

## **THE HAMMER OF JUSTICE: TAXPAYERS' LITIGATION AND POLITICAL REFORM IN NEW YORK CITY, 1900 - 1930**

Reformers and progressives seeking to liberate New York City from Tammany Hall between 1900 and 1930 used a variety of well-known tactics, from civic involvement to third-party political organization. One of their less well-known tactics was the taxpayers' lawsuit. Courts and litigation provided an efficacious forum for promoting reform in government and political change, especially when the executive and legislative branches were under the control of a political machine.

This paper examines the taxpayers' litigation program of the Citizens Union, a progressive political reform organization in New York City. Between 1909 and 1930 it brought at least twenty-two taxpayers' actions against public officials to enjoin the unlawful expenditure of public funds or other unauthorized acts, and it was successful in eighteen of these actions. The Citizens Union's members were not disgruntled cheapskates or gadflies who utilized such lawsuits to frustrate or circumvent the will of the majority, nor were they opponents of change who pursued taxpayers' actions for conservative purposes. Rather, they were reformers who brought taxpayers' suits to advance a progressive political agenda and to foster the honest, transparent and healthy functioning of local government. The nature, magnitude, duration and effectiveness of this litigation program are unique among political reform groups during this period. For the Citizens Union, taxpayers' litigation provided a means by which political outsiders could facilitate political change and hold government accountable.

The taxpayers' lawsuits initiated by the Citizens Union provide a window to the political culture of New York City in this period and the crucial role that the law and litigation played in shaping that culture. They reflect many of the issues that preoccupied a rapidly urbanizing America in these years, most notably rapid transit construction and municipal administration (how municipalities hired, compensated and provided pensions for their employees), which came to be front and center both in American politics and in the Citizens Union's legal efforts. They tell the story of the rough and tumble politics of the city and of the efforts of middle class citizens to combat corruption in political life and to promote good government. Finally the taxpayers' lawsuits illuminate a neglected aspect of American political culture – the powerful relationship between law and political reform movements.