RECONCEPTUALIZING
THE
THEORY OF LOCAL AUTONOMY

By

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Conceptualizations of local autonomy to date are critiqued and an alternative theory is offered. Three ideal types of local autonomy are reconstructed from existing literature: fiscal, political, and legal autonomy. Two specific criticisms are made: that each holds a deficient conceptualization of the local; and that each has a negative and constrained view of power and autonomy. Existing literature oversimplifies states' domination at the expense of local autonomy. A theory of local autonomy, I argue, must begin with the question of how localities can and cannot be autonomous rather than a prevailing focus on what they stand autonomous from. In this way, local autonomy and its absence (heteronomy) become dialectical concepts. I develop these points through a discussion of Massachusetts' inclusionary housing policy. The policy's drafting and its current impact in four suburbs provide the empirical basis for theoretical reconstruction. "Local" is viewed from a place-making perspective: places are seen as meaningful sets of social relations relative to a geographic context. Meaning is produced, reproduced, and contested within those contexts. A place's autonomy is related to the way in which meaningful sets of social relations are made to be "powerful" or "powerless" through a process of reification. Relating "local" to "autonomy" demands a relational and circulatory theory of power rather than prevailing corporeal theories.
This reconceptualization is beneficial in theoretically relating power and place because it emphasizes the complexity and dynamics of relations of domination and resistance; because it highlights the relation between place making and truth/knowledge claims; and because it does not heuristically disentangle social processes whose very interaction is theoretically significant.
### TABLE OF CONTENTS

Abstract .................................................................................................................. ii

List of Tables .......................................................................................................... vi

List of Figures .......................................................................................................... vii

Acknowledgements ................................................................................................... viii

Chapter One: Power, Place and Local Autonomy .................................................. 1

a. Introduction ........................................................................................................... 1
b. Autonomy and Power ............................................................................................ 4
c. Place and Politics .................................................................................................. 12
d. Local Autonomy in Suburban Massachusetts ....................................................... 18
   i. Previous discussions of Chapter 40B ................................................................. 19

Chapter Two: Fiscal and Political Autonomy .......................................................... 23

a. Introduction: Typologies of Local Autonomy .................................................... 23
b. Conceptualizations of Fiscal Autonomy ............................................................. 25
   i. Critique of Fiscal Autonomy Literature .......................................................... 30
c. Political Conceptualizations of Autonomy ........................................................ 35
   i. Federalism ......................................................................................................... 36
   ii. Urban Managerialism and Street-Level Bureaucracy .................................... 39
   iii. Suburban Autonomy ...................................................................................... 41
d. The Power of Political Communities .................................................................. 45
e. Space and Political Power ................................................................................... 46
   i. Place and Political Identity ............................................................................. 48
f. Summary and Comments .................................................................................... 49

Chapter Three: Legal Autonomy ............................................................................. 53

a. Introduction ......................................................................................................... 53
b. Legal Autonomy Through Dillon's Rule ............................................................. 54
   i. Legal Autonomy Through the Cooley Doctrine ............................................. 59
   ii. Critique .......................................................................................................... 62
c. Clark’s Theory of Local Autonomy .................................................................... 63
   i. Critique .......................................................................................................... 66
d. The Interpretive Turn in the Geography of Law .............................................. 69
   i. Critique .......................................................................................................... 71
e. Summary and Comments ................................................................................... 74
f. Synthesis ............................................................................................................. 77
List of Tables

| Table I. | Appeals to H.A.C. 1969-1989 | 122 |
| Table II. | Summary Statistics for Weston, Massachusetts | 130 |
| Table III. | Summary Statistics for Lincoln, Massachusetts | 136 |
| Table IV. | Summary Statistics for Dracut, Massachusetts | 142 |
| Table V. | Summary Statistics for Hanson, Massachusetts | 147 |
List of Figures

Figure 1. Case-Study Suburbs in Greater Boston

.............. 129
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CHAPTER ONE
POWER, PLACE AND LOCAL AUTONOMY

a. Introduction

My objective in this thesis is to infuse the longstanding debates over local autonomy with a decidedly geographic perspective: that of how places are constitutively made and remade through political and cultural discourse¹. Fundamentally, the concept of local autonomy points up the control that localities have over their governance, their general being and their destinies vis-a-vis higher tiers of the state. This basal conceptualization is retained throughout this work, and broadly reflects the tone of pertinent literature to date.

Narrower debates over local autonomy, however, have orbited around issues such as which functions local governments ought to have (Maas, 1959; Wickwar, 1970; Frug, 1980), or how best to conceptualize and operationalize the concept (Clark, 1973; Saunders, 1979; Clark, 1984; Gurr & King, 1987). All lead up to the general question of whether or not local autonomy really exists (Clark, 1984; Dear & Clark, 1980, 1981; Clark & Dear, 1984). Overall, the literature tends to stress the significance of the constraints on local government, hence the tenor of the debate emphasizes a diminished or precarious local autonomy, despite important exceptions and caveats (Danielson, 1976b; Elazar, 1986) that

¹ Defined as, "a system of possibility of knowledge." See (Philp, 1985).
suggest problems with the concept.

This conceptual deficiency, I argue, stems primarily from a treatment of the local autonomy question as largely an empirical, rather than a theoretical issue (e.g., Saunders, 1979). Moreover, when the concept has been theorized (e.g., Clark, 1984, 1985; Frug, 1980; Syed, 1966), its scope has been fragmented into disjointed treatments of law, politics or fiscal relations. Given the multidimensionality of social relations (Geertz, 1983) and the increasing acknowledgement of this point in social science, other aspects of the constitution of local power must be teased out simultaneously to ensure adequate conceptualization.

In this thesis, I suggest that the concept must be reconceptualized for a more complex and subtle grasp of power relations; and that the presence of patterns of autonomy or their absence (heteronomy) are not mutually exclusive but dialectical categories. In addressing the literatures, two novel contributions are made: a reconceptualization of the adjective "local" to capture the relations between place and power in politics, and a reconceptualization of "autonomy" based on a relational and circulatory theory of power: one that articulates the way in which the power evinced in the making and remaking of places causes the autonomy and/or

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2 The term heteronomy is based on Lindley (1986). I use the term "dialectic" in the sense of two opposite phenomena interacting to produce a third, distinct one. See (Abercrombie, Hill & Turner, 1984).
heteronomy patterned in state-local politics.

Through a more subtle conceptualization of power (Foucault, 1980a,b), combined with a discussion of the structuration process of place-making through politics and culture (Agnew, 1987; Geertz, 1973, 1983; Pred, 1983), I offer an alternative theory of local autonomy more capable of capturing the multiplicity of interacting forces which produce patterns of autonomy and heteronomy.

I develop my argument by tracing the formation and reformation of a Massachusetts housing policy designed to encourage the production of subsidized housing in suburbia. The policy—colloquially known as "The Massachusetts Anti Snob Zoning Law"—is useful for my endeavour since it is a state move explicitly aimed at diminishing local autonomy in suburban land use regulation, one of the most sacrosanct areas of local control in the United States. Yet as I demonstrate in Chapters Four and Five, there are also processes implicated by this policy which produce varied patterns of autonomy as well. These patterns are made visible by emphasizing the way in which agents and social structures make places they interact with as well as those in which they are situated.

The argument is more than a contribution to the debate over local autonomy's ontological status. I posit that the way in which places are constituted as sets of meaningful social relations, and in turn how they are reified as they
"interact" with one another provides the conceptual key to grasping the dialectic of autonomy and heteronomy in political and cultural discourse. It is the source of their autonomy. The focus is on the interaction process because it is this network of force relations amongst individuals and institutions which is where power lies (Foucault, 1980a). Local autonomy should be seen as stemming from the interaction of places, which are reified sets of social relations. This interaction is the power imbricated in "local autonomy." For this thesis, local autonomy is not simply a right granted by a state or judge, it is not a task allocated to the bottom rung of the federalist ladder, nor still is it a value or hegemonic device integral to the American regime or the capitalist state apparatus. Instead, as it is recognized to be all these things in discursive practices, it is a micro-manifestation of power.

The remainder of this chapter is dedicated to developing key concepts and debates germane to critiques in later chapters. First is an explication of power and autonomy, followed by a discussion of the concepts of place and politics. Finally, an introduction to and justification of the Massachusetts case study are offered.

b. Autonomy and Power

The conceptualizations of "autonomy" and power must be reformulated because, as Chapters Four and Five demonstrate, existing theories of local autonomy too readily deny a local
exercise of power. "Autonomy" literally means "self rule" and hence refers to a capacity to dominate and control oneself and one's destiny despite external dominating forces (Lindley, 1988; Dworkin, 1986). Typically, autonomy has been theorized as categorically describing the result of "local" actions or activities. If the local state "got what it wanted," despite the presence of potential constraints from state or federal tiers, it had power and thus was autonomous (Sbragia, 1983; Elazar, 1986). If the state "took away power" or "granted power" to promote liberalism or capitalism, the local state lost autonomy and was powerless (Winter, 1969; Clark & Dear, 1984).3

Part of the problem surrounding the ambiguity in theories of local autonomy is that the term "autonomy" usually refers to an individual— not a group (Adell, 1974; Thomas, 1978; Lindley, 1988; Dworkin, 1986). It is often said that institutions "act" autonomously, or that in a given instance they "had" autonomy (e.g. Bailey, 1984). But the local cannot be simply thought of as an individual that acts or holds (see below). This theoretical position is danger-

3 These attitudes towards power can be traced to existing models where the term has been used to describe the capacity to affect outcomes or change behaviour (Adell, 1974). They have been described as the three 'faces' of power: decisionmaking (e.g. Dahl, 1963); nondecisionmaking (Bachratz & Baratz, 1970) and the denial latent interests (Lukes, 1974). Adell (1974) and Thomas (1978) have suggested that autonomy is useful to balance the increasingly authoritarian emphases in the study of power in the second and third faces of power, without reducing the complexity of power to the pluralism of the first face.
ous, for it reproduces an anthropomorphic error that reduces place to an individual.

This error has consequences for how power is treated theoretically in turn. As I demonstrate in Chapters Two and Three, most theories of local autonomy claim that power is held, granted or rescinded. The central image of power is that of a discreet entity being exchanged between self evident objects like a state and a local government. What is obfuscated by this portrayal is how power operates in the constitution of those groups and institutions that define the local (including the local state) and the state overall in a social context.

None of the 'three faces of power' can adequately capture the relational or circulatory dimensions of power that are endemic to a term like "autonomy", hence an alternative concept of power must be used if "autonomy" is to have any theoretical utility. Acknowledging the presence of broader social forces vis-a-vis an object (as "autonomy" does) should not necessarily mean denying a priori the efficacy of that object merely because it stands in relation to another "powerful" entity.

An alternative theory of power has been developed by Foucault, and is used in this thesis for its subtlety. Conventional conceptualizations of power, Foucault (1980a,b) has argued, rely too heavily on ways of thinking about social processes uncritically borrowed primarily from economics.
These modes of thought on power are inappropriate for the subtlety demanded by a concept like local autonomy. If autonomy is said to be granted from the state to the local, power becomes essentially commodified: a right possessable as if it were a good. Any exercise of power by "the local" is understood only through a grant of power from "the state". Power, as it informs conventional theories of local autonomy, becomes something which is embodied, had, or exchanged (in this case the right to self rule).

If autonomy is said to articulate with the structural demands of the capitalist state, power is primarily teleological and instrumental. It exists to serve some purpose, often an overall, coordinating one. Power is something that merely serves as a means to an end. It does nothing to contribute to defining the means-ends relation between the state and the local. Nor still does it appear to play any role in the way in which those entities become separate and distinguishable from, yet inevitably related to, each other. Missing these constitutive dimensions of power, its definitional and relational significance is the cost, Foucault argues, of borrowing theory uncritically.

In Foucault's alternative, power is seen as a ubiquitous network of force relations throughout society. Every social relation manifests these forces. Power is in no sense separate from other social relations; it is a dimension of those interactions. Thus power is not that which gets held,
exchanged or transferred. Rather, it is a force which is exercised both on and by individuals, who themselves represent intersections in a grid of social power. Subjects who exercise power are thus constituted as both the products and agents of power (Foucault, 1986; Baynes, Bowman & McCarthy, 1988). Consequentially, power underscores the relation between objects, which in turn helps us to understand how those objects become readily identifiable as such.

Understanding power this way integrates the various manifestations and instruments of power throughout social interaction. Thus one of the values of this theory is that it recognizes that the power between state and local can be exercised through a variety of relations and that these relations are constantly in process, simultaneous, and often contradictory.

Most important to a theory of local autonomy, it highlights the immanence of resistance where there are relations of power (e.g. (Fiske, 1989a,b)), challenging the authoritarian, negative or top-down emphasis standard to conventional analyses of power (cf. Thomas, 1978). Wherever there is domination, there must also be some form of resistance. Each vector of force implicates the way in which the other becomes manifest. Power circulates between things, in part because the way in which "things" are defined and unified points up the strategies and techniques of domination and resistance. With respect to local autonomy, then, recogniz-
ing that states dominate local governments begs an understanding of the local resistance to state domination and how "state" and "local" become defined (vis-a-vis power) relative to each other. Foucault calls such objects discursive formations or unities.

