in their approaches to learning, they all tend to involve high levels of participation from teachers, parents, and students.

The focus may be on academic basics, performing arts, math and

science, maritime life, progressive education, a foreign language, or some other area of mutual interest; however, alternative public schools always reflect the choices of those who participate in running and attending them. According to their advocates, they achieve much of the diversity possible in private schools, without undercutting funding for public schools, undermining the certification process for teachers, or excluding students who can't come up with private school tuition.

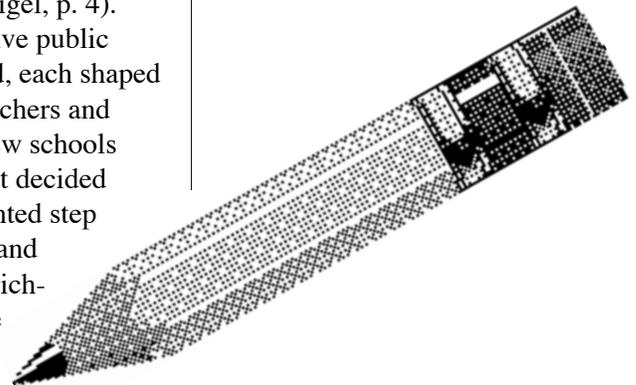
Recognizing the need to improve traditional public schools, Public Responsibility and Shared Responsibility advocates generally favor establishing alternative public schools.

As an example, advocates of alternative public schools would point to Public School District #4 in East Harlem. In 1973 the Board of Education, desperate for improvement, allowed one dedicated teacher to create an experimental public school for “chronically undereducated and troublesome kids” (Fligel, p. 4). Several other alternative public schools soon followed, each shaped by the concerns of teachers and parents. With these new schools flourishing, the district decided to take the unprecedented step of permitting parents and children to choose whichever school within the district they wanted to attend.

The results have been miraculous. In a district larger than the school systems in many American cities (15,000 students in 50 schools), in 1973 only 16 percent of the students were reading at grade level; by 1987 63 percent were reading at grade level. The “Miracle in East Harlem” has gained well-deserved national recognition, even as teachers, parents, and students continue to develop a network of traditional and alternative public schools.

In the Midwest, advocates of this approach would point to Minnesota, among the first states to adopt legislation in the area of school choice (Nathan, p. 683). There more than 14 percent of Minnesota's 786,000 K-12 students actively selected their schools in 1992-93 (Nathan, p. 683).

By 1993 alternative public schools could be found in one-fourth of the state's districts, both urban and rural. The math-science magnet school in Cyrus, Minnesota, for example, is an alternative public school run by





a committee of teachers in that rural community. In 1993 it was named by Redbook magazine as one of the nation's 51 best public elementary schools (Nathan, p. 684).

In Oregon a number of communities have alternative public schools. In Eugene, for example, Eastside Elementary School was established in the 1970s when a group of parents and teachers decided that the community needed a small elementary school that emphasized responsible decision making. In 1987 and 1991, fifth graders at that school scored highest in the state in verbal skills.

Many Public Responsibility and Shared Responsibility advocates see alternative public schools as an excellent opportunity to improve education in Oregon by allowing

teachers, parents, and students to work together to develop schools that best serve their evolving needs.

### Objections to alternative public schools

Objections to alternative public schools can be raised from two directions: from Individual Responsibility advocates, who would rather see the creative energy that goes into them invested in charter schools or voucher programs that enable more children to attend private schools; and from Public Responsibility advocates, who see alternative public schools as *de facto* private schools.

Individual Responsibility advocates would argue that real competition from outside the public school system would be more effective than the illusion of competition from within a system shackled by bureaucratic impediments to innovation. They would point out that as long as school boards and legislatures retain control over funding decisions, choice will not enter the picture for either parents or students.

Many Public Responsibility advocates also would object to alternative public schools, but for different reasons. While they might see them as an improvement on traditional schools, they would argue that the fraction of students attending alternative public schools nationwide (probably no larger than 5 percent) is too small to make

them anything more than *ad hoc* private schools within a public school system.

They also would point out that the students in these schools tend to be children of parents who have the time to transport their charges across town, volunteer at school, or attend conferences, meetings, and events.

