

NEW ENGLAND TOWN GOVERNMENT¹

By Moshe ben Asher, Ph.D.

Since the founding of New England towns nearly four centuries ago, many political scientists have commented on them. This examination of town government, as an empowered organizational model for urban social infrastructure, is a selective survey of those historical commentaries. For convenience and because of the availability of relevant literature, many examples are drawn from the history of Massachusetts. We begin with an overview of the origins and general characteristics of open town government, proceed to the viewpoints of Thomas Jefferson, Ralph Waldo Emerson, Tocqueville, and James Bryce, then to the municipal reformers of the early 1900s, and lastly, to modern political scientists.

In these historical perspectives there are shifting styles of political science: from a non-theoretical, action emphasis by Jefferson during the Revolutionary period, through the comparative methods of Tocqueville and Bryce during the nineteenth century, to the focus on public administration at the turn of the twentieth century. These styles and their exponents, not surprisingly, offer different conceptualizations and opinions about the meaning and importance of various issues related to town government.

Origins & Character

Open town meetings in New England are popular assemblies, with membership extended to every adult citizen for performing political functions directly and in person. They have more in common with *landsgemeinde* in Swiss cantons than other American towns and townships. The townships of the Middle Atlantic and North Central states were originally subdivisions of the states and possess far less extensive powers than New England towns. The former are the result of a land survey policy by the national government rather than indigenous growth. Many do not provide for township meetings. Where meetings are held their authority is not comparable to the New England model. Many are not directly democratic but representative.

While the lineage of New England towns has been traced to settlements in ancient "Germania," the form of political institutions in the colonies was due less to historical precedents than to local economic conditions, direct experience in public life, and the land system and church government that were expedient. In any event, the geography of

New England promoted coastal and river-based settlements of population clusters, and unlike colonies in the South where public authority was more centralized and monopolized by the upper class, in New England the control of public affairs was seized very early by the general citizenry.

The penchant for direct self-government must have stemmed in part from necessity. The 1620 Pilgrim landing in Massachusetts, outside the territory of the Virginia Company's grant, was accompanied by the Mayflower Compact. Its most politically salient feature was the group-initiated act to "covenant and combine . . . together into a civil Body Politic." The puritans, however, settled in Massachusetts in the late 1620s under a royal charter given to the Massachusetts Bay Company. The charter, although a commercial document, created civil government. Governance was by a quarterly General Court comprised of the governor, magistrates, and all freemen (company stockholders). The Plymouth and Massachusetts Bay colonies were combined in 1633. The following year the towns informally appointed deputies to attend the Court: they removed the governor, replaced him with one of their own choice, and passed legislation recognizing themselves and their successors as official town representatives to the Court, with all legislative powers.

The first Bay Colony towns were informal assemblies of freemen. The founding of Hadley, for example, was by informal agreement of 59 persons, a compact for self-government, based on their shared purposes and ideals. By the mid-1630s, however, the General Court of Massachusetts had enacted the first "organic law" to regulate the towns, in the main authorizing them to manage their own affairs. In less than a decade 20 Massachusetts towns received official recognition.

Becoming a resident of a seventeenth century town was not automatic. In Salem a town official was appointed to go from house to house checking to see if any strangers had "privily thrust themselves into the town." Least acceptable newcomers were those who might become a burden on the community. One point of view is that selection for admission cultivated uniformity; but an equally valid perspective is that screening was mainly religious and there was little interest in one's political philosophy.

At the outset, only members of the company—“freemen of the corporation”—were enfranchised. By the late 1640s, Massachusetts’ law gave all adult male inhabitants the right to attend, participate, and vote in town meetings, but a property qualification was introduced less than a decade later and remained in force until the early 1800s. Despite this limitation it is estimated that 75 to 80 percent of the adult townsmen had the franchise. Extension of the franchise can be partially understood by the necessity, compounded by the perilousness of early colonial life, to effectively enforce decisions about public affairs.

Formal Town Meetings

As evidenced by written records, formal town meetings began in the early 1630s. Attendance was compulsory and fines were levied for absences. At the close of the seventeenth century fewer than 60,000 people lived in Massachusetts, an average of less than 100 adult men per town. Meetings were first held weekly, then monthly, and by 1780, when the Commonwealth constitution was adopted, annually. As communities grew in size, meetings were less frequent and selectmen were picked to handle administrative matters during interim periods.

