

# **THE OKLAHOMA COUNTY COMMISSIONER SCANDAL: REVIEW, REFORM, AND THE COUNTY LOBBY**

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This article reviews the findings of an extended study of Oklahoma's county commissioner scandal (Okscam). A basic finding is that institutional weaknesses allowed county commissioners to operate with a combination of resources and discretion that invited abuse. Second, reforms definitely improved the system but left in place much of the traditional system of county road building, a system one observer described as "road districtitis." Third, the growing strength of the county lobby in support of county government poses a potential long term threat to the persistence of the reforms enacted in reaction to Okscam.

**This article** is a part of a larger study of the Oklahoma county commissioner scandal (Okscam) of the early 1980s (Holloway with Meyers, forthcoming). Here we shall focus on highlights of the summary findings, some of the reforms instituted, and on the county lobby that matters much in the future of those reforms. Theoretically speaking, Daniel Elazar's concept of agrarian populism, which he himself applied to Oklahoma, proved to be quite fruitful in explaining major features of the state's politics (Elazar, 1991).

## **SUMMARY FINDINGS**

The basic framework used to analyze Okscam encompassed political culture, institutions, and personnel. In the course of the inquiry we reached a number of conclusions. One was that Okscam was not chiefly a product of a culture of corruption handed down from the past, although the state's colorful past held plenty of scandal. Second, it was not a product of a corrupt culture in the present, although scandals continued to erupt all through the 1980s and beyond. In comparisons drawn with

others, the state seemed mostly average and not much better--or worse--than most. Then in the tests applied to check on the willingness to break the rules, the people upheld virtue and rejected wrongdoing. A rather small minority of perhaps 15 to 20 percent may be willing to undertake wrongdoing without much worry about rationalizing already weak norms. But a group of this size is probably close to the national norm. They could not account in any event for Okscam. The corrupt culture thesis does not stand up.

Second in our framework were hypotheses about institutions. Mainly implicated in Okscam was a system of local government institutions with structural and political weaknesses that fostered corruption. The old Sandlin Report of 1958 was quite right in pointing to a "spawning ground" for corruption.<sup>1</sup> The system was such that it corrupted normally decent good ol' boys. They had money, discretion, and a largely friendly environment that protected them.

Other states have complex and fragmented systems of local government. What made Oklahoma's system especially liable to abuse was the heavy reliance upon county commissioners for local road building. Oklahoma Farm Bureau (OFB) spokesman Ken McFall claimed that Oklahoma stood out in its reliance on the counties for local road building and called it "road districtitis" (McFall, 1990).

But one further key point needs to be made in recapitulation. The heavy involvement of Oklahoma counties in road building, given the structure of county government and the politics of road districtitis, fostered institutional corruption. It also fostered rationalizations by which everyone could justify themselves, the process of norm neutralization as sociologists label it (Coleman, 1989; 211). The commissioners could see themselves as doing a good job of responding to constituents in a difficult situation that justified their own illegal deeds. And their constituents could also justify themselves. Constituents would not take "No!" for an answer but sought favors that were at times illegal. Constituents deserve some of the blame. As for personnel, the third element in our framework, the federal prosecutions cleaned out almost all of the corrupt people in office. There were a total of some 220 convictions that came out of Okscam and they touched 60 of the state's 77 counties. Any prosecution that achieves so many convictions in just a few years in one state has to be described as successful, indeed, spectacularly so. Having reviewed our Okscam findings briefly, the next

task is to describe the reforms. There was an obvious need for change but disagreement over how much change should occur.

#### **AFTER OKSCAM: SOME THINGS CHANGE AND SOME DO NOT**

Governor George Nigh responded to Okscam by appointing a 36 member Task Force in August of 1981 to study the situation and recommend reform. In addition, the governor called the legislature into special session to consider reform legislation. The legislature created its own joint committee to develop reform proposals.

