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Town Meeting Republics: Early Modern Communities in New England and Germany

The purpose of this text is to outline and compare the political representation of rural communities in early modern New England and Germany. In order to understand and interrelate the various political systems I will suggest a new definition of communalism and introduce a comparative approach. Finally, I will describe elements of rural political thought that informed both colonial New England and pre-revolutionary Germany.[1]

Even today, a comparative approach to the understanding of European and American communities and their roles in the development of republican institutions might be somewhat suspicious. Comparisons between American and German rural communities were at the core of an influential theory of late-nineteenth-century historiography.[2] Montesquieu was probably the first to suggest that the English system of representation derived from the political order of the Germanic tribes as described by Tacitus. Borrowing heavily from research done by Georg Waitz, the so-called Oxford School of English and American historians presented what seemed to be nothing less than the master narrative of the interrelation between community and state in the Western World. British historians such as John Mitchell Kemble[3] and Edward Augustus Freeman assumed that the Anglo-Saxons brought to the British Isles a political system that was based on assemblies of free men who collectively owned pieces of land, the so-called "mark." The local gathering of the mark was depicted as the nucleus out of which English parliamentarism and subsequently the constitution of the United States developed. The townships of New England were regarded as the most genuine modern embodiments of this ancient Germanic tradition of freedom and communalism. In the U.S., Herbert Baxter Adams and John Fiske embraced the Oxford School declaring that New England towns were a "mark" and "a long-lost child of Old England and a grandchild of the Fatherland." They tried to compare the colonial records of New England with Tacitus's *Germania* and tourist guides of the Black Forrest region.[4] With that kind of promotion the Teutonic theory of communalism and representative government made it into to the schoolbooks. Growing skepticism concerning age-old continuities, more critical studies of the source materials as well as the anti-German

sentiment generated by the beginning of the First World War put an end to Oxford School antiquarianism.

The Oxford School had assumed the existence of an old but exclusively Anglo-Saxon communalist tradition: Apart from a few exceptions in Switzerland feudalism or absolutism had supposedly reduced the peasants of continental Europe to mere subjects. Apart from its naive methodology, it is this ideologically motivated emphasis on exclusiveness that makes the Oxford School suspect. It had already been observed by Alexis de Tocqueville that during the Ancien Régime villages in France, Britain and Germany had enjoyed political power similar to that of New England towns.[5] Recent scholarship describes a pattern of local self-government that shaped some regions of Western and Northern Europe in various degrees from the High Middle Ages till the nineteenth century.

Peter Blickle introduced *Kommunalismus* (communalism) as a term of German historiography.[6] He defined communalism as a form of voluntary local organization of everyday life. It is based on periodical meetings of householders resident in the community, on their right to define local norms and to appoint nonprofessional representatives.[7] According to Blickle communalism was the precondition of republicanism in Europe. To make the concept of communalism more manageable I will suggest restricting it to rural communities, that is to say to communities that lacked institutions of higher education as well as an administration run by professionals and were characterized by the prevalence of agricultural production.

Today, it is clear that German communalism was no institutionalized resistance of the peasantry against the aristocracy. On an abstract level the local corporations of villagers formed horizontal systems that were opposed to the hierarchies of the territorial state. In practice however, administration and communities interacted and cooperated in so many ways that it is often difficult to tell both systems apart.

The term "localism" is used as a descriptive category by Kenneth Lockridge.[8] It stands for a different approach to the political culture of peasants. Localism means not so much a form of organization but rather the political orientation, maybe the mentality, that made the peasants of the early modern period accept the local corporation as the basic political and economical unit. Localism was the driving force behind the Puritan migration, the Great Awakening as America's communal reformation, and the resistance to the new federal order of the revolution. Because it spells popular suspicion and rejection of all supra-local structures Lockridge considers localism the negative master narrative of Western and especially American political and constitutional history.

Lockridge's concept of localism has an element of dynamism and goal orientation that is lacking in Blickle's understanding of communalism as a legal structure. In order to avoid a misuse of communalism as a structural catchall phrase that invites generalizations it might be helpful to dynamize the concept of communalism. I suggest calling the political orientation and the political activities displayed by rural corporations that were characterized by the right to make their own decisions in periodical meetings, to issue local laws, and to send deputies to the representative assemblies of the territorial states "representational communalism."

Representational communalism interacted with individual households and territorial systems. In contrast to modern multinational movements such as conservatism or communism representational communalism cannot yet be defined by its ideological orientations and aims—we still do not know enough about these aims. Rather, it is defined by its subject—politically powerful local communities—and its milieu—the territories and colonies of the Ancien Régime. Politically powerful communities that enjoyed all the rights described above were—at least in Germany—a minority. Therefore, a comparative history of representational communalism is not identical with a history of rural communes. It is the history of the politically active peasantry, not the history of villages defined simply as settlements or legal structures.

