

Elections and Representation in American Municipal Administration

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Abstract

Tens of thousands of municipal clerks are crucial for the operation of the American government and the persistence of electoral democracy. They administer elections, keep and transmit essential records of government and public activity, and implement and interpret local, state, and federal laws. Because clerks operate in both an administrative and a political capacity, some municipalities elect their clerks, while others appoint them. We leverage this variation in the clerk selection method to explore how elections influence American local government. Drawing on an original survey of clerks in five New England states, we demonstrate that elected clerks are more attentive to the public they serve but often make do with fewer professional resources. We find few differences in substantive issue representation; with regard to election administration, however, we find that elected clerks are actually *less* responsive to constituent preferences than appointed. Our results provide mixed evidence for the capacity of elections at the local level to enhance accountability for policy implementation.

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Across the United States, thousands of county, city, and town clerks administer municipal government, implement and interpret local, state, and federal law, and act as the first point of contact for citizens and their government. The decisions of these officials can dramatically affect citizens' lives. 7, 95, one of the first textbooks on municipal politics, described the office, noting that "no other office in the municipal service has so many contacts. . . The public does not realize how many loose ends of city administration this office pulls together." This century-old description still holds today and is quoted on many municipal clerk websites. Clerks address the "loose ends" that include administering hundreds of laws, managing elections, issuing permits, conducting the town census, granting licenses, and managing public records. The clerk's role is both administrative and representative.

As 7 notes, the clerk is crucial for a town to operate because they both do much of the work of municipal government and facilitate the ability of other officials and citizens to access its services. In a case that illustrates the importance of the clerk, the town of Passadumkeag, Maine, was forced to effectively shut down as a result of the town clerk resigning when she was denied vacation time.¹ Gordon, Wisconsin's city hall was shuttered when its clerk resigned abruptly and left officials unable to access online accounts protected with two-factor authentication.² Without a clerk, records are not kept, fees go uncollected, and licenses unissued.

Occasionally, the work of municipal officials makes local and even national headlines. Sometimes, these headlines originate from clerks who refuse to follow state, local, or federal law. For example, in 2015, a county clerk in Kentucky denied a same-sex couple a marriage license despite the Supreme Court's ruling in *Obergefell v. Hodges*, which legalized same-sex marriage (7). Before the Supreme Court ruling, several clerks in the state of New York also refused to sign same-sex marriage licenses despite a New York state law that legalized gay marriage; sev-

¹Bartov, Shira Li. "Town Forced to Shut Down After Sole Clerk Resigns Over Vacation Denial." *Newsweek*. May 18, 2022.

²Lockwood, Maria. "Clerk Resignation Shuttters Gordon Town Hall." *Superior Telegram* (Superior, WI). August 2, 2023.

eral others resigned instead of following the law.³ During the COVID pandemic, clerks were on the front lines of implementing elections amidst an unprecedented public health emergency, which sometimes required rapid pivots to vote by mail. Other times, the headlines focus on incompetence or misconduct in their job.

Reflecting that the portfolio of clerks includes both administrative and political decision-making, some are appointed while others are elected. Whether clerks should be elected is a live political question being debated in New England and beyond,⁴ and there is substantial variation in whether clerks are elected or appointed. As a result, in addition to performing a substantively important role in American local government, municipal clerks also provide a unique opportunity to understand how elections influence their jobs. For most public offices in the United States, whether they ought to be elected or appointed is a settled question: few would argue that Members of Congress or state legislators should be appointed, and few would argue that county health officials⁵ or the National Park Service Director should be elected. As a result, within-office variation in the selection method is unusual, and most evidence on elections' consequences comes from the *intensive* margin. For example, a rich literature in the study of American legislative politics shows that electoral competitiveness is associated with ideological convergence to the median voter (?) and enhanced democratic accountability (?). However, these relationships are conditioned by institutions and information (?). Other work uses term limits to examine the consequences of the threat of elections for representation (???), and others still exploit variation in election timing or term length to explore variation in electoral pressures (??). While these studies provide valuable evidence about elections' consequences, none can

³Kaplan, Thomas. "Rights Collide as Town Clerk Sidesteps Role in Gay Marriages." *New York Times*. September 27, 2011.

⁴See, for example, Galvin, William F. "Selectmen Debate Elected Vs. Appointed Town Clerk." *The Cape Code Chronicle* (Chatham, MA). November 30, 2022.

⁵in the wake of the COVID-19 pandemic, these perceptions might be changing. See, for example, Jaffe, Greg and Patrick Marley. "In a Thriving Michigan County, a Community Goes to War with Itself." *The Washington Post* (Washington, D.C.). April 22, 2023.

provide leverage on the true counterfactual of interest: what if these elected officials were not elected at all?

Local governments provide an opportunity to examine how election versus appointment affects behavior. Variation in selection methods for clerks, which often occurs among clerks within a single state, reflects the tension between making a clerk responsive to their constituents and ensuring competency and administrative excellence. Previous work has also taken advantage of local contexts to understand the consequences of elections. A rich literature, for example, considers the effects of using an appointed city manager instead of an elected mayor as a municipality's chief executive (e.g. ??). Other work examines, for example, the effects of electing versus appointing municipal treasurers (?), county assessors (??), and school officials (??).⁶ The focus of these studies has been on efficiency and competence in local policymaking and policy implementation, not on representation of local interests. While fiscal efficiency and competent management are aspects of representation, we bring a novel focus in this paper to understanding how the selection method affects local officials' beliefs and behavior across various conceptions of representation.

In this paper, we explore how clerks view their representative role, their perceptions of their local community, their qualifications and job performance, and their attitudes toward public service, with special attention to how these attitudes vary by whether the clerk is appointed or elected. Our analysis is based on an original survey of municipal clerks in New England, which we fielded in the spring of 2023 both online and through the mail. We solicited responses from all town and city clerks in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont. We focus on this region for several reasons: municipal government is both uniquely important and consistent across the region; counties play a limited role in local governance, resulting in fewer overlapping jurisdictions than in other states and regions; and, most importantly,

⁶Judicial offices have also been commonly used to explore the effects of appointing versus electing officials (???); these studies are valuable for establishing how elections matter, but the nature of judicial politics and decision-making makes generalizations to broader policymaking and implementation difficult.

the region offers substantial within-state variation in the clerk selection method.

Our results suggest important differences in the characteristics, attitudes, and behavior of elected and appointed clerks, but they also point to important similarities. Broadly, elected clerks operate more independently than appointed clerks but have fewer professional resources to fall back on. Elected clerks are more cognizant of the community they serve and feel a greater call to public service, while appointed clerks are more responsive to their superiors in government and are less likely to feel attached to their community. However, we do not find evidence that the selection method matters for the ideological and partisan representation that clerks afford their communities. Our sample is too small and homogeneous to speak to matters of descriptive representation; this is a promising area for future studies beyond the New England context.

Institutions and Accountability in Local Government

Town clerks and local governments writ large balance two competing expectations. First, because they are at the lowest level of governance—and are therefore closest to the citizens they serve—town clerks play a crucial representative function. Trust in local government is consistently higher than trust in the state or the federal government (?). Tocqueville regarded local government and participation as one of the main drivers of a young America’s democratic spirit, noting that “Without the institutions of a township a nation can give itself a free government, but it does not have the spirit of freedom” (?, 58).⁷ While much has changed since Tocqueville toured the United States, belief in the importance of local control over certain policy areas, the accessibility of local government for citizen input, and the centrality of local government in representing citizen interests remain. These representational expectations, however, conflict with a second expectation of local government. Because many of the policy areas delegated to local government are not politicized like national- or state-level policymaking, many believe that

⁷In Tocqueville’s native French, the word “township” directly refers to the political institution of the “commune,” which is the French analogue to the American town or city.

local governments should emphasize competence and professionalism. This spirit is reflected in Progressive-era institutions such as using appointed municipal managers and non-partisan elections.

Representation in American Local Government

Traditional studies of American local government emphasize the constraints they face. Local governments are the creation of state governments, and their policy jurisdictions are often constitutionally bounded. ?, 13 describes municipal governments as “most limited” in what they can do, and other work acknowledges that local governments will produce different policy outputs and emphasizes residents’ ability to select their preferred local policy environment ?. Recent scholarship, however, emphasizes local governments’ responsiveness to citizen preferences. For example, mayoral partisanship affects local governments’ fiscal policy (?) especially when local governments have more independent authority (?). Other scholarship establishes this relationship, showing that local policy preferences affect policy outputs (???). This demonstrates that the political ideology of a place and local elections have consequences on what happens in a community.

Studies further contextualize the constraints and capabilities of local governments in representing the interests of their constituents. The nature of local policies affects the expectations of responsiveness in local government. Many municipal governments are non-partisan, and there are many calls for non-partisan municipal reforms (e.g. ?). One underlying justification of these reforms is that local policies do not map onto the left-right ideological dimension that characterizes policymaking at the state and federal levels. For example, commentators and officeholders frequently argue that there is no Republican or Democratic way to “fill a pothole” (?, 722) or “pave a street... [or] lay a sewer”(?, 766). Recent studies emphasize that voters increasingly view local politics through a “nationalized” lens (?). As a result, voters may hold local officials responsible for their positions on national policy issues—such as abortion, immigration, health policy,

etc.—over which local officials have little control. Additionally, local political officials may focus on taking positions on national issues that bear little on the well-being their municipality or implement policies consistent with the positions of the national political parties potentially at the cost of what is best for a community (??). Nationalization may increase demands for responsiveness in local government; however, it may also lead to a greater disconnect between voter demands and local-level policy implementation.

