

CHAPTER III

CITIZENSHIP IN AMERICA--IN THE BEGINNING--AND THEN GOVERNANCE AS PRACTICED BY CITIZENS WITH THE ONSET OF THE EXPERT ELITES

“We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed;....”--*The Declaration of Independence*

Introduction

The purpose of this chapter is to give an historical perspective of the practice of citizenship in America. It will demonstrate that the original cultural ethos of America was basically self-government and that the transfer to a representative government was an epistemic shift that was not generally understood but passively accepted by the people. It will show that at the turn of the century, in the context of a groundswell of social reform, progressivism, and muckracking, the development of public administration emerged. This was a time for fundamental change that posed the options of either forming a pragmatic government that involved full citizenship or in forming a government of expert policy making. Government by expert policy makers was chosen in lieu of full citizenship--since this option served as a re-enforcement of the representative form of government set up in the Constitution. The attempts at strengthening representative government continues to go against the grain of the

cultural ethos of self government by citizens.

The American government belongs to the people. That is spelled out very clearly and plainly in The Declaration of Independence. The years prior to and immediately following the Revolution of 1776, the government as defined in the first constitution was highly democratic, with a great emphasis on popular sovereignty and decentralization of governmental authority. A democratic form of government existed in colonial times. Let us take a moment to examine how the colonies were established and how they functioned in the colonial era.

Colonial Self-Government from Imperial Control.¹

The three forms of government that were established in the colonies were either corporate, royal, or proprietary. For example, Massachusetts' charter established a corporate colony. The corporate colonies were usually formed as a joint-stock company. The incorporated company's charter served as a mini-constitution. But something happened in the forming of these colonies. The Massachusetts Bay Colony, for example, established a self-governing commonwealth even though the original charter was formed as a joint-stock company. With some changes made along the way, the charter became the framework for the constitution of Massachusetts, which became a model for other self-governing colonies. Even though the governor was to be appointed by the King, the Massachusetts colonists elected their own governor.

Virginia became a royal colony. Virginia's governor was appointed by the King. The governor had responsibility for carrying out orders from the King; he oversaw the military and advised the assemblymen. The royal form of government became the form preferred by England in establishing future colonies as well as in re-establishing existing colonies.

Maryland, on the other hand, became a proprietary colony, the first of the continental colonies. A proprietary colony was one that was established in someone's name rather than in the name of a trading company or a church.

Maryland's appointed governor, Lord Baltimore, chose to remain in England. He then appointed a governor to oversee the Assembly of Freemen. The royal governor usually disagreed with the decisions of the assembly and hence overturned their decisions frequently.

With the absence of direct oversight of the colonies, the idea of citizenship in America had taken shape in the context of direct self-government. The early colonists practiced self government in various forms, even though the colonies were under the authority and rule of the King of England. The early colonies organized governance in ways similar to what was familiar to them in England. The head of the English government was, of course, the King. The King, at that time, claimed rule by divine right. The English Parliament was organized in two houses--the House of Lords and the House of Commons. Suffrage was confined to property owners.

Even though the original colonies were established as corporate, proprietary, or royal, the monarchy found that the royal colonies were the most loyal and easy to govern. Therefore, colonies that had been established originally as proprietary or corporate were changed by the monarchy into royal colonies. As the colonies moved from a system of administrative rule to self government, their experience with practicing democracy served as an epistemic shift in their cultural ethos. As the self-governing colonists experienced government with the controlling factor of the monarchy, revolution erupted and democracy took on a new form. Their experience led them to form a government whereby the monarchy could no longer deny them specific freedoms. They enjoyed freedoms of decision-making as to governmental power, sovereignty, taxation, and representation. Let us inquire into how self-government was practiced.

Early America As a Set of Peaceable Kingdoms.²

Self-government was the exclusive model for citizenship in colonial times.