Today, it seems possible to try a new comparative approach: A synchronic comparison of the forms and functions of early modern communalist structures in New England and Germany might help to understand both systems. In recent years, American and German historians alike have suggested this kind of approach.[9] Comparisons can be used for a variety of purposes; the notorious problem of the phenomena's comparability has to be considered in the context of the specific purpose of the comparison. First of all, the comparative approach gives the comparates a clearer and more comprehensive profile. The comparison individualizes its objects. Furthermore, comparison is probably the best method for historians to establish typologies and to test hypotheses. A major aim of comparative historiography is synthesis. A synthesis is no generalization. Synthesizing comparisons as defined by Theodor Schieder integrates a variety of structures into a type of a higher order.[10] Historical phenomena from different contexts that share one or more distinctive qualities can be grouped together in a new unit. This new unit provides a hermeneutic model similar to Weber's ideal types. A comparison of the elements of this model provides us with an extensive analytical synthesis of its different forms and molds. The works of Gerschenkron on the industrialization of Europe and Moore on the origins of dictatorship and democracy in the United States, European and Asian countries are probably the best examples.[11]

The synthesizing aspect of the comparison might help to arrive at a comprehensive understanding of early modern representational communalism. It allows us to focus both on the variety of communalist structures and on representational communalism as a macrophenomenon.

Town meetings and the representation of the peasantry at national or regional estates could be found in various parts of early modern Europe. France[12] and England[13] and even more so Sweden[14] and Switzerland[15] had their own forms of communalism.[16] In order to give more specific information this article will concentrate on New England and German territories exclusively. Although both systems clearly differed from each other, there were wide ranges of similarities that can be addressed as characteristics of representational communalism.

Much confusion has been caused by the fact that political privileges of rural communities varied greatly in the different territories of the Holy Roman Empire of the German Nation.[17] As a rule all freeholders and often even tenants were admitted to town meetings. Although these meetings tended to be inclusive and were mostly

concerned with the organization of agricultural work, it would be wrong to regard them as a function of the rural settlement as a collective of agrarian labor only. Such meetings could be formed by more than one village. They were not limited to closed settlements, but were also known in regions characterized by single farmstead economies. Thus, their very constituency proves that they were above all political and legal institutions. The meetings elected selectmen and commissions for specific tasks. The emerging territorial states led by an ecclesiastical officeholder, an aristocratic lord or a city council respectively attempted to utilize or usurp the competencies of peasant communities in various ways and with very varying success. Using the communities as their platforms peasants were able to involve the lordship in a continual process of bargaining. The administration of the early modern states seems to have been the institutionalization of this process, an agency of brokerage between peasants and lords rather than an instrument used exclusively by the state. The responsibility and loyalty of many local and regional officials were permanently renegotiated between the state and the communities. The nearer to the local level the more difficult the differentiation between legal and extralegal norms and obligations became.

This political culture of negotiation between state and community was more effective than the short-lived violent protests it increasingly replaced after the defeat of the rebels in the Peasants' War of 1525.[18] Peasants articulated their demands in lawsuits and petitions. The most tangible form of political participation of the peasantry was the representation of rural communities at the territorial diets. Since the fifteenth century so-called *Landschaften* developed: *Landschaften* were regional corporations of the peasantry within territorial states that were based on communities and had the right to send representatives to the regional diets. The *Landschaften* were concentrated in two German regions: On the Northwestern seashore including Ostfriesland as well as various islands[19] and in the long stretch from Trier[20] through Baden, Württemberg, and the Western Hapsburg territories to Salzburg and the Tyrol.[21] If one considers the number and size of the territories that were informed by *Landschaften* it should be quite clear that they were more than just another oddity of the constitution of the Old Reich. The *Landschaften* of larger territories joined the other estates at the regional diets. In a variety of smaller territories the peasantry represented by the *Landschaft* was the only counterpart the prince had to face. The question whether *Landschaften* represented the villages of a territory or its subjects at large is of secondary importance: The representation was informed by local interests that were realized and organized in communities, and articulated in periodical meetings. The *Landschaften* participated in the legislation, their demands informed the territorial codes of law. The representatives of the peasantry helped to organize the military. The freeholders of a *Landschaft* were—very like the settlers of the New England colonies—obliged to join the militia. The most important task of the *Landschaften* was to negotiate taxation with the territorial lord. The principle of "no taxation without representation" was true for German *Landschaften* regions, too. In order to organize the payment of taxes, some *Landschaften* formed a financial administration of their own. The *Landschaften* financed themselves with tax money and redistributed payments among its member communities. The rural population was far from stereotypically accepting or rejecting

the princes' demands for money, at least in some parts of the Southern Germany they creatively developed a system of self-taxation.

Nevertheless, one might argue that *Landschaften* were de facto essentially instruments of the territorial lords that facilitated the implementation of their laws and tax demands. No doubt, the *Landschaften* system was based on reciprocity but so was state administration. Both were agencies of brokerage designed to serve policy-making processes or the running of day-to-day affairs respectively. The *Landschaften* provided communities with the opportunity to influence political decision-making on a high level, in a number of territories they even enabled peasant villages to influence state building itself.