For town clerks, the trade-off between competency and responsiveness is particularly salient given their roles in election administration in New England. Since the very close 2000 Presidential election, there has been increased attention on election administration and the extent to which a clerk is capable of conducting an election versus the extent to which they are loyal partisan operatives. After that election's administrative failures, a flood of proposals echoed those of a century before by calling for switching from partisan to non-partisan elections to choose clerks and other election administrators.⁸ ? , 1261 find that about 45 percent of voters are represented by an elected local election administrator. Turning toward the consequences of different selection methods, ? finds that whether a local election administrator is appointed or elected influences local turnout as well as policy trade-offs between ease of voting and the security of the voting process. And ? find that the public strongly prefers elected over appointed officials.

Selection Method and Local Officials

A rich literature in political science demonstrates that electoral institutions condition responsiveness and competence in policy implementation (?). Institutions such as term limits (??), direct versus indirect elections (?), and direct primary elections (?) may affect legislative responsiveness. Similar expectations apply to executives. For example, term limits for governors may affect

⁸Katherine Harris was the Florida Secretary of State – and therefore chief election administrator - during that election. Allegations of partisan conflict of interest arose because she was an elected Republican serving under copartisan Governor Jeb Bush, brother of candidate and eventual President George W. Bush. Ironically, Harris was the last elected Florida Secretary of State; reforms in Florida made before the 2000 election ensured that the office would be an appointed position moving forward.

effort with longer, protected tenures associated with greater competence (?). Likewise, various institutions of presidential elections affect resource allocation (?).

Recent scholarship finds that municipal government institutions shape local outcomes. For example, election timing affects incumbents' reelection prospects (?) as well as policy outcomes (?). Other work finds that the level of party competition affects voting in municipal councils (?). Institutions are not destiny, however; ?, for example, find no difference in responsiveness across partisan and non-partisan elections. Finally, the adoption of council-manager systems – which are “arguably. . . the most important innovation in American local government over the last century” (?, 673), has been tied to several different outcomes in local government, perhaps most famously lower levels of taxing and spending (?). In short, institutions matter for representation, including at the local level.

Our focus is on a particularly important electoral institution: whether there is an election at all. Town clerks are, depending on the charter of a given municipality, either elected directly or appointed by a town executive. We expect the choice of the selection method to have substantial consequences across several dimensions of clerk characteristics, attitudes, and behavior. One set of our expectations is based on ?, which develops expectations based on the direct versus indirect election of senators. We posit that direct election should produce clerks who are more responsive to their municipalities' preferences. We emphasize that these theoretical expectations closely align with practitioners' claims about these two selection methods. For example, Harwich, Massachusetts Town Selectman Donald Howell stated his opposition to switching to an appointed town clerk by stating: “I don't want to centralize authority with the selectmen. I'd rather make sure it's in the hands of the public.”⁹ We expect that selection method will directly shape the actors to whom clerks are responsive and feel accountable.

We also, expect, however, that selection method will affect the competence of the individu-

⁹Galvin, William F. “Selectmen Debate Elected Vs. Appointed Town Clerk. *The Cape Cod Chronicle* (Chatham, MA). November 30, 2022.

als selected to serve as clerk. Town officials will have better information than the public about potential clerks' qualifications and capabilities, and the electorate as a whole may prioritize candidate traits less related to capably filling the role of clerk. Appointed clerks can generally be chosen from a broader geographic pool, without residency requirements, increasing the pool of potential talent available to the appointers. ¶ note that, because the broader electorate is likely to be less capable of selecting high-quality officials and monitoring their behavior than a more-informed appointer, elected officials will be better able to pursue their own agendas – i.e., to exhibit greater discretion (329). We re-characterize this in terms of quality, rather than ideological or policy discretion. We therefore expect appointed clerks to exhibit higher quality and competence on average than elected clerks. We note, once again, that this expectation closely aligns with practitioner claims: in the same debate in Harwich, Massachusetts, pro-appointment Selectman Mary Anderson argued that being clerk “requires such a depth of knowledge, and I don’t want a popular vote to decide anybody can do it.”¹⁰

For purposes of analysis, we divide our questions into four main categories, each corresponding to particular understanding or dimension of representation. We begin by considering *Qualifications and Job Performance*. As we note above, our expectation is that election will be associated with lower-quality, less-professional clerks. We next consider *Perceptions of Local Community and Government*. These questions are designed to capture clerks' attention to and concern about various public and political actors in their communities. Accordingly, we expect that elected clerks should demonstrate greater attentiveness to the public and be more likely to view the public as their “principal.” We next ask questions related to *Attitudes Towards Politics and Public Service*. This category straddles our two theoretical perspectives above by examining how clerks feel about and approach public service. Because elected officials must run for office and engage in the public sphere throughout the selection method, while appointed clerks must only be hired, we expect elected clerks to demonstrate a more positive perspective on both

¹⁰ *Ibid.*

public service and politics. Finally, we examine *Substantive Representation*, exploring how local political preferences correspond to clerk political preferences and beliefs.¹¹ In keeping with the discussion above, we expect greater responsiveness to local preferences among elected clerks.

Original Survey of New England Municipal Clerks

To test our theory about the role of elections in facilitating and hindering different types of representation, we conducted an original survey of municipal clerks in five New England states. Municipal clerks perform an essential role in local government and vary considerably in the ways in which they are selected (see Figure 1). The five New England states that we study—Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont—feature primarily town-based local government, with little-to-no county-level governance and municipal government providing nearly comprehensive coverage of the population (i.e., little unincorporated territory). Our survey, conducted via both email and physical mail, yielded a relatively high response rate of twenty-five percent that was quite balanced across clerk selection method.

New England Municipalities and Their Clerks

Local government in New England is relatively distinctive in its focus on the municipality as the relevant unit of government, at the expense of counties. Municipalities in the region are primarily classified as “towns,” which overwhelmingly use the “town meeting” as their form of local government. This form of government, which “predates representative government” in the United States and “is stitched into the fabric of New England” (Bryan), now takes a variety of forms that range from the traditional whole-town political meeting to forms more closely approximating mayor-council or council-manager systems that dominate in other parts of the

¹¹We also pre-registered analyses focusing on *descriptive* representation. Because of the homogeneity of our sample of clerks, however, particularly with respect to race and ethnicity (see Figure 2 below), we do not conduct such analyses. We discuss this further in the conclusion.

country.¹² Other, primarily larger municipalities have the designation of “city,” which grants them additional home-rule powers and eschews the “town meeting” form of local government. Because towns are the relevant unit of local government, services that might be provided in “special districts” in other states – such as education in school districts – are disproportionately also town-based in New England. The prevalence and shared history of town governance in New England contributes to the internal validity of our study by ensuring that the various municipalities that comprise our sample are relatively comparable on a number of dimensions. Nevertheless, the over-time adaptation of New England town government to adopt forms more common in the rest of the country suggests that our results should plausibly generalize to other parts of the United States.

Perhaps the most important feature for our purposes of local government in New England is that municipalities are a *comprehensive* and *exclusive* unit of local government. They are comprehensive because nearly every geographic area, and therefore nearly every person, in the region, is part of a municipal government. For example, there is no unincorporated land in Connecticut, Massachusetts, or Rhode Island (?); there are “very few exceptions” to the general rule that “All lands in Vermont are located within towns”;¹³ New Hampshire has twenty-five unincorporated places to join its thirteen cities and 221 towns.^{14,15} As a result, nearly the entire population of the five states we examine live in the municipalities that constitute our sample.¹⁶

Related to the comprehensiveness of municipal government in New England is the near-absence of meaningful county-level government: “Unlike the rest of the nation, New England

¹²“Cities 101 – Forms of Local Government.” National League of Cities. Accessed August 2023.

¹³“Land Use in Vermont.” Two Rivers - Ottauquechee Regional Commission. Accessed August 2023.

¹⁴“NH Cities and Towns.” NH.gov. Accessed August 2023.

¹⁵These unincorporated places are disproportionately small in population. See ?.

¹⁶In the final New England state, Maine, on the other hand, “somewhat more than half of the total land area of the state is designated ‘unorganized territory’” (?). While these areas are sparsely populated, this nevertheless consists of more than four-hundred unincorporated townships, making it a notable outlier compared to the states we include.

states generally don't follow a county government system.”¹⁷ Connecticut and Rhode Island have no county government,¹⁸ a number of Massachusetts county governments have been abolished,¹⁹ and New Hampshire and Vermont have county governments, but they are relatively limited in their powers.²⁰ While in most other states counties serve as the “comprehensive” unit of local government, ensuring that all residents lie in the service area of at least one local government, municipalities fill this role in New England, thus obviating county government.

These various features of New England local government – town-based governance, lack of unincorporated area, and absence of meaningful county government – make New England an ideal setting in which to conduct our survey and test our theoretical expectations. The importance of the municipality allows us to focus on that level of government, thus retaining a focus on an office with important roles – that many states would assign to the county level – but allowing us to have an increased sample size and variation in our key quantity of interest, clerk selection method. It also ensures that key variables of interest are available at the municipality level. The lack of unincorporated area and absence of county government allow us to avoid complications that arise from overlapping and ambiguous jurisdictions. In states with significant amounts of unincorporated territory counties and municipalities may provide the same services but for different areas, and “special districts” may be used to provide particular goods and services to areas that do not hew neatly to existing jurisdictional boundaries. These features of local government in other parts of the country may complicate citizen understanding of public service provision (?), shaping levels of observational data aggregation, and affecting public servants' behavior (?). By focusing on a region where one level of local government provides the same set of public ser-

¹⁷“County Government.” Secretary of the Commonwealth of Massachusetts Citizen Information Service. Accessed August 2023.

¹⁸“Quick Facts: Connecticut Municipal Governments.” CT State Library LibGuides. Access August 2023.