Thus the relation between the autonomy of a place that exerts control over itself and its destiny and a Foucauldian conceptualization of power is one which acknowledges the domination by higher tiers of the state through various strategies and the permeability of local social relations by broader forces, but it also considers the simultaneity of the "local" resistances and evasions to that domination or control. To date, the relation between forces has been understood with a negative, constrained, and top-down—thus a one-sided—notion of power. Because "autonomy" signifies self control within a broader context of potential domination and constraint, it would be most fruitfully grounded in the relational, circulatory theory of power Foucault offers.

In addition, Foucault's theory of power emphasizes the critical relation between power, knowledge and truth, crucial

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4 A discursive formation "consists of practices and institutions that produce knowledge claims that the system of power finds useful. A specific discourse serves a maieutic function: it brings objects into being by identifying them delimiting their field, and specifying them...Objects of knowledge are defined in ways that converging practices can use. Thus a discursive formation unites thought and practice in a seamless and circular web: Practices set the conditions for discourse and discourse feeds back statements that will facilitate practice." (Wolin, 1988, p.184)
in the place-making process (see below). Foucault suggests, "Truth' is to be understood as a system of ordered procedures for the production, regulation, distribution, circulation and operation of statements....Truth is linked in a circular relation with systems of power which produce and sustain it, and to effects of power which it induces and which extend it." (1980a, p.133)

Thus how "the state" and "the local" are defined as unities mutually (through the place-making process), as well as how their respective tasks, duties, responsibilities and indeed very ontologies are held to be proper and true are all processes which are critical to an understanding of local autonomy, because "the local" and "the state" are socially constructed as "powerful" and/or "powerless" objects. I seek to understand how the local has become objectified through power by focusing on how the state and the local—as places—become such self evident "discursive unities" (Foucault, 1972; Baynes, Bowman & McCarthy, 1988). Chapters Two and Three will demonstrate lines of consistency as well as inconsistency in the truths about the local autonomy of places towards this end.

This view of power also emphasizes a method of investigating local autonomy that hones in on the micro instances of power: the "capillary" (that which takes place at the individual or everyday levels) because it is here where they are understood not through grand theory but as a part of the strategies and calculations endemic to everyday life. Such strategies and tactics, as well as the techniques of domination and resistance are all made visible in an interactive
setting. For this reason, Chapters Four and Five trace the way in which individuals created and recreated places through exercises of power in an everyday, ordinary, local context.

The Foucauldian conceptualization of power is useful, then, to the reworking of local autonomy in this thesis for a number of reasons. It moves us beyond a simplistic dualism of, 'if the local has power then it is autonomous, if it does not, then it is not'. It allows us to theorize a dialectic of autonomy and heteronomy in state-local relations, as domination and resistance are both underscored and simultaneous. Because of the multidimensionality of power, the various relations of force that are implicated in the control over and definition of places are captured much more effectively than conceptualizations of local power to date, precisely because it accommodates all of the insights these literatures glean, but rejects their sole concern with the "negative" or top-down vectors of power for a more complete and reciprocal portrayal. Finally, the relation between power and truths highlight the need to understand the definitive relation between the "local" and "autonomy." To claim autonomy, the need for autonomy, or the lack of autonomy in political discourse does not merely demand a contextualized explanation, but also a description of how the force relations in play are being problematized vis-a-vis sets of truths and ideals about the way places ought to be, about the way they are, and about the ways they could never
c. Place and Politics

For a geographic inquiry into local autonomy, a more familiar way to understand the discursive unities of "the state" and "the local" is to view them as places. The creation and maintenance of a place entails the activation of relations of power in human interaction (Weber, 1968; Mann, 1984; Sack, 1983). Thus a reconceptualization of power and autonomy necessitates an understanding of the way in which the state, the local and their relation are made and held to be true. The concept of place is appropriate to this task. Place is a way of bounding and signifying a people in relation to a geographic context. Through place, meaning is culturally ascribed to the abstract social relations, linking them to the material world (Tuan, 1976; Relph, 1976; Pred, 1983; Eyles, 1985). It is through an understanding of place that truths are claimed about the way things are or the way they ought to be.

Scholarship on local autonomy, however, has largely theorized the "local" not as a place, but as the local state. I find this specification problematic because it

5 Agnew (1987) has argued that the devaluation of place as a theoretical category can be understood in terms of 1. the dissatisfaction with atheoretical community studies of the sixties and seventies where place equalled "community"; and 2. the subsequent reaction in social theory to stress the significance of broader social forces and their penetration into each and every place (and in turn to rely more on abstract categories rather than contextualized concepts). The reduction of "local" to the local state is no doubt...
artificially separates local government from civil society—especially in arguments over local autonomy that situate the semi-autonomous local state in between constraints from above (the state) and below (the polity or broader social forces) (e.g., Gurr & King, 1987, 1988; Saunders, 1979). The local has been reduced to merely a level of the state. In turn, this conceptualization has disentangled the local state too forcefully from the other social relations which also constitute the local as a place.

As the theorization of the local state recently has emphasized the links within the state apparatus over those between the local state and civil society (e.g. Clark & Dear, 1984; cf. Wood, 1958; Banfield & Wilson, 1963; Gans, 1967), the deemphasis of the state-polity relations betrays a theorization of the state itself which is far too abstract (e.g. Cockburn, 1977; Dear, 1981; Dear & Clark, 1981). The local state should be seen as an institution which is neither separate from the larger state nor from civil society (Duncan & Goodwin, 1982; Blomley, 1989a; Chouinard, 1989). By recasting the concept of local autonomy with a clear reference to what is fully meant in political and cultural discourses by "local", this static partitioning is removed.

evidence of both these theoretical tendencies.

6 This work reflects a broader trend in scholarship emphasizing a "state-centred" approach. See (Nordlinger, 1981; Benjamin & Elkin, 1985). The purpose in emphasizing the internal relations of the state is to emphasize the relative autonomy of the state from capitalism.
Recent work by Agnew (1987) provides an opportunity to reconceptualize local autonomy by emphasizing the "local". His work is grounded in structuration theory and emphasizes the merits of contextual explanation in conveying the spatialization of abstract social processes. Place has shifted from an emotive term (e.g. Relph, 1976; Tuan, 1976) or a stage for abstract processes (Saunders, 1980) to a mediating concept between the abstract and the concrete (Giddens, 1985; Pred, 1983).

Place, according to Agnew, is theoretically comprised of three elements: location, the geographical delineation which encompasses the settings for social action; locale the settings and instances in which social relations are constituted; and sense of place which points up the "structures of feelings" people evoke as they interact in certain locales in various locations - the local culture. This place-perspective, then, is useful in capturing both the contextual and theoretical significance of social relations, as well as their own multidimensionality.

Yet to date, Agnew's empirical work has been criticized for not achieving its theoretical aims of contextualizing abstract social processes and transgressing the structure-agency dualism which has plagued social science (Savage, 1988; Mair, 1989). Pred (1984) for instance has stressed the continual becoming of places: the way in which place is part of both a seamless historical path and time/space specific
interaction (what I refer to as place making). The very utility of the structurational approach is to accept the validity of both structure and agency in the making of social life. I would suggest that part of Agnew's shortcomings stem from his inability to capture the interactive process of place making in political and cultural practices. The empirical focus of this thesis, then, is on the way in which places are made, and in turn, how they interact.

Agnew's work suffers from a "cookbook" approach to conveying place: there is more of a concern with specifying the elements themselves rather than their interaction and combination. For instance, his discussion of four localities in American politics is said to offer a "historical constitution of political behaviour in places" (1987, p. 190). In each account, one can isolate Agnew's description of location, locale and even sense of place, but because he— as an author—re-presents these theoretical elements, their "becoming" is never captured. Instead, his descriptions of those elements are underscored. It is upstaged by his manipulation of the elements of place. What needs to be considered, I argue, is the way in which these meaningful sets of social relations are made to be places through political and cultural discourse. By focusing on the place making process, not only are the discrete elements of place interwoven, they retain their theoretical significance simultaneously. More relevant to a theory of local autonomy, how the local becomes
defined is also braced by a theory of power that can explain not only outcomes in places, but also how those places have come to be held as "powerful" or "powerless".

To this end, a crucial step in both reconceptualizing local autonomy and amending Agnew's work is an emphasis on the reification of place by agents and institutions. This is the focus of the place-making process alluded to earlier. Through reification, subjectively intended meanings become objective facilities (Berger & Pullberg, 1964; Berger & Luckmann, 1967). Thus, through the reification of places (as geographically linked sets of social relations), people objectify the state and the local with specific reference to location, locale and senses of place. Places become separate meaningful entities from those who represent them. Places begin to be seen as affective and causal. This reification in turn affects agents and institutions as places begin to be treated as powerful or powerless. Thus the way in which places are defined by agents and institutions implicate how and whether they are autonomous. Overall, this process transpires in a geographic context. Location, locale and sense of place are all drawn upon and reproduced as places become social constructions. Images of types of places become part of the political struggle between groups. Local autonomy, in this way, stems from the reification of places as they are made to be autonomous or heteronomous. This point is developed empirically in Chapters Four and Five as
the place-making process is demonstrated.

Wider theoretical debates are also addressed by refining the place perspective. The concept of place, as developed by Agnew, allows the links between civil society and local state to be highlighted. It answers the call for a contextualized yet still theoretical understanding of social processes from contemporary locality and regional studies (Kirby, 1985, 1986, 1988; O'Loughlin, 1988; Massey, 1985; Blomley, 1989b; Thrift & Williams, 1987; Rose, 1988, 1989).

The utilization of contextual modes of explanation endemic to the place perspective also wed culture and politics, as struggle over how places become defined can only be understood in terms of broader though common "webs of meaning" (Geertz, 1983; also Agnew, Mercer & Sopher, 1984). The meaningfulness of place is drawn through local culture from both geographic and historical templates, and a variety of media are used (Suttles, 1984). The process is always a negotiated, contested one.

Additionally, the place-perspective contributes to the push away from the dominant strands of political inquiry focusing solely on the classic question, "who wanted what, where, when, why and how" (see Downes, 1973; cf Elkin, 1985). It does not deny the significance of this question (nor would I); rather it situates this important question within a social-theoretical framework that underscores the relation between politics and social reproduction. Recall that
Aristotle (1951) defined politics as foremost an association of individuals commonly oriented toward a noble end. To paraphrase Elkin (1985; 1987), politics is not just a means to an ends - it is an ends in itself. Politics is not just about how individuals or groups get what they desire, it is also about the interactive process of a people constituting themselves as a society (through various places); the way society ought to be. Conceptualizing politics in this way forges links between political and social theory, as well as articulating with a more subtle, less instrumental view of power.

d. Local Autonomy in Suburban Massachusetts

Suburban exclusionary zoning techniques have been classic examples of local autonomy in the United States (Danielson, 1976b). Through various restrictions or fees in local land-use regulations, suburbanites have effectively managed to block the construction of low and moderate income housing within their places. In 1969, the Commonwealth of Massachusetts passed Chapter 774 (or 40B): The Anti Snob Zoning Law. The law is more fully explained in Chapter Five. Briefly stated, however, it is a mechanism whereby a developer (through the state) can override all local zoning ordinances for a subsidized development in a town if that

7 Here, Elkin distinguishes political rationality from economic rationality, and further constitutive policy analysis from economizing policy analysis. For a discussion see (Elkin, 1985).
locality has been unreasonable in its stance on affordable housing. 40B would apparently provide a fascinating empirical challenge to the wide theoretical consensus on a lack of local autonomy. The discrepancy between theory and empirics, then, provides the space in which the theory of local autonomy can be reconceptualized from both directions.

d.i. Previous Discussions of Chapter 40B

Three distinct trends can be identified in the work on the Anti Snob Zoning Law to date. The first is a decidedly legal approach, which situates 40B in the existing context of the state and national cases surrounding exclusionary zoning (Sherher, 1969; Vaughn, 1974; Ovrut, 1976; Reed, 1981). The litany of cases which have challenged various aspects of the law's legitimacy has also been reviewed (see Reed, 1981). Often the 40B's novelty as a legislative initiative to prohibit exclusionary zoning is stressed. Most attempts (and most debate over these attempts) to open up the suburbs are in the judicial arena (Sherher, 1969; Danielson, 1976b; King, 1982)\(^8\).