The practice of naming selectmen was an early development in town government. By the mid-1600s these offices consolidated diverse legal authority—to set and collect taxes, contract, convey property, initiate and defend suits, and regulate admissions and visits of non-residents. Yet both in theory and practice, every order required for its execution the *prior* approval of the town meeting. The difference in control of elected town officers, between Massachusetts and other, non-New England states, is that in the former, selectmen may plan roads and other public works and tax assessments for them, but neither the plans nor the assessments have any standing until the citizens “signify their satisfaction” in an open town meeting.

Each town selects an odd number of selectmen, usually three or five, but sometimes as many as nine or 11. The officeholders call annual and special meetings, enact laws, and generally supervise a broad range of town activities. Their powers also extend to appointment of other town officials. In many respects the viability of New England towns is due to the excellence of the selectmen system. There is virtually no evidence in the records of any serious encroachment by selectmen on the prerogatives of the town meeting.

Moderators chair town meetings. Elected for varying terms, the moderators possess the normal rights, obligations, and authority granted under

parliamentary procedure. The moderator in some cases has the power, in consultation with the selectmen, to recess the meeting for up to two weeks if citizens who wish to participate are being denied the opportunity for any reason.

The selectmen, on their authority or on the application of a specified number of citizens, issue a warrant that calls the town meeting. The warrant sets out the agenda to which the meeting is bound by law. Eligible citizens are “warned” to attend; whatever number is present, no matter how small, may proceed with business. Very little of this has changed in more than 350 years.

There are different opinions about the extent of controversy and debate in New England town meetings, even to date. One view is that town business was (and is) transacted by acclamation, the function of the meeting being to generate consensus rather than coercion. Support for the contrary argument is that there has always been a significant proportion of town meetings dominated by intense debate, not infrequently to the point of disorderly antagonism. Another criticism of town democracy is that the franchise is functionally empty because pressures for conformity produce “deference voting,” with the alleged mindless majority compliantly following the lead of their supposed social and economic betters. One may reasonably conclude on this issue that the towns have never been genuine oligarchies, with offices restricted to a narrow class or group. Whatever the degree of actual democracy, a recurring theme in the literature of town government is that the meeting process itself has the incidental but powerful effect of reducing social distance and alienation.

Virtually all observers agree that the continued vitality of New England governments is closely related to their exercise of functions and powers that elsewhere are the responsibilities of cities and counties. The General Court introduced county government in Massachusetts in the 1640s for limited purposes, mainly judicial administration. Modern counties in most New England states are more truly administrative districts than authentic local governments.

The General Court has had continuing power of regulation over town governments in Massachusetts. While the degree of intervention has varied over time, the central authority has operated continuously to minimize the potentially destructive impacts of excessive provincialism. It must be admitted, however, that in response to some forms of intervention, towns have been known to ignore laws that proved “inconvenient” for local purposes. This posture may have been a legacy of the towns’ role in sending deputies to state assemblies.

Development of the Towns

Historians differ in their opinions on the highest period of development for New England towns. They are credited with producing public opinion in the eighteenth century that was “hardy, stubborn, and independent,” so essential to the Revolution. Yet the early to mid-1800s are also marked as a period in which the towns flourished. The close of this period, the middle-1800s, was the onset of dramatic social and economic changes: industrialization and refinement of transportation and communications, population shifts, and the displacement of rural New England life. The most significant visible consequence for town government was that several of the larger towns became municipal corporations. In the face of growing needs for regional and statewide financing and coordination, the central governments stepped up their interventions in local affairs.

As early as 1826, each Massachusetts town was required to have a school committee, for which certain functions were spelled out. Much of the central regulation has been in response to the need for health, welfare, and education reforms, either in financing or service delivery. From 1792 to 1820 there was a fivefold increase in costs for poor relief in Massachusetts. The tallied number of “paupers” doubled between 1837 and 1847, a statistic that may indicate neglect or growing concern. As early as 1821 there was an attempt within the Massachusetts legislature to transfer all poor relief functions to the Commonwealth.

Aside from the slow but continuing pattern of state regulation of local affairs, New England town-meeting governments have undergone four structural alterations in their life-span: appointment of selectmen and, in the modern era, the adoption of representative meetings in a small number of towns, the introduction of finance committees, and the hiring of professional town managers. We will return to the more recent innovations.

