

I . The County Seat Courthouse Square: Civil Regionalism

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A Paper in Two Parts

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I. THE COUNTY SEAT COURTHOUSE SQUARE: CIVIL REGIONALISM

The county seat courthouse square is a uniquely American urban invention which demarcated the civil aspirations for a vast frontier landscape. Signified today as an open dot in any standard road atlas, the county seat town geographically marks, quite often literally, the center of this nation's more than three thousand counties. The striking frequency of the courthouse square is presently experienced by any rural traveler along converging county roads throughout the South, Midwest and Texas. Rising above its surrounding countryside, dome or cupola seen piercing a canopy of native trees, the courthouse square is a significant historic marker in our nation's political landscape. The romantic associations, particularly in the Deep South, of its role as a region's "social marketplace" forever typified in William Faulkner's account of the fictionalized courthouse square town aptly named Jefferson, remains intact, if slightly tarnished. The elegance of this American arche-type continues to reside in its ability to image for its citizens a polity and genuine place for participation. Its current obsolescence and challenges speak as much to our loss of commitment in a citizenry as it does to a global culture more tentatively tied to a sense of region.

Jefferson's Agrarian Utopia

Thomas Jefferson's distrust of the city and large, centralized government was strongly articulated throughout his lifetime as a legislator and an architect. He believed in the rural, precommercial economic and social order of revolutionary America where land-ownership alone ensured a citizen's political participation.¹ His conviction that "cities <are> sores on the body politic" confirmed his assertion that: "The Country produces more virtuous citizens."²

Jefferson's agrarian ideals would lead him to promote dispersed rural townships in the newly opened Territories beyond the Appalachians and encourage small local government as a safeguard against the perceived potential tyranny of a centralized Federal state.

Jefferson's egalitarian vision was to provide each American citizen with land, thus truly freeing them from a dependence on government; establishing the basis for a rural citizenry. Early in his political career Jefferson had advised those drafting the Constitution for the independent Commonwealth of his native Virginia that only "all free males owning more than twenty-five acres of land be allowed to vote."³ Later, as Governor of Virginia in 1813, Jefferson successfully passed legislation which abolished entail and primogeniture in land tenure, continuing to express his principles of democracy in terms of land ownership. Clearly, as Jefferson located his sacred beliefs in an agrarian culture, the distribution and organization of land itself would be at the heart of any truly democratic body politic.

Jefferson's abiding concern for education, deemed required to effectively produce a responsible citizenry, can be traced in many proposals he made as Governor resulting in the designs for the land grant University of Virginia. Jefferson wrote: "If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."⁴ He envisioned tax-supported, free public education through the university level, with an emphasis on encouraging "youths of genius from among the classes of the poor."⁵ School districts would be administered at the most local level, that of the township, and this organization continues largely without exception in the South to this day. Higher education at the university level was reserved and intended to cultivate those individuals with whom would reside the inevitable responsibility of wise gover-

nance. The importance of education in Jefferson's political schema was that it be tied back to the local landowners which supported it at the township level who, would receive in return, virtuous citizens, judges and legislative representatives.

Instrument/Symbol

Jefferson's guiding authorship of the National Survey of 1785 as a member of the Continental Congress would scribe his framework for a rural democracy seemingly across the nation. Vast and monolithic, a grid, without topological incident, would become law as the Northwest Ordinances of 1785 and 1787, reading like a powerful instrument in its attempt to establish an agrarian national land policy. J.B. Jackson summarized its utopian content as a "clear expression of the Jeffersonian dislike of a powerful government, centralized in cities, and the emphasis on the small rural landowner."⁶ Yet, amidst the rural economy which dominated Jefferson's vision, he recognized the necessity for population centers to accommodate and serve as seats of local government. Prior to the formal development of the courthouse square, Carroll William Westfall concluded that:

*The basic political entity within the gridded landscape would be the county; its town would typically be a gridded market town; and the county seat would be the kind of city Jefferson hoped would develop. These cities were to be regional centers for the administration of governmental affairs, namely, the just execution of the state's laws, and the administration of local affairs such as caring for the schools and roads, and keeping the official public record of land ownership and policing land transactions. As was the case in colonial Virginia, the courthouse was the dominant public building in the county just as the capitol building was the dominant building in the state. Of course the two resembled one another.*⁷

