

# PROBLEMS OF CITY GOVERNMENT

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**B**OTH in the United States and in Canada the past twenty-five years have witnessed many experiments in the field of municipal government; there is scarcely any type of local administration that has not been given a trial somewhere or other in the New World during this period. All this stands out in rather striking contrast with the history of municipal government throughout the countries of Europe during the past generation. Both in England and on the Continent during the quarter century which preceded the outbreak of the War relatively few changes were made in the mechanism of municipal administration, and in no case can one find important alterations in the general structure of local government. Basic arrangements have stood everywhere intact. The system of municipal government in France has remained substantially unaltered for fifty years. The same is true of Italy. In England, the affairs of the boroughs, big and little, are administered today almost exactly as they were in the era of Salisbury and Gladstone; indeed one might almost say as they were administered in the later days of Russell and Peel. As for Germany no important changes in the system of municipal government took place during the period intervening between the triumphant establishment of the Empire in 1871 and its resounding collapse in 1918. Since the Revolution of November 1918 the government of German cities has been considerably remodelled, but nobody knows whether the new arrangements have yet settled down to permanence.

During the past five decades the world's great laboratory for experiments in local government has been America. Though costly in some respects, the experiments have been very instructive, and some of them have led to substantial improvements in the administration of city affairs on both sides of the international boundary line. The cities of the United States, taking them as a whole, have made greater progress in the direction of honest and economical administration during the past twenty years than they were able

to make in the preceding half-century. This does not mean, of course, that changes in the framework of municipal government have been the entire cause of the improved conditions, for the awakening of public interest in municipal affairs has reacted beneficially upon every phase of civic activity.

In Canada it is at least open to question whether any such marked improvement has been taking place during the same period. On the contrary, if the frequency and earnestness of the complaints which find outlet through the columns of the newspapers are to be taken at anything like their face value, the current has been running in the other direction. There is no exact way of determining whether this be so or not, but if there has been a deterioration it is not altogether difficult to explain. Canadian cities have been drifting away from the English system of municipal organization and borrowing all sorts of new-fangled devices from the cities of the United States. On the whole they have not borrowed with good judgment. They have taken from the United States things which never proved entirely satisfactory at home, and which have since been generally abandoned there. Transplanted institutions rarely flourish in new soil, and the experience of Canadian cities with municipal exotics seems to be providing us with no exception to the rule.

Comparing the system of borough government in England with the scheme of city government most prevalent in the United States, one cannot fail to notice some marked differences both in form and spirit. In England all the powers of the municipality are vested, fundamentally, in a borough council. This borough council is made up of two classes of members, the councillors elected directly by the people and a group of aldermen who are chosen by the councillors, usually from among their own number. Councillors and aldermen sit together in one body however, and there are no important differences between the two classes of members except that the aldermen serve for a longer term and are usually made chairmen of the various council meetings. The mayor of an English borough is also chosen by the council, either from among its own members or from outside. He has no distinct and independent executive powers. Apart from presiding at meetings of the council and representing the borough on occasions of ceremony, the English mayor has neither authority nor influence, save such as he may exert by reason of his own personality or popularity. He has no right of veto over actions of the council; he appoints none of the city officials; he has nothing to do with the making of the municipal budget; and he does not control the general direction of civic policy.

In the English borough the council is supreme both as regards

the making of by-laws and the control of actual administration. There is no line of separation between the legislative and executive functions such as one finds recognized almost anywhere in the United States. The council in an English borough appoints the city officials; it determines the local tax rates; it appropriates money for municipal purposes and supervises the expenditure of its own appropriations. There is a complete fusion of legislative and administrative power. The actual work of conducting the various municipal departments (streets, police, water, parks, etc.) is in the hands of the council's appointed officials who serve, as a rule, for long terms and are in every sense professional administrators. The link between these officials (medical officer of health, chief constable, superintendent of streets, etc.) is provided by the council's committees, there being a standing committee for each important branch of municipal administration. It would be more accurate to say, perhaps, that the chairman of each committee provides the element of *liaison* between the council and the regular officials of the municipality. The entire English municipal system, in a word, is based on the supremacy of the borough council. It consolidates in a single hand what we might call the "sovereignty of the community," if such a term could be used without giving grave offence to the political philosophers.