The governor's Task Force submitted its report on November 23, 1981. At the outset in its "Statement of Purpose" the authors of the report reminded readers of the Sandlin Report of 1958 and the problems found in county government at that time. According to the authors of the 1981 Report,

The greatest deficiency in the administration of county government in Oklahoma is the segmentation of authority which results from the unchecked autonomy of the commissioner. Though required by state law to function as a three member board, county commissioners have historically operated individually, with only the most superficial compliance with statutes requiring collective action. As a consequence, accountability is virtually totally absent in our counties' government. (Task Force, 1981:4).

These were harsh words directed against a splintered system of government, not just against bad people.

Having identified the major problems as segmentation of authority and the virtually total lack of accountability, the Task Force then entertained possible reforms. The authors admitted the "importance of district representation in the election process." Nonetheless, the Task Force authors pointed to the possible benefits of countywide election and to an expansion of the number of commissioners beyond three. Yet another proposed reform would have furthered professionalism by creating three full-time county officers in the areas of administration, highways, and purchasing. Still another proposal would have consolidated the elected offices of county treasurer and county assessor and abolished altogether the offices of county surveyor, county superintendent of schools, and county court clerk.

These reform proposals were potentially far-reaching. They would indeed have drastically altered the structure of county government. The number of commissioners would increase and their election countywide would alter their constituencies fundamentally. Commissioners could no longer cater only to their own specific districts. Control, supervision, and accountability were to be additionally strengthened by the abolition of several elective offices. The creation of the office of county administrator was designed to take politics out of the county's administrative operation. The function of purchasing agent would be separated from the authority of the commissioners. The commissioners' total control over the county road program would also be broken up by the creation of the office of county road superintendent. Road districtitis as traditionally practiced would hardly be possible. As we might expect, there was criticism of the Task Force Report.

One critic was Phillip M. Simpson, Professor of Political Science at Cameron University. Simpson charged that the Task Force had no budget or subpoena powers, its deliberation time was short, most witnesses were from government, academic input was "woefully inadequate," and the Task Force "did not have the time nor the inclination to call out-of-state witnesses." Reformer Simpson was quite critical of the Task Force Report and procedures. Still, the Task Force Report did propose reforms that would have radically altered Oklahoma county government.

Quite different criticism arose from county officials. Their criticisms differed sharply from those of Simpson. Above all, they saw that election of commissioners countywide and the creation of a county road superintendent would enormously alter the county commissioners' relationships with constituents. The county lobby therefore strenuously opposed these reform ideas. As reformer Simpson later wrote about this period, "The county lobby was aggressively working the legislature against change while most average people were silent.... genuine reform bills failed one by one, as the forces opposed to county reform successfully mobilized and pro-reform forces fizzled". (Task Force, 1981: 31) The county lobby was a potent force to be reckoned with.

Governor Nigh, an experienced and popular politician, had never been known as a reformer willing to take on entrenched interests. Nigh did not openly disavow the work of the Task Force. Instead, he proposed his own plan for the reform of county government. His plan drew

partially from the recommendations of the task force and partially from the work of a joint legislative committee. The governor shied away from proposing major changes. Instead, he laid down a series of incremental reforms:

1. Creating a county purchasing officer.
2. Requiring the counties to use the state's central purchasing system for large items such as bulldozers, etc.
3. Requiring all county officers to participate in county government training programs.
4. Reducing the maximum allowable limits for the purchase of items without advertising for bids.
5. Shifting the funding of the district attorney from the county budget to the state's budget.
6. Strengthening the state's grand jury system.

*(Daily Oklahoman, 1982:13)*

The reform package that became law closely resembled the governor's plan. And the changes made amounted to alterations in the procedures of local government rather than any restructuring. Certainly it left county commissioners in the business of building county roads.

Among further changes was the separation of the commissioners' roles as purchasing agents and as receiving agents. Furthermore, the commissioners lost their authority to lease/purchase heavy equipment and machines. This authority was replaced by expanding the state's central purchasing system to include these items and by requiring the counties to participate in it. These changes did modify importantly the purchasing practices which had been at the heart of Okscam malpractices.