The most highly developed and most powerful representational communalism of the early modern period is found in New England. The basic unit of New England self-government was the town meeting. This meeting elected all local officials including the militia leaders and the selectmen as the town government. The Congregationalist settlers faced two main problems: How could they define norms for the new society they were about to build? And: How could they organize the huge space of the new land? The answer to both problems was representational communalism. In contrast to Virginia, New England strongly discouraged living on isolated plantations. The General Court gave land grants only to already existing towns or to proprietors that had promised to found a new town. It thus used entrepreneurial initiative for the ends of a communalist colonization.

As they were responsible for the maintenance of forts, bridges and highways the communities were de facto in charge of the infrastructure that organized the newly colonized space. The townships also actively participated in the creation of Massachusetts's first code of law that shaped the entire colonial legislation of New England till the end of the seventeenth century. The towns were allowed to pass their own bylaws.

The members of the lower house of the General Court, the deputies, were the elected representatives of the individual communities.[22] The constituency of the magistrates, the members of the upper house, was the colony as a whole. However, the voters and the election process itself were organized in and by the communities. De facto, the towns were in charge of the franchise itself. During the first years of the colony only members of the Congregationalist church in full communion were officially allowed to become freemen entitled to vote. But according to Congregationalist principles the parishioners themselves decided who was to be admitted as a church member. In 1647, the General Court strengthened the power of the community even further: Everyone could take part in communal elections who was declared fit to do so by his fellow residents even if he was not a freeman. The various censuses introduced in compliance with English tradition did not effectively narrow the franchise: Practically everyone owning a farm, i.e., the majority of the population, was able to qualify for the census.

Following Koenigsberger it might be possible to call the German and American states in which the peasantry organized in periodical local gatherings and used representational bodies to help to form the new territorial administrations "Town

Meeting Republics."[23] Evidently, these communalist republics were highly diversified. This diversification itself calls for that kind of comparative approach I advocate for my analysis. The smallest common denominator of the political systems was some sort of political participation of rural communities. If we concentrate on the communities and their political life the obvious differences between middling and petty territories, between systems with three or four estates, two chambers or just a *Landschaft* become variants within the macrophenomenon "representational communalism." The concentration on representational communalism is well justified: It was not only the element a variety of state organizations had in common, it was also the platform that was available for the majority of the population in the respective countries. The comparison, however, must try to consider each type and each institutional form of communalism in its specific milieu. It is therefore necessary to construct a synthesizing comparison along a number of central questions. These questions should address key issues of each system. They should be suitable to thematize the social and political differences within the community as well as the interaction between the community and the respective wider political and administrative system.

I will now discuss three of these basic conditions of communalism and communal representation that informed the politics of Germany as well as those of New England in the early modern period. First, I will address the question, what religious forms the communities used to define themselves and their role opposite the state. Second, I want to explore the selection of representatives. This will shed some light on how peasant communities perceived the territorial state. And finally, I will discuss the political orientation of rural communities that informed representation and the dealings with the state.

Communalist villages exercised a high degree of control over the parish church. The reformation and the Catholic reforms alike were to a certain degree initiated and organized by the communities. Reformation theology and the covenant doctrine of Zwingli, Bullinger and Bucer were a mutual influence on both the so-called communal reformation in Germany and English Puritanism.[24]

The rebels of the German Peasants' War attempted to communalize the church, including the free election of the minister by the parishioners. What they demanded in vain became reality in other communalist systems. The Congregationalists of England and New England created the most radical variant of this concept of community church. They regarded the local assembly of "visible saints" as the true church and thereby identified parish and church. It is certainly tempting to connect the Reformation and rural corporations with each other. But while Puritanism strengthened local control over the church it robbed the church of its potential as integrative element within the respective town: The restrictions on church membership were incompatible with the idea of the township community as a religious unit. As far as Germany is concerned it is misleading to identify communalist ecclesiastical politics and Protestantism. After the defeat of the peasantry in 1525, the German nobility soon gained control over the reformed church.[25] Secular Catholic territories in which the dichotomy between church and state persisted provided peasant communities with more opportunities to influence the parish church and its resources than Protestant states.[26]

Independently of the communal reformation, peasant communities used religion to define themselves. In Germany, peasants' organizations were founded on religious forms. Rebel groups but also alliances formed ad hoc by the inhabitants of a town or a district to achieve a specific end were sworn confederacies.[27] They were based on oaths that called on God as their witness and their guarantor. In a manner reminiscent of these European rural traditions the political culture of New England was informed by a system of oaths. In New England the formation of a new town could take the form of a covenant reflecting the Puritan notion that the church was based on a covenant between God and the faithful.[28] Although they certainly helped to define communities vis-à-vis territorial administrations, covenant or sworn confederacy did not spell egalitarianism. Neither were they specific forms of communalist organization. In both New England and Germany, the religious core of the confederacy, the oath, was of course also used to organize the hierarchies of the state.