¹⁹“County Government.” Secretary of the Commonwealth of Massachusetts Citizen Information Service. Accessed August 2023.

²⁰“State Profiles.” National Association of Counties. Accessed August 2023.

vices to all residents, we avoid these potential complications and have a relatively clean context in which to explore the effects of a single feature of local government.

The feature on which we focus is the method through which municipal clerks are selected. We focus on clerks for two reasons. First, they are an integral part of local government. They are the chief record-keepers of their communities, including permits, public records, and election administration. The documents for which they serve as a warehouse and clearinghouse are the lifeblood of local government: who serves in it, what it says citizens can and cannot do, and how the municipality interfaces with the state. In addition to fulfilling this important role, they also vary considerably across municipalities in the way that they are selected. The position – like most in local government – has traditionally been an elected one, but some towns have sought to shift to an appointed clerk as the position has grown in responsibility and complexity.^{21,22} The result of gradual changes is a substantial blend throughout the region in the nature of clerk selection. In Figure 1, we map the selection method used by the municipalities in the five states we examine. While the choice of clerk selection method is clearly non-random, we do note that there is considerable geographic and demographic diversity among communities using different methods, and we control for a variety of potential confounders in our analyses.

Survey Design and Recruitment

We created and fielded a survey designed to test our theoretical expectations. In this survey, we asked clerks a variety of questions about their attitudes toward public service, their ideological and policy preferences, their job performance and qualifications, and their perceptions of their local government and community. These questions took a variety of forms; most were structured as five-point Likert scales, while others were multiple choice; we also invited open responses

²¹Dunn, Tim. “Dartmouth Looks to Appointed Town Clerk as Job Becomes More Complex.” *The Standard Times* (New Bedford, MA). November 9, 2020.

²²In New Hampshire, the ability to appoint a clerk is specifically tied to having a “city” form of government.

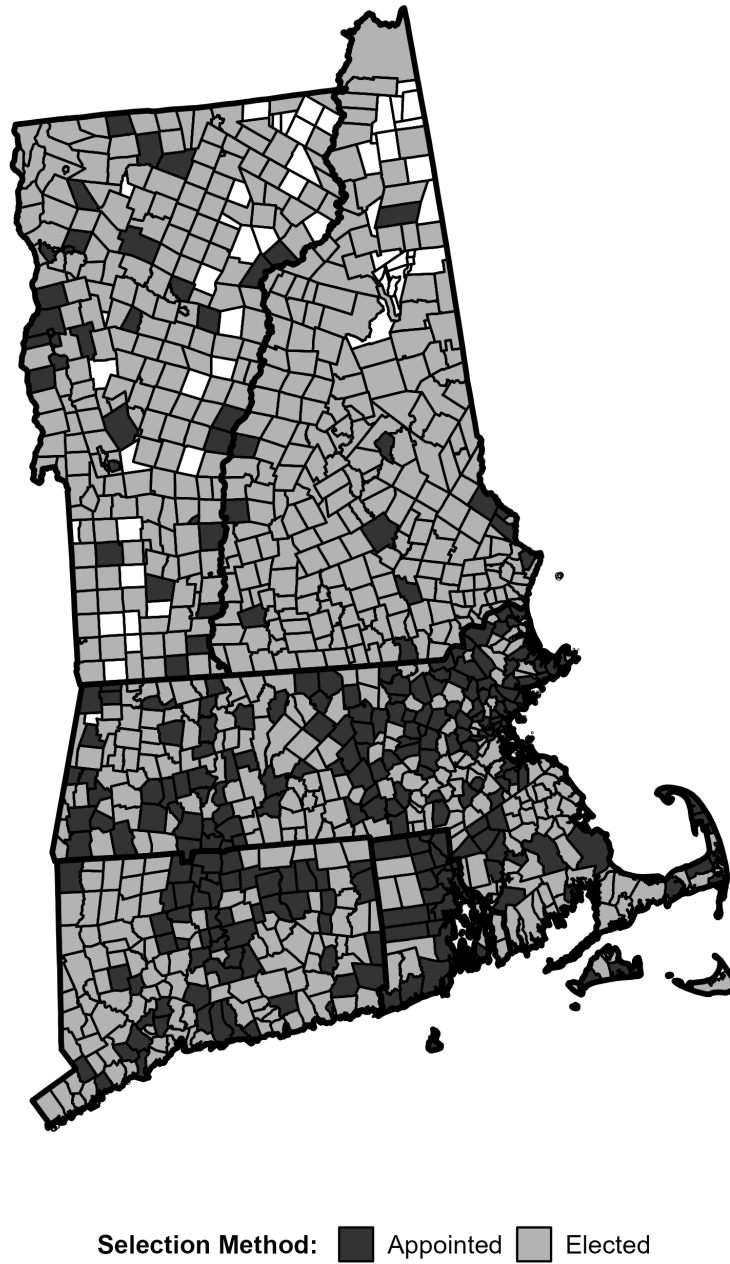


Figure 1: Selection Method for New England Municipal Clerks

Note: Map units are municipal boundaries. Areas in white are those for which we could not determine clerk selection method.

at various points throughout the survey. Finally, we collected demographic and background information on the clerks. The full text of the survey text can be found in the Supplementary Materials.

We recruited for and administered the survey both online and via physical mail. We began our recruitment by creating a list of email addresses for municipal clerks. The survey was then emailed to these addresses through Qualtrics with an invitation to respond on April 4, 2023.²³ A follow-up email was sent one week later, on April 11th, 2023. We subsequently collected the mailing addresses of our list of clerks, and approximately three weeks later, a physical copy of the survey was mailed – with a pre-paid response envelope – to all clerks who had not yet responded online.

We were ultimately quite successful in our survey recruitment: our overall response rate was 25%. This value includes some communities for which we found multiple sets of contact information in the denominator; as a result, at the municipality level, our response rate is actually slightly higher. Our response rate was substantially higher for the paper surveys delivered via postal mail: the overall response rate online was only ten percent, compared with sixteen percent for the mailed survey (which, recall, was sent only to those not responding to the online survey).²⁴ This gap is particularly pronounced for appointed clerks, who were nearly three times more likely to respond to the paper survey. Fortunately, in the aggregate, we achieved similar and high response rates across appointed and elected clerks, with both groups exceeding twenty percent response rates. We summarize our recruitment in Table A.1 in the Supplementary Materials, which divides response numbers and rates by both survey delivery mode and clerk selection method. We also note that our sample was geographically diverse: in Figure A.1 in the Supplementary Materials we re-create our map from Figure 1 but highlight only the

²³A number of email addresses rejected our recruitment email; we attempted to contact these via email a second time.

²⁴Some clerks emailed us to express either skepticism at the legitimacy of our online survey, or that they were not allowed to click on emailed links.

municipalities whose clerks responded to our survey.

Table ?? speaks to the representativeness of our sample. In this table, we present municipality-level characteristics of our sample against non-respondent municipalities in our sampling frame. This table indicates that our sample is broadly representative. We find no significant differences for median age, population size, the share of town residents with a bachelor’s degree, the share of town residents who are non-white, median home value, Biden two-party vote share in 2020, or the share of communities using a town or city manager; we only find a significant difference for median household income, with municipalities in our sample having a household income on average approximately \$5,500 higher than municipalities from which we did not get a response. Collectively, Table ?? suggests that the municipalities in our sample are slightly richer, less-white, more-liberal, and more-educated than non-respondent municipalities, but the differences are small for most of these variables. Our high response rate and the geographic, demographic, economic, and institutional representativeness of our sample provides confidence that our results generalize beyond our survey sample.

Table 1: Representativeness of Sample, ACS Variables

	Non-Respondents	Respondents	P-Value of Difference
Median Age	46	45	0.14
Population	13, 113	13, 406	0.87
Percentage w/ Bachelors	30	31	0.12
Percentage Non-White	10	11	0.08
Median Household Income	88, 858	94, 381	0.01
Median Home Value	330, 459	347, 270	0.18
Biden Vote Percentage	59	60	0.35

Note: Table presents mean values of American Community Survey values for respondent and non-respondent municipalities in sampling frame, and p-values for a difference-of-means test.

Descriptive Results

We begin to unpack our survey results by exploring descriptive characteristics of our sample. The following plots serve two purposes: first, to descriptively characterize who serves as a municipal clerk in New England; second, to examine whether there are systematic differences between elected and appointed clerks in terms of personal and professional characteristics. While we subsequently control for such characteristics in our primary analysis, such differences nevertheless are potentially theoretically and substantively important for understanding whether and how selection method matters for representation in local government.

Clerk Personal Characteristics We first consider clerks’ personal and demographic characteristics. Figure 2 plots simple means for a variety of such characteristics; each selection method sums to one within each panel. In the top-left panel, we plot our respondents’ birth years. While elected clerks are relatively similarly likely to be relatively young (born after 1980), in general elected clerks are considerably older than appointed clerks, and far more likely – by about twenty percentage points – to be of “retirement age.” Perhaps as a result of these age differences, elected clerks have less formal education on average, being more likely to have high school as their highest level of educational attainment, while nearly three times as many appointed clerks as elected have post-graduate degrees. On gender and race, we find few differences between elected and appointed clerks, but do note the striking homogeneity of our sample: unlike many other political offices (e.g.), our sample of clerks is overwhelmingly comprised of women. Additionally, New England municipal clerks are disproportionately non-Hispanic whites; while many municipalities in the region are mostly white, Table 1 indicates that approximately ten percent of the population of communities in our sample are non-white, while hardly any of our clerks are.