Because they lead lives of privilege, these parents perpetuate opportunities for their own children. According to critics, alternative public schools allow them to do this without having to resort to private schools. Why should the public school system create a special layer of schools for the privileged?

### Vouchers

Vouchers are allocations of funds that individual parents can use to pay for private school tuition for their children. Voucher advocates argue that the public school system is inefficient, wasteful, and unsuccessful. They point to numerous studies that show declines in standardized test scores despite steady increases in public funding for education.

The solution, according to them, is to subject schools to the same market forces that have led to success for many American businesses. Let schools compete for students. When they do, they will discover that either they will have to produce better results or fold. Some will adapt, while others die

“Let schools compete for students. When they do, they will discover that either they will have to produce better results or fold.”

off, in a natural process of selection that results in better education at a lower cost. Many Individual Responsibility advocates would agree with these arguments and support vouchers as a way to reform education.

Voucher systems come in two versions: publicly funded and privately funded. In the public approach, school districts set aside whatever funds have been allocated for each student. Parents who qualify and want to enroll their children in a private nonsectarian school can use the state’s allocation to offset tuition costs. In the private approach, the funds are provided by private donors such as corporations and foundations. Parents who qualify usually receive vouchers worth half the cost of tuition at a wide range of private schools, both sectarian and nonsectarian.

Both systems can be illustrated by the experience of Milwaukee. In 1990 Wisconsin State Representative Annette “Polly” Williams succeeded in establishing the Milwaukee Parental Choice Program (MPCP), a government-funded voucher program for low-income families. In 1993–94 it provided \$2,987 per student at 13 non-religious private schools, as well as public funding for transportation. In 1994–95 it was expected to enroll up to 1.5 percent of Milwaukee’s public school children in these private schools (McGroarty, p. 56).

Milwaukee also has the privately funded Partners Advancing Values in Education (PAVE), an outgrowth of an existing foundation to support Catholic schools: the Milwaukee Archdiocesan Education Foundation. Major donors include an insurance company and a power company. In 1993–94 PAVE provided over 2,000 vouchers averaging \$550 for elementary students and another 400 averaging \$1,321 for high school students at a wide range of private elementary and high schools (86 schools).

Evaluating these programs is difficult, since they haven’t been around very long. However, according to a researcher at the University of Wisconsin, parental approval ratings in the public program have been above 95 percent each year. The evaluations of the private program have been similarly positive, with “the overwhelming majority” of parents “very satisfied.”

From the point of view of an Individual Responsibility advocate, both of these approaches show promise. To them, the privately funded voucher system is superior, however, because it faces fewer regulatory hurdles. Also, with private funding, the private schools themselves avoid the risk of government interference (Reason Foundation, p. 4). Privately funded voucher programs now operate in 12 cities, including Indianapolis, San Antonio, and Minneapolis.

Advocates of privately funded vouchers recommend that “state legislatures grant tax credits to organizations providing tuition vouchers, and reduce business regulations affecting private schools” (Reason Foundation, p. 6).

Publicly funded voucher programs have been less widespread, partly because of state legislatures’ desire to place “severe limitations on the transfer of public money to the private sector” (Corwin, p. 69). In general these public voucher programs have applied only to low-income families in large cities with poor public schools.

Public voucher proposals have been defeated in several states, including Oregon (1990). Voucher advocates are being taken very seriously nationwide, however, as indicated by recent votes in Pennsylvania (1991), where voucher legislation passed in the Senate but not in the House, and in Arizona (1994), where such legislation passed in the House, falling only three votes short in the Senate. In fact, supporters are quick to argue that if it weren’t for the concerted efforts of the “public education establishment” (including teachers’ unions, which, according to the Reason Foundation, spent \$15 million to defeat it), a voucher initiative would have passed in California in 1993.

Advocates of both publicly funded and privately funded voucher

systems see them as the best way America's public school systems can be held accountable for their failure to educate our citizens. According to them, by giving parents a choice about where they send their children, these voucher systems force public schools to improve or shut down.

### Objections to vouchers

Those who object to publicly funded vouchers, including many Public Responsibility and Shared Responsibility advocates, see them as a threat to funding in an already under-funded educational system. They also point out that in Milwaukee, where both publicly and privately funded voucher systems

exist, there have been no measurable improvements in student test scores.