Covenant and oath were of course not the only religious structural principles of American Puritan politics. New England had its own doctrine of divine right: In a manner reminiscent of Bodin's absolutist ideology, New England magistrates presented themselves as God's vice-regents on earth.[29] The ability to rule was regarded as a special grace from God. This doctrine of divine right had important consequences: Even less willing than Luther to acknowledge the German Peasants' War as lawful resistance, preachers in New England condemned it as an exemplary attack on God's order and anathematized Thomas Müntzer. The election by the people was a formal act by which the divine calling of the magistrates was publicly acknowledged. Elections were presented as a challenge not for the candidates but for the voters who had the religious duty to carefully choose the right one. Only the small governing elite of magistrates claimed divine election. At least according to Winthrop, no divine calling was necessary to be a representative, to be able to work for a specific town. The deputies' office had an exclusively secular character; it was perhaps the most unequivocally secular part of Puritan political culture. The oath or covenant on which the community was based on did not endow the representative with sacral qualities. Their entire authority was based on the election by the people. From the middle of the seventeenth century onwards most members of the upper house had served as deputies before they were elected magistrates. After 1660, religious arguments became less and less important in New England politics. At the same time the rigorous restrictions on church membership were lifted. The representatives of the communities could be regarded as the vanguard of secularization. Concerning the European systems it can at least be said that although communalist movements always claimed to do the will of God, the spokesmen of communities did not regard themselves as divinely elected. The sacralization of officeholders was not compatible with representational communalism. However, neither in Germany nor in New England did communalism find a specific religious form of its own.

Even if it might seem an over-simplification I would suggest that communalist systems had a clear tendency to extend the franchise to every freeholder.[30] The variety of regional election privileges spells de facto that every landowner enjoyed the right to vote. The comparatively low number of copyholders, i.e., tenants in New England

made it possible to exclude them from the franchise. In Germany, where land was scarce and various forms of tenancy informed peasant economics, the distinction between landowners and copyholders with hereditary tenure became blurred. The rural assemblies of Kleve and Mark that negotiated taxes with the lordship were significantly called the *Erbentage*, the diets of the heirs: The right to leave one's farmstead to one's heirs was the precondition of political participation.[31] When acting as heads of household even widows were allowed to participate in elections in Germany. In the rural societies of the early modern period, landownership was the basic condition for political as well as economic activity. New England's early attempt to restrict the franchise to members of the Congregationalist church was a short-lived aberration from this principle.

The mode of selecting representatives is crucial for determining the political power of communities. Some of the delegates of the *Landschaften* were well-off peasants freely chosen by their fellow townsmen, yet most of them were officials of the territorial lord. When elections were held, candidates had to be selected from the ranks of the territorial administration. In the *Landschaften* of Northern Germany there was a clear tendency to replace elections with cooptation: the allegedly representative body chose its own members. Once chosen, the members of the North German *Landschaften* enjoyed life tenure as a rule. Other spokesmen of the peasantry were appointees of the territorial lord.[32] However, as we already observed, these regional and local officeholders owned loyalty not only to the aristocratic ruler. They were professional intermediaries between state and communities. Further qualifications are necessary: In terms of education and wealth local officeholders, for example the village constables that were sent to the regional diet in Swabian Hapsburg territories, could hardly be distinguished from their fellow villagers. Attendance at the diets was not part of the officials' duties. If we consider the fact that administration as brokerage between people and state belonged to the sphere of politics it might be possible to regard these officials that were also representatives not so much as administrators but as professional politicians. Nevertheless, the fact remains that communities obviously accepted executives of the territorial administration as their proxies and made no effort to replace them with persons that were exclusively loyal to the communities themselves.[33]

Recruitment patterns of leaders and the relationship between the electorate and its representatives are major topics in the historiography of Colonial America. Prosopographical research for the seventeenth and eighteenth centuries suggests not only that the members of the General Court came from the colony's economical elite, but also that the upper house was largely the domain of the most affluent settlers.[34] However, what seems to have been regarded as the most important quality of a candidate for the General Court was his experience as an officeholder. Most deputies and magistrates had served in communal offices for a number of years. As a rule deputies were returned to office several times while magistrates were re-elected till they gave up office because of old age. New England seems to have produced a political elite that was hardly less stable and hardly closer to the social and economical conditions of the average villager than its European counterpart. It has been argued that common men were led by "deference," an unthinking respect for their so-called betters.[35] This

explanation seems to be rather tautological. At least, it can be said that communities on both sides of the Atlantic relied on experts for administration. Peasant communes in Germany and New England were willing to employ educated people from the cities or lawyers as their representatives. Local representation took the shape of an "expertocracy" rather than a meritocracy.

The practice of choosing representatives suggests that the communities did not conceive of themselves and the territorial state as opponents. The representatives were experts, professional or semi-professional politicians who commanded the skills needed to participate in the communication with the state. New England's rural communities did not supervise their respective representatives. Before the eighteenth century there is hardly any evidence that the deputies of the General Court received any instructions from the town meetings.[36] At least in some South German territories representational communalism included more vigorous control: The so-called *Hinter-sich-bringen*, literally "putting-behind-oneself," was part of the duties of communal representatives: They had to present all resolutions of the regional diets to their hometown for ratification.[37]

Representational communalist systems in Europe and America shared values and goals. Evidently, local self-government and representation were means to an end; they were expressions and instruments of a political awareness and political aims. I would like to point out some basic features of the political thought peasants in early modern New England and Germany had in common. These ideas and values played a major part in communalist politics but this does not necessarily mean that they were exclusively held by the rural population and rejected by burghers or aristocrats. On the contrary, one of the reasons why communities and territorial aristocratic states were capable of cooperation was that they shared sets of values.