As the Northwest Ordinances conceptually provided for the political ordering of the landscape in unincorporated western Territories into counties governed locally at the county seat, the grid's instrumental effect on subsequent town planning would proceed virtually unchallenged. The most characteristic form for new American towns after 1785 appear to be little more than a uniform arrangement of blocks, extensions or fragments in some fashion, of the regional grid. John Reys concedes that the grid-iron street system adopted throughout the South, Midwest and West was convenient to both the surveyor and the ruthless charge of land speculation, perfunctorily conforming to the mandate imposed in 1785.⁸ Despite the often dulling attempts at town-making as a result of Jefferson's national grid, it served to encourage political jurisdictions which would become the model for an agrarian citizenship.

The Jeffersonian grid can be viewed as an instrument or, a symbol, of an agrarian utopia composed of a democratic society of small landowners.⁹ As such, the county seat becomes the operational locus and clearinghouse of Jefferson's agrarian egalitarian society. Though Jefferson the architect did not envision the actual form of the courthouse square, his philosophical concern for a rural citizen prefigured its requisite political existence and signification. Oth-

ers would invent and develop the type-form of the courthouse square conforming to his vision of a **civil regionalism**: a community of citizens meaningfully established in a region.

Type/Dispersion

As the trans-Appalachian Territories in the upper Midwest, central river valleys and South opened for land settlement chiefly due to numerous Indian and Colonial state's land cessions just after 1800, a new phase of American urban ingenuity would invent and codify the courthouse square to serve its dispersed populations. Though European town planning theories had been traveling freely to the Americas for well over two centuries, it was the skill and experience gained through actual implementation by New World colonists who developed an acumen for urban invention. In Europe at this time, existing cities constrained by fortifications, dense urban fabric and political division largely limited town planning efforts to Royal court towns or suburban extensions. In the Americas, the colonial experiment demanded the production of entirely new cities, tabula rasa, as evidenced by the influential early developments of New Haven, Philadelphia, Savannah, New Orleans and the prolific legacy of the Spanish Plaza towns. As Leonardo Benevolo observed, in America, the relation between theory and practice was reversed: "instead of the conflict between a wide range of ideal programmes and a scarcity of implementation, there was a lack of proportion between forces, schemes and rate of progress, and the enormity of the operations to be carried out."¹⁰ As settlers began to occupy the new Territories designated in Jefferson's rural republic in the early stages of the nineteenth century, if towns stubbornly refused to spring up as county seats, Americans surely would invent them along with the type-form courthouse square.

The New England Meeting House Green or Common and the colonial Spanish Plaza derived from the 1573 Laws of the Indies suggest earlier forms in America of public space at the center of a new town. Though the Spanish Plaza was configured as an open block and marketplace in the gridded town, the New England Green was rarely symmetrical and most often, not surrounded by businesses. In both cases, founded either by Protestant religious societies or the Catholic Mission, a principal church located at the edge faced onto the open space but, did not occupy it. The courthouse square inverts the diagram of these two European inspired models by focusing from the edges onto an object building in the center.¹¹ The symbolic significance of this transformation clearly defines the secular goals of the nineteenth century county seat town by replacing the church with the courthouse building. Further, it was widely perceived that the courthouse building not only occupied the center of the county seat town but, was located at the center of the entire county; standing as the Jeffersonian representative of justice and democratic governance equally accessible to all citizens. The type-form situation and symbolic importance of both the square and courthouse building itself was described by William Faulkner in a passage from his 1951 book *Requiem for a Nun* and the following appears reverently etched in stone on the courthouse building in his hometown courthouse square of Oxford, Mississippi:

*A Square, the courthouse in its grove the center; quadrangular around it, the stores, two-storey, the offices of the lawyers and doctors...each in its ordered place: the four broad diverging avenues...becoming the network of county roads and by-roads...But above all the courthouse: the center, the focus, the hub; sitting looming in the center of the county's circumference...protector of the weak, judiciate and curb of the passions and lusts, repository and guardian of the aspirations and hopes.*¹²