Jefferson

Jefferson’s comments about New England town government were expressed indirectly and in correspondence during his later years, after retirement from public life.² Retirement for him was an active time, creating, inventing, improving, and always corresponding. His purpose was not to examine the New England town but to propose the subdivision of Virginia counties—presumably those in other states as well—into town-like governments.

Jefferson was more an *actor* than a theoretician or student in the world of political science, someone to be emulated by modern community organiz-

ers. While his political philosophy is often typified in the public mind by statements such as “kings are the servants, not the proprietors of the people,” these characterizations are misleading. Jefferson attributed neither saintly character nor remarkable wisdom to the people. There was, in his outlook, a tension between keeping the government weak enough to deny “aid to the wolves,” yet strong enough to “protect the sheep.” Jefferson recognized two forms of aristocracy: the natural aristocracy, based on virtue and talent; and the artificial aristocracy, founded on wealth and birth, which was without virtue or talent. He believed that eliminating the “psuedo-aristoi” could best be accomplished by free elections. But the linchpin of his strategy for a republic was the proposal to subdivide the counties into small, independent governments resembling New England towns.

Jefferson’s definition of a republic was a government controlled by the grassroots citizenry—“acting directly and personally”—according to rules established by the majority. Governments, then, are more or less republican in proportion to citizen action in the exercise of public power, and the purest form of republic for Jefferson was reflected in the New England towns. He envisioned town-like “little republics,” direct democracies that would offer opportunities for every citizen to act in the government. It was his belief that the “regularly organized power” of town-meeting governments would prevent insurrections by giving the citizenry a practical means “to crush, regularly and peaceably, the usurpations of their unfaithful agents.” Then, too, he anticipated that the directly democratic governments would enhance public administration by drawing large numbers of citizens into management of public affairs.

Jefferson’s little republics were to be six-mile-square jurisdictions, another approximation of the New England towns. He recommended that they be given judicial and police powers, and responsibility for roads, the poor, and education. Town government had a fundamentally polycentric role in his scheme for public education. Each town would provide a free school, and from each year’s graduates the best students would be selected for continued free education at a district school. The most promising district graduates would, in turn, be selected for university education at public expense.

Jefferson understood the need for small jurisdictions to have the capacity for cooperative (regional or statewide) action, and he imagined an appropriate mechanism. He proposed that they should conduct elections, so that a general call of their meetings on the same day would “produce the

genuine sense of the people on any required point, and would enable the state to act in mass.”

One may wonder about the depth of Jefferson’s conviction about directly democratic town government. In a letter to Governor John Tyler, he mentions subdivision of the counties and general education as “two great measures . . . without which no republic can maintain itself in strength.” Six years later he declared, “the article nearest my heart is the subdivision of the counties. . . .”

Emerson

Jefferson’s view of the towns was complemented less than a decade after his death by Ralph Waldo Emerson’s “historical discourse” at Concord, given in 1835 on the second centennial anniversary of the town’s founding.³ He credited the successful settlement of the entire *country* to town-meeting government. For Emerson the New England town realized the ideal social compact. It was a means for the whole citizenry to express opinions directly on every question of public import. Town-meeting government showed “how to give every individual his fair weight in government without any disorder from numbers.”

Reviewing Concord’s town-meeting history, Emerson acknowledged that he was unable to discover any absurd laws, offensive legislators, witch-hunts, abuse of religious minorities, or bizarre crimes committed under the color of authority. He also noted that frugality had not stopped the town meeting from voting resources for education and the poor. Lastly, he described the political paradox, for the citizenry, of direct self-government:

In every winding road, in every stone fence, in the smokes of the poorhouse chimney, in the clock on the church, they read their own power, and consider the wisdom and error of their judgments.⁴

Foreign Observers

The issue that cannot be evaded is whether Jefferson and Emerson idealized open town government. The principal nineteenth century observers that followed them, as political commentators, were also admirers of the “little republics.” Tocqueville’s fondness for town government is less surprising since he was, presumably, seeking institutional models to counter centralized government in France.