Another strand of work on 40B assesses the policy's

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\(^8\) This general approach has been critiqued as legal objectivism. Unger (1983) argues that the distinction between legislative and judicial politics reaffirms a separation between 'ordinary' politics of legislative policymaking and 'foundational' politics of judicial policymaking. The partition allows ordinary politics to be situated in social processes, reflecting ideological divisions, while simultaneously reserving an objective, privileged space for juridical politics. Clearly the discussion in chapter three affirms the dangers of this privileging.
outcomes (Reed, 1981; Ovrut, 1976; Krefetz, 1977, 1979, 1980; Lacasse & Kane, 1987; Guzman, 1989). Inherent in this strain is a debate between those arguing that the law will have/had no real effect on low and moderate income housing production in suburbia (Reed, 1981; Ovrut, 1976; Listokin, 1976; Canellos, 1989; Worcester Telegram, 1987), and those who maintain that such findings are overtly pessimistic (Krefetz 1977, 1979, 1980; Vaughn, 1981; Lacasse & Kane, 1987; Guzman, 1989; Krefetz, Guzman & Brown, 1990). The latter argue that far less suburban affordable housing would be built without the law. The predominance of elderly housing complexes (Krefetz, 1980), and the importance of architectural aesthetics (Guzman, 1989) have also been documented. The means/ends rationality of 40B's politics has been overemphasized relative to its constitutive dimension. A place perspective can remedy this problem.

Finally, a third focus hones in on the politics of 40B. Margaret Power (1974) uses 40B to understand state legislatures ability to create metropolitan-scale "urban" policy, through a contrast with a failed New Jersey metropolitan planning bill. Schneider (1970) and Krefetz (1977) have concluded that the process of legislative innovation has a direct and significant impact on the actual law itself, and its effects. Schneider pays closer attention to the law's drafting while Krefetz looks at the law's effects over an
eight-year period\textsuperscript{9}. The links between place making, law making and local autonomy, however, remain to be developed vis-a-vis the bill.

Theoretically, Chapter 40B represents an attack on local autonomy in the area of land-use control. It is a legal tack, as it is through a legal discourse that power circulates to abate local discretion. There are also fiscal sanctions associated with noncompliance, eroding the financial capacity for local autonomy (see Executive Order 215 in the Appendix). And as the question of whether or not suburbia ought to be opened up by the state has been non-decided, then there is also a lack of autonomy in the place-definition process. At first glance Chapter 40B seems like a clear cut empirical case of diminishing local autonomy.

But to see suburbs as losing power, or the state as taking power away (as many have portrayed 40B) fails to theorize the resistances suburbs exert to the policy that is simultaneous to their domination. The complexity of force relations- the dialectic between autonomy and heteronomy is left unacknowledged and untheorized. Such a reading of power also misses the crucial theoretical point that how suburbs can be "autonomous"- how they can exercise power- is to be

\textsuperscript{9} Much of the detail surrounding the drafting of 40B which I put forth can originally be found in painstaking detail in Schneider (1970). Indeed, my own original fieldwork into the bill's legislative history largely served to confirm the thorough accuracy of her narrative. The novelty of Chapter Four, then, is not in its historical account, but rather in the theoretical treatment of this narrative.
found in how the suburbs and the state make and remake themselves and each other. The autonomy of a place stems from the way in which it defines itself and is defined by the other which seeks to dominate it.

The two empirical chapters of this thesis examine the networks of force in the place-making process of Massachusetts and its suburbs. Chapter Four traces the drafting of the law itself. My point is to show that the capacity for autonomy was actually written into the law and—more importantly—that this potentiality partially stemmed from the way in which drafters saw the suburbs and central cities as places and the way in which they could be better places in a democratic and federalist regime. Chapter Five reviews the experience of four Massachusetts suburbs with the law through the 1980s. I demonstrate a variability in the autonomy/heteronomy dialectic, and also theoretically outline the place-making process that structures this dialectic. Concluding comments are made in Chapter Six.

Chapters Two and Three examine the three modes of conceptualizing local autonomy that dominate contemporary thought. Fiscal and political autonomy are discussed in Chapter Two, and legal autonomy—which has been the most pervasive discourse on local autonomy—is outlined in Chapter Three. These chapters continue my attempts to draw out the deficiencies in existing conceptualizations of local autonomy.
CHAPTER TWO
FISCAL AND POLITICAL AUTONOMY

a. Introduction: Typologies of Local Autonomy

The purpose of this chapter is to lay the foundation for reconceptualizing local autonomy by emphasizing the manner in which autonomy is evinced rather than stressing the autonomy from phenomena. I synthesize and review two persistent strains in the literature: one marking the fiscal relations between state and locality, the second featuring the political relations between the two. In reviewing these literatures, I am critical of their deficiencies in conceptualizing "local" and "autonomy", and power, though I attempt to build upon their strengths in order to develop a reconstituted understanding of local autonomy.

Typologies of local autonomy have tended to highlight what the locality stands autonomously from (cf. Clark, 1984). Saunders (1979) for instance defines local autonomy in terms of the residual left from constraints on the local state from three phenomena: ecological forces, political forces, and market forces. Similarly Gurr & King (1987) draw a distinction between autonomy from higher tiers of the state and autonomy from broader social forces (see also Clarke, 1987).

What "autonomy" is, then, depends on how the local (always defined as the local state) fares in relation to other social forces. The problem with defining local autonomy merely in relation to or as separate from other
force relations is that the existence of patterns of autonomy is treated as an empirically, rather than a theoretically answerable question (Saunders, 1979). The broader social forces are theorized, but the power of the local, and indeed what "the local" is, are processes which remain ignored because in local autonomy literature, the local is treated as a stage on which social relations ebb and flow (e.g., Saunders, 1980, 1981). Ignored is the spatialization of social processes as they are manifested locally (Giddens, 1984; Gregory & Urry, 1985).

Instead of seeing the relevance of "autonomy" in terms of what it empirically signifies, I would underscore its theoretical utility in pointing up the way in which power circulates between the social constructions of "state" and "local". In this way, not only is the partition between patterns of local autonomy and social process removed, but the question of local autonomy becomes both an empirical and theoretical one. Whether or not local autonomy exists largely depends on how "local" and "autonomy" are both operationalized and how they are conceptualized.

How local autonomy becomes or does not become manifest thus becomes the ordering framework for the literature review straddling this chapter and the next. Fiscal, political, and legal forms of local autonomy are treated as ideal types for synthesizing the literature (Weber, 1963). The types come from stresses and emphases in the literature vis-a-vis the
way in which local autonomy is evinced, hence their theoretical relevance. These types should not be seen as mutually exclusive. Rather, they are heuristic devices used to order and bound the fragmented and disjointed work on this elusive concept. The ideal types are useful because they overemphasize the distinctive conceptualizations of local autonomy, highlighting the weak or often absent internal links among the different theories. If a circulatory theory of power is employed, however, the links can be strengthened and firmly related to "the local". Thus my aim is to reconceptualize local autonomy in order to integrate these literatures.

b. Conceptualizations of Fiscal Autonomy

By "fiscal autonomy", I mean the relations of force and resistance between state and local agencies defined by the transfer of funds from the former to the latter. Since the Depression, the trend in the United States has been for cities to become increasingly dependent on federal and or state monies to balance their budgets (Gelfand, 1980; Sbragia, 1983). Concomitantly, federal and state agencies have increasingly found it useful to achieve policy goals by funding proper local agencies (Elazar, 1986; Stone, Whelan & Murin, 1986).

Three broad trends capture the urban experience with federal and state funds: categorical aid, revenue sharing, and retrenchment. The increase in federal aid to cities throughout the 1960s was most often in the form of categori-
cal, or grants in aid, as part of Johnson's "New Federalism". These were specific allotments of money used for targeted purposes, often bypassing state-government control.

Authors have generally treated categorical aid as an abatement of local autonomy for two reasons. Grants in aid had a narrow range of targets for which they could be used. If the locality did not exhibit the specific need the grant was intended to satisfy, the city or town would likely be deemed ineligible by the federal government. Thus a locality's ability to decide if a certain grant is the best way to solve a local problem was potentially undermined (Burchell, Carr, Florida & Nemeth, 1984; Shannon & Wallin, 1980; Nathan, 1980). More to the point, which local issues deemed problematic and thus worthy of funding was decided at the federal, not the local level (Sbragia, 1983; Stone, 1986; Nathan, 1980).

Local autonomy is also said to be eroded by fiscal means in categorical aid because of the inevitable strings attached to such programmes (Pfiffner, 1983; Dear & Clark, 1980, 1981; Clark & Dear, 1984; Schneider, 1989). Accepting federal (or state) dollars for a programme meant accepting the accompanying list of rules and regulations concerning such issues as auditing, bidding, hiring, and salary guidelines.

Nixon's "New Federalism" of the 1970s marked a significant change in federal-local funding relations. Categori-
local aid was replaced by General Revenue Sharing in 1972. These federal dollars were more broadly earmarked, as federal money for use at local discretion (Sbragia, 1983). Monies were allocated by formula rather than annual debate, and discussion about how this money should be spent shifted from the federal to the local arena (Shannon & Wallin, 1980; Owen, 1983).

New Federalism theoretically represented an increase in local autonomy through fiscal means (Lineberry & Sharkansky, 1978; Sbragia, 1983). The power to decide how revenue-sharing money would be spent was concentrated at the local level, hence autonomy was augmented. Since the program opened up local competition to get these funds, more and more local communities had the capability to access this potential revenue as well (Nathan, 1980). Finally, the literature suggests that fewer strings were attached to revenue sharing monies, though some certainly remained (Owen, 1983).

Both categorical aid and revenue sharing, however, have been seen as overall trends in state centralization (Lovell, 1981). This centralization is said to inhibit local autonomy in so far as it has created a sense of dependency on higher tiers of the state (Lovell, 1981; Stephens, 1974; Bahl & Vogt, 1975; Wolman, 1982). The connotation is that the financial ties are by far the most significant ones between local and federal or state governments (Owen, 1983). Often, the connection between autonomy and fiscal ties is less a
theoretical than a methodological one. Certain authors, in seeking to measure amounts of local autonomy, have merely used transferred funds as operational variables for local autonomy (Stephens, 1974).

Dear and Clark (1980, 1981), for instance, measure the limits on local state autonomy by calculating the amount of transfer payments from federal and state coffers. They compare the variability of local state autonomy by calculating the net transfer to the local state as a percentage of its total budget. They summarize:

"Control over local state function and finance is applied in a general rather than a specific manner. While it may be politically expedient to be able to demonstrate the 'neutrality' of federal State allocations, the fact remains that variations in local state economy and policy have very little impact on its functional and financial requirements. In essence, control over the local state is quite rigid." (Dear & Clark, 1980, p. 22)

Through the 1980s, retrenchment represented the Reagan administration's policy on federal aid. Promising to increase local autonomy and reduce the size of the federal government, Reagan slashed local aid continually throughout the decade (Clark, 1985; Greiner & Peterson, 1986; Peterson & Lewis, 1986). In general, the result was that local budgets were reduced and, wherever possible, state governments stepped in to offset the federal withdrawal. Because of the well-documented fiscal crisis of the local state through the 1970s and 1980s (Schefter, 1978), federal retrenchment was depicted as yet another erosion of local autonomy. Local governments were less able to deal with harsher constraints
from social and economic forces (King, 1988).

Sbragia (1983) notes that in the transition from categorical aid to revenue sharing, locals feared a loss of local autonomy since the federal government channelled the money through state agencies. The theoretical point of interest is that locals have more to fear from their states vis-a-vis loss of autonomy than from the federal government. Part of the reason for this no doubt stems from the fact that, despite widespread suburban participation in revenue sharing, the bulk of the transfer payments were made to cities rather than rural communities (Markusen, Saxenian, & Weiss, 1980). Many state legislatures were ruraly oriented, and hence cities had much to fear from the anti-urban bias in their states.

Such an anti-urban bias could also be detected in the so-called tax revolt of the 1980s, another event that can be seen as limiting local fiscal autonomy. Proposition 2 1/2 in Massachusetts forced most cities and some suburbs to roll back property assessments to 2 1/2% of their full market value. Additionally, it restricted the ability of local government to increase property tax rates to no more than 2 1/2% per year without a local override referendum. Passed in 1980, Proposition 2 1/2—like its California predecessor, Proposition 13—has been theorized as one of the ways in which states control and regulate the revenue-raising capabilities of localities, and hence a source of impingement.
on their autonomy (Ladd & Wilson, 1981; MacManus, 1983; Pfiffner, 1983).

The point most often stressed, however, about state-local relations is that states have the ability to determine the means by which local governments can raise revenues. In this way, states are said to constrain local autonomy by limiting taxation and borrowing powers of cities (Kilpatrick, 1941; King, 1988; Shannon & Wallin, 1980; Bailey, 1984; Shefler, 1980; Stone, 1986; Lineberry & Sharkansky, 1978; Dear & Clark, 1980, 1981). The presence of federal or state money or enablements may or may not augment local control, but local autonomy is thought to be constrained because of the fiscal relation between federal, state, and local levels.

b. i. Critique of Fiscal Autonomy Literature

The first point to be made is that this literature exhibits a simplistic- and in some cases contradictory-conceptualization of local autonomy overall. Whether or not there is autonomy depends on either how much money is received, what strings are attached, or from which tier it originates. This is a far too simplistic means to approach the broad question of how much control local communities have over their destinies. Even case studies which have examined how local communities deal with transfer payments in times of fiscal stress tend to concur that acceptance of money that is not internally generated automatically reduces autonomy (Levine, Rubin, Wolohojian, 1981).
Yet even if one looks at the textbook assessments of programmes like revenue sharing, such a conclusion becomes somewhat ad hoc. Much of the criticism of revenue sharing was based on the fact that many affluent municipalities were using it along with block grants to fund rather superfluous budgetary items while cities were vying for the money to build housing and maintain social services (Markusen, Saxenian & Weiss, 1980). Both city and suburb were 'constrained' but the relevance of the constraints differed because the places varied different with respect to needs, desires and capacities to achieve those ends (Schneider, 1989).

