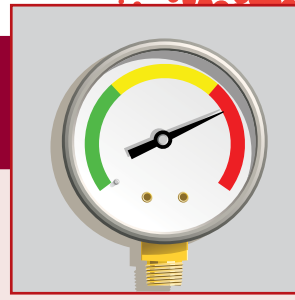


# States Under Stress

## Suspending Democracy in Michigan



Over the past few years, democracy has, if not ended, been temporarily suspended in at least nine Michigan municipalities and school districts. These local governments were all struggling financially and were effectively put into receivership by the state. The upshot was a shift in power from elected local leaders to an emergency manager appointed by the state.

Probably the best known of these emergency managers is Kevyn Orr, a Washington, D.C., lawyer appointed to run the day-to-day operations of the city of Detroit, which filed for bankruptcy in 2013. The state gave Orr fairly sweeping powers to try to solve Detroit's long-accumulating fiscal difficulties. This puts elected officials in a bit of an awkward position. Detroit mayor Mike Duggan and the Detroit city council were elected to deal with those problems, but Orr mostly calls the shots. And Orr works for the governor, not the voters of Detroit.

This perceived trampling of democratic rights can create big tensions between states and local governments that are, for all intents and purposes, being run by emergency managers. After all, what's the point of running for an elective office that brings little decision- or policymaking power? Why bother voting for a candidate who cannot follow through on his or her campaign promises? This sort of situation can breed not just tension between governments but also disillusionment and apathy about the democratic process among voters and elected officials. In the 2013 Detroit municipal elections, the then-incumbent mayor (Dave Bing) and five of the nine city council members did not even bother running, and only 25 percent of registered voters showed up to the polls.

These sorts of conflicts are not unique to Detroit. Pontiac, Michigan, strongly resisted a state takeover in 2009, and Flint, Michigan, elected a mayor in 2011 only to see that official quickly and effectively replaced by an emergency manager. The loss of local decision making isn't the only thing local officials resent. The specific job

that emergency managers are given is to get local government finances in order. That frequently means cutting budgets, eliminating jobs, reducing retirement benefits, and raising taxes. Not only are those decisions often unpopular, but they also can have an impact that will last long after the emergency manager has gone.

Despite the apparent affront to democracy, many residents of the governments being run by state overseers reluctantly admit that it was necessary. "I didn't like the idea of an emergency manager, but it's obvious things wouldn't correct themselves on their own," said Jenise Verde, 48, of Detroit.

To be successful, though, emergency managers have to negotiate a delicate balance of local concerns and the need to make tough decisions. Joyce Parker did two stints as an emergency manager for local governments in Michigan, in Ecorse in 2009 and Allen Park in 2012. She says communication is important, being upfront about the challenges and the role the emergency manager plays. Engaging the community is critical, and that includes elected officials, city workers, labor unions, and civic, business, and religious leaders.

Local elected officials do not have to be completely frozen out. While under Michigan law emergency managers have broad powers to act in place of the mayor and council, they can assign some responsibilities to elected officials if they so choose. In 2014, Duggan lobbied hard to get Orr—a former classmate at the University of Michigan law school—to let elected officials get back into the business of helping govern the city they were elected to run.

Judiciously sharing power, being transparent, and keeping an open-door policy can make things easier, but there really is no way to sugarcoat a lot of the decisions emergency managers are making in Michigan. In some cases they are trying to deal with fiscal problems decades in the making, and that unavoidably means painful decisions—so painful that they are not being put to a vote.