Faulkner describes one of the two principal type variants which would develop as the courthouse square known as the Philadelphia square or, more accurately, Lancaster square. William Penn's 1682 plan for Philadelphia provided a large central open square, cut out of four adjoining blocks, at the crossroads of its main bisecting avenues, Broad and High (Market) streets. Later sketches reveal that Penn imagined a prominent Assembly or even State House building would occupy the center of this square, to be viewed on axis from any of the four directions entering into the space. Oddly, Penn's square remained open until the present City Hall was begun there in 1872 though, settlers branching out from Philadelphia to establish new counties in southeastern Pennsylvania would build-out Penn's plan with the courthouse building located in a central square. The town of Lancaster was the earliest Pennsylvania county seat to realize the current type-form courthouse square modeled after the Philadelphia plan, as it was laid out in 1729. Following shortly after, the county seat towns of York (1741), Reading (1748) and Carlisle (1766) all placed the courthouse within a central square. Interestingly, Reps conjectures that the Scotch-Irish settlers of Lancaster county may in fact have virtually duplicated the 1622 plan of Londonderry in Northern Ireland which, has at its center an imposing Town Hall that these immigrants would have known.¹³ Penn too would have known the Londonderry plan, as he extensively considered numerous sources for the development of Philadelphia. Yet, as the Lancaster example suggests, we must assume that given Philadelphia's economic and political prominence at the close of the Revolutionary War and beginning of the nineteenth century push into the American interior, its plan would exert a strong influence on the minds of those who were to layout new county seat towns.

The second principal type-form variation of the courthouse square has been labeled the Block or Shelbyville square, named after the county seat town in Tennessee where it first appears around 1810. Its invention in southern Middle Tennessee following an 1806 cession of Creek Indian lands might be most easily explained as a geometric inevitability: the Shelbyville square simply uses a block of the town grid, with main streets passing along its four sides. Edward T. Price, in his exhaustive survey of the dispersion of Lancaster and Shelbyville type-form courthouse squares throughout America, concluded that after its invention, the Shelbyville square quickly became the most frequent plan adopted in new counties in most states chiefly because it was easier for surveyors to lay out.¹⁴ As we do not find many significant variations on these two courthouse square type-forms developed in subsequent continental settlement, Price suggests that local officials in these towns were exchanging ideas, and even, surveyors.¹⁵ One town copied

another as pioneers moved South and West, re-creating what they knew from former eastern locales. These two type-forms quite naturally derive from the formal arrangement of the Jeffersonian coordinates, as they also configure, in built form, a local and consistent image for a dispersed democracy.

II. ROAD TRIP: SAME AS IT EVER WAS?

A renewed interest in issues relating to the "public realm" on the part of architects, urbanists, artists and students has recast an appreciation of older urban models of which, in America, the courthouse square must figure prominently and be re-assessed. Historically, the courthouse square serviced a rural citizenry, as Jefferson had hoped, facilitating the commercial and governmental activities of a county region in one memorably defined location. Its geometry is not merely symbolic, for like any pure typology, it can suit many interests.¹⁶ Edward Price concluded from extensive visits to courthouse squares in the mid-sixties that variety is their genius, "in an interweaving of form, meaning and function."¹⁷ Its attraction as a formal model then, is that it potentially configures diverse activities, the ebb and flow of daily life, in a clear and simple urban arrangement.

My personal interest in courthouse squares developed quite innocently as I first encountered them in Alabama where I was a visiting Professor at Auburn University's School of Architecture. The first courthouse square I experienced was in Marion, Alabama where I felt powerfully that I had happened upon lost treasure. The square at Marion is strikingly consistent, comprised of every element I would learn that tend to make these places picturesque if not memorable; angle parking, generous raised sidewalks, low-slung metal canopies hung off of two story brick buildings, ornate cast iron pipe columned arcades, the Post Office, jail, lawyers offices, bank, beauty shop, barber, greasy spoon cafe, feed and grain store with scales along the adjacent street, hardware store that still operated on handwritten credit ledgers, a pharmacy, signs advertising the Saturday Farmer's market, benches and people lounging in the central square amidst Civil War monuments covered by a shady tree canopy... and the ante-bellum courthouse, standing vigilant for all to see, just as Faulkner had described it. However, conversations I had with many local townspeople that day confirmed what I had hoped and what I immediately feared.