Another modification was the provision for reapportionment of the commissioners' districts. They were still to be elected from the traditional districts within each county. But the districts were to be reapportioned after each federal census every 10 years, as they had not been in past. Additional reform legislation sought to strengthen local and state level checks. There was to be full state funding of the local district attorneys, with the intent of insulating this office from the budgetary influence of the county commissioners. Another law strengthened the power of the Oklahoma Attorney General to investigate and prosecute violations of the law by local officials.<sup>2</sup> And there was a strengthening of requirements for local record keeping. The inadequacies of local

record keeping had been one of the persistent complaints of state officials.

To enhance the professionalism of county officeholders they were urged to retain the services of an engineer and to formulate long range plans. Professionalism was further enhanced with the establishment of an education center and the requirement for county officials to participate in annual training seminars. In addition, the office of county surveyor was abolished. This last was a step in the right direction but was in itself a minor step. Eventually the county superintendent of schools was to be phased out but not completely so until 1993. Abolition of the surveyor and the school superintendent together reduced the row officers from eight to six.

One further law enforcement reform was the enhancement of the powers of local officials to create multicounty grand juries. The lack of this power had severely hampered local prosecution. All evidence had to be from within the county. Removal of this constraint had considerable potential for the long run. Enacting the reform enabled multicounty grand juries to function and by the late 1980s this reform was being used effectively (*Norman Transcript*, 1990).

Thus the defenders of the governor's program could compose a lengthy and detailed list of the various changes in local government finally adopted or under way that seemed impressive.

But the critics could blast these reforms as little enough and as leaving much of the bad old system in place. The number of commissioners remained at three and they were still elected from their separate districts within the county. In principle they were supposed to serve the county at large but in practice they retained their district constituencies. Road funds remained free from line item budget control and were still under the control of the commissioners, in spite of the strengthening of the powers of the Oklahoma Department of Transportation. In the end, commissioners retained much of their discretion over the road and bridge programs within the counties. Thus the basic electoral system, with much fragmentation of authority, remained in place. These reforms fell far short of what the reformers sought. What OFB spokesman Ken McFall referred to as "road districtitis" essentially remained in place in an inefficient, highly politicized system.

Resistance to the reforms became manifest not long after they went into effect. An example of this pressure and its success on a small scale

occurred in the 1990 legislative session. The governor vetoed a bill that changed somewhat the way county commissioners could buy equipment. In his veto message Governor Henry Bellmon stated that, "I am opposed to any relaxation of controls on county purchases of equipment. The 1980s should have taught the state a bitter lesson we don't need to learn again" (*Daily Oklahoman*, 1990: 9). But the legislature overrode the governor's veto. Thus, as the decade of the 1980s closed, there was a movement under way to erode the reforms instituted.

Further perspective on the limitations of the Oklahoma reforms may be gleaned from a comparison with an Okscam-like experience in Mississippi. They had their own equivalent of Okscam during the mid 1980s (*Daily Oklahoman*, 1988). In this case the local officials involved were called supervisors but resembled Oklahoma county commissioners. There were roughly 50 convictions, an impressive number but far below Okscam's 220. Yet with a much smaller number of convictions this rural Southern state instituted large scale reform. For one, the scandal helped put a new man in the governor's chair. Second, there was a striking change in local government. The governor and legislature mandated some reforms. And the voters themselves in the fall of 1988 voted in 48 of the 82 counties to reform local government road operations by ditching the old district system and replacing it with a form of county manager government (*Daily Oklahoman*, 1988). For the counties thus altered, the change went far beyond anything done in Oklahoma.

Confirmation of this contrast may be found in the words of Oklahoma's own Okscam prosecutor, William S. Price. Thus Price was quoted in this same news story as observing that, "A state like Mississippi, that is very rural, they are light years ahead of us." This rural and Southern state, with far fewer convictions of local officials than Oklahoma had known, had pretty drastically reformed over half of its counties. The contrast does not speak well for the Sooner state. Mississippians seemed much more willing to change than Oklahomans.<sup>4</sup>

Were the Oklahoma reforms worthless or did they make a real difference? In the study's findings above we argued that the fundamental weakness in the prereform system was a fragmented pattern of county government in which the county commissioners received an uneven but substantial supply of state money for county roads that they could spend with virtually complete discretion. And in doing so both commissioners and constituents could see themselves as good citizens.