Tocqueville

The young Frenchman considered the local self-governing town a natural institution, repeatedly

emerging throughout the world.⁵ At the time of his travels in America, the average Massachusetts town population was two to three thousand. He identified “independence and authority” as two of their main advantages. His understanding was that citizen attachment to town-meeting government was not out of habit or sentiment but because its strength and independence claimed and deserved each citizen’s stewardship and sagacity.

Tocqueville observed that the towns possessed unusual autonomy in managing their own affairs, yet complied with state authority, so that roads were not obstructed, criminal laws were enforced, and public education was not ignored. He discerned that the citizens valued the political process of direct democracy as much as its product in public goods. “If the government is defective,” he states, “the fact that it really emanates from those it governs, and that it acts, either ill or well, casts the protective spell of a parental pride over its faults.”

Tocqueville thought town government an ideal political institution because by its operation “a constant though gentle motion is thus kept up in society which animates without disturbing it.”

Bryce

James Bryce, an Englishman, carried on the tradition of Tocqueville’s broad comparative study of American political institutions.⁶ More a political scientist, and less biased than earlier commentators on town government, Bryce nonetheless characterized open town meetings in the late 1880s as the perfect school of self-government.

Bryce’s observations of open meetings confirm good attendance and productive debate. He does say, however, that the efficiency of this institution is related in large measure to racial/ethnic homogeneity and meeting size. He adds that large numbers of newcomers, not of “native American stock,” can undermine the meeting. But Bryce finds that even with these drawbacks, those who know the system are outspoken in its behalf—as the best possible school of politics and means to manage local affairs, prevent waste and dishonesty by public officials, and generally “stimulate vigilance and breed contentment.” He cites the relatively low burden of town taxes as the result of the close supervision afforded by direct democracy. Bryce concludes that, of all the systems of local government he observed, the popular assembly was the best, the cheapest and most efficient, the most educative for the citizenry.

Despite his high praise for New England town meetings, Bryce anticipated regional government. He favored a mixed system, a compound structure of counties and town-meeting governments. He

predicted that by the middle of the twentieth century this system would prevail over the whole country.

Municipal Reformers

Goodnow's distinction between politics and administration is one of the hallmarks of the municipal reform tradition and the commentary it spawned on town government.⁷ Goodnow explained politics as the means for expressing the will of the state, through responsive and regulated party organizations; administration was cast as policy execution, an executive function of government. The reform strategy, devised to replace the deteriorating urban machines, was administrative centralization. Goodnow proposed centralization within each level of government, not spanning the vertical spectrum from local to federal units.

The municipal reform movement gained momentum with the founding, under Rockefeller and Carnegie sponsorship, of the New York Bureau of Municipal Research. While the ostensible goal was to integrate efficiency and democracy, the resources of the Bureau were devoted almost exclusively to efficiency. Rhetoric to the contrary notwithstanding, the strategy in practice was to formally restructure executive administration toward hierarchical control and unity of command, leaving problems of democracy and politics to be resolved by publicizing studies and investigations of municipal corruption. By 1916, more than 20 cities across the country had established "municipal research bureaus."

Criticism of town government in the municipal reform tradition generally runs to recommendations for its elimination in all but the New England states. By the end of the first quarter of the twentieth century, it was recognized that the popular assembly had at least to be supplemented in growing cities, and that large urban town meetings could not continue without major changes—but that open town government was still an effective instrument for populations of less than 10,000.

The effects of immigration and population movement on town-meeting government have been interpreted differently since the turn of the twentieth century. While some reports emphasize that immigration produced disharmony, others suggest that there was a positive effect, a dilution of ultra-conservative influences. One description of a depression-era town meeting pictures an evening punctuated by laughter and eloquence from the interplay of citizens with notably uncommon origins and styles.

Town-meeting attendance has always been a subject of concern or controversy, but particularly with municipal reformers. One claim is that the meetings are poorly attended; also typical, however, is the charge that meeting halls will not accommodate the large turnouts and citizens are refused entry. A related criticism is that meetings are only well attended when acute local issues are on the agenda. Whatever the facts regarding attendance, town meetings in the first half of the last century are generally pictured as democratic and moderately efficient. The rare exception to Emerson's observation that the meetings do not produce foolish decisions is the refusal of Hadley and other Western Massachusetts towns to accept the Daylight Savings law passed during World War I, a relatively minor and temporary lapse.