Institutional Capacity Next, we consider whether there are systematic descriptive differences between the institutional capacity of elected and appointed clerks. Specifically, we consider

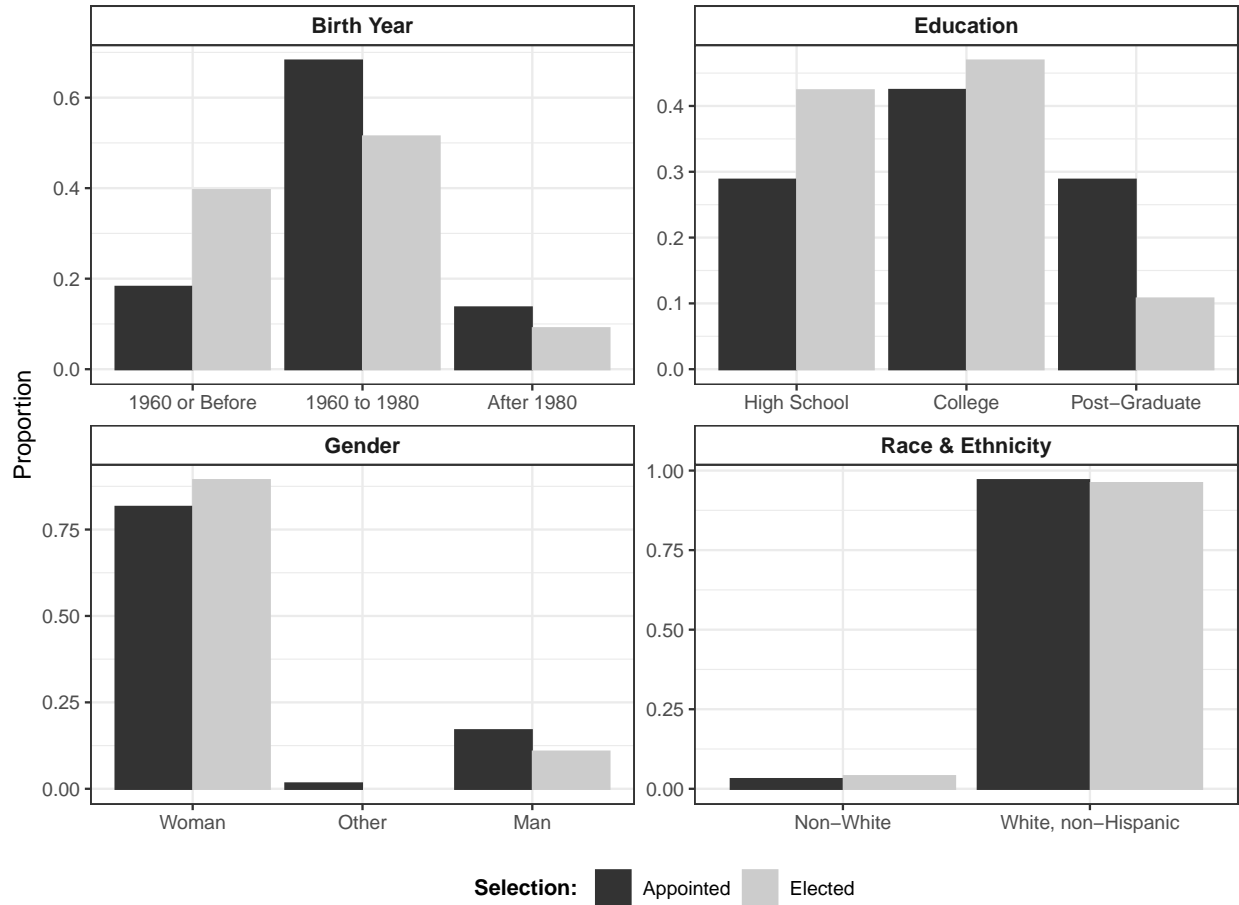


Figure 2: Clerk Personal and Demographic Characteristics

Note: Proportions sum to one within selection method.

whether “clerk” is a full or part-time position, the size of the staff afforded to the clerk in a municipality, and how long-tenured clerks are, which contributes to their capacity through personal experience. We find meaningful differences in clerks’ institutional capacity across selection method. Appointed clerks are noticeably more likely to be full-time, rather than part-time, although a sizable majority of all clerks in our sample are full-timers. Elected clerks also have smaller staffs, on average, than appointed clerks – while a plurality of both have two-to-three person staffs, appointed clerks are much more likely to have staffs of four or more. Finally, elected clerks may compensate for lower institutional capacity with greater personal capacity:

while a majority of both elected and appointed clerks have served in their role for more than ten years, appointed clerks are disproportionately likely to have served for less than this, and especially to be quite new in their roles.

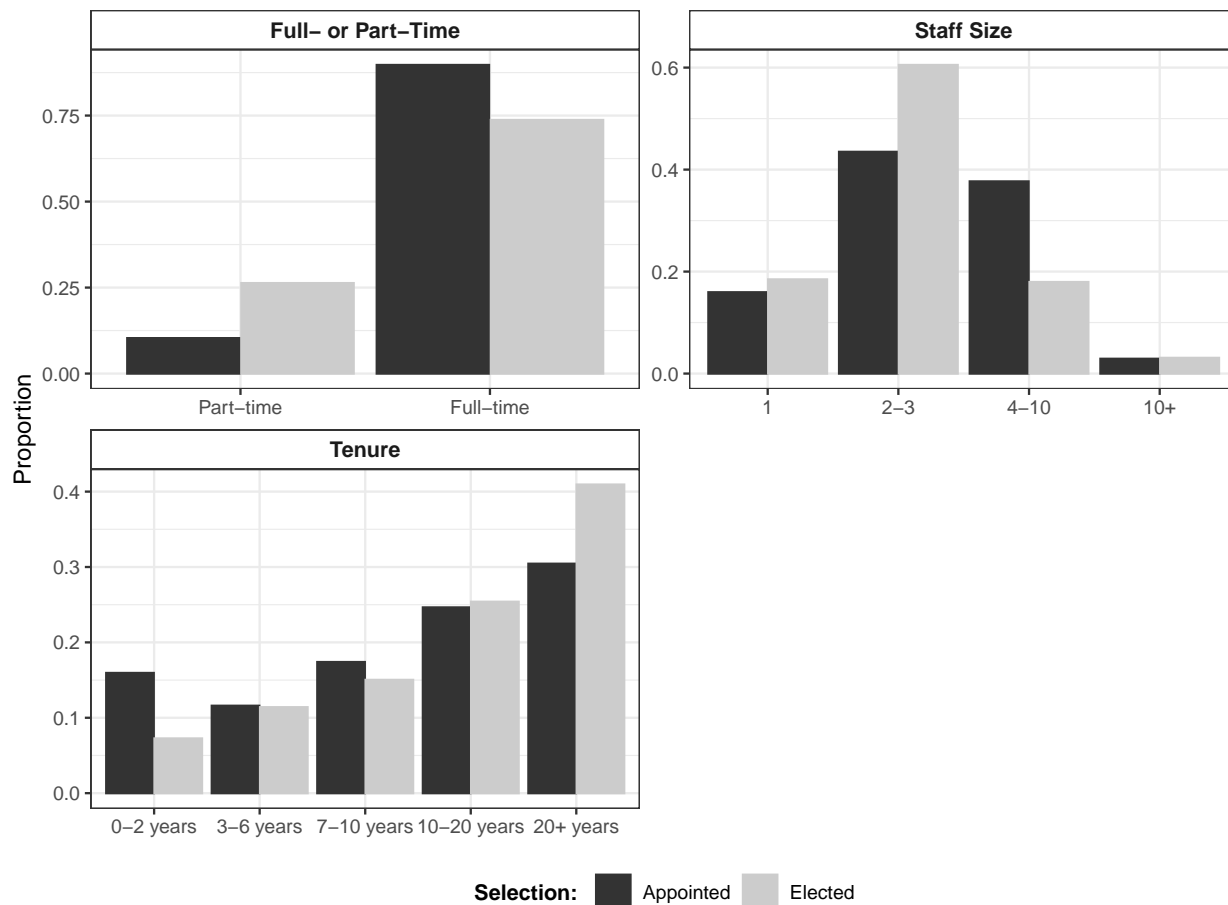


Figure 3: Clerk Office Institutional Capacity

Note: Proportions sum to one within selection method.

Elected Clerks Have Voters on Their Minds

In this section, we more formally test our theoretical expectations. To do so, we rely primarily on a straightforward regression specification that allows us to control for a variety of potential confounders as we attempt to isolate the causal effect of clerk selection method. Our base model

is as follows:

$$Y_{ijs} = \beta \text{Elected}_j + \Psi \mathbf{X}_i + \Phi \mathbf{Z}_j + \alpha_s + \epsilon_{ijs} \quad (1)$$

where i indexes individual clerks, j indexes municipalities, and s indexes states.²⁵ This model contains both an indicator for whether a community selects clerks through elections, a vector of clerk-level control variables \mathbf{X} ,²⁶ a vector of municipality-level variables \mathbf{Z} ,²⁷ and a series of state indicators α_s . We estimate heterogeneity robust standard errors for all models.

We consider three groups of outcome variables that each speak to a different dimension of our theoretical expectations. We first explore how clerk selection method relates to their *Qualifications and Job Performance*; while we cannot measure job performance directly, we instead ask clerks about their feelings about their work, their approaches to problem-solving, and their attitudes toward performing certain key job functions. Second, we use our survey to ascertain clerks' *Perceptions of Their Constituency and Community*. In particular, we are interested in assessing the level of obligation to the public that the clerk serves. Finally, we consider clerks' *Attitudes Toward Public Service*. We use these questions to determine their broader feelings toward working in public service as well as their feelings about politics and its relationship to their work.

²⁵In our sample there is one clerk per municipality, so i and j are used only to distinguish covariates and do not indicate a nested relationship.