Yet, in spite of their limitations, the reforms did make a difference in the state's culture, institutions, and personnel. As for the personnel, most of the corrupt personnel were caught and convicted. This in itself was a far-reaching improvement, although it was federal officials who deserve credit for it.

As for culture and institutions, they too changed importantly. Thus as regards culture and public opinion, the scandal was a wrenching experience for the state and it seemed to alter public attitudes. There did not seem to be much inclination to go back to the old free-wheeling ways. Finally, there was significant institutional reform, even though as we have also shown above the basic structure of road districtitis remained in place. Still, as we have also shown, the reforms instituted did leave county commissioners with considerably less unfettered discretion than they had enjoyed in the past. These institutional modifications coupled with altered public and official attitudes made a real difference, even if less than reformers wanted, or less than states like Mississippi accomplished.<sup>5</sup> Perhaps the best way to make the point is to cite again the old Sandlin Report of 1958 with its damning charge that county government was a "spawning ground" for corruption. A similar inquiry carried out 30 years later in 1988 would not, we believe, reach such harsh conclusions. There would be plenty to criticize but not the "spawning ground" for corruption that then prevailed.

For the short run, at least, Oklahoma had improved quite a bit. As for the long term, much depended upon the county lobby and what it wanted. A close look at the county lobby is in order.

### **THE COUNTY LOBBY: AGRARIAN POPULISM RENEWED**

Our assessment of the county lobby includes some history and an account of its values and its preference for decentralized government.

As we noted above the leading authority on state political cultures, Daniel Elazar, characterized Oklahoma as an agrarian populist state. We would extend Elazar's perceptive statement to argue that this same agrarian populism has reinforced tendencies toward decentralization and fragmentation all through state and local government. What OFB writer Kenneth McFall calls road districtitis is part of a larger whole of fragmented government from top to bottom. Then there is former



Governor Johnston Murray's account of the "mess" in Oklahoma, a mess he ascribed both to corruption and to the many poor counties that threw their burdens on the state (Murray and Dewlen, 1955). Each if these writers in one way or another invokes agrarian populism. Okscam-induced reforms largely did away with the corruption that Murray condemned. But the culture of agrarian populism has remained. Indeed we believe that, in the form of what we call the county lobby, it is has prospered and grown over the years. And it is this culture and its influence upon the system that we believe poses a potential long term threat to the reforms Okscam brought.

One place to start in assessing the county lobby is with comparisons between periods or eras like the 1950s and the 1980s. The comparison begins with the political agenda of each, and the allocation of resources to education, one of the state's most essential functions. When we look back to the pre-Okscam days we find that Governor Johnston Murray, in his parting remarks to the state, frankly advocated county consolidation and a reduction of the power of county commissioners. Governor J. Howard Edmondson, elected in 1958, made reform of county government one of his basic themes. Among his reforms he actually proposed to take road money away from the county commissioners and to channel it through the state's Department of Transportation. As for education, historian Arrell Morgan Gibson cited a National Education Association study of 1964 that found counties in Oklahoma provided 69 percent of school funding while the state provided a modest 31 percent (Gibson, 1981: 255). During this same era reapportionment of the legislature was a big issue, with the federal courts in 1964 forcing a resistant state to reapportion in spite of itself. In sum, the 1950s and 1960's were a time when the urban-rural split was in the air, leaders like Murray and Edmondson openly tried to curb the power of local officials, and Oklahoma's counties provided most of the money to support education.