They argue that there never will be enough private schools in the United States to accommodate more than a small fraction of the nation's students and that the lack of certification for private school teachers could undermine quality. Furthermore, according to these critics, many of the elements of choice that make vouchers attractive to parents can be incorporated in alternative public schools. All this being the case, critics argue that we need to maintain a strong public education system. They believe that publicly funded vouchers would do more harm than good.

A 1991 Gallup poll and a 1992 Carnegie Foundation survey both indicated that the vast majority of parents did not think their children should be sent to private schools at public expense (Corwin, p. 69). According to voucher opponents, this is why the 1993 California voucher initiative, which was defeated by a margin of more than two to one, was the 19th such defeat since 1966 (McGroarty, p. 53). This is also why in Oregon, supporters of a school voucher initiative for 1994 could not even gather enough valid signatures to get it on the ballot.

Opponents to vouchers would be less bothered by a privately funded voucher system, figuring that it would not be likely to grow big enough to make much of an impact on public education. Shared Responsibility advocates might even see it as an opportunity to foster cooperative ventures between citizens, businesses, and communities.

Still, both Public Responsibility and Shared Responsibility advocates would make some of the same arguments as above about the lack of teacher certification in private schools and the lack of measurable improvements in student performance. They also might consider tax advantages for contributors to privately funded voucher systems a drain on state tax revenues that might be needed for other purposes.



“Charter schools place decisions in the hands of experts in management and teaching.”

## Charter Schools

**C**harter schools are public or private schools that have been chartered, i.e., given permission to operate, by local school boards or state legislatures. This movement began in Minneapolis, where in 1991 the legislature authorized up to 8 charter public schools (increased to 20 in 1993). Charter schools also have been approved by legislatures in California, Colorado, Connecticut, Georgia, Massachusetts, Michigan, New Jersey, New Mexico, and Wisconsin.

Under this system, “certified teachers are given the opportunity to create new and distinctive schools,” free from “thousands of rules” yet “accountable for student results” (Nathan, p. 687). These privately managed schools allow those who run them to offer a wide variety of approaches to teaching, unencumbered by many of the regulations that restrict conventional public schools. Charter schools remain public, in the sense that they are paid for out of taxes, they do not screen students for achievement, and they are answerable to the school boards that charter them.

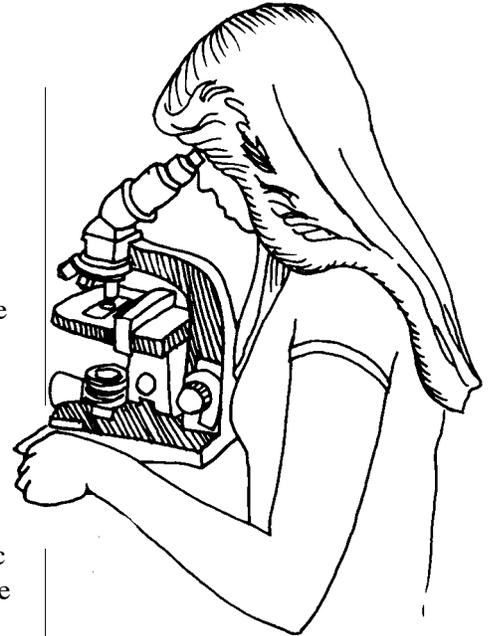
The state to issue the most charters has been California, which in 1992 set the limit at 100. In 1993 Massachusetts turned over 15 public schools to private management, “including the first schools to be run by the for-profit Edison

Project” (New York Times, March 19, 1994). Baltimore turned over nine of the city’s public schools to Educational Alternatives, Inc., a Minnesota-based firm (Christian Science Monitor, October 28, 1994), and Hartford hired the same firm to manage its public schools (New York Times, November 12, 1994).

This quickly growing movement, according to its advocates, shows that there is a reasonable alternative to a standardized public education system. For example, the Jersey City, New Jersey schools went into state receivership because of poor academic performance, despite spending “an eye-popping \$9,200 per public school pupil” (McGroarty, p. 56).

Under circumstances such as these, argue charter advocates, everything is to be gained by turning to charter schools. For several reasons, they offer the best available alternative to the present educational system:

- They place decisions in the hands of experts in management and teaching.
- They avoid bureaucratic red tape.
- They respond to parent preferences.
- They provide a diverse array of schools.
- They respond to communities’ changing needs.
- They apply efficient approaches to allocating educational resources.