²⁶Our clerk-level control variables are *Party ID* (three levels), *Ideology* (three levels), *Woman* (0-1), *Nonwhite* (0-1), *Age* (cont.), *Bachelor's Degree* (0-1), and *Ten Years of Service* (0-1). All are measured from our survey.

²⁷Our municipality-level control variables are *Full time position* (0-1), *More than three employees* (0-1), *Median Age* (cont.), *ln(Population)* (cont.), *% Bachelor's* (cont.), *% Nonwhite* (cont.), *Median Household Income* (cont.), *Median Home Value* (cont.), and *% Biden* (cont.). The full time and office size variables are drawn from responses to our survey. Municipality-level Biden two-party vote share is collected from state-specific sources. The remainder are from the 2020 American Community Survey five-year estimates at the county subdivision level.

Qualifications and Job Performance

Our analysis of *Qualifications and Job Performance* is divided into three separate subsections. First, we consider clerks' sense of efficacy and satisfaction in their jobs, as well as to what sources they turn for guidance when faced with work-related concerns. Second, we examine how clerks approach and prioritize different policy areas under their purview.

Efficacy on the Job and Sources of Counsel

We begin by examining two classes of questions that speak to our sample of clerk's feelings of efficacy in their work and the types of individuals to whom they turn for guidance. Together, these two classes of questions capture clerks' personal feelings about their jobs as well as the informational ecosystem in which they envision themselves operating. Our regression estimates are presented in Figure 4. The plotted points are estimates for the coefficient on *Elected* from Model 1 above; also plotted are 95% confidence intervals based on Huber-White robust standard errors. We plot estimates based on models with no observable covariates, models with respondent-level covariates, and models with both respondent-level and municipality-level covariates; all models include state fixed effects. The top panel plots results for agreement with six statements about clerks' personal feelings about their work. Responses for these questions were recorded on a five-level Likert scale ranging from "Strongly agree" to "Strongly disagree," and were re-scaled – as all of our outcomes have been – to range from zero to one. We find relatively few differences between elected and appointed clerks for these questions; the only statistically significant relationship appears for the statement "I can decide on my own how to go about doing my work." This suggests, consistent with our theoretical perspective, that elected clerks may have an independent source of legitimacy and efficacy as a function of being elected, while appointed clerks may feel more oversight from other government officials to whom they owe their position. On the other hand, we find that appointed and elected clerks feel similarly about their pay, ability, influence, and training.

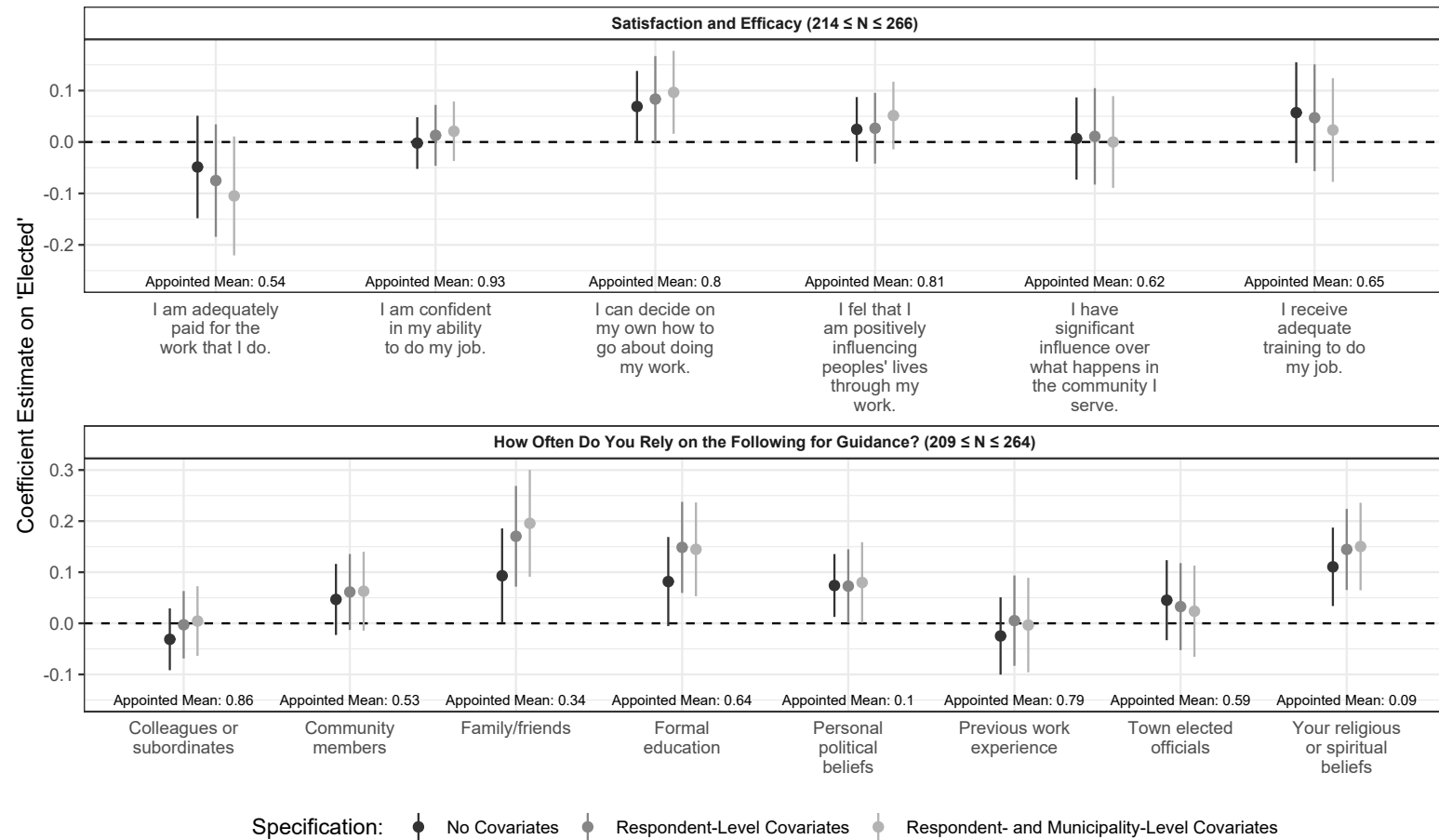


Figure 4: Qualifications and Job Performance: Satisfaction, Efficacy, and Sources of Guidance

Note: Figure presents OLS regression estimates. All models include state fixed effects. 95% confidence intervals are based on robust standard errors. Outcomes in the top panel are five-level Likert scale responses, re-scaled from 0 to 1; outcomes in the lower panel are four-level Likert scale responses, re-scaled between 0 and 1.

In the bottom panel of Figure 4, we explore how often clerks turn to a variety of people and attributes for guidance. These possible sources of guidance are varied along a number of dimensions: some are personal while others are professional; some are internal to the respondent while others are external sources. For each of these, the respondent was invited to record how often they turn to them/it for guidance, on a four-point Likert scale ranging from “Never” to “Often.” There was no budget provided, so respondents could respond high values for as many of the options as they liked.²⁸ Our results for these questions broadly suggest that elected officials turn to personal sources for guidance more than appointed clerks: we find that elected clerks turn to family/friends, their formal education, and their personal political and religious beliefs for guidance more than appointed clerks. The two selection methods, on the other hand, consult colleagues and elected officials at similar rates, as well as previous work experience. These results point to elected clerks drawing on personal networks and values to a greater extent than the appointed clerks, suggesting, perhaps, a gap in professionalism between the two selection methods.

Professionalism and Policy Implementation

As a next approach for understanding how elected and appointed clerks vary in their job performance, we use two approaches to understand how professionally clerks approach policy implementation. We first asked clerks to indicate how important each of four core policy areas – Election Administration, Licenses and Registrations, Permitting, and Public Record-Keeping – is to them. There were four response options ranging from “Not at all important” to “Very important.”²⁹ In the bottom panel, we took a slightly different approach: we asked two forced-

²⁸While we did ask respondents which of these they consulted *most* often, many who returned the paper version of the survey indicated more than one category, while those who took the survey online were restricted to a single choice. We therefore do not present results for that question.

²⁹As with the “guidance” question above, we asked respondents to indicate which policy area was most important, but many who took our physical mailed survey indicated multiple options. We therefore omit consideration of that question.

choice policy questions, asking clerks first whether FOIA requests are better thought of as essential transparency tools or wastes of government time and money, and then whether permits should be issued as a function of formal correctness of the application, or the moral or ethical character of the submitters. If appointed clerks behave more bureaucratically and less politically, we would expect them to choose the more value-neutral, administratively proper alternatives. Across both types of questions, we find no meaningful differences between elected and appointed clerks, however. Clerks chosen through both methods overwhelmingly feel that these various tasks are important – albeit with notable variation – and both elected and appointed clerks vary substantially, but similarly, in their beliefs about FOIA and permitting procedures. While the previous section established important differences in clerks’ quests for policy decisions, this section establishes that elected and appointed clerks land in similar places when prioritizing and implementing policy.

Perceptions of Constituency

We next consider how selection method affects clerks’ *Perceptions of Their Constituency*. Our primary goal with these analyses is to understand whether and how clerks who are elected, rather than appointed, view the communities they serve. In particular, we are interested in understanding who, exactly, clerks’ view as their “boss.” In principle, both elected and appointed clerks serve their communities in a similar role, yet the nature of their selection methods means that oversight functions notably differently. Do clerks perceive these differences?