Roughly two decades later in the 1980s both the political agenda and the urban-rural allocation of resources were quite different. Education was, as usual, a vital issue and perhaps more so because it was widely seen as essential to economic development and relief from the state's prolonged recession. But, by this time the allocation of education resources from the state and county funds was almost exactly reversed. County support amounted to only 30 percent and state support was

somewhat above 60 percent.<sup>6</sup> No one advocated consolidation of counties anymore, nor did state leaders openly try to curb the powers of county officials.<sup>7</sup>

County consolidation had faded as an issue but school consolidation did arise on the state agenda. The state had over 600 school districts in the late 1980s. This was far higher than most states with a similar population. Each district had its own administrators, teachers, staff and students. School district consolidation is obviously less drastic than county consolidation. School consolidation became a lively issue in the early 1990s in part because of a major school reform and tax increase passed in 1990. It seemed unlikely that many of the small rural school districts could meet the goals of education reform without consolidation to improve the teaching of subjects such as science and foreign languages. And a small number of districts did consolidate but much resistance persisted. A kind of school district equivalent of road districtitis persisted.<sup>8</sup> At any rate county consolidation was not on the agenda and even school consolidation was quite contentious and threatening to rural interests.

The property tax persisted as a bone of contention between urban and rural interests. Johnston Murray had complained long ago that many of the counties kept their taxes low and turned to the state for aid. This same issue figured in a legislative battle in 1991 between urban and rural interests. Representative Ed Crocker, a Democrat from the city of Norman, contended that property in rural areas was undervalued so that property owners paid less taxes than their urban counterparts. According to this story Crocker claimed that, "Metropolitan and suburban areas have been subsidizing" the rural areas, particularly when it comes to state aid (*Daily Oklahoman*, 1991:21). Tulsa Representative Russ Roach, also a Democrat, seconded Crocker in contending "that rural counties don't have tax money for their schools because of low property assessments." Roach claimed that in his home city of Tulsa "We are in compliance (with the state law) and we pay our share." In this case the House rejected the relaxing of standards that rural interests sought but the battle went on. These comments by urban legislators reflected unhappiness with the success rural interests had enjoyed since the 1960s in transferring much of the burden of school financing to the state and the state's cities. The county lobby had been quite successful over the years even if it lost some battles.

Up to this point we have marshalled evidence for the growing vigor of this agrarian populist tradition over time. Its core values are our next subject. Basic values include opposition to elitism and the concentration of resources. The preference is for the decentralization and dispersion rather than concentration. One perceptive observer of the state, Alan Ehrenhalt, spelled out the nature of this influence in the state's higher education system as of the 1980s. What he found was a relatively poor state with a conservative tradition of opposition to higher taxes combined with a pattern of some 27 institutions of higher education.<sup>9</sup> Yet, with all this higher education there was no outstanding university like the University of Texas in Austin. Fully twelve of Oklahoma's 27 institutions were four-year schools. Ehrenhalt then contrasted Oklahoma with Iowa, which had a population about the same as Oklahoma's, but which had just three four year colleges. Florida with some 12 million people had only nine. The University of Oklahoma, Ehrenhalt further noted, could compete in football with Texas and other major schools, but was not really competitive academically. The state had limited resources to begin with and dispersed what it had in a multitude of institutions, none of which could be really outstanding. In effect the state provided access but not the focused resources necessary for excellence in one or a few institutions.<sup>10</sup>

In this agrarian populist tradition, decentralization and access mattered more than concentration and excellence. The popular former Governor George Nigh, the only governor to serve two consecutive terms in office, expressed this set of values pretty well. In his words, "If you don't do things for everybody, you don't do them for anybody." He continued in this vein by invoking words from his wife, who was said to believe that "It can't be right for all of us until it's right for each of us."<sup>11</sup> This same story reported that Nigh defended a rehabilitation center built outside the major urban centers that came under fire as not fully utilized. Nigh's response was clear: "I hope it never is full." Access mattered above all and cost was not a controlling factor. Nigh we may recall was the political leader whose Okscam reform ideas heavily shaped the final legislative product. Nigh always took pride in the lack of scandal in his two terms of office but he was one well tuned to the state's rural populist interests.