According to Individual Responsibility advocates, charter schools epitomize the advantages of privatization. They allow governments to “contract out” services that can be delivered more effectively and cheaply through private enterprise, while at the same time maintaining oversight and accountability. If they weren’t a good idea, 10 states wouldn’t have approved them since 1990.

## Objections to charter schools

In 1990 “media entrepreneur” Chris Whittle founded the largest charter movement—the “high profile, high risk” Edison Project. He planned to open a vast network of for-profit charter schools in the United States and hired the president of Yale University, Benno Schmidt, to run them.

## EDUCATION

Critics of charter schools, including many Public Responsibility and Shared Responsibility advocates, are quick to point out that Whittle recently went bankrupt, placing the future of the whole enterprise in doubt. According to the New York Times, this is after spending \$40 million since 1991 without opening a single school.

Furthermore, in Baltimore, where nine public schools now are run by the Edison Project's rival, Minnesota-based Education Alternatives, Inc. (EAI), "on average students at the privately run EAI schools did a little worse on the standardized tests than their peers in the city's other schools" (Christian Science Monitor).

To critics of charter schools, the whole idea is better in theory than

in practice. In reality, they argue, charter schools promise more than they can deliver.

Furthermore, they are skeptical that in the field of education private enterprise can turn the profits necessary to satisfy investors. When even the best private schools now struggle to keep their budgets balanced, it is doubtful that the new educational entrepreneurs can do better (New York Times, November 2, 1994).

Though Public Responsibility and Shared Responsibility advocates would be critical of charter schools, they also would admit that the diversity of choices charter schools promise is a virtue. It stimulates competition, frees educators to try different approaches, and responds to parental concerns.

But they would argue that these results can be achieved through alternative public schools, which do not attempt to turn a profit. Most importantly, critics argue, public education should not be a profit-making enterprise. It belongs in the public, not the private sector. To them, privatization "insulates service providers from the direct political consequences of doing a poor job" (Hanson, p. 84). In doing so it removes from the public arena what should be one of our most pressing public concerns—the education of our children.

In the final days of the 1995 session, the Oregon legislature considered but failed to pass a charter school bill introduced by Representative Patti Milne of Woodburn.

## Chapter 3

# Some Choices about Public Safety in Oregon

“Between 1992 and 1993, there was nearly a 9 percent increase in arrests for crimes against people in Oregon, and a 5.6 percent increase in crimes against property.”



**O**regonians want to improve public safety. Between 1992 and 1993, there was nearly a 9 percent increase in arrests for crimes against people in Oregon, and a 5.6 percent increase in crimes against property, according to the Statistical Analysis Center of the Oregon Criminal Justice Council. Their summaries show that in both categories arrests have increased annually since 1990.

Even taking into consideration population growth, crimes against people have increased since 1991. In 1992, Oregon ranked 29th in population, but 17th in index crimes and 14th in property crimes.<sup>1</sup>

These statistics indicate that compared both to the Oregon of the recent past and to other states, Oregon has a significant crime problem. It should be no surprise, then, that in 1994 the people of Oregon passed three crime-related initiatives, whose cumulative effect is to require more prison facilities. Given this evidence of concern about public safety, it seems appropriate to outline some proposed solutions that help distinguish between the three approaches to government described in Chapter 1.

<sup>1</sup> Index crimes are willful murder, aggravated assault, burglary, larceny, motor vehicle theft, and arson.

## Privatizing Prisons

**O**ne way to combat crime is to lock up criminals. By 1988, however, federal and state prisons operated between 7 percent and 72 percent beyond capacity (Chi, p. 70). To relieve this overcrowding, advocates of the Individual Responsibility perspective might support turning to the private sector to expand services and manage correctional facilities (Chi, p. 70).

The private sector has long been involved with prisons. In 1981 in Florida, for example, Prison Rehabilitation Industries and Diversified Enterprises, Inc. (PRIDE) assumed control of all state correctional industries. In 1988 the company made a \$4 million profit and paid 60 percent of inmates' wages to the state to defray correctional costs (Chi, p. 71). Advocates of privatization argue that Oregon would do well to replicate the Florida model when it implements the 1994 voter initiative requiring Oregon's inmates to participate in work programs.