But if the municipal reformers were satisfied with the meeting, they were less sanguine about town government generally. With their view that service delivery is the most important function of local government, not civil responsibility or the practice of citizenship, their conviction was that the curriculum for government must include budgeting, debt control, personnel administration, and planning—and that the ordinary town was incapable of teaching any of them.

The municipal reformers, overall, gave mixed reviews to open town government. One side held the town meeting to be declining in utility as a policy-making institution, because of inadequate management in an industrialized society. The other side concluded that in the twentieth century the town meeting retained most of its democratic qualities, sustaining a politically astute citizenry and producing honest and efficient government—but still it required reforms.

Reforms in Open Town Government

Social and economic conditions, perhaps with an assist from the municipal reform movement, led to the introduction of professional town managers, transformation from open to representative meetings in a small number of towns, and finance committees. There was also continued state regulatory intervention in town affairs. General Court interest in local affairs in Massachusetts was, in many instances, enabling rather than compelling. Local planning boards were mandated in 1913, zoning authority was granted in 1920 and, at the same time, provision was made for consolidation of numerous town offices and departments under selectmen. Legislation allowed for cooperative contracts between two or more jurisdictions to im-

prove fiscal, administrative, and operating efficiency.

Representative Towns

Through a special act of the General Court, Brookline in 1915 was the first Massachusetts town to adopt the representative system. The town's population then was more than 33,000. The legislation mandated the creation of precincts, each of which would select more than two-dozen representatives to the town meeting. In representative towns generally, nonpartisan voting in each district elects delegates, with nomination by petition. Precincts often hold pre-town-meeting meetings at which attendance is fair to poor. The representative towns have many of the characteristics of municipal corporations, but unlike corporations, every citizen has the right to speak at representative town meetings. In spite of this privilege, they are still described as "routine, dull affairs."

Although one of the main arguments for representative rather than open meetings was the absence of town halls that could seat large turnouts, most towns adopting the system had the opposite problem of poor attendance. While the representative form is responsive to problems of increasing population, the plan does not of itself resolve accompanying breakdowns in administration and operations.

Whatever the views of experts, by 1971 fewer than an eighth of Massachusetts towns had voted to go from open to representative meetings, and almost without exception these were towns with populations greater than 12,000. Equally instructive in this regard are the results of a survey of 57 Vermont towns in the early 1970s. The directly democratic form was "overwhelmingly supported" by both officers and citizens, active or not. Fewer than five percent thought the open meeting out of date, and less than 12 percent thought the meeting was run by "big shots."

Town Managers

Town manager plans began to emerge in the early 1900s in response to administrative problems. Special legislation in Massachusetts was first passed in 1914, creating a manager plan for Norwood. By the 1950s, Connecticut, Maine, and Vermont had also passed enabling legislation.

The manager typically is appointed by and serves at the pleasure of the selectmen. Common practice is to consolidate numerous departments under the direct authority of the selectmen rather than many minor officials, with immediate management supervision delegated to the professional administrator. The manager may have full control of all functions within a department, or the se-

lectmen may retain certain authority. Town managers can usually hire and fire department heads and other employees, make purchases, and prepare budget estimates. Their fiscal authority is limited in Massachusetts, with budget approval, tax assessing and collecting, treasury, and accounting located elsewhere.

The consensus of political observers is that town manager plans in New England have been successful in achieving government efficiency, and they have earned widespread respect and support. With little or no infringement on democratic values or processes, they have fortified fiscal administration, meeting the public demand for expenditure control and efficiency.

Finance Committees

Finance committees were the other innovation in town-meeting government designed to enhance fiscal administration. The committees were originally informal gatherings, dating from the late 1800s. Massachusetts' law in 1910 mandated town finance committees at local option. The General Court in 1923 required finance committees in all towns where assessed valuation for state tax purposes was more than one million dollars. Most towns in Massachusetts with populations of more than 6,000 have these committees. Membership ranges from nine to 15, with the moderator making appointments. Selection is widely acknowledged to be on the basis of competence, fairness, and reputation in the local community.

Finance committee business is usually confined to recommendations on articles in the upcoming meeting warrant. Committees in larger towns have more extensive business and may meet throughout the year. The recommendations of these committees are almost always taken with great seriousness, and rarely are they rejected. A number of writers concur that the committees have been an effective response to fiscal management problems.