The best documentation of this agrarian populist tendency to decentralize and fragment government is contained in the treatment of

Oklahoma politics by David R. Morgan and his collaborators. This book, published in 1991, is the best single account of Oklahoma government, politics, and policies. We have just noted above in Ehrenhalt's analysis of higher education that the state has a multitude of colleges and universities. And there are many boards of regents to govern them. According to Morgan, there were some seventeen governing boards in addition to the board of Higher Regents that was supposed to be over all of them. Nor should we forget, as we note this decentralization of higher education, that the state has a huge number of common education districts and a substantial vocational-education system, as well. The state's education system is highly decentralized and dispersed from top to bottom.

Similarly for the major fields of highways, welfare, and health, Morgan and company found that, "Each of these agencies has its own board or commission with the power to appoint a chief administrative officer" (Morgan, et. al, 1991: 110). But that was only the beginning. As the Morgan text continues,

In all, Oklahoma has 31 constitutionally created executive branch agencies, boards, and commissions. In addition, about 230 separate boards, commissions, trusts, committees, and advisory councils (including higher education) can be identified, depending upon what one counts .... Still, it is no wonder various experts have long complained that the executive branch of Oklahoma government is a 'many splintered thing.'

The very structure of the state's government is decentralized and dispersed to an extraordinary degree. This splintering of county government thus may be seen as an extension of a pattern that runs all through state and local government. Government as a 'many splintered thing' reflected the values of the prevailing agrarian populist political culture. Access mattered more than excellence and efficiency.

In this light it is not surprising to find that this splintering and decentralization carried over *within* functions and agencies. An example arose in a clash between the governor, David Walters, a Democrat elected in 1990 to succeed Republican Henry Bellmon, and the Democratic legislature. Walters proposed some law enforcement consolidation. A newspaper report described it as follows: "Walters proposed consolidating state law enforcement agencies, apparently not realizing

how some legislators would react -- particularly those from rural areas, one lawmaker said." As the story added, "Rural people are always concerned about that kind of proposal because they don't want to lose any law enforcement in rural areas ...." (*Sunday Oklahoman*, 1991: 10A). The rural interests that dominated the legislature favored decentralization and access. Again, there is the characteristic opposition to consolidation.

Oddly enough, these values of access and decentralization have been combined with an expansive welfare state, albeit one that favors local government. The liberal editor of *The Oklahoma Observer*, Frosty Troy, brought these characteristics to light nicely in addressing what he described as the "glut of government" in the early days of the 1991 legislature. Troy's essay of 1991 effectively updated and extended the agrarian populist perspective noted by Daniel Elazar and others.

Thus, Troy cited the remarkable growth in state government, including the welfare department, during the 1980s. Specifically Troy claimed that Oklahoma ranked eleventh nationally in terms of public employees per 100,000 population. As for welfare, Troy stated that, "The state's welfare agency, burgeoning under more than 13,000 employees, ranks fourth nationally in size." Oklahoma obviously had an outstanding welfare state of its own. These developments led Troy to a telling contrast between Oklahoma and other oil states: "Oklahoma bucked the oil patch trend by actually increasing the size of state government during a recession, while other oil states had employee layoffs and reductions in programs" (Troy, 1991: 1). Thus Oklahoma stood out even among the "oil patch" states in its willingness to expand government during a recession, at a time when other oil states were cutting back.

Nor did Troy see much chance for change, given the predominance of populist rural interests. He surmised that, "Things may get worse. With rural forces solidly in the saddle in a reorganized House of Representatives, it is likely that the push for 'decentralization' will continue." Rural forces were in control, were willing to continue previous policies, and would further decentralize. County government, Troy believed, would probably be the chief beneficiary: "County government remains the bumbling, corrupt, disorganized monster of Oklahoma politics, constantly coming to the Capitol for more money. The state has taken over the courts, district attorney system and local enterprises that were historically locally financed." As Troy portrayed

the system, rural interests dominated the state, were quite willing to expand government, including welfare, and would funnel the benefits chiefly to rural interests via county government. In Troy's eyes county government was a "bumbling, corrupt, and disorganized monster" but it was part of a system that dominated the state. Troy's words are intemperate, to say the least, but contain some truth. What Troy here describes is a system that joins an expansive government, heavy on welfare services, with decentralization gauged chiefly to rural interests operating through county government. The values of access and decentralization prevail. This pattern is one clearly in accord with agrarian populism. Nor should we forget that this scheme of things actually expanded during the 1980s as other oil states reduced government.