In terms of prison construction, more than a dozen states have used lease-purchase agreements, in which private companies design, finance, construct, and then lease prisons to states. In 1986, for example, Missouri selected two firms to build a 500-bed prison near Potosi, saving \$50 million in state appropriations that would have been needed to construct the facility (Chi, p 71).

## PUBLIC SAFETY

“Private prisons relieve overcrowding. They promote flexibility and efficiency.”

Private industry also has been successful at managing jails in Santa Fe, New Mexico, Pecos, Texas, and Hernando, Florida, where the Nashville-based Corrections Corporation of America (CCA) has been in charge since the mid-1980s (Chi, p. 72).

One of the most successful and promising areas of prison privatization, though, involves a large number of privately owned and operated correctional facilities, from juvenile units, immigrant detention centers, and work-release facilities, to more conventional jails. At the state level, three private minimum-security facilities are operating in California, Florida, and Kentucky (Chi, p. 73).

In 1988 the Texas Board of Corrections interviewed 20 bidders nationwide before it contracted with CCA to build two 500-bed prerelease centers. Once built (through tax-exempt bonds secured by a lease-purchase agreement), Texas paid \$34.79 per inmate a day in a renewable 3-year agreement (Chi, p. 73).

These examples illustrate how widespread prison privatization already has become and how attractive this idea could become to the people of Oregon. To its advocates, its advantages are many:

- Private prisons relieve overcrowding.
- They promote flexibility and efficiency.

- A private contractor can open a prison more quickly than the state can.
- Private financing saves the taxpayers money.

### Objections to private prisons

Critics of this approach, including many Public Responsibility and Shared Responsibility advocates, observe that since 1985 a number of state and local governments have studied prison privatization, but few have approved it (Chi, p. 75). Many question the profit motive as a reliable goal for a corrections system, which they argue should focus rather on public safety, rehabilitation, and crime prevention. They also question the private sector's untested and long-term claims for profitability, pointing out that several states have backed out of plans to privatize their prisons.

For example, in Tennessee in 1985 the Corrections Corporation of America proposed to take over the whole state correctional system, doubling existing prison space in less than 5 years and managing 4,500 employees. “After a few months of heated debates, the Legislature rejected the takeover bid primarily for philosophical and political reasons” (Chi, p. 72).

Similarly, in 1986 the Pennsylvania Legislature imposed a moratorium on the operation of private prisons (Chi, p. 75). That same year the American Bar Association called for such a moratorium “until

the complex constitutional, statutory and contractual issues” are resolved.

These issues include the following:

- Accountability (holding private providers to acceptable correctional standards)
- Constitutionality (complying with prohibitions against incurring long-term debt without working through state building authorities)
- Values (making sure private providers reflect the values and priorities of society as a whole)

According to critics, prison reform is necessary, but turning prisons over to the private sector is not the solution.

### Private Protection by Uniformed Off-duty Police

Few people would suggest that we privatize police departments throughout Oregon. Advocates of privatization do suggest, however, that the private sector employ off-duty police to provide additional protection from escalating crime. Since the people's need for safety dovetails with officers' need for extra income, they argue, this is a mutually beneficial solution for both consumers and providers of protection. Individual Responsibility advocates would support this line of reasoning.

“In many departments the number of off-duty uniformed officers performing police duties exceeds by a substantial number those officially on duty.”

Hiring off-duty police has become a popular way to increase security in some communities. Contracts can be brokered by individual police departments, as they are in Boston; unions, as they are in Seattle; or the police officers themselves, as they are in a number of cities, including Atlanta, Cincinnati, and Minneapolis.

To allow off-duty uniformed police to be hired by the private sector, however, cities must break away from traditional prohibitions against “moonlighting” tied to 19th century assumptions that police officers should be available around the clock to enforce the law. Even today, “this doctrine remains a cornerstone of American policing” (National Institute of Justice, p. 5). For example, police in Portland are prohibited from contracting out their services when they are off duty. When Portland merchants want to hire off-duty police, they must turn to outlying communities where such prohibitions have been lifted. Privatization advocates would object to this interference with the laws of supply and demand and point to the scores of other cities throughout the country where such employment has become common.