Contemporary Views

There has been relatively little change in New England's popular assemblies over the past centuries. Towns still enact laws, levy taxes, appropriate funds, and all the rest. They provide sanitation services, water supply, streets, parks, police, fire protection, and much more; and they are administrative arms of the county and state governments. Modern town budgets range from several thousand to tens of millions of dollars. While tax rates tend to be higher in cities and large towns, the issue is complicated because small towns tend to deliver fewer services. A 1971 report of the Massachusetts Legislative Research Council concludes that cost

variations do not demonstrate economic advantages associated with larger or smaller scale.

The modern open meetings are generally sensible in debate and decision-making, although demographic changes have had important effects on the meetings. Data on 1970 Massachusetts meetings indicate that a strong positive relationship exists between length and number of meeting “sittings” and town size. Larger towns with populations over 6,000 required bimonthly and sometimes monthly sessions to manage their affairs.

Permanent organized pressure groups are still the exception in New England towns. The old problem of accommodating non-Anglo Saxons has given way to concern about status as “native” or “newcomer.” But minority rights are well protected, at least in formal procedures and rules incorporated in town bylaws and statutes, and apparently in practice too.

Town-meeting attendance has continued to be a subject for debate. Observers give widely varying reports, from turnouts of fewer than 50 to more than one thousand. Critics say that in some instances of good attendance, citizens remain only long enough to vote for officers, ignoring the lengthy business sessions that follow elections. Despite fluctuations, average town-meeting attendance remains substantial. Participation of eligible voters in recent decades has averaged 25 to 35 percent, respectable showings when Los Angeles’ municipal elections turn out 15 percent of the voters and elections for community college trustees get three percent. Unfortunately, comparisons between current and early meeting attendance are not useful because of the compulsory aspect of seventeenth century town citizenship.

Pre-meeting informal agreements have also engendered criticism of town meetings. The objection is that citizens exercise their influence through these agreements by personal contact with town officials, without actually attending meetings. But the practice can also be seen in a more benign and favorable light. Town-meeting elections, as with all healthy political decision-making, tend to proceed from informal negotiation to formal unanimity, a process that can also be identified in football teams, academic departments, religious congregations, and other groups that value unity and stability.

A particularly insightful if troubling comment on modern town meetings is that some of the people who attend, and apparently some that do not, are frightened by the face-to-face contact of direct democracy. It seems that the open town meeting creates emotional tensions for some people. Thus

the meeting may increase rather than reduce feelings of alienation and low self-esteem.

Contemporary political scientists emphasize three areas in their comments on New England town government: capacity for technical solutions and efficiency, the need for regional integration in the provision of public goods and services, and the value of direct democracy—the latter usually an afterthought.

A frequently expressed opinion is that town meetings are antiquated in an era in which political decisions must be based on technical information and applications. One instance of the idea is that towns have been made obsolete by modern technology because they cannot justify heavy capital outlays for equipment and facilities. But New England towns make themselves an exception, as polycentric theory suggests they might, by their close working cooperation, sharing the costs and benefits of various goods through both formal and informal arrangements. Another claim is that modern problems are too technical and complex for the average citizen. The predicted results are immobilization and over-dependence on experts or a clique of leaders. Yet in practice, town-meeting inaction is no more typical than with other local governments, and although experts are utilized, the citizenry in open meeting continue to wield the ultimate power and often reject expert opinion and advice.

The need for regional integration of public goods and services had led a number of modern writers to recognize that narrow town boundaries, in the absence of metropolitan government, create spillover problems. Several structural remedies have been proposed. The more extreme municipal reformers desire the most drastic and least popular solution, abolishing the towns and transferring their functions to the counties and states. A more polycentric strategy, relied on extensively in practice, has been to deal with externalities by contractual service agreements and voluntary formation of regional authorities. Forced consolidation of the towns, yet another convulsive option, is far less appealing to the majority of political scientists than the two-tier metropolitan federation approach that would leave the towns intact.

The modern trend is to treat public jurisdictions as service providers and administrative bureaucracies. Rarely is primary attention given to government as political rule or as a means to economic empowerment, and what commentary does exist is often negative about direct self-government. There is an elitist perspective that advanced communications give voters sufficient knowledge of public officials, thus direct democracy is redundant. It is a

point of view strangely at odds with contemporary jejuné politics.