The fiscal autonomy literature is also heavily biased towards cities and urban government at the neglect of suburban and exurban areas (Burchell, Carr, Florida, Nemeth, 1984; Shefler, 1980; Tarrow, Katzenstein & Greziano, 1978; Meltzer, 1971; Bailey, 1984). Place is immediately conceptualized uncritically as city or urban. The context is automatically one of fiscal strain or crisis, and hence only certain types of places with certain types of problems are discussed. Local autonomy must be conceived as a broader and more subtle category for it to be of any general, theoretical utility.

Instead of suggesting that there is a theoretical difference between urban and suburban autonomy as some have implied (see Danielson, 1976b), or simply relating the
manifestation of autonomy to the empirical differences between city and suburb (i.e., places with more resources and fewer problems have more autonomy), I am building towards a reworking of the concept of autonomy that admits empirical variety across places.

My second point of critique is that "local" cannot be reduced to the local state (Bahl & Vogt, 1975; Sbragia, 1983; King, 1982; Burchell, Carr, Florida & Nemeth, 1984). Consider the tax revolt discussed above. Citizens for Limited Taxation, assisted by the Massachusetts High Tech Council succeeded through a petition drive to force the state legislature to place Proposition 2 1/2 on the ballot. The bill requires the state to exert control over local budgets in perpetuity, but the impetus of the bill came from "the locals" themselves. The conceptual distinction between "state" and "local" is not always categorically useful. Where does the seemingly simple division between the state and civil society end (Sbragia, 1983; Friedland & Wong, 1983; Gelfand, 1980; Shefter, 1980; Teaford, 1981)?

A third point of critique concerns this literature's theory of power. Simply put, power equals money or control over money (Wolman, 1982; Stephens, 1974, Hansen & Kjellberg, 1976; Bahl & Vogt, 1975; Sbragia, 1983). Federal dollars spent by localities means a centralization of state power. While on a crude level such a conclusion seems commonsensical, it is based on the commodified and thus essentially
economistic reading of power. Power is granted to beleaguered cities via federal or state dollars. The erosion of autonomy comes from the potential sequestering of funds—the dependency. This is a crude measure of autonomy which may be convenient for simple policy analysis but lacks the complexity of a relational view of power. It largely ignores the strategies and resistances of the poor local communities dominated by a wealthy federal government. It overemphasizes the largess of the federal tier at the expense of the plethora of relations of force between the entities recognizable as "the federal government" and "the city" (e.g. Friedland & Wong, 1983) How do they define themselves and each other, and through which discourses of power? Money is a representation of certain relations of power, but it is not the only one. As such, an over-reliance on fiscal conceptualizations of local autonomy lead to a considerably oversimplified understanding of the concept.

Finally, this literature can be critiqued for its uncritical adoption of the term "autonomy". With respect to local autonomy, the authors debate over its ebb and flow parallelling federal or state dollars and budgetary allocations and methods. But all agree that autonomy is diminished as a context of increasing intergovernmental finance evolves. There is no way for localities to remain autonomous if they touch a federal or state dollar, because that dollar does not come from the locality. Before the Depression, localities
were largely financially independent, and hence there is some historical validity to the assessment.

But there is a conceptual danger accompanying a word like autonomy. Essentially, it is a term whose purest form is hardly attainable in social life. Regardless of what is attacking or constraining or impinging, there will never be complete autonomy in any social relation, precisely because the relations are social. Local communities can never actually be completely free from the orbit of states or nations (and vice versa). It thereby becomes easy to say that autonomy is being "taken away" or reduced, but nearly impossible to argue that a community has sufficient autonomy. Regardless of their politics few authors find that local communities have enough autonomy (though again there is an urban bias operating) (Clark, 1985).

A circulatory theory of power recognizes the false promise of a term like autonomy in two ways. First, it highlights the power relations implicated in discourses over truth that serve as a backdrop to the potential, chimerical complete autonomy. Often arguments citing a diminishing autonomy can be traced to basal "truths" about the way social relations ought to be structured. A circular theory of power underscores the tensions in these truth claims, their instrumental use, and their recursive reinforcement by opponents and critics as it highlights the silences on "what's agreed upon."
Second, a relational view of power emphasizes the precise lack of autonomy of any phenomenon, as power is defined as the network of force relations in society. In coming to grips with any series of force relations, it is imperative to acknowledge forces of domination, but strategies for retaliation and resistance are 'always already' present in the face of any domination and the articulation between these sets of forces must be conveyed accurately because it is their dialectic which is most important.

Despite these inadequacies, fiscal autonomy literature identifies an important terrain on which local autonomy is contested. Part of the way in which a local state defines a place is through its capacity to provide services and attempt to formulate social agendas. Certainly adequate financial resources are necessary for such endeavors. We should not, however, lose sight of the other simultaneous manners in which local autonomy is contested.

**c. Political Conceptualizations of Autonomy**

In specifying "political autonomy", I bracket a literature that emphasizes the relations between the local state and its state or federal government in the context of a liberal democratic regime. Two general themes can be seen: one examines the division of powers defined as tasks, and the second identifies place as a source of power (defined as identity-creating).

Three sub literatures comprise this tack on local
autonomy: the works on federalism, urban managerialism, and the suburban autonomy literature. Each identifies the presence or absence of local autonomy in relation to the structure of the intergovernmental relations, or to the agency of key local agents reproducing in that structure.

c. i. Federalism

Contemporary theories of federalism have stressed the "picket fence" or "marble cake" analogies (Nice, 1987; Grodzins, 1966; Elazar, 1986; cf. Peterson, 1981). Their point is that there is by no means a clear-cut distinction between federal, state, and local government functions any more. With respect to local autonomy, however, most authors agree that cities are extremely constrained, though they still retain a modicum of power within a limited purview such as home rule.

Thus the source of autonomy or heteronomy is traceable to the existing allocation and distribution of duties between federal, state and local governments, or any shuffling thereof. Local communities have the power to tax in certain areas, run their own elections, administer bureaucracies, provide certain services, etc. This bundle of tasks is juxtaposed with the tasks of the state and federal governments, hence debate flourishes over the "proper" division of powers amongst the three tiers (Maas, 1959).

Again, I note an inadequate conceptualization of "power" with respect to local autonomy. Regardless of how it
is operationalized, there is a danger in equating "power" with "task" or "duty". It reflects a corporeal, reified theorization of power, wherein power as tasks can be allocated and distributed. Even when autonomy is seen as stemming from the distribution process, the conceptualization does not change, for it over stresses the control central governments have over locals, while ignoring the relations between "central" and "local" governments where each becomes defined as a discursive unity.

One dimension of these relations is their legal- or more precisely their constitutional- manifestation, taken up in the next chapter. But another dimension is the structuring force of the institutional arrangement itself, as individuals in various roles produce and reproduce institutions (or "live the law"). Elazar perhaps offers the most insightful understanding of this limited autonomy through his concept of the civil community.

He identifies the civil community as a political system which is,

"the organized sum of the political institutions that function in a given locality to provide the bundle of governmental services and activities that can be manipulated locally to serve local needs in light of the local value system." (Elazar, 1986, p. 207)

The significance of the systems analogy is, he holds, that we can acknowledge that despite legal limitations on local autonomy local communities do in fact "carve important niches for themselves in the structure of state politics."
Stressing the organizational efficacy within and amongst the various institutions that comprise the civil community, Elazar moves subtly towards a more refined theory of local autonomy when he states that, "Even in those states with no constitutional provisions for home rule, local governments often gain the equivalent in autonomy through their ability to carve important niches for themselves in the structure of state politics. (Elazar, 1986, p. 206)" Here, he is defining autonomy as "the ability of a civil community to exercise control over the bundle of governmental activities and services within its boundaries." Power is erroneously equated with task, but the 'capacity or ability to exercise control' over the performance of those tasks allows for a more subtle understanding that can grasp strategies of resistance or cooptation. Thus he writes, "It is a massive task just to list the aids and services available to the civil community— from model plumbing codes to construction of marinas to disaster relief. And these activities, even the federal ones, are not viewed locally as a forcible intrusion of a distant government but almost invariably as the successful consequence of local activity in obtaining federal and state programs to serve local ends in a manner good for community, state, and nation." (p. 209)

Elazar's stress on the civil community only begins to align autonomy with the local definition process, for despite its equation with local government, the term highlights what the community wants, the suggestion of local values, and the participation of local representatives in higher tiers of the state. His work falls short, however, in its reliance on defining the local systemically. Such a conceptualization
stresses the input/output functions at the expense of capturing the constitutive dimension of politics and place making.

c. ii. Urban Managerialism and Street-Level Bureaucracy

Yet another strain of literature which focuses on local autonomy stemming from political relations is the managerialist literature. Pahl's (1975) revised urban managerialist thesis argued that a mediating independent variable in the access to scarce urban resources (such as housing) was the agency of bureaucrats within the context of a larger governmental structure. These "gatekeepers" as he called them challenged the ecological constraints on British local authorities and potentially countered forces stemming from relations of production.

While critiques of urban managerialism have challenged the discretionary ability of gatekeepers to significantly override the consequences of production relations (for reviews see Harloe, 1977; Saunders, 1981; Wilson, 1989), the thesis nevertheless suggests that there is the possibility of local autonomy from higher tiers of the state as well as social forces through the agency of local bureaucrats and the structural arrangement of the state. Clarke, for instance, has emphasized the way in which the structure of political institutions shapes autonomy through "institutional viability." In other words, the capitalist class and state agents can both desire a policy, but for very different reasons
given their different locations. Consequentially, the state has autonomy from capitalism's "forces" because it's orientation is not reducible to the latter.

This source of autonomy is further underscored by Lipsky's (1980) work on the street-level bureaucrat. Lipsky demonstrates the permutation of public policy as a given policy is made, unmade, and remade daily by those who have to administer the policies to clients. Thus while it may be official policy to administer tickets for jaywalking, whether or not those tickets get written is to a large extent at the discretion of the officer on the beat. Because of the "marble cake" nature of federalism, as well as the plethora of official policy in the face of time and money constraints, such street-level bureaucrats can create substantial patterns of local autonomy with respect to a federal or state policy.

Managerialism is useful to theories of local autonomy insofar as it has historically stressed the agency involved in producing patterns of autonomy, whereas fiscal and legal literatures tend to stress the structural constraints which diminish autonomy from higher tiers of the state. However, as Wilson (1989) has argued, the lack of autonomy localities have from broader societal relations must be understood through the agents' and institutions' articulation of those structures, otherwise the structure/agency dualism is reproduced. Moreover, the structuration of the state itself is ignored in these works while constraining structures and
socialized agents are closely scrutinized within the structuration process. The error is one stressing autonomy from broader social forces. The state and the local are never autonomous from those forces because they are constituted through them.

Here again remains the danger of equating local autonomy with tasks, for autonomy can be connotatively linked with the bureaucratic means by which resource distribution proceeds. While "control over access to scarce urban resources" suggests a relational view of power (e.g., in the relation between bureaucrat and client or street level and senior bureaucrats), the emphasis on "urban resources" is problematic. The specificity of the urban context is unclear. A more categorical understanding of the spatiality of power can be garnered by situating the activities of managers and street level bureaucrats and their institutions within the process of place-making. In this way, they do not act merely as gatekeepers, their actions and inactions help to define and redefine places.

c. iii. Suburban Autonomy

As noted earlier, much of the literature bemoaning a lack of local autonomy in American scholarship tends to have an urban bias. The connotation is that cities, precisely because of their structural constraints, all have difficult times managing and governing themselves (Banfield, 1968; Yates, 1972; Peterson, 1981; Judd, 1988). Indeed, more
recent work on urban political economy that stresses intra-city competition, public and private partnerships, and internal developmental politics (that is, a mastering of the structural forces) as ways for cities to survive reinforces this point (Mollenkopf, 1983; Logan & Molotch, 1987; Fainstein & Fainstein, 1988; Kantor, 1987; Cox & Mair, 1988; Stone and Sanders, 1987).

While this new literature has only begun to delve beyond the city borders into the suburbs (Baldassare, 1986; Schneider, 1989), there already exists a hefty amount of literature purporting the significance of suburban local autonomy (Wood, 1958; Danielson, 1971; 1976b; Massotti & Hadden, 1974; Dolce, 1976; Jackson, 1972, 1985; Downs, 1973; Babcock, 1966; Schneider, 1983). Nowhere is this point made more clear than with respect to land use regulation (Danielson, 1976a,b; Perin, 1977; Plotkin, 1987).