People still recognized each other on the square, or at least knew family names, but most were no longer farmers. Two generations ago they were still trading cotton on the square and farmers sold their produce there daily. Now, Federal services are King and only a few show up to a Saturday market. The courthouse is still busy collecting taxes, recording land transactions, administering justice and servicing voter registration, marriage and drivers licenses; but the poverty in Perry county now supports more important branch offices of our Federal Welfare-state in remote locations. I was told that several clothing shops and a grocery had closed recently, unable to compete with chain stores 45 miles away in Tuscaloosa. And the children, still attending the land grant universities envisioned

by Jefferson, are not returning to Marion after graduation to work, much less to govern.

With the optimism of an architect and objectivity of a teacher, I took 16 fourth-year architecture students from Auburn on a road trip through 22 courthouse square towns in Georgia, Alabama and Mississippi in the Spring of 1995 to survey what had become of Jefferson's agrarian utopia in the Deep South. Clearly, the challenges which face this romantic civil arche-type greatly exceeded anything Jefferson could have imagined two centuries ago. Yet, attributing as much to the human spirit to associate, celebrate and create a community of belonging as to the inherent strengths or weaknesses of the courthouse square type-form, we found that these dispersed civil outposts, though humbled, still perform their function to configure a place for regional participation. Many other cultural themes emerged along the way as well...

IRONY

Tuskegee, Alabama remains the home to one of this nation's earliest and most prestigious Black colleges, the Tuskegee Institute. Founded in 1881 by former slave Lewis Adams, Tuskegee Institute was led into national prominence through the forceful leadership of its first President, Booker T. Washington. Macon County, founded in 1831 on Creek Indian lands by White plantation farmers for the purposes of producing cotton, is today 85% Black, as is the town of Tuskegee which serves as the county seat. Entering the courthouse square of Tuskegee, one immediately notices that the courthouse building has been removed to a position on the northwest corner of its Block-plan. Victim of a fire during the Civil War, the courthouse has been replaced in the center of the square by an imposing statue of Jefferson Davis, former President of the Confederacy.

There are no benches in the square at Tuskegee; no idle lounging is encouraged; this square is a shrine to the legacy of the Confederacy. In fact, this is not meant to be a public place; unlike the central squares in most towns, this civic space at Tuskegee is owned and maintained by a private citizens group, the Daughters of the Confederacy. The square and blocks surrounding it have always served to represent the hegemony of a community in the racially divided South. Where one man sees the opportunities of a just and democratic society embodied in the courthouse building accessible at the center of his square, another sees the social and economic power of an oligarchy which has marginalized him toward its edges. This is the feeling at Tuskegee, intense exclusion, thrown into sharp contrast given the celebrated achievement and proximity of the Tuskegee Institute, recently designated a National Monument by the U.S. Department of the Interior. That town and gown relationships at Tuskegee have still been maintained though the courthouse square seemed to be, as it always had been, a place of exclusion for Black Americans, was insightfully described by the writer V.S. Naipaul as a typical Southern "truce with irrationality."¹⁸

In 1957 the courthouse square at Tuskegee unwittingly served its Black community well as a place for political participation. Gerry-mandered out of the Tuskegee City limits to restrict their voting strength, Blacks triggered a shopper's boycott of White-owned businesses on the square that would become a model for Dr. King's non-violent civil rights activities in Alabama. Within two years, most businesses on the square failed and a Supreme Court decision redrew the town limits to include all citizens. Shortly after, an African-American was elected Mayor and has held office ever since.

Aware of its symbolic importance to his constituency, the honorable Reverend and Mayor Johnny Ford continues to cook-up schemes to purchase the square from the Daughters of the Confederacy for the townspeople of Tuskegee. He has appointed Dr. James Tarver, new owner of the Tuskegee Country Store on the square, as the citizen director of a Task Force to accomplish this. Dr. Tarver is a healer by nature, giving up a six-figure salary as a lead researcher for Roche Pharmaceuticals in New Jersey to furrow the soil of Macon county hoping to continue upon George Washington Carver's prolific work at Tuskegee Institute which developed beneficial by-products from local Alabama plants and vegetables, notably, the peanut and sweet potato. Investigating Carver's notes and example, which led to 432 U.S. Department of Agriculture patents, Dr. Tarver has already found relief for menstrual cramps, impotency, blood deficiency ailments and, he believes, cancer. Operating out of the old Rexall drug store, whose White absentee-landlord moved to Montgomery like so many others after the boycott, Dr. Tarver endeavors to heal his new community through the unique qualities found present in the rich "Black-belt" soil of this region. Mayor Ford hopes to heal his region too, through public ownership of the courthouse square in the center of his county.