In 1984, for example, the Oakland, California police department dealt with fear of crime in the central business district “by securing private funding in support of additional foot, mounted, dirtbike,

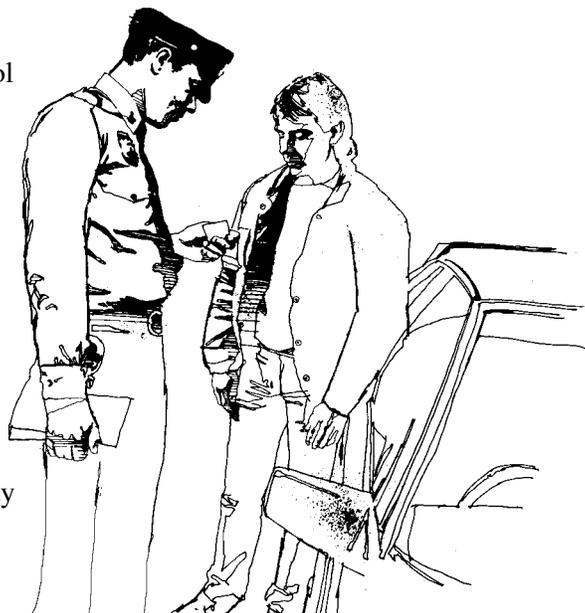
and Cushman vehicle patrol to augment its police forces in the central district” (National Institute of Justice, p. iv). Private organizations in Boston also have used augmented foot patrol to curb crime.

It is hard to measure the success of these ventures, given the difficulty of attributing decreases in crime to uniformed off-duty police rather than to the on-duty police in the same area. Private agencies that employ these officers, however, are sufficiently satisfied with the results to continue the practice. In fact, in many departments the number of off-duty uniformed officers performing police duties exceeds “by a substantial number those officially on duty” (National Institute of Justice, p. 3).

What this tells advocates of privatization is that there is a tremendous demand for these services. The officers that provide them show how effective the private sector is at meeting one of society’s most pressing needs.

### **Objections to privatizing off-duty police**

Critics of hiring uniformed off-duty police point out that there is widespread traditional skepticism about the wisdom of this idea. This criticism comes from police forces that want to make sure their



officers are rested, uninjured, and prepared for their normal duties, and from citizens who view such “moonlighting” as unwise.

These critics worry about the lack of professional supervision when police are contracted out to private companies. In Cincinnati, for example, “despite the intention of division administrators to supervise all officers on off-duty employment, each administrator interviewed reported that officers on extra duty normally went unsupervised because of insufficient personnel” (National Institute of Justice, p. 31).

Public Responsibility advocates also might point to potential conflicts of interest between the public government responsible for these officers and the private employer contracting for their services: “Much of the traditional emphasis

on prohibitions against employment of off-duty officers arose from the strong belief that officers cannot enforce the law impartially when they serve a private rather than a public interest” (National Institute of Justice, p. 19).

Opponents of this practice also argue that it could confuse the public and undermine confidence in uniformed police. Where the number of off-duty officers met or exceeded the number of regular police, citizens could never be sure whether the officer they turned to was on or off duty. If off-duty police want to “moonlight” by providing security, say these critics,

they should do it dressed as security guards or some other private providers of protection, unless the operation (e.g., crowd control at parades or football games) contains all the normal components of oversight and focuses on the public good.

### **Social Services for Offenders and Potential Offenders**

**P**ublic Responsibility advocates are likely to look toward the public sector for programs that can divert potential criminals toward productive lives and, failing that, maintain prisons where criminals can be both rehabilitated and restrained.

Public Responsibility advocates argue that early intervention to diminish child abuse, drug abuse, poor nutrition, disease, or gang activity pays for itself by keeping children from embarking down a criminal path. Every dollar spent in a Head Start Program, they argue, prevents scores of dollars from being needed to apprehend, convict, and incarcerate criminals.