To explore this, we used two types of questions. First, we used three statements about community and obligations to the public. The respondents were invited to say how much they agreed or disagreed with those statements, using a five-point Likert scale. Second, we asked respondents about their level of concern for a variety of actors’ perceptions of their job performance, recorded using a four-level Likert scale. As in the previous section, we analyze these responses using linear regression and a multiple overlapping sets of control variables.

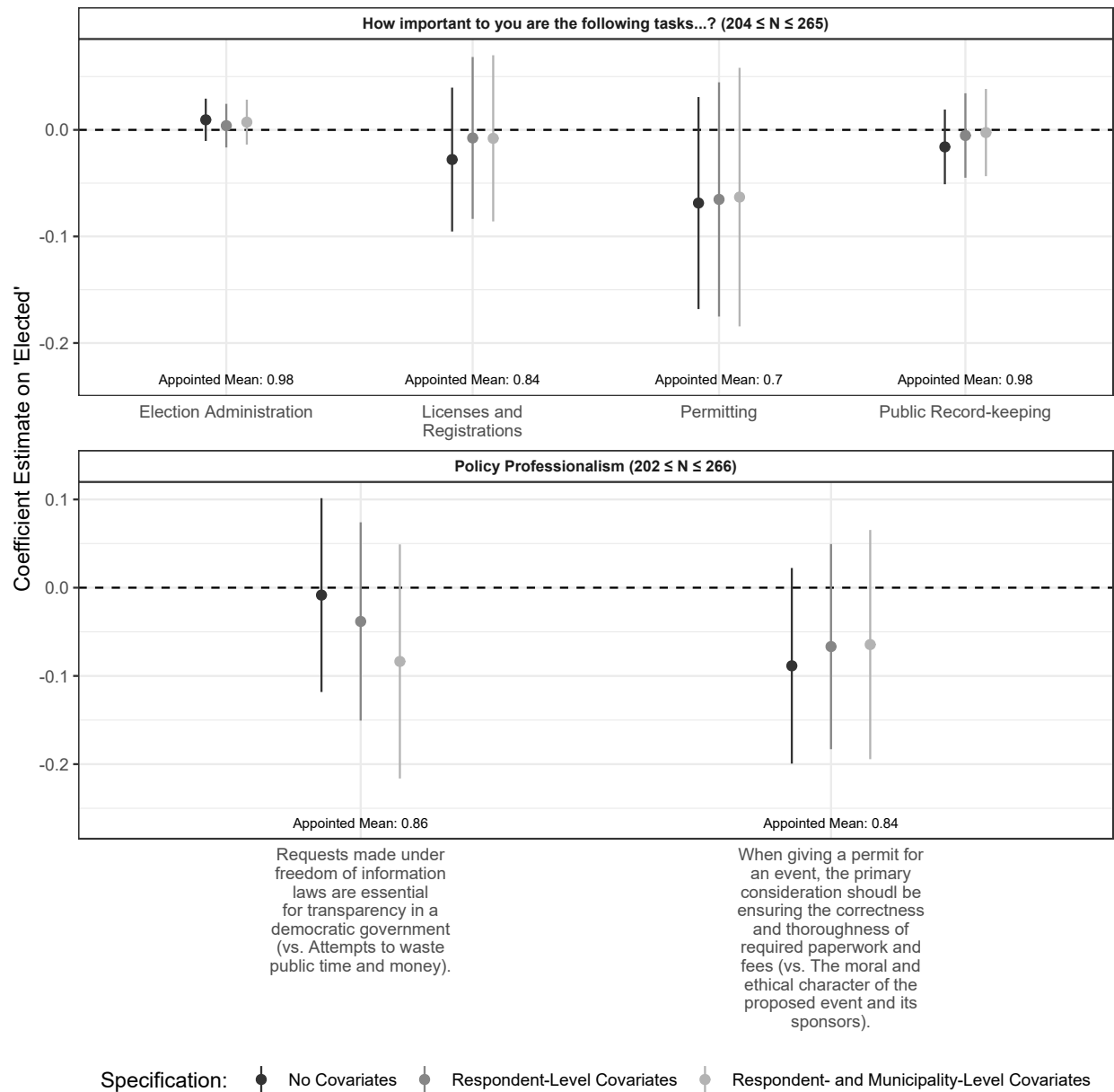


Figure 5: Qualifications and Job Performance: Policy Professionalism

Note: Figure presents OLS regression estimates. All models include state fixed effects. 95% confidence intervals are based on robust standard errors. Outcomes in the top panel are four-level Likert scale responses, re-scaled from 0 to 1; outcomes in the lower panel are indicator variables.

Our results are presented in Figure 6. The top panel features agreement/disagreement responses to three statements. While we find no difference in clerks' willingness "to go to great lengths to fulfill [their] obligations to their community" as a function of their selection method, we do find that elected clerks are more likely to place obligation to the public above loyalty to superiors, and report less difficulty becoming interested in community goings-on. Together, these results suggest a greater voter- and community-focus among elected clerks. The bottom panel dramatically affirms these conclusions. In this panel, the questions were respondents' level of concern about different individuals' and groups' opinions of their work. The means among appointed clerks indicated in the figure suggest substantial variation across the possible objects of concern: while the average value for "Local Religious Leaders" falls between "Not at all concerned" and "Slightly concerned"; the average appointed clerk response for Local Residents and two types of municipal elected officials, on the other hand, fall between "Moderately concerned" and "Very concerned." There is, however, notable and important variation in elected and appointed clerks' levels of concern. Notably, elected clerks are more concerned – to a statistically significant degree – about local business and religious leaders, and especially local residents, than appointed clerks are. Conversely, appointed clerks are notably more concerned, and elected clerks less so, about the opinions of municipal executive and legislative officials. Together, the two panels of Figure 6 paint a clear picture about the function of elections: elected officials are disproportionately likely to view themselves as the agent of local residents, while appointed officials are more likely to view municipal officials as their principals.

Attitudes Toward Public Service

We next examine clerks' *Attitudes Toward Public Service*. To do so, we analyze their agreement or disagreement with six statements related to public service and politics. These questions get at two distinctive elements of public service. Three questions relate to civic duty and the idea of public service as a meaningful pursuit, while three explore attitudes toward politics and pol-

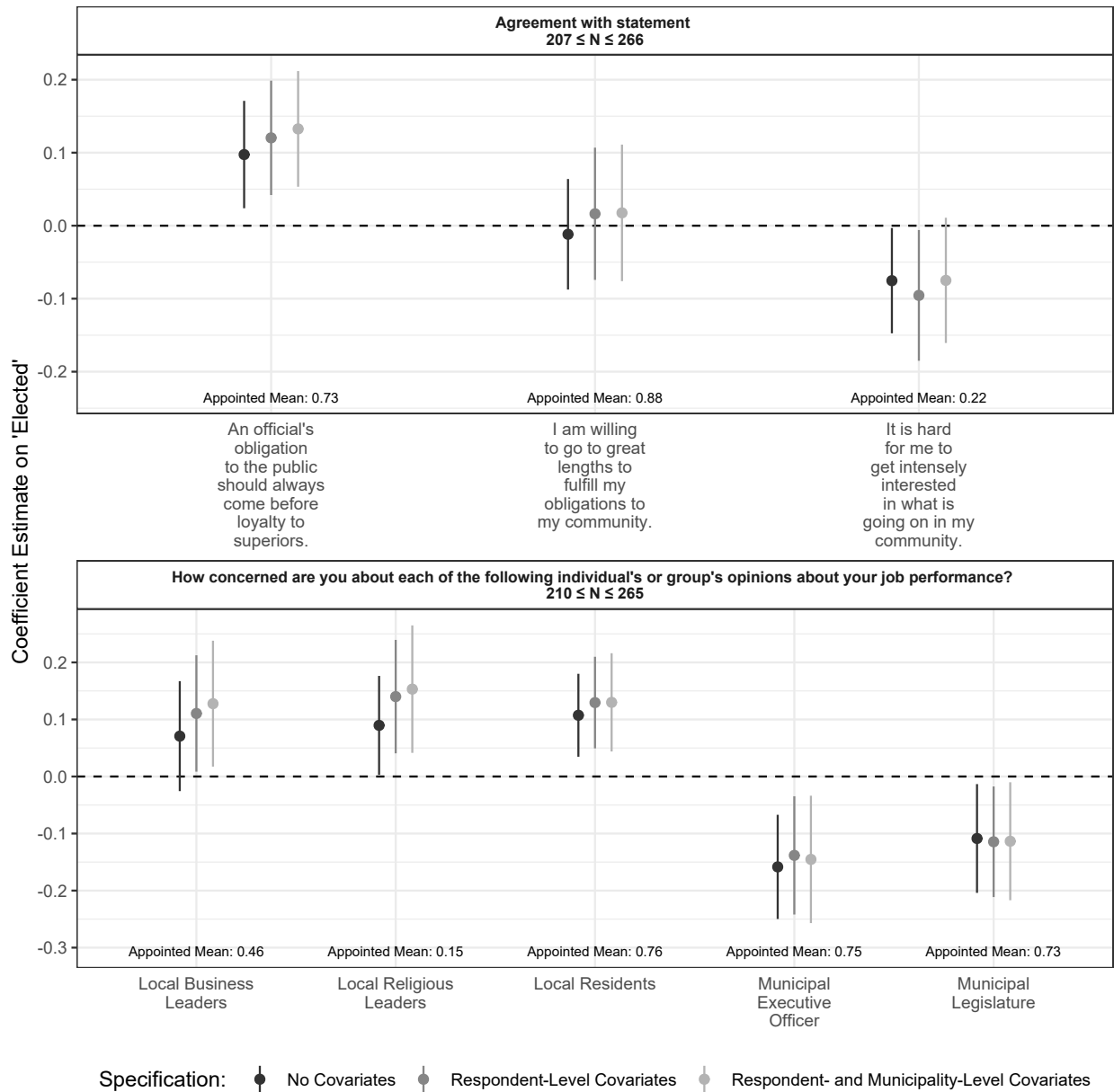


Figure 6: Effect of Electing Clerks on Perceptions of Constituency and Community

Note: Figure presents OLS regression estimates. All models include state fixed effects. 95% confidence intervals are based on robust standard errors. Outcomes in the top panel are five-level Likert scale responses, re-scaled from 0 to 1; outcomes in the lower panel are four-level Likert scale responses, re-scaled between 0 and 1.

icymaking. As with previous analyses, we rely on Equation 1, and re-scale the five-level Likert responses to lie between zero and one.