In the United States the English system of municipal administration was introduced during the colonial period. Down to the time of the Revolution, and even after it, the governing body of American cities, such as New York, Philadelphia and Albany, was vested in a single council made up of a mayor, a small number of aldermen and a larger number of councillors, all sitting together. Except in those cities which were governed as close corporations, the councillors were chosen at regular intervals by popular vote, and so were the aldermen as a rule; but the mayor was commonly named by the governor of the colony in which the municipality happened to be situated. There were also some borough officers such as the recorder and treasurer, but these colonial cities were small and backward so that there were no considerable administrative functions to be performed.

The successful outcome of the War of Independence, and the adoption of the new state constitutions, served to bring about great changes in both the form and the spirit of municipal government. Municipal charters were henceforth granted, not by the governor, but by the state legislatures. In other words, the city charter became a statute, which might be amended or repealed like any other statute. This involved a radical change in the rela-

hedged by all manner of legal restrictions which prevented the carrying through of any constructive policy. Safeguards which had been established to keep crooked politicians from doing wrong were equally effective in shackling the hands of honest and progressive officeholders when they tried to lift city affairs out of the usual rut. The reform movements in American cities during the last quarter of the nineteenth century accomplished nothing more than a temporary change in personnel

In 1900, largely as a result of an unfortunate accident, a movement for the reform of American city government was inaugurated along entirely new lines. In that year a tidal wave partly destroyed the city of Galveston, Texas, and compelled the adoption of Spartan methods in providing for the reconstruction of that city. Prior to 1900 Galveston was one of the worst governed cities in the United States. It had an elective mayor, a variety of elective boards, a council chosen by wards, all of them lacking in direct responsibility to one another. Every department in the city government had been extravagant; the municipal debt increased year by year; the tax rate mounted steadily until it formed a serious burden upon the business of the community. The municipal offices were held for the most part by the professional politicians who gave the citizens very poor service in return for generous salaries. Everything in Galveston was ripe for a radical change when ill-fortune compelled the people of the municipality to take immediate and adroit measures.

When Galveston made an inventory of its affairs after the inundation the city found itself face to face with bankruptcy. Large sums of money were needed to replace public buildings which had been demolished, to repave streets, repair the water mains, rebuild the docks, and so on. This money could not be had save on exorbitant terms because the city's credit was poor, and there was a likelihood that it would have to default the interest on its already out-standing bonds. There was nothing to do, therefore, but to ask that Galveston be placed in a receivership until its financial difficulties could be ironed out. A deputation of prominent citizens went, accordingly to the state legislature of Texas and asked that a special act be passed repealing the city's charter, abolishing all the municipal offices, and placing the city affairs in the hands of a small appointive commission. There being, apparently, no other solution of the problem the Texan legislature complied with this request, and the entire government of the city was placed in the hands of a commission. It was necessary to provide however, that the members of this commission (five in

number) should be selected by the people of the city, because a provision in the Texan constitution prohibited the appointment of city officers by state authorities.

No one expected, however, that this simple system of government by an elective commission of five members would be a permanent affair. It was regarded by everyone as a temporary expedient for saving the city from bankruptcy and enabling the work of physical reconstruction to be carried on quickly. The salient feature of the plan, and the one most out of consonance with orthodox American political ideals, was its concentration of all executive and legislative authority in the hands of a single body. The commission consolidated within its own hands all the powers which had formerly been distributed between the mayor, heads of departments, school board, a host of other boards, a city council and a multitude of council committees. The commission appointed all municipal officers, enacted the municipal by-laws and ordinances, appropriated money for city expenses, determined the tax rate,—in a word served as a board of directors with full authority.

The results of this Galveston experiment were immediate and noteworthy. The five commissioners took hold of things in business-like fashion, holding daily meetings and devoting their entire energies to the handling of the city's urgent problems. The old-time municipal habits of procrastination, evading responsibility, trying to cast the blame for delay upon other boards—all of them disappeared over night. Matters were brought up, discussed and settled all within a few hours. Various economies in the municipal service enabled the commissioners to meet the interest on the city debt when it came due, and in the course of a few years Galveston was again on its feet financially and otherwise. Quite naturally this experience gave rise to a general opinion that the commission plan of government was worth maintaining permanently. The other cities of Texas, moreover, having seen the working of the plan in Galveston now began to come forward and ask the Texan legislature for a similar scheme of local government, and in due course the commission plan was authorized for use in all the cities of the state.