But the government’s vigilance shouldn’t end with preschool, they argue. Nothing but an active determination to track developing citizens throughout childhood and intervene when they go astray will succeed in making Oregon as safe as it should

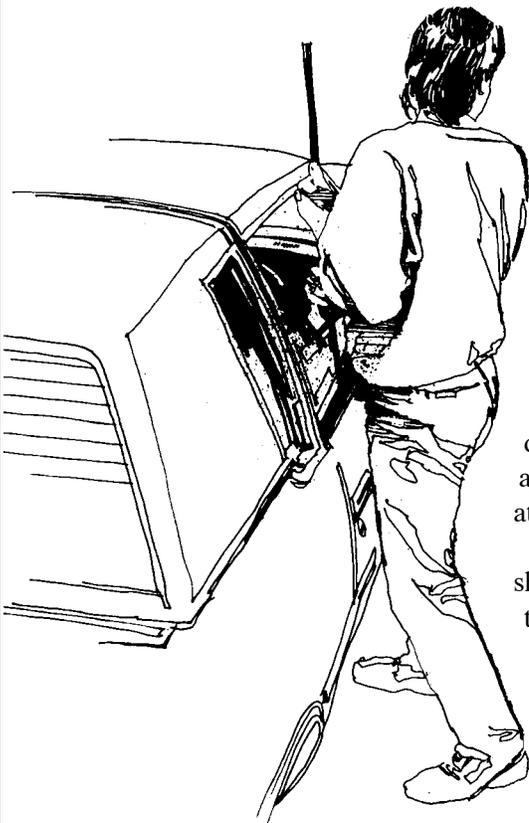
be. Once citizens reach adulthood, the government still has a responsibility to help them find employment and housing so they will not feel desperate enough to commit a crime.

According to this perspective, both prisons and law enforcement should be viewed within a larger context that produces criminals as a by-product of modern life. To produce fewer criminals, argue these advocates, we must assure all citizens of the educational and economic opportunities that make criminal activity seem like a poor choice.

Despite governmental efforts to prevent crime, admit these advocates, there still will be criminals, because there always have been criminals. Public Responsibility advocates therefore do not consider themselves utopians. They see the need for both police and prisons but defend the present public police forces and public prisons as appropriate mechanisms for apprehending and incarcerating criminals.

To them, the function of government under such circumstances is to make sure that justice is done. In practical terms, this means that police forces should be well trained and accessible to all segments of the population, and prisons should be managed in such a way as to rehabilitate as well as restrain criminals.

The bottom line for many Public Responsibility advocates is that solving the problem of crime



“Every dollar spent in a Head Start Program prevents scores of dollars from being needed to apprehend, convict, and incarcerate criminals.”

requires cooperation rather than competition, because “the pursuit of happiness” rather than profit is the goal. From this perspective, crime is embedded in a complex web of relationships involving families, schools, economic opportunities, and the community as a whole. Any solution that focuses narrowly on how to patrol the streets or when to build more prisons is inadequate, because it fails to take into account this complex web.

For example, when the city of Portland developed a problem with drunken, disorderly conduct in Old Town, it not only restricted access to fortified wines and malt liquors, it also consulted professionals in alcohol abuse about the relative value of treatment as opposed to punitive sanctions. Furthermore, it conducted public hearings to allow both residents and merchants of Old Town to express their views.

Through a combination of voluntary restrictions by sellers and licensing restrictions by the city, Portland continues to address this problem. In 1993 the Mayor’s Office issued a news release that announced a plan to work with the State Legislature “on legislation for more local control over the liquor licensing process.” Thus Portland has coordinated the efforts of citizens, merchants, police, licensing bureaus, alcohol abuse counsellors, city councillors, and state legislators to deal with alcohol-related street crime. Shared Responsibility

advocates would be especially enthusiastic about these efforts.

Advocates of the Public Responsibility perspective are quick to admit that not all programs are effective, not all cooperative endeavors successful, not all interventions justified. The responsibility of government, however, is to amend rather than abandon these efforts. By holding appointed and elected officials accountable for their decisions, the people indicate which programs should be expanded, contracted, initiated, or abolished.

Public Responsibility advocates point out that according to the U.S. Supreme Court, “The genius of our government provides that, within the sphere of constitutional action, the people—acting not through the courts but through their elected legislative representatives—have the power to determine, as conditions demand, what services and functions the public welfare requires” (Heilman, p. 18). Public Responsibility advocates trust in the electoral and legislative processes to produce policies and actions that reflect the will of the people and cope with crime in the best interests of all. These advocates acknowledge that, disappointed by government’s inability to effectively combat crime, the public often becomes distrustful of leaders and critical of waste. They nevertheless argue that the solution is more effective, rather than less, government.