Basic features in the demands of the peasantry were swift and simple legal procedures. As soon as they arrived in America, the settlers got rid of the formalities of the common law. Massachusetts's representational communalism effectively banned arbitrary, slow, and costly procedures almost forty years before *habeas corpus*.[38] Although they developed remarkable skill in using lawsuits as a means to protect their interests, German peasants demanded the simplification of legal procedures in 1525 and afterwards. A caveat is needed here: As the numerous witch-hunts organized by German peasant villages prove, the simplification of legal procedures does not necessarily result in justice.[39] Being suspicious of learned jurisprudence communalist systems on both sides of the Atlantic were more willing than aristocratic states to accept the Bible as a blueprint for the legal system.[40]

Even though—at least in Germany—the preservation of subsistence certainly was the foremost concern of most peasants, communes demonstrated an understanding of the economic implications of political decisions well beyond the rural household economy. New England communities as well as some of their German counterparts were substantial landowners. Numerous regulations in German territories regarding exports and imports of agricultural products met demands of the peasantry. In New England and in Germany peasants kept complaining about the lack of interchangeable

currency. Several *Landschaften* took on the role of banks. This proves that at least a part of the rural population used its power to influence monetary politics.[41]

These economic objectives together with the upkeep of infrastructure such as roads and bridges as well as the preservation of the commons were regarded as contributing to the welfare of the community as a whole. The welfare of the community, the *Gemeinnutz* or the common good, was a basic category of rural political thought. The political ideal of the common good was used to justify actions and norms. The rebellious peasants of Württemberg proclaimed in 1514 that next to the greater honor of God the common good should be the purpose of politics. In his famous speech during the passage to Massachusetts, John Winthrop expressed the very same notion.[42] It was explicitly claimed that the promotion of the common good was the end of justice and the *raison d' être* of peasant confederacies. John Locke's main idea that the good of society is served best when everyone works for his own advantage had already been formulated and published by the German political theorist Leonhard Fronsberger in 1564. But his call went unheeded.[43] The rural common-good ideology was still too strong. However, the peasantry's preoccupation with the commonweal did not spell an interest in equality. Rural artisanship, market orientation and even rural capitalism were basic features of the country economy, especially in New England. The political value of common welfare certainly checked individual entrepreneurial initiative but the ability to enter the market seems to have been part and parcel of the common good. The more radical demands of Müntzer and his followers as well as the community of goods practiced by the Anabaptist minority remained alien to peasant culture.[44] Nevertheless, the dominant role of the common-good concept might have been one of the reasons why the protection of private property as central obligation of the state played but a minor role in popular political thought till the eighteenth century. Paradoxically, in New England it was the dominion regime that—by questioning the settlers' land grants—strengthened the idea that the state was the guarantor of property.[45]

Part and parcel of the community's welfare was order. To guarantee order and thereby peace was depicted as one of the main duties of New England rulers. In German *Dorfordnungen*, collections of local bylaws, it is one of the main tasks of the inhabitants to keep up peace and good order within the village.[46] Town courts staffed by peasants sanctioned breaches of the peace and petty crime. Even though most peasant communities in early modern Germany did not officially participate in the administration of criminal justice they influenced criminal procedures as pressure groups, brought charges collectively or even usurped legal functions of the territorial authorities. In a very similar way the communities of New England, too, were integrated in the system of peacekeeping and law enforcement. In addition to the self-policing of the individual village, German and New England peasant representative alike advocated legal sanctions against personal conduct considered offensive or luxurious on the territorial level in order to keep up public order.[47]

The central objective of communalism was the unity of the community itself. This might seem tautological. However, to actively achieve unity was regarded as the central task of a commune. In German as well as in American source materials the communal obligation to act "as one man" ("ein Mann zu sein") occurs time and again.

In his "Arrabella" speech Winthrop urged his fellow settlers to "be knit together in this work [i.e., the building of the colony] as one man." When they decided on more important business, town meetings in the electorate of Trier formally proclaimed their willingness "beyeinander zu stehen, ein Mann zu sein, auch leib und gut beieinander zu lassen" (to stand together, to be one man, to preserve together life and property).[48] In New England as well as in Germany town meetings seem to have regarded unanimous decisions as the rule or even as necessary.