EXUBERANCE

Driving into Lexington, Mississippi at dusk on a Saturday evening, our two rental vans were caught up in a swirl of vehicular activity we were not expecting in this small town. Planning to just pass through on our way to visit Nicholas Lemann's storied Clarksdale and having spent the afternoon doggedly measuring the dimension of the quintessential nineteenth-century county seat town of Canton, Mississippi, our tiny armada was presented with a spectacle. Benches full of young Black girls sitting near the edge of the green space in this Lancaster-type square, were excitedly calling and gesturing to certain cars which kept circumnavigating the square: these gals would be able to provide us with some answers. It was Saturday night and the finely dressed Black girls were the objects of attention to prospective male suitors, "looping the square" in their polished cars. Horns honked, girls giggled and waved, eventually they would link up and all drive off for burgers and a dance.

An extensive nineteenth century account of life on the square, reprinted in J.B. Jackson's book *Vernacular Landscape*, and several more recent oral histories collected along our way confirm that "looping", as we experienced in Lexington that evening, has been

as much a part of the social arrangement of the courthouse square as the courthouse itself.¹⁹ In Lexington, an admittedly still segregated town, looping the square is such a finely tuned ritual that the space of the town is alternately reserved for White teens on Friday evenings and Blacks on Saturdays; its been like that as long as anybody could remember. The courthouse square has served as such a precise model for socialization that in several towns visited, different sides of the square become meeting places for different social groups. Remnants of Saturday markets, signs for local Craft and County Fairs and preparations already in place for 4th of July celebrations indicated that the courthouse squares which we surveyed still played a role in the social life their region. And when the model was working well, the sides, the middle and even the roadway provided a meaningful forum for mixing, at times, exuberantly.

WAL-MART

Sam Walton's mission to provide low-cost sundries to folks in the rural South made him the wealthiest citizen in America. His hunch was right, there was a tremendously underserved market throughout the South and, the entire nation for that matter. Initially targeting small towns, not to compete with larger established retailers in built-up urban markets, Wal-Mart could easily replace "Main Street" in a single building. Ruthlessly conscious of Main Street's allegiance to local customers, where shopkeepers knew your name, Walton instituted a policy of placing "greeters" at the entrance to all of his stores to mimic that small town feeling. Given Walton's huge success at saving small-town USA from overpriced vendors, can we conclude that the quality of our civic life equals cheap underwear?

Traditionally, the courthouse acted as a regional magnate thus, businesses benefited from locating around it on the square. Today, without exception, of the 22 courthouse square towns visited, those which had a Wal-Mart within the town limits, and about half did, were quite blighted at the square. Vacancies on the square were roughly double in the Wal-Mart towns as this phenomenon was also reflected in the physical appearance of their blocks. Edward Price correctly identified first the railroad, and then the automobile, as the primary agents for the linear development of Main Street and finally the vast Strip in western town settlement patterns; suggesting that courthouse square towns in the South had been spared this fate by virtue of the provision for a spacial focus at their center.²⁰ Yet, as the courthouse square was regionally networked to act as the terminus of roads coming in from the country, quite often, new bypass routes better serve access to the regional Wal-Mart. Price, writing in the mid-sixties, could not have foreseen the decentralizing effects of Sam's behemoth.

Lancaster County Pennsylvania, previously cited in this survey as its county seat town of Lancaster was the first to fully realize the Philadelphia-plan courthouse square type-form, has been selected to receive three Wal-Mart Superstores over the next seven years. The specifications for the parking lot alone of a Superstore requires 20 acres, the size of 4 football fields. As Wal-Mart executives envision concrete where there once were pastures in Lancaster county, citizen groups have organized to halt them. Apparently, Wal-Mart's reputation for saturating small town markets, economically wiping-out downtowns and then, literally closing their doors and leaving town, has preceeded them in Lancaster County. The question we were unable to answer while visiting those courthouse squares which had been hobbled by their proximity to a Wal-Mart was: once the fragile balance of a small town is disturbed or stolen, can it be returned?