And it is county government that has mostly benefited. Officially the county was simply an administrative arm of the state but unofficially it was part of a complex of values, institutions, and people that has had pervasive influence throughout.

One further key feature of this remarkable pattern is the tie-in between local government and the legislature in supporting this decentralized access. It has been described briefly but trenchantly by one insider, Alexander Holmes, who served as finance director from 1987 to 1991 under Governor Henry Bellmon. Holmes was an University of Oklahoma economics professor both before and after his service as budget director. Holmes therefore combines the perspective of the academic observer and the insider to an unusual degree. *Tulsa World* editor Ken Neal interviewed him in 1992 after Holmes had left office.

In Neal's interview with Holmes, the latter described a surprising centralization of state legislative leadership: "Oklahoma has evolved a centralized structure. We fund county functions out of the state treasury basically because we recognize that if we force local governments to rely on local funds, we would end up with pockets of wretched service (Neal, interview with Holmes 1992: D2). And, Holmes added, not doing so would probably result in migration from country to the city and strains on the latter.

The centralized structure referred to by Holmes essentially centered on Democratic Party leadership in the legislature. It was this centralized party legislative leadership that led the way in expanding government and in channeling benefits to local government, especially counties. Legislative leaders and county officials were partners in offering decentralized

access. Agrarian populism centered in Democratic legislative leadership was indeed alive and well.

This state of affairs embodies Oklahoma's form of agrarian populism. The government is highly decentralized and access to it by all, in contrast to an elitist concentration in high quality services, widely practiced. What is available is dispersed rather than concentrated. Less expected are two key features, the expansive welfare state with its ability to continue expanding even in a recession and, second, the concentration of power in the Democratic legislative leadership.

### CONCLUSIONS

This is agrarian populism with a twist. A curious mix of centralization and decentralization has prevailed basically to mobilize resources and disperse them chiefly to serve rural interests. Conservative Republican concerns have appeared to dominate major federal and state contests for office, particularly for president, senator, and for governor. But Democratic, populist, and agrarian concerns have dominated actual state policies and the decentralized governmental structure. In practice the small cities and counties have usually prevailed. The state seems to have a double personality. Conservative rhetoric abounds but when it comes down to it the state's policies serve agrarian populists. For that matter they are the kind of policies that many liberal Democrats nationally could easily applaud. Where does this leave us in assessing the county lobby and the prospects for the persistence of reforms in county government? In the first section of this chapter we reviewed Okscam and found the major flaw in institutional weaknesses that left county commissioners with money from the state flowing into their hands and much latitude in deciding how to spend it. The system also made it possible for those participating as both officials and constituents to cut corners and even to violate the law and yet excuse their villainy.

We traced the course of reform. We argued that reform made a real difference in what had been a pervasively corrupt system. But we also argued that much of the system of road districtitis was left in place. This last raised questions about the long term prospects for reform.

We can now see that the whole scheme of county government, road districtitis and all, is but part of a larger scheme of government pervaded by agrarian populist values from top to bottom. And it has actually grown

and become increasingly powerful since the 1950s, when former Governor Johnston Murray blasted it. Much of the corruption has been done away with but the counties have become stronger and ever more able to gain state support for their operations.

And this prospect does not speak well for the future of reform. The system left in place preserves the old county commissioner districts and the inefficient, highly political means of roadbuilding. Splintered government makes it difficult for the voters at large to control officials effectively. Constituents have access to individual commissioners to pester them to patch 'their' road and to seek favors for all manner of good causes. And in this decentralized system with access prized above all, commissioners have good reason to respond favorably. The result is not likely to be good roads built without fear or favor. Instead the result is likely to be the usual, a highly political local road system built in response to political pressures.

In the short run Okscam pretty well cleaned up what had been a pervasive pattern of corruption. But in the long run an erosion of reforms seemed all too likely if the state's agrarian populism and preference for splintered government continued to grow in strength.