About 1905 the Galveston plan had attracted so much attention in other parts of the United States that movements for its adoption in various Northern cities began to take shape. Des Moines, the capital city of Iowa, was the first municipality outside of Texas to adopt the commission plan. This action was a prelude to its spread all over the country. During the next twenty years nearly four hundred cities, scattered from the Atlantic to the Pacific and

from the Gulf of Mexico to the Canadian border went over to the new plan. The majority of these are small places with a population of 10,000 or less, but the list includes several large urban centres such as Buffalo and New Orleans, besides a score of municipalities having populations exceeding 75,000. A few cities, not more than a half-dozen, have given up the commission form of government after having experimented with it for a few years, but the great majority of commission-governed communities seem to be reasonably well satisfied with the system.

The chief merit of the commission plan is its concentration of power and responsibility. It has enabled the authorities of a city to conduct business more promptly and with less friction. There may be wisdom in a multitude of councillors, but the history of American cities goes to prove that the wisdom is not always of a very high grade. Unwieldy councils have been maintained in many cities throughout the world because of a notion that democracy somehow associates itself with unwieldiness in legislative bodies. The commission plan simplifies the process of legislation by placing the whole business in the hands of a small group of men.

The chief defect of the commission plan, on the other hand, is its failure to provide an apex for the pyramid of local administration. There is no place, in the commission plan, for the office of mayor. Yet this office stands in the public imagination as the point at which ultimate administrative responsibility can be centralized. To put the administrative authority in the hands of five men is a good deal better than to diffuse it among fifty; but to make one man definitely responsible for this function is better still. Nearly all the arguments that can be advanced in favor of concentrating authority in the hands of five men can be urged with greater cogency for strengthening the office of the mayor.

It is for this reason, in the main, that many of these commission-governed cities have adopted the city-manager plan, which aims to secure the concentration of administrative functions in the hands of a professional expert who is appointed by the city council, removable by it, and is vested with the duty of carrying out its orders. The city manager has general charge of all the municipal departments, and occupies what is to all intents and purposes the same position as that held by a managing director or general manager in a business corporation. First of all, in an advisory capacity, he attends all meetings of the council with the right to be heard and to make recommendations but not to vote. He is the enforcer of all by-laws. He appoints all the subordinate

officials and employees and assigns to each official his sphere of work. He prepares the annual estimates of expenditures, and submits them to the council for action; he has charge of the award of contracts, the purchase of supplies and the making of plans.

The question whether Canadian cities may wisely follow these American precedents, as they have followed others in the past, is one that has had much discussion within the last few years. Canadian cities have shown a rather marked tendency, during the past few decades, to move away from the traditional English plan of municipal administration, and to be influenced by the drift of municipal reconstruction in the United States. Those who have followed the prolonged discussions connected with the framing of a new city charter for Montreal must have noted the frequency with which the experience of American cities was utilized. In Ontario and in the provinces west of the Lakes the Americanization of municipal methods has been steadily going on for twenty years or more. Mayors are not elected directly by the people in England, and never have been. They are not elected by popular vote in France, or indeed, in any of the Continental countries. But in all Canadian cities they are now chosen in that way. Boards of Control are unknown in England; they are an American invention which several Canadian cities, chiefly in Ontario, have adopted. Special legislation for the benefit of particular cities is another device which, originating south of the border, has made its way into Canada. Its results have been of dubious value in both countries.

So with the machinery of city administration. The legislature of Ontario, for example, has taken away from the city councils of that province the control of municipal police, and has placed this control in the hands of a commission composed of the county judge, the police magistrate and the mayor, *ex officio*. No such provision, or anything approaching it, can be found in the English Municipal Corporations Act or amendments thereto. No precedent for this open violation of the principle of municipal home rule can be found in English cities; the idea was obtained by the Ontario legislature from such cities in the United States as Baltimore, St. Louis and Boston, where the police administration is in charge of state boards or commissioners. The police departments of the English boroughs remain under the control of the Watch Committee of the borough council; and while the national government makes an annual grant-in-aid towards the support of police maintenance in all the boroughs of England it exercises no direct control over local police administration. Police boards

were very popular in American cities twenty-five or thirty years ago; but they are now being replaced in most cities by single police commissioners.