It has been observed that the territorial state in early modern Germany was integrated into a system of reciprocity that bound it to the villages.[49] The reciprocity that informed the relations between the peasant community and the lordship could be regarded as the equivalent of the structuring principle that governed life within the village: Within the community, unity and peace spelled the willingness of individuals to obey to its rules and accept standards of conduct that were based on reciprocity. Covenant and confederacies created obligations of individuals towards each other and thereby originated communities. In contrast to Lockean concepts of contract, covenant and confederacies did not mention individual rights.[50] Strict social control was one of the basic features of early modern community life. Factionalism, individualism, and self-interest, of course, existed within village communities but they were considered illegitimate. They contradicted the political ideal of unity. Indirectly, the central ideas of unity and peace discouraged opposition and strengthened the positions of representatives.

The concept of oneness had a distinctly exclusive, even an aggressive trait. At the core of the concept of localism lies a negative attitude towards all outside influences. This negative attitude took two basic forms. First, in New England as well as in Germany peasants feared powerful outsiders, small groups of corrupt officials, the stereotypical "bad counselors" of the prince. New Englanders counted among the worst evils of the dominion regime the fact that Governor Andros had employed people from other colonies as officials.[51] The villagers that enjoyed all political privileges of their community were keen to control the influx of newcomers. In Europe and America alike, the ruling majority that enjoyed all economical and political privileges, the landowning rural householders excluded small tenants from political participation and were obsessed with fear of the group of non-householders, itinerant farm hands and poor vagrants.[52] Colonial New England and the communalist territories of Germany were certainly no "middle class democracies" or "Hausväterdemokratien" as Robert Brown and Karl Bosl called them, rather, they were landowner republics.[53]

Although representative institutions, periodical elections and political participation were elements of representational communalism, it cannot be addressed as a driving force of democratization. Its frequently easy coexistence with aristocratic states, its tendency to accept or even create authoritarian structures, and its utter lack of respect for pluralism suggests otherwise. However, the desacralization of the political sphere, the obvious interest to participate actively in decision-making in a variety of political fields, and the use of expert knowledge suggest that representational communalism was a strong partner of the emerging territorial state—a partner, not an opponent. Peasant communities on both sides of the Atlantic seem to have been lacking

a political vision of their own. All of their basic ideas and aims were identical or easily reconcilable with those of the territorial states. Representational communalism was compatible with the estates systems of the German territorial states as well as with the quasi-parliamentarism of seventeenth-century New England. However, it integrated specific forms and structures such as elections, representative institutions, the participation of at least a large group of the subject into the process of policy making, into the political culture.[54] In the new intellectual climate of the revolutionary era, these patterns were apt to become instruments and vehicles of democratic reform.

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Notes

[1] I presented a short version of this paper at the 25th Symposium of the SGAS at Grand Rapids, Michigan, May 3-6, 2001.

[2] Cf. H. J. Ford, *Representative Government* (New York: Holt, 1924) and John Sly, *Town Government in Massachusetts (1620-1930)* (Cambridge: Harvard University Press, 1930), 52-69.

[3] Kemble's connections to German historiography were crucial for the development of the Oxford School, cf. Petra Feld, "Kemble, John Mitchell," in *Hoops — Reallexikon der germanischen Altertumskunde*, 2d ed. Heinrich Beck et al. (Berlin: DeGruyter, 2000), 6:422-23.

[4] Herbert B. Adams, "Mr. Freeman's Visit to Baltimore," in *An Introduction to American Institutional History*, ed. Edward Freeman, Johns Hopkins University Studies in Historical and Political Science, vol. 1 (Baltimore: Johns Hopkins, 1882; reprt. New York: Johnson, 1973), 5-12.

[5] Alexis de Tocqueville, *De la démocratie en Amérique* (Paris, 1835-40), Alexis de Tocqueville, *Oeuvres complètes*, ed. Jacob Mayer (Paris: Gallimard, 1951), 1:60-63, and Alexis de Tocqueville, *L'ancien régime et la révolution* (Paris: Gallimard, 1856), Alexis de Tocqueville, *Oeuvres complètes*, ed. Jacob Mayer (Paris: Gallimard, 1952), 2:119-22.

[6] Blickle reflected in some detail on the development and significance of the term "communalism, " Peter Blickle, "Kommunalismus: Begriffsbildung in heuristischer Absicht," in *Landgemeinde und Stadtgemeinde in Mitteleuropa. Ein struktureller Vergleich*, ed. Peter Blickle (Munich: Oldenbourg, 1991), 5-38; cf. the critical comment by Robert Scribner, "Communalism: Universal Category or Ideological Construct?" *Historical Journal* 37 (1994): 199-207.

[7] Peter Blickle, *Kommunalismus: Skizzen einer gesellschaftlichen Organisationsform*, 2 vols. (Munich: Oldenbourg, 2000), 2:374.

[8] Kenneth Lockridge, *Settlement and Unsettlement in Early America* (Cambridge: Cambridge University Press, 1981).

[9] Cf. Timothy H. Breen, "Introduction," in *Puritans and Adventurers: Change and Persistence in Early America*, ed. Timothy H. Breen (New York: Oxford University Press, 1980), vi-xviii; Blickle, *Kommunalismus*, 36.