Exclusionary practices, whether they be excessive frontage requirements, excessive connection and service initiation fees, or prohibition of multi-family structures, all represent manifestations of local autonomy typically associated with a suburban context. Regardless of motive or strategy, the effect has been largely to exclude low and moderate income persons from U.S. suburbs (cf. Kramer, 1972).

The sources of this autonomy are threefold. First, the ostensible relative homogeneity in social class and ethnicity and smaller scale of suburbia releases local government from
the constraint of debate on affordable housing (Danielson, 1976b). Thus there is a favorable articulation or mobilization of bias—instead of constraint from—broader societal and ecological forces, though certainly many suburbanites argue that market constraints preclude any increase in social expenditure requirements (Schneider, 1980).

Second, there is an articulation of legal, political and fiscal autonomy within suburbs from higher tiers of the state that reinforces their ability to close their doors (Danielson, 1976b). Land use regulation has historically been a delegated police power of the state. Communities' right to use zoning to block unwanted land uses has largely been upheld constitutionally, as well as politically through a number of court cases (Euclid, Arlington Heights most notably) and state legislatures' unwillingness to force suburbs to change their exclusionary ways (Babcock and Siemon, 1985). Despite significant challenges from courts and legislatures (Mt. Laurel in New Jersey, and Massachusetts' Chapter 40B), suburbs are recognized as legal and political entities in and of themselves throughout various levels of government and society, and as such have the ability to utilize their delegated "police power" to control land usage.

Finally, suburbs are typically more financially self-sufficient than their central cities, making strings attached to state and federal dollars easier to disregard. Thus
suburban policy-making often can be much more cogent relative to that formulated in cities.

Once again, however, this conceptualization of power is limited. Suburbs have autonomy because they are granted or have the power to maintain existing sets of social relations. The autonomy is evinced in actions which effectively control access spatially to the American suburban dream: a decent place to live. Ignored are the processes which have constituted suburbia as an autonomous or "powerful" place.

The evidence of suburban autonomy in zoning presents another demand to adequately grasp the "local" dimension of local autonomy as it is woven into power relations culturally. Clearly the tendency is for class and racial forces to articulate differently in "city" and "suburb" (e.g. Checkoway, 1984; Walker, 1981; Gans, 1969). Suburbia has been critiqued by many as a site of conservative white male privilege (Fava, 1975, 1980; Hayden, 1984; Nelson, 1986). Scholars have also recorded prevailing ethos in suburban politics and culture which, regardless of their actual validity, have come to colour the way in which scholars and suburbanites conceptualize suburban politics. Intense localism, an apathetic but arousable polity, nonpartisanship, voluntarism or 'altruistic democracy', consensus-orientation, and piece-meal policy making have all been cited as markers for distinctively suburban politics (Wood, 1958; Gans, 1967; Williams, 1971; Wirt, Walt, Rabinowitz & Hensler, 1972;
Suburbia has been constituted as a site of positive power and control through a wide variety of discourses. A theory of local autonomy must recognize the various cultural traditions and practices and activities which have come to make places powerful or powerless. The truth of suburban power has been held in contradiction, rather than as a challenge to existing theories of local autonomy.

Yet there is a danger in treating suburban politics and culture monolithically in order to categorize places (Dobriner, 1963; Berger, 1968; Donaldson, 1969; Gans, 1969; Kramer, 1972; Jackson, 1985 cf. Lemann, 1989). I emphasize the need to understand the nexus of processes through which suburbs are constituted both theoretically and empirically. How they are structurated as sets of social relations sited in a specific point in space and time, linked to material artifacts and abstract ideals, webbed in a strata of cultures, becomes paramount to understanding the process through which patterns of autonomy are produced. In this way, culture and politics cannot be divorced as processes producing patterns of autonomy.

d. The Power of Political Communities

The final strains of literature that highlight political autonomy are those that stress the sources of social power stemming from the spatiality of political communities,
and the influence of political community on political identity and socialization. These literatures are somewhat distinctive from those which I have reviewed so far in that they have been more informed by a relational conception of power. They are especially helpful because they fasten a link between politics and culture, and another between place and power.

e. Space and Political Power

Weber's (1958) definition of the city held that a critical component of its nature was the ability to administer its own law and govern itself— at least to a limited extent. Concomitantly, he held that a crucial feature of any political community is the ability to exert force over all people within a bounded territory, regardless of their relationship to that area (Weber, 1968).

Simple as they are, these ideas reinforce the significance of complex power relations through the spatial manifestation of states and localities. While Weber stressed the use of state force as coercive violence across a bounded territory, others have broadened that force to encompass a myriad relation of power (for instance, Gidden's (1987a) "surveillance" or Gramsci's (1988) state hegemony). These latter developments highlight the diversity and complexity of ways in which space (as a political unit) is saturated with relations of power. Places (as a meaningfully demarcated space) become means of domination as people and institutions
become defined and controlled through and in relation to them. Herein, we can begin to see how the distinction between state and civil society is blurred by their mutuality.

Mann (1984 p. 185) goes as far as to suggest that "state autonomy... flows principally from the state's unique ability to provide a territorially-centralized form of organization." This, Mann argues, is what distinguishes states' power from economic, ideological or military group's power in society. These latter groups entrust power resources within the state. If the state uses these resources to augment social utility, there will be an increase in what Mann calls infrastructural power (the capacity of the state to penetrate civil society). Through this process of permeation, social relations become more and more territorialized, so long as the state can promote social utility through processes of centralization.

The point I would stress from the works of Weber and Mann is that the inherently and ostensibly spatialized nature of the social relations within the arena called "a state" is a crucial manifestation and reinforcement of power relations that define and order states from each other, from civil society, and even their composite tiers. Thus there is autonomous power within the local state precisely because of its simultaneity as a bounded territorial entity and as an arena of dominant and contesting social forces. By meaning-
fully bounding space, a state (as an entity containing power) is made.

**e. i. Place and Political Identity**

A final example of the relation between power and place is in the way that citizenship (personal or group political identity) is construed through a relation with place. It has been long argued that local government—especially in a small locality is the principle means by which individuals learn about and accultrate to a democratic society (Long, 1987; Portis, 1985; on Jefferson's attitudes see Whyte & Whyte 1962). Indeed, debates over the "proper" division of powers in federalism have located the democratizing role of the local state in its proximity to 'the people' (Maas, 1959; Mill, 1958). The local is the "level" at which one learns to be an American.

The classic example in American politics is of course, the New England town meeting (Lockhard, 1965; Wood, 1958). Therein, the polity of a town would come assemble annually (at least) to constitute the legislative branch of local government. Besides its tremendous symbolic importance the custom has a structurational effect on politics and identity. As Tocqueville characterized the political New Englander,

"The native of New England is attached to his [sic] township because it is independent and free: this cooperation in its affairs insures his attachment to its interest; the well-being it affords him secures his affection; and its welfare is the aim of his ambition and of his future exertions. He takes a part in every occurrence in the place; he practices the art of government in the small sphere within his reach; he accustoms himself to those forms without which liberty can
only advance by revolutions; he imbibes their spirit; he acquires a taste for order, comprehends the balance of powers, and collects clear practical notions on the nature of his duties and the extent of his rights. (1956, p. 61)

The general point I wish to draw out is that citizenship—the way in which individuals define themselves thorough their action in the state arena—is a process embedded not simply in an abstract level of the state, but rather in a local place-making process. The citizens are related to discourses of power and local autonomy as their identity is constructed from their relation to places. The New Englander becomes an active agent reproducing semi autonomous localities as well as quintessential American values (liberty, freedom, democracy among others) because of her/his interaction in local politics and culture.

f. Summary and Comments

Through this chapter I have sought to shift the arena of debate from empirical to theoretical ground by presenting a critique of the means by which local autonomy is evinced. This was done by rejecting classifactory schemes that stress what a local state might be autonomous from, as such a tack has not problematized what is meant by "local" and retains an economistic theory of power.

I have constructed two ideal types so far: fiscal autonomy and political autonomy. Fiscal autonomy scholarship has stressed an important means through which certain local governments are constrained in their ability to contribute to the place-definition process. It highlights the structural
limitations local governments inevitably hold within a federalist context of broadly increasing, though narrowly fluctuating intergovernmental financial aid. At a very simplistic level, this work captures the dominance of higher tiers of the state vis-a-vis fiscal resources.

Fiscal autonomy scholarship can be held deficient precisely because of this simplicity, however. Local is unproblematically conceptualized as "the local state". In fact, various forces through a locality must articulate with local state activities for the issue of local autonomy to have any relevance at all. For example, the unwritten urban bias in this vein of scholarship reflects the fact that it is only in the urban context that social relations articulate with the local state to abate autonomy. In a suburban context, the loss of local autonomy is not typically seen as a problem.

Further, the aphorism "money equals power" is a far too simplistic manner in which to conceptualize "autonomy". It is a crude operational measure of the term. It stresses the dominance of the state or federal government at the expense of the local. Moreover, it is based on a theory of power as an exchangeable commodity, rather than as a relation of force.

Political autonomy scholarship can be critiqued on similar grounds. Federalism, urban managerialism, and suburban autonomy literatures all equate power with task,
duty, or the right to perform them (such as the power to zone land). These duties and rights are deemed to be delegated or transferred by the state, underscoring the locality's location in the federalist structure as its source of autonomy, as well as the precarious nature of any autonomy it might "hold". More sophisticated work highlights the links between autonomy and the structure of institutions or the agency of key gatekeepers, but the conceptualization remains overly simplistic. Additionally, these works largely ignore the implicit place making that is a part of the social relations they analyze.

At the same time, several positive attributes of this literature have been identified. These works do tend to stress the possibility of local autonomy through agency, as compared to the structural constraints marked by the fiscal autonomy scholars even if the structure/agency dualism is replicated. An appreciation of suburban autonomy (specifically exclusionary zoning) also balances urban heteronomy (specifically fiscal crisis) by challenging the unity of local autonomy. Herein, we can begin to see the need to conceptualize patterns of local autonomy as stemming from dialectical processes—though processes implicitly bound up in place making.

Elazar's work begins to link the definition of the local with the autonomy of that locality. He recognizes the interpenetration of the local state and civil society. More
sophisticated work on the spatial manifestation of social power reinforces his work. Weber and Mann discuss the way in which the place is a source of power for the state, while writers such as Long point up the way in which personal and social identities are constructed and adopted vis-a-vis the state and place. The meaningful nature of these identities and their permeation in our broader cultural understanding of suburbia underscores the need to recognize the weave of cultural and political processes of power imbedded in places.

A third dimension of local autonomy is the legal means through which local autonomy is evinced in social life. It is isolated as an ideal type in Chapter Three because by far the bulk of work on local autonomy (including many works discussed here) frames the question as ultimately a legal one, as so often the power of a state is expressed through its law.
a. Introduction

Law is both an instrumental force in and a normative vision of society (Blomley, 1988; Blomley & Clark, forthcoming). It is not merely a process of contention, but a discourse of power and knowledge (Foucault, 1980a). As such it is a social institution that owes its social legitimacy to an alleged capacity to resolve conflict in society (Diesing, 1962). This alleged capacity has caused debates over local autonomy to be expressed primarily through legal discourse in American law, politics, and scholarship. There is widespread and longstanding agreement that law is the routine forum to debate questions of local autonomy (Syed, 1966; Winter, 1969; Frug, 1980; Michelman, 1977a,b; Clark, 1981, 1984, 1985; Clark & Dear, 1981, 1984; Johnston, 1981).

Given such consensus, the purpose of this chapter is threefold. First, I review the legal debates framing local autonomy. Second, I work on the dialectic between law and space as a means of critique and update. This literature stresses the spatiality of law as a social process, moving the reconceptualization of local autonomy towards a geographic perspective. Third, I synthesize an otherwise fragmented literature by suggesting the merits of a theory of power and place, stressing the need to think about autonomy and heteronomy dialectically. In this way, the three ideal types of local autonomy are synthesized.
b. Legal Autonomy Through Dillon's Rule

No introductory text on American urban government is complete without a discussion of the significance of "Dillon's Rule" (e.g. Banfield & Wilson, 1963; Lineberry & Sharkansky, 1978; Elder & Kiser, 1983; Stone, Whelan & Murin, 1986). In 1872, Iowa State Supreme Court Justice John F. Dillon found himself presiding over a case involving the duties of a municipality which lacked a secure foundation in the law. Dillon looked to the Constitution, and since he could find no explicit mention of the status of local governments, he set out to infer their legal status from the Constitution's silence on the local relative the division of powers explicated in the Tenth Amendment.

Dillon espoused a formalist or objectivist mode of legal reasoning in his treatise on municipal governments (Dillon, 1872). Furthermore, he treated law in an essentially positivist fashion. His formalism and objectivism meant he believed, "...authoritative legal materials— the system of statutes, cases and accepted legal ideas— embody and sustain a defensible scheme of human association" (Clark, 1989, p. 323). His legal positivism implied he saw (in the Constitution) an underlying structure or order to law, making it empirically unambiguous. The system of law in society was seen as consensual, clear and objective.

