

the cost of three sessions, but when no agreement was reached, the school agreed to pay for additional sessions. The mediation included the League of Women Voters and representatives of the activists, along with Middlesex and the NRC. Ultimately, after eight sessions, agreement was at hand. In a last-ditch effort some of the activists filed desperate lawsuits, but the courts declined to intervene.⁸ In April of 1997 the NRC unanimously approved the agreement, but not before being condemned by one of their erstwhile supporters: “[Your] integrity has been compromised . . . you will go down in history as destroyers of the earth.”⁹

In May of 1997—seven years after Middlesex began the planning process, and four years after its first official submission—the town signed the agreement, which goes into effect if the school’s appeal is denied (which at the time of this writing has still not been decided). Middlesex sources report that they had budgeted \$75,000 for the permitting process, but have spent \$400,000 on consultants, lawyers, and mediation. Being mostly in-house, the town’s expenditures are difficult to estimate, although it has spent about \$10,000 on outside legal fees. The pending final settlement amounts to a slightly scaled-down version of what emerged from the Planning Board stage in 1994. The school agrees to place 100 acres of peripheral land under a permanent conservation restriction and accepts a twenty-year restriction on a tract of land deeper in the woods.

To some, the preceding case illustrates grass-roots democracy: concerned citizens actively participated in the affairs of their community and materially affected the outcome. To others, the preceding case illustrates the opposite of grass-roots democracy: a few “true believers” were able to hijack the democratic process and impose unreasonable costs—fiscal and psychological—on other actors as well as the larger community. In the eloquent words of one citizen who monitored the proceedings: “As a taxpayer, these extensive debates only dishearten those of us who place their trust and confidence in the institutions, processes and representatives that give structure to our town, states, and country.”¹⁰

8. Among other things, the unreconciled activists charged that clearing trees for soccer fields would diminish the earth’s capacity to cleanse the air and that use of synthetic building materials for faculty housing would harm chemically sensitive residents of Concord.

9. Quoted in Bryan Davis, “NRC Votes to Sign Middlesex Pact,” *Concord Journal*, April 24, 1997, p. 16.

10. Letter of Thomas Doe, September 26, 1995, contained in the files of the Natural Resources Commission.