[10] Theodor Schieder, "Möglichkeiten und Grenzen vergleichender Methoden in der Geschichtswissenschaft," in *Geschichte als Wissenschaft*, ed. Theodor Schieder (Munich: Oldenbourg, 1965), 187-211.

[11] Alexander Gerschenkron, *Economic Backwardness in Historical Perspective* (Cambridge: Harvard UP, 1962); Barrington Moore, *Social Origins of Dictatorship and Democracy* (London: Allan Lane, 1967).

[12] Roland Mousnier, « La Participation des Gouvernés à l'Activité des Gouvernants dans la France du XVIIe et du XVIIIe siècles, » *Schweizer Beiträge zur Allgemeinen Geschichte* 20 (1962-63): 200-29.

[13] Derek Hirst, *The Representatives of the People?: Voters and Voting in England under the Early Stuarts* (Cambridge: Cambridge University Press, 1975); Mark Kishlansky, *Parliamentary Selection: Social and Political Choice in Early Modern England* (Cambridge: Cambridge University Press, 1986).

[14] Peter Blickle, Steven Ellis and Eva Österberg, "The Commons and the State: Representation, Influence, and the Legislative Process," in *Resistance, Representation and Community*, ed. Peter Blickle (Oxford: Oxford University Press, 1997), 121-23; Göran Rystad, "The Estates of the Realm, the Monarchy, and Empire, 1611-1718," in *The Riksdag: A History of the Swedish Parliament*, ed. Michael Metcalf (New York: St. Martin's Press, 1987), 61-108.

[15] Hans Conrad Peyer, *Verfassungsgeschichte der alten Schweiz* (Zürich: Schulthess, 1978); Peter Bierbrauer, *Freiheit und Gemeinde im Berner Oberland, 1300-1700* (Bern: Stämpfli, 1991).

[16] The author is currently working on a study that will include all these systems in a multinational comparison.

[17] Cf. the surveys in André Holenstein, *Bauern zwischen Bauernkrieg und Dreißigjährigem Krieg* (Munich: Oldenbourg, 1996); Werner Troßbach, *Bauern 1648-1806* (Munich: Oldenbourg, 1993); Heide Wunder, *Die bäuerliche Gemeinde in Deutschland* (Göttingen: Vandenhoeck & Ruprecht, 1986).

[18] Cf. for the Peasants' War, its religious and political contexts and consequences Peter Blickle, *From the Communal Reformation to the Revolution of the Common Man* (Boston: Brill, 1998) and James M. Stayer, *The German Peasants' War and Anabaptist Community of Goods* (Montreal: McGill-Queen's University Press, 1991).

[19] Bernd Kappelhoff, *Absolutistisches Regiment oder Ständeherrschaft?: Landesherr und Landstände in Ostfriesland im ersten Drittel des 18. Jahrhunderts* (Hildesheim: Lax, 1982); Kersten Krüger, "Die Landschaftliche Verfassung Nordelbiens in der frühen Neuzeit," in *Civitatum Communitas: Festschrift Heinz Stoob*, ed. Helmut Jäger (Cologne: Böhlau, 1984), 2:458-87.

[20] Richard Laufner, "Die Landstände von Kurtrier im 17. und 18. Jahrhundert," *Rheinische Vierteljahreshefte* 33 (1968): 290-317.

[21] Peter Blickle, *Landschaften im Alten Reich* (Munich: Beck, 1973).

[22] Cf. Richard Simmons, *Studies in the Massachusetts Franchise, 1631-1691* (New York: Garland, 1989).

[23] Helmut Koenigsberger, "Schlußbetrachtung: Republiken und Republikanismus im Europa der frühen Neuzeit aus historischer Sicht," in *Republiken und Republikanismus im Europa der Frühen Neuzeit*, ed. Helmut Koenigsberger, (Munich: Oldenbourg, 1988), 285-302.

[24] John Peacock, "Covenant, Body Politic, and the Great Migration," in *The Covenant Connection: From Federal Theology to Modern Federalism*, ed. Daniel J. Elazar and John Kincaid (Lanham: Lexington, 1999), 201-22; cf. also J. Wayne Baker, *Heinrich Bullinger and the Covenant: The other Reformed Tradition* (Athens: Ohio University Press, 1980) and Daniel J. Elazar, *Covenant and Constitutionalism: The Great Frontier and the Matrix of Federal Democracy* (New Brunswick: Transaction, 1998).

[25] Peter Blickle, *Gemeindereformation: Die Menschen des 16. Jahrhunderts auf dem Weg zum Heil* (Munich: Oldenbourg, 1985).

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[27] Klaus Gerteis, "Bauernrevolten zwischen Bauernkrieg und Französischer Revolution," *Zeitschrift für historische Forschung* 6 (1979): 37-62; Walter Rummel, *Bauern, Herren und Hexen* (Göttingen: Vandenhoeck & Ruprecht, 1991), 26-37.

[28] Cf. Donald Lutz, ed., *Documents of Political Foundation written by Colonial Americans* (Philadelphia: Institute for the Study of Human Issues, 1986) and the survey of Lutz's results in Elazar, *Covenant*, 22-23, 32.