Zuckerman captured the essence of this model of governance in his book, *Peaceable Kingdoms*. New England towns in the 1600's were primarily organized as church communities. Newcomers were allowed to enter a community on the condition of compatibility over a three-week period. After that time, if the community dwellers felt the newcomer could fit in peaceably, then the newcomer could stay; if not, they had to move on. This way of handling conflict kept the communities peaceable and like-minded. People took turns being responsible for seeing that the community's needs were met. Hence, the explanation for the title and theme of Zuckerman's book, *Peaceable Kingdoms*, is understood in describing the settlements in New England. The behavior of these "peaceable kingdoms" could function in this manner because the frontier existed. The wide-open spaces allowed for new communities to be started for those people who could not find their niche, so to speak. "Go West" had a profound meaning to those individuals who had a different way of thinking about life styles.

Town meetings were gatherings as a means of developing and maintaining consensus. Consensus was not maintained by simple oppression but through a process of continual discussion and socializing, and that the need for conformity was high because it was necessary to sustaining this kind of dialogue. In an indirect way, it was an educational process for active citizenship. As such, it was not so much conformity as we understand it today as it was conformity to a kind of relationship among citizens. To assure that the city fathers were doing a good job, all citizens attended these town meetings. One could vote if one were a property owner; otherwise, one just listened. One did not raise questions as to why something was done a certain way. One did not become a squeaky wheel for change. One was expected to go along with the group. One did not "rock the boat." Peace among the neighbors under all circumstances was the supreme word of the community. In this way, consensus did not mean oppression but a continuing of dialogue in the normal socialization of the citizens as a form of relationship-building or bonding among citizens. It

was a form of diplomacy working among neighbors and neighborhoods. Colonial self-government developed out of the way colonies were established from the very beginning.

What is very clear to understand is that from the outset, the sovereignty of the government belonged to the people as so stated in the Declaration of Independence. What happened in between the Revolution of 1776 and the Continental Congress in 1787 may have been that the federalists became unhappy with how self government was going. It was easy for them to turn to the British model of representative government--because they were familiar with it. This is a Deweyan thought: one's experience becomes one's practice. However, the practice for much of the populace was self-government. The colonists had started anew--new communities, new forms of government, and a new way of communicating with each other. This was a Gestalt shift from the very beginnings in the colonial era. The town meetings that required dialogue and a continuation of communication by frequent meetings of all the people in discussing mutual concerns of governance elevated the experience from monarchical control to an even playing field. Authoritative governance had been replaced by a true democratic form that focused on "ideal speech conditions."³ Elias Canetti's model of health in social process describes this 'ideal speech condition.' He maintains that an individual must have space in order to have normal personal human interrelationships.⁴ The new citizens found themselves in an environment that enhanced communication in the greater community. This may explain why the new Americans embraced "individualism" as part of their new-found psyche that had its roots in classical liberalism.

Then, however, the tendency toward self-government stalled in the developmental process. With the establishment of a representative government upon the adoption of the United States Constitution in 1787, this reverting back to what had been similarly practiced in England was not a comfortable position for the American people. A change of heart or a change in mind may have been prompted by the fears of true democracy that is evident in The Federalist

Papers.⁵ Publius of The Federalist Papers and the writings by the Anti-Federalists set these fears within a framework that posed the pros and cons of a strong central government versus a small decentralized government. In other words, the fear of true democracy is what motivated the argument in favor of a representative government. Therefore, in order “to form a more perfect union,” the delegates at the Continental Congress in 1787 decided to form a representative government, a republican form, rather than a democratic form of government. Could this work, when a democratic form of government existed in colonial times?

In summary, history tells us that in actuality, even though self-government was practiced, the frame of reference for government stemmed from England. England had parliamentary rule by the people with the King as head of the government. In this setting, government began to take form in the colonies. So when the delegates from the thirteen states met in Philadelphia in 1787, “to form a more perfect union,” a representative form of government appealed to the Federalist point of view, as it reflected the basic experience of England.

From whence the dialectical pull—A Representative Government vs. A True Democracy—The Role of Citizens

The Federalist Point of View.