Likewise with the management of the water, lighting, and public works departments of many Canadian cities. There was a time when all these things were handled by standing committees just as they continue to be managed in England. The plan of committee management was not thought to be working very well in Canadian municipalities, however, hence arose the practice of taking these departments out of committee control and placing them in the custody of independent water boards, lighting commissions and public works commissions, the members of which are usually chosen by popular vote. Now that is exactly what American cities did a half-century ago. They created, one after another, a multitude of independent boards and commissions, each responsible to the people but wholly irresponsible to one another. The result was a great deal of friction, overlapping and working at cross purposes. The administrative end of city government became top-heavy, and in some cities it ultimately broke down by reason of its own weight. A half-century of American municipal experience has demonstrated that in point of popular efficiency these elective boards are no better than council committees. Some improvement has been effected by making the various boards appointive instead of elective; a larger amount of improvement has been obtained by reducing the number, telescoping their functions and simplifying their procedure. Not a few Canadian cities at the present day appear to be entirely oblivious to the results of this American experiment in divorcing municipal administration from municipal government. Its results in the United States afford no argument for its adoption elsewhere.

Another field in which some Canadian cities have shown themselves ready to adopt American municipal practices without careful consideration of their consequences, is that of local budget-making. In England, as everyone knows, the municipal budget is prepared each year by the finance committee of the city council. In the United States the same thing was true until about a quarter of a century ago. Ward politicians, however, frequently captured the city council with the result that the estimates were made up by a process of log-rolling in which each ward of the city secured its share of the public funds whether it really needed appropriations or not. A great deal of the extravagance which marked American municipal administration in the closing decades of the nineteenth century was directly attributable to this system of budget making



by ward councillors. In the endeavor to find a remedy various cities took the budget-making authority away from the city council and vested it with a board of estimate or with the mayor. New York chose the former course; Boston the latter. Canadian cities have followed the New York plan. Toronto took it from Buffalo; Ottawa took it from Toronto; then it moved to other cities under its own momentum.

The new plan of executive budget-making has not been a huge success anywhere in the United States, nor can one be sure that it affords a final solution of the problems involved. On the other hand the effect upon the quality of the city council has unquestionably been far from beneficial. Taking authority away from any body of men is a sure way to bring about a deterioration in personnel. When city councils have very little power, as is now the case not only in American cities like New York, Boston and Philadelphia but in some of the larger Canadian cities as well, there need be no surprise if men of inferior type are chosen to the council's membership.

The system of administration by council committees is not intrinsically defective. It is used everywhere in the cities of England and the Continent with reasonably satisfactory results. Sometimes the committees are large, but size does not seem to be an obstacle to promptness in the handling of municipal business. If city councils have failed, on this side of the Atlantic, to handle municipal affairs in an economical and businesslike way, it is not because they have been too large, or have had too much power, or have been elected on a basis of manhood suffrage. The borough councils in England have a large membership; Liverpool, for example, has one hundred and thirty-six members in its borough council. These English municipal councils have the widest range of powers, and the members have been elected by what is virtually manhood suffrage. After all it is not the size of the council but the size of the men composing it that really determines the efficiency of its work.

In the last analysis the problem of managing a city's affairs is largely one of personnel. The city of today is not merely an agent of the state or province for the making of local by-laws. It is a factor in economic life—a purveyor of water, gas and electricity, a builder of streets and public structures, an employer of labor, a philanthropist, and a promotor of private industrial development. A large part of its work is *business*, not *government*. And municipal business does not differ very much, in its general problems, from any other sort of business. To be carried on successfully

it makes the same demands in the way of sound economic judgment. English cities have been successful, for the most part, in finding aldermen and councillors who possess this quality; American and Canadian cities, for the most part, have not. It is very doubtful whether any mere change in the mechanism of municipal government will greatly alter this fundamental situation.

One reason why schemes of municipal reform so often prove ineffective is that they confine themselves to changes in mechanism, in other words, to the reconstruction of city government at the top. What we need is greater attention to the reconstruction of city government at the bottom, that is to say, to the improvement of the ideals and attitude of the electorate. No change in a city charter can ever avail to make a really smooth-working municipal democracy with an uninformed and uninterested electorate at its base. If, on the other hand, the voters of the city, men and women, can be educated to take a live and sustained interest in the affairs of the respective communities, we need have very little fear that men of sufficient calibre will not be chosen to public office or that when chosen they will fail to do the work efficiently. Political philosophers like to talk of "a government of laws, not of men" as an ideal. There never has been such a government, never will be. The problem of getting better government for our cities is fundamentally one of community education rather than one of mere legislative enactment.