THE MYTH OF TOWN SOVEREIGNTY

By Jeremy Brecher

Connecticut is often described as "169 sovereign towns." Real problems don't stop at our town boundaries, but our sense of responsibility for them—our institutional ability to act on them—often does. While most states outside New England have strong county or metropolitan governments to address needs above the town level, Connecticut county governments, always weak, were abolished in the early 1960s.

Localism often interacts with Connecticut's tradition of racial and ethnic exclusion—town autonomy has often been a basis for resisting efforts at residential and school integration, for example. It makes the provision of services like water, health care, and waste disposal costly and inefficient. It violates the natural ecological contours of our bioregions.

According to an oft-repeated account, Connecticut's first towns were formed before its central government: Connecticut's government was created by these original towns. The relationship of towns and Connecticut, it has often been maintained, is like—indeed, was a model for—the relationship between the states and the Federal government they created. Hence Connecticut's "169 sovereign towns."

Actually, this story has no foundation in fact, as Connecticut's state historian Christopher Collier has demonstrated beyond a reasonable doubt. The original Puritan settlement of Connecticut took place under the direct authority of the Massachusetts colony: the delegates who formed the first Connecticut government did so as representatives of Connecticut's people, not of town governments. Our town governments were created by the colonial government—not vice versa. From that day to this, the courts have without exception found that Connecticut towns, far from being sovereign, have no powers except those delegated them from above.

The myth of town sovereignty was propagated in the 19th century to buttress small-town Yankee domination of state government. From colonial times, the voters in each town had elected one or at most two representatives to the General Assembly. By 1900, the diminutive Town of Union's 428 people still carried as much weight in the House as New Haven's 108,027. This "rotten borough" system was justified by the myth that each town was a sovereign entity, entitled to equal representation, just like the states in the U.S. Senate.

This system persisted until 1965, when the U.S. Supreme Court forced Connecticut to draw up a new constitution. After the state's first-ever one-person one-vote election, public policy began to move beyond the limits of localism, encouraging regional planning, providing state aid for cities, protecting the state's environment, and taking tentative steps toward state-wide land use planning.

But meanwhile, much of the state's population was shifting to suburban towns, until today, 70% live in suburbs. The myth of town sovereignty was revived to play a new role—to protect enclaves of affluence against threats of race and class integration and demands for regional or state-wide responsibility. While such localism has no more historical justification than it ever did, and even though it makes our common problems more intractable, it is still perpetuated as a bulwark against a threatening "they."

Fortunately, such one-sided localism is not the only tradition we have to draw on. For example, Connecticut has some traditions of regionalism. Despite their limitations, counties were often a significant focus of identity in Connecticut. They were abolished, not because they restricted the power of towns, but because they were organizationally archaic and no longer reflected the real contours of the state's regions. Regional planning agencies—though ultimately often crippled by localism—were expected to provide an intermediate level between towns and state.

As the devastating impact of industrialization and unplanned development on our land and water became increasingly apparent over the past century, Connecticut also began to develop a tradition of natural resource planning. Its culminating expression is the State Policies Plan for Conservation and Development, designed to coordinate environmental and economic policies for Connecticut as a whole.

Developed through wide consultation in the early 1970s, the plan tries to integrate the various needs of the state and its people—to define a common good. It

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unites urban and environmental concerns, for example, stating that "concentrating new development in or near existing urban areas is essential to maintaining a healthy environment and limiting infrastructure costs." (Had such an approach been implemented for the past decade, we would have fewer collapsing cities and fewer cornfields disfigured by malls.)

So far the plan, though approved by the governor and legislature and periodically revised, has been only advisory: legislation to make it mandatory has been proposed but never passed. Many citizens, indeed many public officials, seem unaware of its existence. It provides an important resource, however, for defining Connecticut's common good.

Finally, the tradition of caring for our towns can itself help us reach beyond a narrow localism. When this tradition is used to justify regarding each town as an island, entire unto itself, it impedes the development of a wider community—ultimately harming the individual towns themselves. But if we recognize our localities as part of a large mainland on which their well-being depends, the love many of us feel for our towns will itself motivate us to cooperate beyond their boundaries.

At the center of most of our 169 towns lies a town common. It was put there for all to use and none to abuse. All would benefit from it and share a responsibility to maintain it. It symbolizes what the community held in common.

Perhaps we need to being thinking about Connecticut—our cities, our countryside, our many heritages—as a common. Its varied human communities, its physical beauty, even its occasional natural and human cussedness enrich us all. Like any common, this one gives no right to despoil, but rather a responsibility to contribute and an opportunity to share.

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