1 "The Powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the states respectively, or to the people."
Because of the assumed clarity of law— and consequently of legal reasoning—he constructed his decisions strictly: only that which was deemed legal, or that which legal discourse has defined as appropriate was allowed to factor into adjudication (Gere, 1982). This circumscription emphasized the lack of Constitutional mention of local governments while ignoring with full legitimacy the historical reality of local power. Law, not history, was the proper basis on which to determine the validity of city power.

As a legal precedent, Dillon's Rule stands as the hallmark of American local autonomy:

"It is a general undisputed proposition of law that a municipal corporation possesses and can exercise the following powers and not others: First, those granted in express words; second, those necessary or fairly implied in or incident to the powers expressly granted; third, those essential to the accomplishment of the declared objects and purposes of the corporation— not simply convenient but indispensable. Any fair, reasonable, substantial doubt concerning the existence of power is resolved by the courts against the corporation, and the power is denied." (Dillon, 1911, p. 448)

Dillon's Rule reinforces the dominant forces of state power over local power. It stresses the "top-down" vectors of power through a structure of federalism. Moreover, this emphasis is reinforced and validated through the hegemony of legal discourse.

Clearly, specific theories of place and power are evident in Dillon's thinking. These are not innocent. He conceptualizes the local as a corporation, not uncommon thinking for his day (Gere, 1982; Frug, 1980). Ratepayers
were seen as shareholders in the city. The corporate model clarified legal thinking about the city, since there were greater precedents for dealing with corporations in law than cities. Municipalities were an otherwise muddling concept between the individual and the state in liberalism (Frug, 1980; Michelman, 1978). Nevertheless, municipalities were treated as public rather than private corporations. This distinction was treated as significant as public corporations threatened the private pursuits of corporations, hence legitimating the inefficacy of city power.

Power is ostensibly related to tasks or rights through Dillon's work. Moreover, it is sourced at the state level. Powers are granted by the state through law. They are denied by the courts in uncertain instances. They are held tenuously by the local state. But this conceptualization of power feeds back into the conceptualization of the local. Localities- not merely their governments- become "creatures of the state." The rule of law could negate not merely local power, but also the ontological status of the local. This manner of thinking is most evident in a Supreme Court ruling which contributed to Dillon's precedence:

"The City is a political subdivision of the State, created as a convenient agency for the exercise of such of the governmental powers of the state as may be entrusted to it...The State, therefore, at its pleasure may modify or withdraw all such powers...expand or contract the territorial area, unite the whole or a part of it with another municipality, repeal the character, and destroy the corporation. All this may be done, conditionally or unconditionally, with or without the consent of the citizens, or even against their protest. In all these respects, the State is supreme, and its legislative
body, conforming its action to the state constitution, may do as it will, unrestrained by any provision of the Constitution of the United States...(Trenton vs. New Jersey, 262 US 182 195-196, 1923).

The power of the locality, then was ultimately ultra vires, or beyond its own ambit. Winter (1970), for instance, notes how municipal regulations have been distinguished from the laws of the state and federal levels. The claim, was that the local state does not actually make law. Local power has been placed into a slippery category on its own through legal discourse as attempts to resolve the contradictions within and between decisions have proceeded since Dillon's treatise.

One such resolution involved clarifying the process whereby power could be legally transferred from the state to the locality. Technically under Dillon's Rule, locals would have to petition their state governments each time they needed to execute duties, or were confronted with new problems to solve. The solution to this inefficiency was home rule (Banfield & Wilson, 1963; Teaford, 1982). Through the accepted legal doctrine of imperio in imperium, certain rights and duties were legally demarcated as local—those relating to explicitly local issues. States would retain power over local issues that had a state-wide impact (Vanlandingham, 1968, 1975). Most often home rule statutes deal with local electoral procedures, and have been tightly regulated by the courts serving their conflict-resolving function (cf. Banfield & Wilson, 1963; Jerrison, 1982)
Although it is adverse to the idea of local autonomy and severely circumscribes it, Dillon's Rule does simultaneously carve out local power from the state. Thus it should not be seen as a perspective which completely denies local autonomy. It is a discourse, however, that gains its force from its thorough legality (Gere, 1982) reflecting its formalism, for the way in which local autonomy is taken away and simultaneously granted stresses the top-down legal power of the state. For instance, Sandalow (1964) not only equates local autonomy with home rule, but suggests that it is up to the courts to decide how much power ought to be granted through home rule statutes.\textsuperscript{2}

Despite the spate of annexations through the nineteenth and early twentieth centuries (e.g. Bass Warner, 1962) the ability of the state to rework local boundaries through this legal means has met with fierce opposition in suburbs with increasing frequency—especially in the northeast (Teaford, 1982; Jackson, 1972).\textsuperscript{3} Indeed, the suburban arguments have rested on what I have called a political local autonomy—

\textsuperscript{2} In Massachusetts, Jerrison (1982) has argued that state courts have been exceedingly strict in their interpretation of the 1966 home rule amendment, unnecessarily limiting local power a la Dillon's Rule.

\textsuperscript{3} Ironically in Boston, precisely the opposite is occurring. Residents of the black neighborhood of Roxbury have been attempting to secede from the city proper to establish their own autonomous municipality to be called "Mandella." Their motion was defeated in a 1986 city-wide referenda. See (Kenney, 1987a,b).
concern over small-scale local democracy and local identity (Danielson, 1971; Jackson, 1972; Wood, 1958, 1959; Schneider, 1980). The limitations of Dillon's legal discourse are evident in juxtaposing political autonomy with legal autonomy. Fearful suburbanites express power through maintaining their towns' integrity via their representatives in the state legislatures, making the facile legal distinction between "state" and "local" less straightforward.

b. i. Legal Autonomy Through the Cooley Doctrine

Although it never gained much stature, the Cooley doctrine of 1871 represents an alternative (albeit a decidedly legal one) to Dillon's Rule. (see also Eaton, 1900; McQuillan, 1911; McBain, 1916). Cooley held that municipalities are premised on an inherent right of self-government. His decisionmaking can be classified as liberal constructionism (Syed, 1966), where broader concerns are allowed to factor into decisionmaking. Philosophically, Cooley may be labelled a natural rights theorist, one who holds the foundation of law to be in a moral order of society.

To Cooley's mind, cities and towns were not simply "creatures of the state", but empirical facts which had existed since at least the medieval era. Local government was the attempt of a group of people to control themselves: a foundation of any human association. As people held a fundamental right to control their associations, this was where the power of local government could be found. The
local represented the moral attempts at the self control of individuals, the goodness of community, and progress through human associations. States were latter day entities, to which localities agreed to surrender portions of their autonomy for the common good. For Cooley, the local represented such a fundamental component of human interaction that documents like the Constitution made no mention of cities and towns because they were self evident, morally righteous sovereign entities (Syed, 1966).

Notice that power is still configured as a thing—a right to association, not the association itself. Both Cooley and Dillon evince a model of power strongly rooted in the concept of sovereignty, or an ultimate source of power. Cooley differs from Dillon in his operationalization of sovereignty: the former locates it in the individual, the latter in the state. Both jurists emphasize a legal means of debating the origins of power however much they disagree on methods of legal decisionmaking. Foucault, however, has strongly rejected theories of power that rest on notions of sovereignty (1980b). Besides retaining a far too abstract description of the networks of power, these approaches hold a

\[\text{4} \] Hence sovereign localities in Massachusetts are said to come together and surrender a portion of their sovereignty for the "common wealth" of Massachusetts. For a discussion, see (Peters, 1978).

\[\text{5} \] I should note that Dillon did not deny the moral foundation of law. Rather, he held moral arguments at bay during the decisionmaking process whereas Cooley allowed such arguments to explicitly affect his judgement (Syed, 1966).
too negative and constraining emphasis on power through law
and prohibition.

Cooley's focus on the local as association of indi-
viduals might at first seem amenable to a theory of local
autonomy through place making. Unlike Dillon, he considers
more than legal discourse in claiming truths about the
relation between state and the local. But he coopts the
other sets of knowledges to reinforce the legal status of the
local overall. It is not simply the case that the local is a
moral-historical right of association which is so because it
is recognized through Cooley's law. The emphasis on the
moral foundations of community also essentially reduces those
other discourses to a rather unitary conceptualization of
the local instead of stressing the significance of multi-
dimensional social relations. Critiques of foundationalism
in law from the Critical Studies Movement have made a
parallel, more general point in stressing the contradictory
and ambiguity of concepts and foundations throughout legal
discourse, in spite of its truth claims to the contrary
(Kairys, 1979; Unger, 1983; Kelman, 1987; Clark, 1989).

Although Dillon and Cooley girder the legal debate on
local autonomy, Dillon's Rule has been far more hegemonic
over the past century. Gere (1982) isolates three factors
contributing to this precedence. Dillon's argument in its
day was viewed as logically superior— it was argued better,
was more internally consistent and was less ambiguous. Thus
it became a truth claim about local autonomy because it articulated so well with the powerful discourse of legal formalism. Dillon's rule could also articulate with other important discourses of liberalism and American democracy. The significance of private property rights, as well as the sharp allegedly unambiguous distinction between "public" and "private" spheres, and individual/corporate freedom from the state in the United States were all crucial supports for Dillon's rule in the late nineteenth century according to Gere. As the role of the state was seen as protecting those private rights (specifically, those of the expanding railroad monopolies), the public corporations' power had to be kept in check by the state. Finally, there was an overall concern with state legislature's "enthronement". Fears of corruption and patronage fueled efforts by progressive forces to legally constrain the power of legislatures who would unscrupulously grant local autonomy to nefarious city machines.

b. ii. Critique

The Dillon-Cooley debate forms much of the truth by which latter arguments over local autonomy proceed. Indeed, debates in fiscal and political autonomy often reduce themselves to the tremendous precedence of Dillon's rule in American federalism (Elder & Kiser, 1983; Sbragia, 1983; Stone, Whelan & Murin, 1986; Johnston, 1981; Lineberry & Sharkansky, 1978). I have already critiqued both in terms of their theories of autonomy and the local, but no doubt these
conceptualizations framed much of the later debate. The tremendous hegemony of this legal discourse vis-a-vis local autonomy throughout all strains of scholarship suggests not only the significance of legal dimensions of social relations, but also a reductionism in the way in which those social relations are held to be.

Local autonomy is primarily contested in and through law because of this bias. As such, certain arguments and ways of debating come to be seen as universally valid, or essentially linked to truth. Other modalities that are no less significant (such as those culturally justifying and explaining suburban autonomy) are downplayed, ignored, patronized or silenced. The hegemonic force of legal discourse through local autonomy, however, should not preclude the term's reconceptualization if it does cloud or deny important constitutive dimensions of social process. The danger of replicating the formalism and hegemony of law in scholarship has been emphasized most recently in geography (Clark, 1989a,b; Blomley & Clark, forthcoming). It is to the work of geographers, then, that I now turn.

c. Clark's Theory of Legal Autonomy

Clark's work straddles a break between foundational and interpretive conceptualizations of local autonomy- and law in general. His earlier work (Clark, 1981; 1984; Dear & Clark, 1980, 1981; Clark & Dear, 1984) provided an essentially legal definition of local autonomy. His later work (1985; 1989a,b)
conversely stresses the contextual, hence interpretive nature of law making (both in the formal adjudicatory sense, and through the practice of everyday life).

Local autonomy, he (1984) argues, should be seen as the intersection of two theoretical axes of power. These axes are based on Bentham's (1970) theory of law as the power of imperation, and the power of contrectation. Clark translates these respectively into the power of local governments to initiate their own policies and the power to become immune from policies of higher tiers of the state. Initiative and immunity form the crux of local autonomy across urban political and legal analysis, he suggests. Clark creates four ideal types of autonomy as a taxonomy of local power:

Type I: Initiative and Immunity
Type II: Initiative and No Immunity
Type III: No Initiative and Immunity
Type IV: No Initiative and No Immunity

Clark uses this scheme to understand the nature of the American local state in terms of State Derivation theory (see Holloway and Picciotto, 1978). He notes an increasing spatial integration through law in the U.S. (Clark, 1981), and in light of the force of Dillon's rule concludes that, "...the American reality of local government autonomy seems much closer to absolutely no autonomy (Type 4). Essentially local governments are the bureaucratic extensions of state governments. (1984, p. 205)."

Yet Clark and Dear (1984) do place law and local autonomy within a broader political and social context. As
an apparatus of the capitalist state, the local state becomes one means by which the state can properly channel debate and conflict as well as consensus over relations of production. The autonomy of the local state is actually a sham, but the partitioning between federal state and locality and the ideology of local autonomy in the language of democratic liberalism both serves to construct containers of conflict through which the state can flexibly shift and manipulate civil society as needed. This functional, channeling aspect of local autonomy effectively deflects and nips crisis and discontent arising from the inherent crises of capitalism.