Our results are presented in Figure 7. We find that while appointed and elected clerks are generally similar in their attitudes toward public service, elected clerks are somewhat more driven by a sense of public duty and somewhat less enthused about partisan politics. While somewhat unsurprising that those clerks who seek out the public forum of an election, rather than those who are hired, revere public service, it is somewhat surprising that those same individuals view partisan politics as a barrier to their work. This is possibly a function of work environments created by selection methods: while elected clerks have their own source of legitimacy from (often non-partisan) elections, appointed clerks may be more enmeshed in the municipality’s political environment.

Substantive Representation

Finally, we turn to our analysis of substantive representation. Our theoretical concern is with understanding whether appointment and election systems for selecting clerks generate different levels of responsiveness to constituent preferences. To explore this, we use a slightly different regression specification than that above:

$$Y_{ijs} = \beta Elected_j \times Preferences_j + \eta Elected_j + \gamma Preference_j + \Phi \mathbf{Z}_j + \alpha_s + \epsilon_{ijs} \quad (2)$$

This model specification adds to that above a measure of local preferences, and interacts this measure with the indicator for whether a clerk was *Elected* or not. The coefficient estimate of γ from this model captures how responsive to constituent preferences appointed clerk are, while the coefficient estimate on the interaction, $\hat{\beta}$, captures how much more or less responsive elected clerks are than appointed clerks. We always also report $\hat{\gamma} + \hat{\beta}$, which estimates the effect of local preferences on elected clerks’ characteristics or behavior. Finally, Model 2 omits all clerk-level

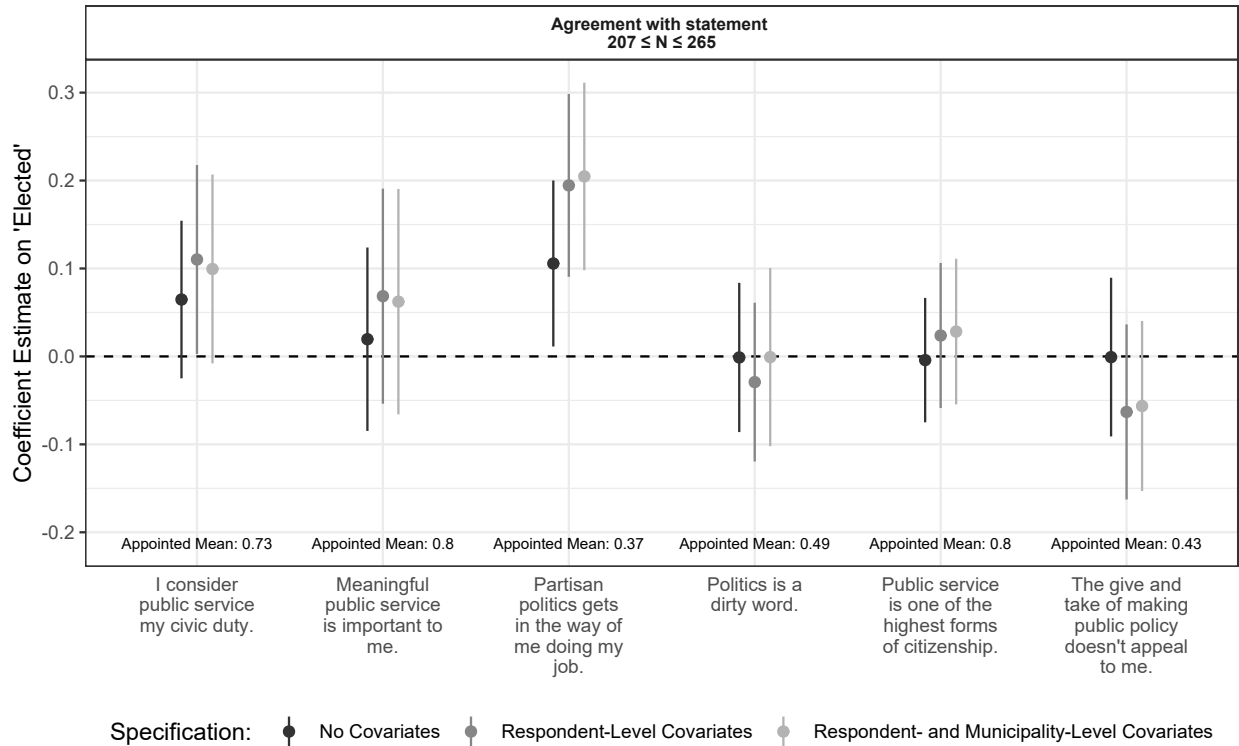


Figure 7: Effect of Electing Clerks on Attitudes Toward Public Service

Note: Figure presents OLS regression estimates. All models include state fixed effects. 95% confidence intervals are based on robust standard errors. Outcomes are five-level Likert scale responses, re-scaled from 0 to 1.

control variables; this is intentional, as these are likely to be post-treatment to local preferences and plausibly constitute pathways through which effects of local preferences might be transmitted into action, rather than potential confounders. Municipality-level covariates remain, as they may be associated with both preferences and clerk selection method and thereby confound that relationship.

Our principle measure of local preferences is municipality-level two-party vote share for President Biden in the 2020 Presidential Election. This measure – which is also used in the above models as a control variable – is created from state-specific data sources that report vote totals at the municipality level. While election data does not perfectly capture local ideological preferences, ², exploring the use of MRP-based measures for issue-specific public opinion, report

that “presidential vote shares generally have a correlation with public opinion between .6 and .7. This is a rather impressive correlation, and it should be somewhat heartening for researchers who wish to continue using presidential vote shares as catchall proxies for district-level ideology” (212). Because we study a small geographic unit for which MRP-based estimates are likely to leave substantial missingness, we are comfortable turning to presidential vote share as our primary measure. Below, when considering clerks’ attitudes on voting rights, we also use their reported perception of local ideological preferences; while this measure correlates highly with Biden vote share ($\rho = 0.67$), it may better reflect clerks’ subjective understanding of local preferences to which they are responsive while making policy decisions.

We begin by examining the relationship between selection method and the ideology and partisanship of selected clerks. Our concern here is not with clerks’ behavior or beliefs in response or adaptation to selection method; rather, we consider whether these selection methods are equally adept at facilitating the *selection* of clerks whose ideological and partisan leanings are associated with those of their communities. The results are presented in Figure 8. Unlike in previous models, the three plotted estimates do not coincide with different model specifications: instead, the three leftmost points plot three estimated values from a single model with clerks’ self-reported ideology as the outcome variable, and similarly for the three points on the right. The three points correspond to three quantities of interest: the marginal effect of local preferences among appointed clerks ($\hat{\gamma}$), the marginal effect of local preferences among elected clerks ($\hat{\gamma} + \hat{\beta}$), and the difference between the two ($\hat{\beta}$). As the figure indicates, we find broadly positive associations between local political preferences and clerk preferences: places that gave President Biden more support are more-likely to have a liberal or Democratic clerk.³⁰ The relationship is stronger for elected clerks than appointed clerks, but our quite-wide confidence intervals, particularly for appointed clerks, point to power concerns. While the marginal effect

³⁰The outcome measures have been oriented so that higher values correspond to more-liberal and more-Democratic clerks.

among appointed clerks is statistically significant for neither outcome, for neither can we rule out that responsiveness is the same for the two methods. For Party ID, we find a significant level of responsiveness for neither selection method.