Concluding Notes

Two interrelated ideas are important in considering the political commentaries and observations on town-meeting government. First, critics fault open town government because it fails to meet their idealized understandings of the past or their expectations for the future. Second, evaluation of the literature on open town meetings is difficult because the meetings differ substantially from one to another, despite structural similarities. There is confirmation of the existence of several distinctly different types, explaining to some extent the conflicting accounts in the literature, for few if any of the writers, modern or otherwise, have claimed to systematically observe more than one or two towns.

Whatever the so-called true nature of town-meeting democracy, or its characterization by experts, the prevailing opinion in New England is that government decentralization preserves democracy. No town has abandoned the open form since 1922. The explanation is not sentiment or myopia but a conviction by the citizens that they are equally or better equipped than elected representatives to make political decisions.

Analysis & Conclusions

Examining open town-meeting government as an organizational model for urban social infrastructure, as the lower tier in a compound metropolitan structure, it appears that they are well able to manage modern technical services. Many towns have adopted professional manager plans and finance committees. Nothing in the structure or workings of open town government shows any congenital inability to acquire fiscal resources, mainly through taxing, fees, and intergovernmental transfers. And voluntary authorities and contractual service agreements have accomplished regional integration of town-based services.

The ongoing vitality of open town government has been associated with weak counties, leaving local services and taxation to the towns. Still not fully answered is the question of whether this form of government can maintain the same service and fiscal liveliness in urban areas with strong counties, assuming their operation within a metropolitan federation. Greater division of services among jurisdictional levels, breaking the bureaucratic monopoly, and tailoring them to minimize externalities, is an approach to this problem that is now

being tested and refined in urban decentralization experiments. Another potential source of vitality, for small open governments cultivated in urban areas, is manufacturing and service enterprise. And current practice here too, if only in experimental fashion, is becoming more sophisticated.

The relationship between personality and citizen action in direct democracy is clouded but not conclusively. The question is how town-meeting government influences individual alienation and feelings of self-worth and dignity. The bulk of human experience with New England's towns has been in small, mostly stable, and often rural communities. We find in them an historical tendency, still prevalent, to look askance at newcomers. This bias may stem from nothing more sinister than the exclusive religious preferences of the early settlers and the threat of an uncivilized and possibly hostile frontier that they encountered. Yet with all this, most commentators conclude that the open meetings reduce social distance and alienation. And others, most notably Emerson, indirectly suggest a positive relationship between the formal town power, which is vested directly in the citizenry, and their sense of dignity and self-respect. Even with the clinker of recent observations that indicate the popular assembly is threatening to some people, the prospect for similar negative responses in urban applications of town-meeting government is uncertain, more a matter for concern and continuing observation.

Another demonstrated capacity of town infrastructure is local planning. First carried on informally, state legislatures mandated these activities in the early 1900s by granting authority for local zoning and planning boards. The creation of finance committees and town managers also undoubtedly contributed to local planning efforts.

The open governments provide an effective medium for citizens to articulate their demands for collective goods and services. It is reasonable to hypothesize that the legendary contentment of New Englanders with the integrity and fiscal operations of their towns derives mostly from their own direct control. While inhabitants of small towns have authorized fewer and less comprehensive services, in their local affairs, they have not been victimized by misallocation of resources to special interests on the basis of top-down definitions of "need." Contrary to the general trend, appropriations and fundamental public policy, along with the privilege of making structural alterations, remain under direct citizen control in town-meeting government.

Open town meetings have produced equality of appropriations, the provision of equal units of goods and services to all similarly situated. If left

to their own devices, however, like other local governments, towns might give less attention to equity—special spending for special need—than progressive sensibilities would dictate. But state and federal programs for remedial education, health and medical care, income maintenance, and so forth offset this tendency.

Of all the functions of infrastructure, New England town government has achieved the greatest acclaim for building the civic organization and culture of direct democracy. It is a continuing demonstration of the capacity for bottom-up-designed public space by popular assembly, even in the first quarter of the twenty-first century. They have received high praise, and with justification, for giving discontented citizens alternatives to deal with higher levels of authority that become oppressive to their interests. In early March, 1977, for instance, more than 20 Vermont town governments on annual meeting day approved similar resolutions to prohibit nuclear power plants and radioactive wastes within their borders.