Stressing the ultimately interpretive nature of adjudication, Clark (1985) examines the way in which local autonomy and heteronomy are produced through the courts. Drawing on the work of the critical legal studies movement, he highlights the indeterminacy of law with its foundations in often contradictory ideologies of liberalism and capitalism, and hence the role of the courts as interpretive communities in manufacturing determinacy. His empirical cases together reflect, far from the unitary formalism of Dillon's rule, contradictory and indeterminate judicial fiat on local autonomy as well as a more general social indeterminacy over local autonomy's signification. The reason for focusing on the judiciary, Clark holds, is that the principle means of social determination in the U.S. is through the courts.
c. i. Critique

Clark's work is a tremendous contribution to the conceptualization of local autonomy. Fundamentally, he shifts the debate from the issue of what the locality is autonomous from, to how it is autonomous or heteronomous. His dialectic of initiative and immunity stress the importance of context of state-local relations, and their open-endedness allow them to be used narrowly across many different policy areas, reflecting the complexity of federalism in the U.S.

Highlighting the sheer indeterminacy of local autonomy is also a contribution not to be ignored. The concept, as his later work suggests, is not simply about the Dillon-Cooley debate or home rule doctrine. It draws in wider debates about how a democratic regime should constitute itself and the possibilities of emancipatory change through local politics. As such, it is saturated with ideological debate within and between the political left and right.

His work also contributes to a growing literature on the need for contextualized understanding of law and society (see below). Such an approach not only removes law from its formalistic pedestal and places it squarely in social process, it also requires the need for a spatialized understanding of social processes, to which geography can contribute. In this way, the multidimensionality and spatiality of local autonomy are hinted at.
There are, however, shortcomings in his work. Clark overstresses the value-dimension of local autonomy in society. He hardly denies it is a pattern of social processes, but his emphasis is on the indeterminacy of this ideal or principle. In this way, local autonomy can be a sham, becoming efficacious often (though not solely) when the capitalist state deems it necessary. The indeterminacy of its meaning and contextual relevance, its widespread support on both the left and the right idealistically all point towards this orientation.

His point is well taken, and certainly pushes the debate over local autonomy forward, beyond a debate solely held on legal terrain. The cultural and political significance of local autonomy, however contextually operationalized, should not be denied when examining the processes by which the local is historically and actively constructed. But it is equally useful to conceptualize local autonomy as a patterned expression of power relations involved in the making and remaking of places. In this way, the material and the ideal significance of local autonomy are bridged and the myriad of force relations through social processes can be seen as producing those patterns.

As well, Clark tends to operationalize the local as the local state, though one could argue his emphasis on local autonomy's value-dimension introduces a broader societal component. He acknowledges the spatialization of law, but
does not problematize the ontology of the local being debated on this terrain. His state-centred approach isolates links within the capitalist-state apparatus while it deemphasizes local state-polity relations.

His theory of power is also lacking, relying on the task/duty/right orientation. This stems from his direct use of Bentham's (1970) work. Clark translates Bentham's theory of personal power to institutional power. Thus power is corporeal: held by the local state as an agent. In this way, Clark uncritically replicates the reification of the local. Thus not only is the local merely local government, it is local government as if it were powerful like an individual. A more relational view of power is hinted at through his emphasis on debasing the truth claims of legal institutions, but it does not permeate his work.

More generally these deficiencies are reinforced by his tight circumscription of local autonomy as a value contested through legal discourse. Values, culture, capitalism, liberalism, democracy are all drawn into a legal discourse on local autonomy; the only arena in which they are considered vis-a-vis local autonomy is that of the courts, when in reality each contributes to local autonomy manifestation both in and out of the law. By focusing solely on legal terrain, Clark has partially reproduced the hegemony of legal discourse on local autonomy.

Clark's (1985) unwillingness to specify the origins of
local autonomy hints at this criticism. He is more interested in how it is translated from value to pattern via legal discourse than the relations of power within that spatial nexus. Nevertheless he points to the importance of place when he concludes:

"If arguments are relative and if judicial decision making has the capacity to structure social discourse, can we imagine any limits to local autonomy? At one level, the answer is no. The structure of interests, arguments and decisionmaking all intersect at specific places to create local autonomy. (1985, p. 191)"

This thesis, then, should be seen as contributing to Clark's work by emphasizing the way in which local autonomy is evinced not just through law, but through place.

d. The Interpretive Turn in the Geography of Law

Both Clark (1989b) and Blomley (1988, 1989a, b, forthcoming) have stressed the methodological significance of an interpretive approach to law and local autonomy. The interpretive approach emphasizes the heterogeneity and contestability of meanings in social life. Thus it compels an understanding of how otherwise empirically evident elements of a cultural world are understood in a certain context through ordinary practices of everyday life (Geertz, 1983).

A focus on what Fish (1980) has called interpretive communities has become a hallmark of this work. Interpretive communities bound individuals who share strategies of producing meaning in a social world. There are distinct procedures of interpretation and internally-defined standards of validity. The stress is not on receiving an interpreta-
tion passively, but actively producing it. Thus in Blomley’s work on the British Shops Act, he identified different interpretive communities: the local state and the courts, as well as tensions within them. The courts were more concerned with the normative vision of law, whereas the local state as an administrative agency honed in on the enforcement of the rule of law. Moreover, the indeterminacy of the former caused debate for the latter.

The interpretive approach also underscores the importance of contextual understanding and explanation. Debates over meanings can only make sense when they are related situationally. They are always produced somewhere. In this way, the spatiality of discourse and meaning becomes central to the explanation of the interplay of otherwise abstract forces, like law.

Blomley’s work in this vein has recognized local autonomy as partially stemming from the local state’s status as an interpretive community. As it applies law in the context of its own internal organizational tensions, local concerns and its own location between the demands of the higher state and those of the electorate, the local state’s experience with law becomes markedly different than the rule of law which the courts and legislatures hand down. As he puts it, "The top down hierarchy is not necessarily so instrumental as may be implied. Local interpretive practices...clearly have a role in shaping the process of social reproduction and cannot simply be reduced to technologies of the higher state."
The most relevant contribution is an emphasis on the relationship between space and the production of meaning. By emphasizing the spatiality of all knowledge and social processes, the significance of law's transformation through its spatiality is underscored.

**d. i. Critique**

The interpretive turn in the geography of law is beneficial to a reconceptualized theory of local autonomy for a number of reasons. As a strong critique of legal formalism, it provides a substantial challenge to merely explaining local autonomy through Dillon's Rule. Like the critical legal studies movement, it stresses the endogenous and exogenous contradictions of law. These factors make a "seamless web" conceptualization of law deeply problematic. As one aspect of this, seamless legal theories of local autonomy (and their operationalization in state-local relations) become far more complex than at first glance.

Relatedly, in rejecting a top-down approach to law this literature moves towards a more micro, "local" or capillary approach to power, as the law is one such mode of force in society. Such an emphasis provides a means by which the different perspectives and conclusions on local autonomy can be theoretically harmonized and reconciled. Again, the stress is on the means to autonomy, rather than the 'from what' emphasis.
Most importantly the interpretive turn stresses the significance of space and context in understanding law. Questions of local autonomy evinced through laws thus demand a geographic perspective as law is no longer seen as poured down onto a stage of space, but mediated contextually. This approach links with Agnew's theory of place and politics as well. Thus the manifestation of local autonomy must be considered with respect to not merely legal "interpretive communities" but also political, cultural and spatial ones as well.

The work to date has been essentially pathbreaking. More work in this vein needs to be done. Towards this end I identify a number of concerns. Firstly, there has been a heavy empirical emphasis on case law as social texts to be interpreted (Blomley, 1990, forthcoming; Clark, 1981, 1985, 1989). This weight can be balanced by a focus on legislative law making or public policy. This focus is particularly important to theorizing local autonomy since historically it has been state-local relations rather than federal-local relations which have been considered.

Secondly, a relational view of power needs to be employed more self consciously in the study of interpretive strategies. In spite of a rejection of top-down theorizing, these works retain a top-down theory of power as an object held and transferred. Thus there persistent portrayal of power as a negative, constraining phenomenon.
Thirdly, there needs to be a move away from stressing 'the spatiality of law mediated through a geographic context' towards the mediation of a multitude of social forces as helping to comprise that context. The danger is that place is black boxed as context in stressing the spatiality of law alone. The stress was understandable given the point to be made. Future work on local autonomy should not strengthen the partition between law and other aspects of place making.

The same point can be made with respect to positioning the local state between the local polity and the higher tier of the state. If meaning is fluid, then so are such partitions in politics. Where there are such partitions, there are also strong and significant links. These must not be overlooked in coming to grips with how the local becomes defined. A theory of place making can accommodate such flexibility.

Finally, we should not ignore the emerging anthropological critiques of interpretive scholarship. Indeed, these concerns parallel Foucault's interest in notions of discourse and the relation between power and knowledge. Geertz's method has sustained a pointed critique questioning whether or not we can actually ever know the other's subject position through our own interpretive means (Clifford, 1988; Crapanzano, 1986). The subjectivity of ethnographer and subject are textually blurred. In this way, the distinction between the scholar's understanding of context and culture
becomes indistinguishable from that of the agents indigenous to that context. In authoritatively relaying important elements of culture and context, the position of the scholar relative to those objects—themselves webbed in a network of power—and their subjects should not be obfuscated in the wake of asserting a theoretical point—knowledge. My work, as it relies on an interpretive approach to law and public policy, as well as on the significance of culture and politics in the process of placemaking must be sensitive to this methodological criticism.

e. Summary and Comments

This chapter builds upon its predecessor. Through it I have constructed an ideal type of local autonomy by culling scholarship which has emphasized the legal dimensionality of the concept. It has been widely adopted as the principal means through which local autonomy is contested, hence as a mode of conceptualizing the term it has been hegemonic throughout fiscal and political autonomy debates (Dear & Clark, 1980, 1981; Syed, 1966; Pierndak, 1989). It has become common sensical to think of local autonomy as primarily a legal question.

Dillon's Rule and the Cooley doctrine serve as poles of the legal debate over what local autonomy is, whether it should exist, and how it meshes with the empirical world. Although Cooley's doctrine is more sympathetic to the calls for and the existence of local autonomy, the relationship
between power and knowledge within law have sustained Dillon's precedence, leaving the existence of local autonomy in a precarious theoretical limbo. Dillon overstresses the top-down domination of the state by holding the ontological status of the local in a tenuous position as well.

I have critiqued both Dillon and Cooley, and the more general legal approach for inadequate conceptualizations of both the local and power. Local is persistently isolated as the local state, and power is reified as a phenomenon that gets exchanged by, transferred from, and tethered to the state. Internal inconsistencies in legal discourse, such as Cooley's local state as a manifestation of individuals in a community exercising the right of self control, are deemed irrelevant to legal arguments. They are denied the status of knowledge and truth.

While I have also critiqued Cooley's moral foundationalism, his theory points not merely to the inconsistency of legal discourse which we should be wary of, but also to the possibility of alternative conceptualizations of local autonomy. Furthermore, as this alternative has been presented within a bounded discourse of law, the multidimensionality of what has been otherwise treated as a straightforward concept is also underscored.

Clark's taxonomy of local autonomy through initiative and immunity pushes the debate in this direction. He stresses the value dimension in order to situate the concept
in ideologies of capitalism, democracy and liberalism. As it is contested through law, these ideologies concur and conflict, as evinced in judge's decisions. More generally, however, local autonomy is argued to be chimerical- a ruse by which the capitalist state apparatus can flexibly juggle conflicts burgeoning from relations of production. Again, local and power are inadequately theorized, and the legal nature of the question of local autonomy is largely reproduced.

With the rise of an interpretive approach towards law and space, the denial of a "true" local autonomy in these legal studies is called into question. This school of thought has stressed the spatiality of law as a social process. As such, it demonstrates the rise of local autonomy stemming from the interaction of abstract law with geographical context and interpretive communities role in this transformation. This point closely follows the works of Lipsky and Pahl that suggest local autonomy is closely related with the political structure of the state, as the local is the point of applying policy to a real world context.

This work provides a strong foundation on which to reconceptualize local autonomy. However, its strong empirical focus on case law, lack of a self-consciously relational view of power, focus on law rather than place, and possible conflation of scholar and object subjectivity all present
challenges to my reconceptualization.

f. Synthesis

Through Chapters Two and Three, I have relayed the existing conceptualizations and operationalizations of local autonomy. These works remain theoretically segregated, though often they reduce down to a legal explanation. Hence a more generalizable theory of local autonomy is required to capture the breadth endemic to the concept. I argue foremost that these ideal types of autonomy remain, nevertheless, manifestation of the same phenomenon: the spatial articulation of force relations in society best understood through a place-making process.

To summarize the literature, local autonomy is said to exist because of Dillon's Rule and increasing federal and state intervention at the local level fiscally and politically. Scattered resistances to this conclusion hint that local autonomy exists in certain places (suburbs) under certain conditions (affluence, as the state sees fit), through certain empirical means (money without strings attached, home rule doctrines, street level bureaucratic decisions and interpretations). Alternative work on political communities and identity conversely hint at power resonating from the social construction of place and identity.