## NOTES

1. See State Legislative Subcommittee on Purchasing Procedures of County Commissioners, Report to Judiciary Committee, November 13, 1958, Finding 17, p. 4. Senator Hugh Sandlin chaired the committee and its work is hereafter referred to simply as the Sandlin Report.

The committee heard many witnesses and compiled an impressive body of evidence that detailed a host of practices that were unethical and/or illegal. Federal officials in their prosecutions in the 1980s confirmed that the "spawning ground" for corruption had persisted over the years, in spite of the warnings in the Sandlin Report.

2. The actual power conferred by this law was not clear. The entries for the office of Attorney General in the 1984-85 edition of *The Book of the States* were the same as they were for the 1980-81 edition. On the other hand, the language in the law seemed clearly to grant this authority.

3. The change at issue would allow commissioners to trade in used equipment like graders when buying new equipment instead of having to auction off the used equipment as before.

4. We take this opportunity to thank reporter Beverly Pettigrew of Mississippi's *Jackson Daily News* for sending us in May of 1989 extensive news clippings on Mississippi's scandal and reform efforts.



5. One state official in the Oklahoma Department of Transportation who was interviewed in 1992 supplied significant detail. This official had experience both of the old corrupt system and of the post-Okscam reforms. He felt there had been quite a change. Attitudes among local officials were different, there was better record keeping, there was a paper trail and better auditing, and there was more accountability. It sounded as though much of the casual, informal, and somewhat sloppy practices of the past had, in the main, given way to more professional operations. This of course is impressionistic but highly significant testimony from a key player on the inside.

6. There was some dispute about the exact proportions, but there was little question but that the state share was far higher than the counties' share. Federal funds accounted for about 7 percent. See David R. Morgan, et al., *Oklahoma Politics*, p. 200.

7. There was discussion of revising the state constitution in the late 1980's. The idea of county consolidation was clearly rejected, in part because county officials showed up at meetings held to discuss revision and attacked consolidation. No one at this time seemed to be advocating it but local officials were out in force to attack it. See "County Mergers Unlikely to Constitution," *The Daily Oklahoman*, February 9, 1989, p. 9.

8. One fine journalistic account of the urban-rural clash over school consolidation is "Coming Together: School Consolidation Still Controversial", *The Sunday Oklahoman*, May 20, 1990, p. 1. At this time there were 604 districts, one of them with only 26 students. Champions of consolidation, such as Representative Carolyn Thompson of Norman, are quoted as anticipating a "flood" of consolidations with reform. On the other hand rural interests saw the local school as the "glue" which held the community together and which they did not want to give up.

An example of the persisting opposition to school consolidation is "Suggestion Has Consolidated Anger, Not Schools," *Tulsa World*, August 29, 1991, p. 1. In this article there is mention that state officials had graded some 200 of the state's school districts as not up to standard. This judgement was what had angered many local officials. At this point the state still had more than 580 districts. The task of upgrading education in all of these districts would be onerous indeed.

9. Alan Ehrenhalt, "'Higher Ed,' Sooner Style," *Governing*, Vol. 2, November 1988, p. 40.

One good analysis of the state's finances, including tax effort, see David R. Morgan, et al., *Oklahoma Politics* Chapter 10, "Financing Government in Oklahoma", pp. 155 ff. According to Morgan, Oklahoma ranked forty third in tax effort in the late 1980s (p. 157).

10. Another example of this populist opposition to elitism or excellence came up in the late 1980's with the attack by a rural representative on a proposed special science and math high school to be located in Oklahoma City. He charged that rural people would see this school as serving an "elite" and as draining good students away from country schools. See "Math-Science School Fighting Charges of Costly Elitism," *The Daily Oklahoman*, February 19, 1989, p. 1.

11. "George Nigh: Oklahoma's Best Former Governor," *The Journal Record*, April 20, 1991, p. 1. *The Journal Record* is an Oklahoma City daily devoted to business news.

Nigh probably represented some of the best of the state's good ol' boy politics and some of its weaknesses as well.

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