### **Objections to a social services approach to public safety**

Critics of this global approach to public safety see it as futile. They criticize this approach for linking every simple problem to a host of other (usually insoluble) problems, as if to build a bridge it were necessary first to study the path of the river below it and all its tributaries.

This endlessly regressive process is not only chaotic, but expensive. If every problem requires a network of solutions, they argue, nothing will ever get done until everything gets done. In a world of finite resources, this procedure is unrealistic. It shows just how much “big government” has become synonymous with “ineffective government.”

An Individual Responsibility advocate would argue that if downtown Portland has a problem with drinking and disorderly conduct, downtown merchants should contract with off-duty police from surrounding communities to help arrest the offenders. If there is inadequate jail space to incarcerate the guilty, then the opportunity exists for an entrepreneur to build a prison facility in a lease-purchase agreement with the city and county. Inmates could work to offset some of the costs of their detention. By focusing on the specific problem at hand, argue Individual Responsibility advocates, the people of Portland can have the problem solved



“Throughout Oregon and the United States, people are developing partnerships between neighborhood organizations, businesses, and local police to reduce crime.”

long before the City Council or the State Legislature gets around to acting.

### Community Policing

Throughout Oregon and the United States, people are developing partnerships between neighborhood organizations, businesses, and local police to reduce crime. They call these partnerships “community policing” programs.

These programs focus on goals common to all parties in the public-private partnership. The key to success, advocates argue, is the ability to balance the “economic requirements of efficiency” with the “political requirements of accountability” (Heilman, p. 31).

The private sector is superior at operating efficiently, because it is accustomed to competition and “less subject to regulatory intrusion” (Heilman, p. 30). The public sector is superior at developing public policy that reflects the will of the people and is accountable to them. According to Shared Responsibility advocates, a public/private partnership that “engages and meshes these two different dynamics to capitalize on the positive aspects of each” (Heilman, pp. 30–31) is superior to both the paternalism of the Public

Responsibility perspective and the market orientation of the Individual Responsibility perspective.

In the case of Portland’s problem with drunken, disorderly conduct in Old Town, for example, the solution has involved community policing in a partnership between local neighborhoods, liquor licensing agencies, professionals who treat alcohol abuse, merchants who sell alcohol and hire off-duty public police officers from surrounding communities, city officials who conduct hearings to allow residents and merchants to express their views, and state legislators who work to give local governments greater control over liquor licensing. Thus Portland has coordinated the efforts of citizens, merchants, police, licensing bureaus, alcohol abuse counsellors, city councillors, and state legislators to deal with alcohol-related street crime.

As Oregon works to solve its crime problem, advocates of the Shared Responsibility perspective will look for more and more effective ways to create partnerships among citizens, businesses, and the public entities that express the will of the people and are answerable to them.

### Objections to community policing

Some critics of the Shared Responsibility approach to public safety see it as an unwieldy hybrid of Individual Responsibility and Public Responsibility perspectives. To them, it shares with the Individual Responsibility approach a naive belief that the private sector will act in the public interest, and it shares with the Public Responsibility approach a futile desire to solve problems by creating expensive programs.

An Individual Responsibility advocate also would argue that in the case of Portland’s problem with drunken and disorderly conduct, the array of participants in the partnership complicates the situation and gets in the way of an efficient solution. A Public Responsibility advocate, on the other hand, might argue that inviting sellers of alcohol to participate in a plan to restrict access to fortified malt liquors is like asking a broker not to sell bonds, or an architect not to design buildings.

It’s the government’s responsibility, they would argue, to revoke licenses that are abused and to enforce statutes against disorderly conduct, even as the government seeks help for substance abusers and alternatives to homelessness. From this perspective, public/private partnerships are likely to sacrifice the public to the private.

# Conclusion

In a democracy, the danger is not that people will disagree. After all, people *always* disagree. Rather, the danger is that citizens will become so disenchanted with their leaders, their government, or each other, that they lose interest in trying to improve their world. The real danger is that they will abdicate the responsibilities of citizenship itself until their skills at decision making atrophy and they become the “perpetual children” Alexis de Toqueville warned about.

To combat that danger, Oregon needs an informed electorate capable of making good choices. The three perspectives outlined in this pamphlet, and their applications to education and public safety, can help us appreciate more fully both our own opinions and the opinions of others.

Thus equipped, we should be able to work more effectively to help Oregon develop the best possible government for its citizens.

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