In the *Federalist Papers*, the role of the citizen is given some scrutiny. “Citizen” is mentioned twenty-five times,⁶ while the word, “citizens,” is mentioned one-hundred fifty-four times.⁷ Citizenship is mentioned in Federalist Paper No. 62, in determining the qualifications of a member of the Senate and of the House of Representatives, and in Federalist Paper No. 42, in establishing a uniform rule of naturalization throughout the United States.⁸ Madison pursued the argument that the republican form of government is recommended over the democratic form of government in Federalist Paper No. 14. He stated that “a democracy . . .

will be confined to a small spot. A republic may be extended over a large region.”⁹ In Federalist Paper No. 37, he argued that it would be combining stability and energy in government with liberty and a republican form of government. “The genius of republican liberty requires that all governmental power should be derived from the people and that those who are entrusted with power should be kept in a state of dependence on the people by a short duration of their appointment.”¹⁰ In Federalist Paper No. 51, he reiterated that the “fountain of all authority is the people.” He continued in No. 57 that a “republican government provides the best framework for maintaining the liberty and happiness of the people.”

Madison’s strongest arguments are made in Federalist Paper No. 10, when he said that: “Democracies have been spectacles of turbulence and contention.” Specifically, he argued that the two main differences between a Democracy and a Republic are the “delegation of the Government” and the “greater number of citizens, and greater sphere of country, over which the latter may be extended.”¹¹ These were in essence the main arguments for a representative government over a democracy as portrayed by the Federalists. Specific guidelines for the role of citizens are not mentioned.

The Anti-Federalist Views.

First of all, who were the Anti-Federalists? Were they really “disreputable characters and obstructionists, always ready to overthrow order and decency?”¹² Were they “men without principle, willing to use any argument to drag down the Constitution?”¹³ Were they truly “narrow-minded local politicians, unwilling to face the utter inadequacy of the Articles of Confederation or incapable of seeing beyond the boundaries of their own states or localities?”¹⁴ In actuality, the record demonstrates that the Anti-Federalists “were committed to both union and the states; to both the great American republic and the small, self-governing community; to both commerce and civic virtue; to both private gain and public

good.”¹⁵ Many of the Anti-Federalists were not part of the deliberations held in Philadelphia in 1787. They had to learn about the contents of the Constitution after its release to the public, and react immediately before ratification. Not having enough time for rebuttal, their focus of argumentation missed the mark for winning the debate because of a lack of a constitutional plan.

The anti-federalist author in *The Federal Farmer* was preoccupied with representation. In regards to the representative branch, he recommended: “an increase of the numbers of representatives,” and, “That the elections of them ought to be better secured.”¹⁶ Agrippa, another anti-federalist, argued that a republican form of government would “degenerate to a despotism. . . .” He preferred a confederate form.¹⁷ Brutus argued that “in a large republic, the public good is sacrificed to a thousand views”; . . .and that we have “no example of a free republic. . . .”¹⁸ Brutus primarily based his arguments on the size of the country as too large in a democracy or in a republic, and that the people should know their “rulers.”¹⁹ The role of citizens is not made clear even though the sense of self government is recognized as a positive role. The transition from self-government to representative government, from true democracy to a republican form of government, when the new Constitution was adopted was an abrupt change for the American citizens. It marked a definite break with tradition, in that the Anti-federalists really did represent the dominant revolutionary ethos better than the federalists. It will be demonstrated throughout this chapter that this abrupt change in the way the people practiced governance has left an ambivalence in the ethos of the American people. The gestalt shift that was to take place, to go back to the way things were practiced in England and thus the way the federalists established in the Constitution of 1787, has not taken strong roots even though many attempts to the contrary have been made. Despite the fact that a representative government continues to enjoy success with the over two-hundred years old Constitution, the transition from self-government to representative government continues to evolve through a ying-yang effect. The revolutionary spirit against big centralized government,