But there are also qualifications. This review strongly points to an upper population limit for government by open town meeting. While this figure might theoretically reach ten thousand, a lesser number is more practicable. There have been occasional claims of oligarchic rule in the towns, yet overwhelmingly the literature describes a highly refined system that exploits individual leadership in all aspects of governance except fundamental policy-making and structural changes, which are defined as within the competence of the full citizenry, either in open meeting or by balloting.

Fluctuating attendance has been the source of the most frequently repeated criticism of the open meetings. The pattern has been described as representative government by default—those who attend “represent” those who do not—and a poor quality of representation at that. But this picture underestimates the importance of high attendance at meetings when controversial items are on the agenda. The question is normative and ideological, a matter of how democracy is defined. By way of analogy, certainly no one suggests that because the majority of a corporation’s stockholders typically fail to

attend annual meetings, they should be denied their formal rights and powers, or that stockholder meetings should be abolished. We recognize the prior right of corporate ownership—and so too there is implicitly a similar political right.

The right to participate in the popular assembly, like the annual corporate meeting, must include the right to decide for oneself those issues that are sufficiently of interest and importance to command attendance. It is enough in a democracy if the right to attend and decide exists and may be exercised at the citizen’s (or stockholder’s) option. For it is the actual exercise of power on selected occasions by the majority citizenry, in their own name and self-perceived interest, that defines democracy: it is the production of public goods or elimination of public bads by an assembly of citizens, residents of a common jurisdiction, deciding together of their own will, intelligence, and values what their policies shall be on taxing, spending, and law-making, that is crucial, not their record of meeting attendance.

One of the most intriguing aspects of the New England popular assembly is that the open meetings seem to have an internal feedback mechanism that effectively warns when a structural adaptation is necessary to meet changing conditions. Naming selectmen, the representative meeting, town managers, and finance committees cannot be passed off as inevitable or coincidental. The citizens become conscious of when they have to allow for a basic change in their government, not just a change in policy—and they do it. The answer is simple: because there is no separation or distance between the “consumers” and the “producers” of town-government public goods, with the ordinary citizen having both roles, government behavior that is unjust or otherwise punishing directly stimulates policy or structural innovations. Poor government outputs and outcomes land on the same citizenry charged with the responsibility of decision-making in open meeting. It incidentally places in bold relief the flaw of political elitism in all its forms—that is, the practice of deciding for others without the parallel capacity to experience the consequences of the decision for them.

¹ Originally included as a chapter in the author’s Ph.D. dissertation, *Social Infrastructure Organizing Technology* (University of California, Berkeley, 1980).

² See Thomas Jefferson, Letter to Governor John Tyler, May 26, 1810, in (Albert Ellery Bergh, ed.) *The Writings of Thomas Jefferson* (Washington, D.C.: Thomas Jefferson Memorial Association, 1907), p. 393; Letter to John Adams, October 28, 1813, in (Paul Leicester Ford, ed.) *The Works of Thomas Jefferson*, Vol. 11 (New York: G.P. Putnam’s Sons, 1905), pp. 343-46; Letter to John Taylor, May 28, 1816, in *The Works of Thomas Jefferson*, Vol. 11, p. 529; Let-

ter to Samuel Kercheval, July 12, 1816, in *The Works of Thomas Jefferson*, Vol. 12, p. 9; Letter to Samuel Kercheval, September 5, 1816, in *The Works of Thomas Jefferson*, Vol. 12, p. 16; Letter to Major John Cartwright, June 5, 1824, in Thomas Jefferson Randolph, ed.) *Memoir, Correspondence, and Miscellanies, from the Papers of Thomas Jefferson* (Boston: Gray and Bowen, 1830), p. 396.

³ Ralph Waldo Emerson, “Historical Discourse” (at Concord), in (Edward Waldo Emerson, ed.) *The Complete Works of Ralph Waldo Emerson, Miscellanies* (Boston and New York: Houghton, Mifflin, 1904), p. 47.

⁴ *Ibid.*, p. 49.

⁵ Alexis de Tocqueville, *American Institutions and their Influence* (New York: A.S. Barnes, 1851).

⁶ James Bryce, *The American Commonwealth* (New York: Macmillan, 1888).

⁷ Frank J. Goodnow, *Politics and Administration* (New York: Russell & Russell, 1900, 1967).

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