[29] Cf., e.g., John Winthrop, "Defense of the Negative Vote," in *The Winthrop Papers*, ed. Allyn B. Forbes, (Boston: MHS, 1944), 4:380-91; John Winthrop, "A Discourse on Arbitrary Government," in *The Winthrop Papers*, 4:468-88; cf. Timothy H. Breen, *The Character of the Good Ruler: A Study of Puritan Political Ideas in New England, 1630-1730* (New Haven: Norton, 1970), 73-76.

[30] Simmons, *Studies*, 67-73; John Frederick Martin, *Profits in the Wilderness. Entrepreneurship and the Founding of New England Towns in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 1991), 167-85; Karl Bosl, "Repräsentierte und Repräsentierende. Vorformen und Traditionen des Parlamentarismus an der gesellschaftlichen Basis der deutschen Territorialstaaten vom 16. bis 18. Jahrhundert," in *Der moderne Parlamentarismus und seine Grundlagen in der ständischen Repräsentation*, ed. Karl Bosl and Karl Möckl (Berlin: Duncker & Humblot, 1977), 99-120.

[31] Harm Klueting, "Bauern auf den 'Erbentagen' nordwestdeutscher Territorien," *Parliaments, Estates and Representation* 7 (1987): 41-49.

[32] Krüger, *Verfassung*, 466-69; Nis R. Nissen, "Bäuerliche Führungsschichten Dithmarschens zwischen Bauernkrieg und Bauernbefreiung," in *Bauernschaft und Bauernstand 1500-1970*, ed. Günther Franz (Limburg: Starke, 1975), 165-82.

[33] Blickle, *Landschaften*, 449-58.

[34] Cf., for example, Robert E. Wall, *The Membership of the Massachusetts Bay General Court, 1630-1686* (New York: Garland, 1990); Joy Gilsdorf and Robert Gilsdorf, "Elites and Electorates: Some Plain Truths for Historians of Colonial America," in *Saints and Revolutionaries: Essays on Early American History*, ed. David Hall (New York: Norton, 1984), 207-44.

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[37] Blickle, *Landschaften*, 268-70, 567-68.

[38] Richard Simmons, "The Massachusetts Revolution of 1689: Three Early American Political Broadsides, "*Journal of American Studies* 2 (1968): 1-12; Nathan Matthews, "The Results of the Prejudice against Lawyers in Massachusetts in the Seventeenth Century,"*Massachusetts Law Quarterly* 13 (1928): 73-94.

[39] Johannes Dillinger, *"Böse Leute": Hexenverfolgungen in Schwäbisch-Österreich und Kurtrier im Vergleich* (Trier: Spee, 1999), 79-83, 305-41, 417-38.

[40] Edgar McManus, *Law and Liberty in Early New England: Criminal Justice and Due Process, 1620-1692* (Amherst: University of Massachusetts Press, 1993), 8, and Blickle, *Kommunalismus*, 2:12; for Sweden cf. Blickle , Ellis and Österberg, *Commons*, 149.

[41] Blickle, *Landschaften*, 194-95, 347, 377-78, 474-76.

[42] Blickle, *Kommunalismus*, 1:88; John Winthrop, "A Modell of Christian Charity," in *The Winthrop Papers*, ed. Steward Mitchell, 6 vols. (Boston: MHS, 1931), 2:282-95.

[43] Winfried Schulze, *Vom Gemeinnutz zum Eigennutz: Über den Normenwandel in der ständischen Gesellschaft der Frühen Neuzeit* (Munich: Oldenbourg) 1987.

[44] Stayer, 58-60, 95-122.

[45] Breen, *Character*, 203-39.

[46] Paul Münch, "Grundwerte der frühneuzeitlichen Ständegesellschaft?: Aufriß einer vernachlässigten Thematik," in *Ständische Gesellschaft und soziale Mobilität*, ed. Winfried Schulze and Helmut Gabel (Munich: Oldenbourg, 1988), 53-72, esp. 66-71; Bernhard Schildt, "Der Friedensgedanke im frühneuzeitlichen Dorfrecht," *Zeitschrift der Savigny Stiftung für Rechtsgeschichte, Germanistische Abteilung* 197 (1990): 188-235.

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[49] Thomas Robisheaux, *Rural Society and the Search for Order in Early Modern Germany* (Cambridge: Cambridge University Press, 1989).

[50] Joshua Miller, *The Rise and Fall of Democracy in early America, 1630-1789: The Legacy for Contemporary Politics* (University Park: Pennsylvania State University Press, 1991), 28-35.

[51] Cf., e.g., "The Declaration of the Gentlemen, Merchants, and Inhabitants of Boston, and the County Adjacent: April 18, 1689," in *The Andros Tracts*, 3 vols., ed. William Whitmore (Boston: Prince, 1868-1874, reprt. New York: Franklin, 1971), 1:11-19, esp. 12-14; cf. Breen, *Character*, 156-63.

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[53] Bosl, *Repräsentierte*, 109; Robert Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691-1780*, 2d ed.(New York: Russell & Russell, 1968).

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