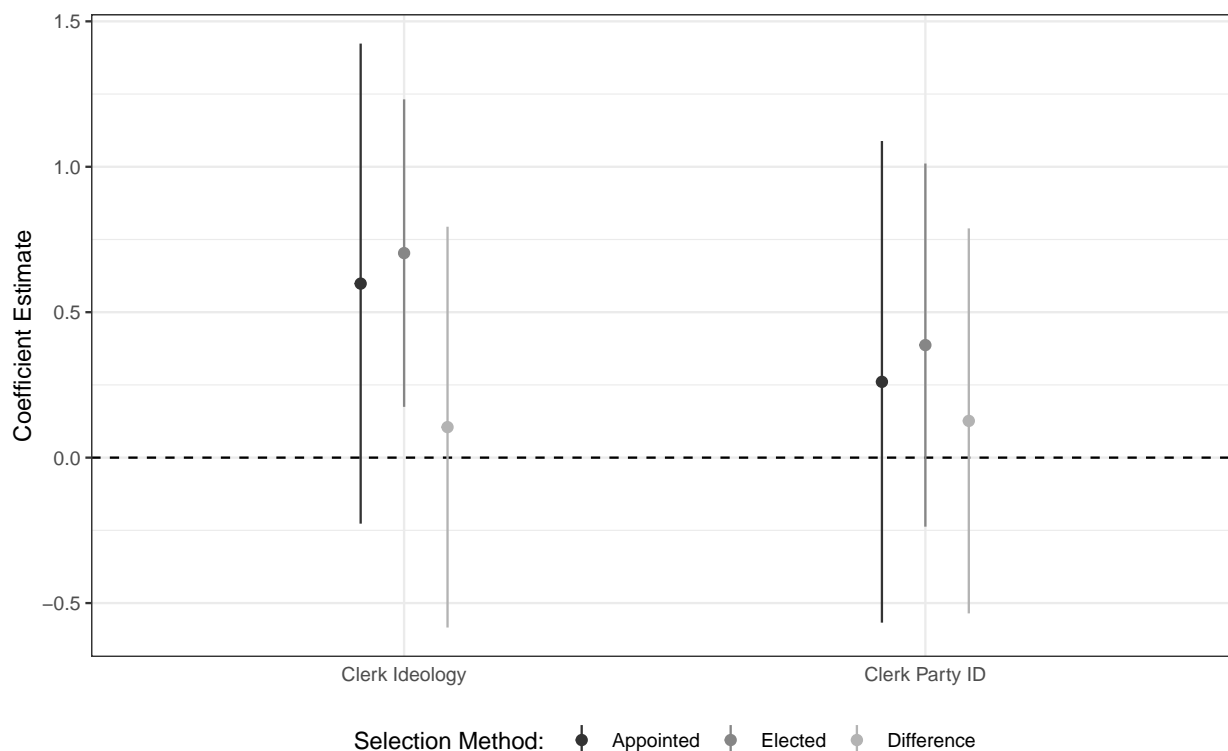


Figure 8: Selection Method and Clerk Ideology and Partisanship

Note: Figure presents OLS regression estimates. All models include state fixed effects and municipality-level covariates. Appointed corresponds to $\hat{\gamma}$, Difference to $\hat{\beta}$, and Elected to $\hat{\gamma} + \hat{\beta}$ from Model 2. 95% confidence intervals are based on robust standard errors. Outcomes have seven levels and are re-scaled from 0 to 1. Estimated models have 232 and 233 observations, respectively.

Next, we examine clerks' responsiveness on a policy area that is both increasingly politicized (?) and firmly within their jurisdiction: election administration. Specifically, we asked whether "The U.S. Congress should..." either "Pass legislation protecting the right to vote for all American citizens" or "Leave voting rights issues to the states." The question was forced choice between those two options, and respondents were instructed to "indicate which option comes closest to your view." We coded responses indicating that Congress should pass legisla-

tion to protect voting rights as “1,” and responses indicating a preference for Congress to leave the issue to states as a “0.” In light of the controversy around the 2020 election (?), Republican-led states’ efforts to restrict access to the ballot box (??), and President Biden’s public advocacy for legislation such as the John Lewis Voting Rights Advancement Act and the Freedom to Vote Act,³¹ we interpret the former response to be more liberal/Democratic and the latter to be more conservative/Republican. Nevertheless, clerks’ familiarity with election administration and procedures and their own (possible) status as elected officials may given them unique insight into the question.

Our results are presented in Table 2. We present results from four models: two using Biden two-party vote share to measure constituent preferences, and two using clerks’ subjective beliefs about constituents’ ideological leanings; two models that do not interact the measure of preferences with selection method, and two that do.³² The models without interactions provide a useful baseline to examine the aggregate relationship between preferences and clerks’ attitudes on voting rights. Overall, about 70% of clerks indicated support for Congressional protection of voting rights; this masks, however, considerable variation across selection methods. Models 1 and 3 indicate that, in the aggregate, clerks are not especially responsive to public preferences, either objective or subjective. While the relationship is positive for Biden vote share, it does not approach statistical significance; for perceived constituent ideology, the relationship is near-zero.

When we interact the measures of preferences with selection method, however, we uncover heterogeneity. In Models 2 and 4, we find positive and significant ($p < 0.10$) relationships between preferences and responses for appointed clerks. The interactions with *Elected*, however, are large, negative, and, and statistically significant in Model 4. We print the marginal effect of constituent preferences for elected clerks ($\hat{\gamma} + \hat{\beta}$) below the model output—these estimates are

³¹Corasaniti, Nick and Reid J. Epstein. “A Voting Rights Push, as States Make Voting Harder.” *The New York Times* (New York, NY). January 11, 2022.

³²All models also include municipality-level covariates; these are suppressed for presentational purposes.

Table 2: Local Political Preferences, Clerk Selection Methods, and Voting Rights Protections

	<i>Dependent variable:</i>			
	Congress should pass voting rights protections			
	(1)	(2)	(3)	(4)
Biden Vote Share	0.613 (0.477)	1.204* (0.617)		
Perceived Constituent Ideology			0.022 (0.159)	0.421* (0.218)
Elected Clerk		0.445 (0.339)		0.312* (0.164)
Biden \times Elected		-0.707 (0.510)		
Ideology \times Elected				-0.609** (0.259)
Marginal Effect, Elected		0.497 (0.535)		-0.187 (0.194)
Observations	241	241	233	233

Note: Entries are linear regression coefficients with robust standard errors in parentheses. All models include state fixed effects and municipality-level covariates. * $p < 0.10$, ** $p < 0.05$ (two-tailed test).

substantively small, statistically insignificant, and, again for Model 4, actually *negative*. Though not statistically significant, this suggests that elected clerks representing more-liberal places were actually *less* likely to support the liberal position on voting rights than those serving more conservative communities. The positive estimates on the base term *Elected* also suggest that in the most conservative communities elected clerks were more likely to support the liberal position than appointed clerks. These findings complement those of ?, who find that elected clerks are more supportive of voter access, but our finding of lower responsiveness among elected clerks is surprising. We suspect that this may be due to ceiling effects among elected clerks. Nevertheless, we find that appointed clerks are broadly responsive to public opinion.

Discussion and Conclusion

New England's municipal clerks stand at the border of the political and the administrative, the democratic and the bureaucratic. The mix of methods used to fill this role reflects that clerks have one foot each in these different worlds. In their communities they serve an essential administrative function, ensuring that local government and the licenses and permits it issues, the vital records it keeps, and the elections that it administers are properly executed. At the same time, clerks serve a representative function make decisions about public policy that may be informed by preferences from the community.

We studied clerks because they are practically and conceptually important. Clerks provide a rare view of the consequences of elections for representation in local government. We theorized that elections should have consequences on a number of dimensions: for the quality and job performance of local officials, for the way that those officials perceive their constituents, for the public service orientation of those selected to serve, and for descriptive and substantive representation of local communities. We designed a survey designed to capture these ideas in the context of New England municipal clerks, a population that offered meaningful variation in selection method while holding a variety of important factors constant. Our survey, administered both online and via postal mail, achieved an impressive response rate of more than 25 percent.

Our findings suggest that elected and appointed clerks approach their important work with important differences. Holding important municipality and respondent-level characteristics constant, elected clerks operate in a less-professional manner but keep their constituents at top of mind. Appointed clerks, in contrast, are more professionalized but are disproportionately focused on their immediate superiors as they go about their work. These results reflect the tradeoffs between electing and appointing local officials. Appointed clerks run more professional offices at the expense of a direct connection to constituents, and elected clerks may have less-than-ideal decision-making procedures but have the community they serve at top of mind.

Our results suggest a number of directions for future research. First, future analyses that look beyond New England should consider how selection methods affect descriptive representation. While we had pre-registered analyses in this vein, the racial and ethnic homogeneity of our sample precludes it. The lack of variation is plausibly a function of the demographic composition of our sample of states. Our results for substantive representation, particularly our analysis of voting rights attitudes, suggests that further analysis on other policy areas—both politicized and non-politicized, and in and out of clerks’ jurisdiction—would provide valuable clarity on how and when clerks represent the ideological and partisan interests of their constituents. Finally, our work could be expanded beyond the office of the clerk, which is not the only local office that varies in selection method. Our results show that elections matter; future work on different dimensions of representation and in different offices can help to further refine how and why.

Supplementary Materials

Elections and Representation in American Municipal Administration

Wayde Z. C. Marsh, Michael P. Olson,
Andrew Reeves, and Jordan Duffin Wong

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A Survey Sample

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A Survey Sample

Table A.1: Survey Responses by Selection Method and Survey Mode

	Mail	Online	Total	Sampling Frame	Mail %	Online %	Total %
Appointed	46	23	69	308	15	7	22
Elected	113	84	197	751	15	11	26
Both	159	107	266	1,059	15	10	25

Note: Table presents number of responses and response rates by clerk selection method and survey mode. Mail surveys were sent to those who did not respond to the online survey.

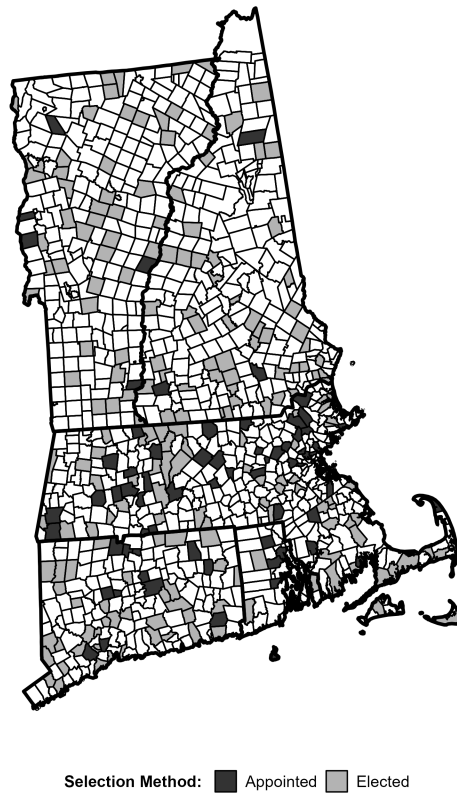


Figure A.1: Selection Method for Clerk Respondents

Note: Map units are municipal boundaries. Areas in white are those for which we either could not determine selection method or did not receive a response to our survey.