IMAGE OF ONE'S SELF

There is a reassuring sameness to the courthouse squares we visited which yearned to resist change; they fight proudly to preserve and to share their history in the form of monuments and commemorative plaques and unending markers of all description on the square's lawn. War was always a prevalent theme in these squares, especially the big one, the Civil War. Often I was reminded by locals in these towns that they, Southerners, were the only Americans to ever lose a war. I left these squares with the feeling that these people honored above all else perseverance and struggle.

Listening to local folks' accounts of their square's history always seemed to confirm something of their own identity. These squares at the geographic center of a county were also central to the small town Southern culture's way of understanding itself. To me, courthouse squares began to seem like repositories of one's own history, an image of one's self; held solid amidst all of the changes developing around the community. Even though resisting change didn't make sense, it allowed the townspeople's past, imagined as they would like it to be, to live on a little longer: this is the magic trait of the courthouse square.

The county seat courthouse square town of Monroeville, Alabama was home to Harper Lee, author of one of this century's defining Southern fictions, *To Kill a Mockingbird*. In the novel, Atticus Finch, a principled and honest man, was compelled to pursue justice, unpopularly representing an improperly accused Black man on the charge of raping a White woman. The story plays out in the gossip mill of a small Southern town, possibly Monroeville, climaxing in the courthouse on the square where an unjust verdict is delivered. Mindful of this guilt, each Spring the townspeople of Monroeville re-enact the story of Atticus Finch in their own courthouse square,

moving the last act, after an intermission, into the courthouse building where Gregory Peck filmed the dramatic final scene of the movie version. The first act, comprised of several white-columned front porch stage-sets strewn randomly about the lawn of the courthouse square positions the drama to unfold. Sitting in that courthouse square last May, watching this production, it struck me that here, in this space, these people knew who they were.

NOTES

¹Carroll William Westfall, "The True American City". article published in *The New City* (Miami: University of Miami School of Architecture, 1994), p. 10. In this article, Westfall extensively lays out Jefferson's agrarian political agenda.

²*Notes on the State of Virginia*. ed. William Peden (Chapel Hill: University of North Carolina Press, 1955), p. 164.

³Westfall, p. 10.

⁴Dumas Malone, *Jefferson and His Time*. vol. VI: *The Sage of Monticello* (Boston: Little, Brown and Co., 1981), p. 248.

⁵*Notes on the State of Virginia*. query XIV: Laws.

⁶J. B. Jackson, "Jefferson, Thoreau & After", in *Landscapes* (Amherst: University of Massachusetts Press, 1970), p. 4. Jackson eloquently argues that Jefferson intended to curb the growth of cities in America through political means and legislation.

⁷Westfall, p. 17.

⁸John Reps, *The Making of Urban America* (Princeton: Princeton University Press, 1965), p. 217.

⁹Jackson, p. 5.

¹⁰Leonardo Benevolo, *The Architecture of the Renaissance*. Vol. II. (Boulder: Westview Press, 1978), p. 440.

¹¹Edward T. Price, "The Central Courthouse Square in the American County Seat", article first published in *Geographical Review* (January 1968). Reprinted in *Common Places: Readings in American Vernacular Architecture*. Ed. Dell Upton and John Michael Vlach (London: University of Georgia Press, 1986), p. 128.

¹²William Faulkner, *Requiem for a Nun* (New York: Random House, 1951), pp. 39-40.

¹³Reps, pp. 12-15.

¹⁴Price, p. 133.

¹⁵Price, p. 135.

¹⁶Price, p. 142.

¹⁷Ibid.

¹⁸V. S. Naipaul, *A Turn in the South*. (New York: Vintage International, 1989), pp. 136-154.

¹⁹J. B. Jackson, "Country Towns for a New Part of the Country", in *Vernacular Landscape* (New Haven: Yale University Press, 1984), pp. 71-76.

²⁰Price, p. 140.