One cannot divorce the question of whether or not local autonomy exists from that of how social processes articulate with one another to produce grids of power—especially since
this literature review has demonstrated an ambiguity on the ontological status of local autonomy. This is why taxonomies of local autonomy cannot stress the from what question over the how question.

Most work does not capture the place-perspective on the local regardless of its conclusion on local autonomy. I argue the local is first and foremost a place; it is not foundationally a public corporation or a "creature of the state." It is a meaningfully bounded set of social relations in a spatial context. The local state, and the state in general together play an integral role in producing and reproducing the meanings (which are often contradictory) of the local. They are by no means alone in this endeavour. Both dominant and marginal groups inside and outside of that place contribute to this ascription of meaning. The meaningfulness of place is always in a cultural context as social relations- the way things are- make sense and become intuitive.

By adopting a place perspective, then, the points of the literature are also synthesized. If we see the empirical issues discussed as contributions to the place-making processes of the state, they can be linked with others from cultural literature to describe the spatial nexus of this plethora of social relations. Links between state and the local state are not severed, nor are links between local state and local population and culture. Moreover, the
locality can be seen as a place within a place: both denying and contributing to the meaning of the larger entity.

Autonomy is conceptualized as self-control vis-a-vis higher tiers of the state. Complete autonomy is a theoretically useless category, as is complete heteronomy. Self-control demands a means of self-definition as well as expression, but always made clear by highlighting what the self is not. In this way, local autonomy can become a cogent category. How the local is defined and expressed vis-a-vis higher tiers of the state becomes the central question.

Because of the complexity of meaning imbricated in "local" a circulatory, relational view of power must be used. This conceptualization of power acknowledges the relations of domination within the state that produce patterns of heteronomy that the legal and fiscal literatures have emphasized, but it also stresses the "bottom up" vectors of power— the strategies of resistance and alternative discourses of power as well. The literature on place and power, and place making can thus be linked to the heteronomy found in other literatures.

My reconceptualization of local autonomy is developed empirically in the next two chapters. I do not use these chapters to deny that localities in Massachusetts are constrained by fiscal reliance on the state, their political status in a federalist system, Dillon's rule, or legal clarification of their rights, duties, and responsibilities
as Dear, Clark, and Jerrison have concluded. Indeed, my empirical work substantiates each one of these claims. Rather, I wish to demonstrate the simultaneous and complex ways in which local autonomy become manifest. In this way, local autonomy and heteronomy become a dialectic: through the process of place making.
CHAPTER FOUR
LOCAL AUTONOMY WITHIN THE LAW

a. Local Autonomy in Massachusetts Reexamined

With respect to the local autonomy question in Massachusetts, Dear and Clark conclude:

"The autonomy of local states in Massachusetts is severely curtailed by constitutional arrangements and by the tightly defined categorical grant system of that State. Constitutional and legal arrangements establish the local state as a "creature" of the federal and ultimately, the central state. Both the existence and functioning of the local state are subsumed under the central constitution. Other forms of administrative practice consolidate the grip of the central state. In particular, categorical grants available as transfer payments from higher tiers of state authority effectively limit the quality and quantity of local state activities." (1980, p. 22.)

Basing their findings on the essentially constrained political, fiscal and legal conceptualizations critiqued in the previous chapters, they have offered a rather one-sided portrait of local autonomy's "dimensions". Even a cursory consideration of local autonomy in Massachusetts highlights the ambiguity of the evidence. Several authors have noted the state's strong interference in local affairs, especially in regards to school spending and property taxation (Elazar, 1986; Meyerson & Banfield, 1966; Levy, 1971). On the other hand, local autonomy is fiercely valued in New England and is a strong rhetorical device especially in the suburbs (Zuckerman, 1970; Wood, 1958). The state did pass a rather liberal home rule amendment in 1966 (Jerrison, 1982). Many suburbs still hold town meetings, the last vestige of Athenian democracy in the U.S. (Tocqueville, 1956). Thus on empirical
as well as theoretical grounds, a reexamination of local autonomy in Massachusetts would appear warranted.

Towards this end, I hold two objectives in this chapter. First, I describe the Massachusetts Anti Snob Zoning law as a policy simultaneously implicating autonomy and heteronomy, thereby demonstrating the complex and dialectic qualities of power relations. I do this by discussing the specifics of the law. Second, I suggest that a place-perspective can answer why, in light of Dillon's rule and other constraints, local autonomy was actually written into a law explicitly diminishing such power. The place-perspective suggests refined categories of "local" and "autonomy". Contesting political, cultural and legal place-making strategies through Chapter 40B relate a circulatory theory of power to the definition of the local.

b. Method

Personal interviews were conducted with two individuals who drafted the bill. These interviews were based on broad, open-ended questions about local autonomy. Secondary sources recounting the bill's passage were used as well (Schneider, 1970; Power, 1974). My method emphasizes inductive category development as a precursor to theory construction (Glaser & Strauss, 1967). Interviewees and secondary sources were chosen nonrandomly precisely because of their theoretical relevance to the research question. Given that the purpose of my thesis is to reconceptualize local autonomy, this tact
was more appropriate than systematic and quantitative data collection strategies best employed in theory testing. Treatment of the categories exemplifies the interpretive method discussed in Chapter Three, emphasizing contextuality. Respondents are quoted at length to mitigate the obfuscation between their subjectivity and my own.

c. Chapter 40B: Structure & Novelty

Passed in 1969, Chapter 40B remains the only state legislation in the U.S. addressing suburban exclusionary zoning practices¹. The bill legally nullified local initiative to exclude subsidized housing by providing a means through which qualified developers² of low and moderate income housing³ could bypass local zoning regulations and the myriad of local roadblocks preventing construction. The

¹ The Connecticut legislature voted on a bill similar to 40B in 1988. It would have created a set of "land use judges" who would "roam the state and overrule, under tightly restricted circumstances, local decisions on housing and zoning." (Johnston, 1989). The bill was "soundly defeated." (Guzman, 1988, p. 26.).

² The law defines qualified developers as limited dividend corporations, such as non profit groups and housing authorities. Later, in the 1980s when the state opened up the construction grants to private developers, a qualified developer would be one who agreed to restrict her/his profits. The exact profit margin allowed was to be determined by the state.

³ "low and moderate income housing" was defined in 40B as "...any housing subsidized by the federal or state government under any program to assist the construction of low or moderate income housing as defined in the applicable federal or state statute, whether built or operated by any public agency or any nonprofit or limited dividend organization." (MA General Laws Chapter 40 B. subsection 20.)
means was embodied in the novel "Comprehensive Permit."

A comprehensive permit allows developers of low and moderate income housing to apply to a single town board (the pre-existing Zoning Board of Appeals) for one construction permit. Previous to 40B (and in the cases of non-subsidized housing construction) developers apply to a litany of local boards and commissions for various permits (heath, public safety, zoning, planning selectmen[sic], etc.).

By creating one decision point, the law restructures the political autonomy of local bureaucracy and bureaucrats that could have otherwise halted a project with impunity. The relative amount of local initiative is curbed by the law explicitly. The local Zoning Board of Appeals becomes the point of decisionmaking for the town; all other boards make recommendations to it in lieu of granting their own permits. The only permit not granted under 40B is that of the Conservation Commission.

One infamous tactic that Massachusetts locals employ to block construction is to delay meetings or motion for continuances so that boards and commissions draw out the lead

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4 Z.B.A. members are appointed by the Board of Selectmen[sic]/ City Council. The number of members varies from town to town.

5 Conservation Commissions in Massachusetts cities and towns are in charge of determining wetlands areas before construction commences. Developers do have appeal power from local commissions' decisions to the state Department of Environmental Quality Engineering (D.E.Q.E.), whereas other boards' decisions are immune from state override.
time before making a decision. For a developer who most likely does not own but has an option on a piece of property such time delays— in the face of a limited construction season— have been effective deterrents to construction. 40B counters this local initiative by imposing strict deadlines in the decisionmaking process behind a comprehensive permit. The Z.B.A. has thirty days in which to hold a hearing after receiving application for a comprehensive permit. After that hearing has ended, it has forty days to render a decision in the form of: acceptance, acceptance with conditions, or rejection. These time constraints can be forgiven only if both parties agree.

Should the developer's comprehensive permit be rejected by the Z.B.A., but the project under consideration is "consistent with local needs" or if conditions of approval are attached by the Z.B.A. which are "uneconomic", the

6 "...requirements and regulations shall be considered consistent with local needs if they are reasonable in view of the regional need for low and moderate income housing considered with the number of low income persons in the city or town affected and the need to protect the health or safety of the occupants of the proposed housing or of the residents of the city or town, to promote better site and building design in relating to the surroundings, or to preserve open spaces, and if such requirements and regulations are applied as equally as possible to both subsidized and unsubsidized housing." (Mass. General Laws, Chapter 40 B subsection 20).

7 "...any condition brought about by any single factor or combination of factors to the extent that it makes it impossible for a public agency or nonprofit organization to proceed in building or operating low or moderate income housing without financial loss, or for a limited dividend organization to proceed and still realize a reasonable return in building or operating such housing within the limitations
developer has recourse to a state Housing Appeals Committee (H.A.C.). That is, the local community loses its immunity from state oversight authority. Notice that "local needs" is spatially delimited on a regional not on a local basis. Such phrasing legally circumvents what Danielson (1976b) sees as two of the components of suburban autonomy in the zoning sphere: the lack of a strong internal coalition for affordable housing, and the lack of local political efficacy outsiders have in a town.

The H.A.C.'s only determines if the Z.B.A's decision was "consistent with local needs" or if attached conditions were "uneconomic." The committee is comprised of five members: one from the state Department of Community Affairs (D.C.A.), two local representatives who are appointed by the governor, and two people appointed by the D.C.A. commissioner. Should the H.A.C. find in favour of the developer, the Z.B.A.'s decision is "vacated" and the comprehensive permit is granted by the H.A.C.

Local communities can achieve immunity from the appellate decision if one of three criteria is met. Satisfying one of these conditions automatically renders the Z.B.A. decision (whether it is pro or con) "consistent with local

set by the subsidizing agency of government on the size or character of the development or on the amount or nature of the subsidy or on the tenants, rentals and income permissible, and without substantially changing the rent levels and units sizes proposed by the public, nonprofit or limited dividend organizations." (Chapter 40B subsection 20)
needs":

"[1.] low or moderate income housing exists which is in excess of ten per cent of the housing units reported in the latest decennial census of the city or town or

[2.] [if low or moderate income housing exists] on sites comprising one and one half per cent of the total land area zoned for residential, commercial, or industrial use or

[3.] the application before the board would result in the commencement of construction of such housing on sites comprising more than three tenths of one per cent of such land area or ten acres, whichever is larger; provided however, that land area owned by the United States, the commonwealth, or any public authority shall be excluded from the total land area referred to above when making such determination of consistency with local needs." (Mass. General Laws, Chapter 40B, subsection 20)

Ironically, then, Chapter 40B prohibits heretofore legal and political processes by which local governments could foster patterns of autonomy, yet it simultaneously grants or opens up the possibility for political processes through which communities could assert their autonomy.

d. Power, Autonomy & Heteronomy Through Chapter 40B

Consider the comprehensive permit component of the law. While it does attempt to prevent locals from stalling or aborting the development process, it nevertheless allows the decision to remain at the local level. The state does not simply remove the decisionmaking responsibility from the local agency. Notice as well the comprehensive permit only applies to certain types of subsidized housing construction. It should be remembered that such land uses are not the only ones that local zoning often prohibits (Babcock & Siemon, 1985), thus 40B attacks local autonomy of zoning, sig-
nificantly though rather narrowly.

40B does allow local Z.B.A.s to attach conditions or deny the permit outright in the best interests of health and safety. Thus even within the scope of residential zoning, the bill allows a local denial if it is made on proper grounds. Moreover, the decision could have been placed in the hands of the Planning Board, rather than the Z.B.A. which is a much more conservative, locally-oriented institution in Massachusetts politics (Krefetz 1977; Nolan, 1989; Staaf, 1989; Brown, 1989; Stockard & Engler, 1989). Furthermore, the time constraints on the public hearings and Z.B.A. decision can be waived should both parties agree. Such an agreement may not be

Although one might easily make the argument that all the state has done is simply narrowed the grounds on which a legitimate permit denial may be executed, this is actually not the case. Zoning power had been upheld by the U.S. Supreme Court in the famous Euclid decision. The court held that zoning is a legitimate exercise of the police power of the state (delegated to the localities). As a police power, it is intended to promote the general welfare, and rational development patterns (Danielson, 1976b, p. 51.). Danielson goes on to quote from the Massachusetts General Laws: "Zoning regulations and restrictions shall be designed among other purposes to lessen congestion in the streets; to conserve health; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the city or town; and to provide and increase its amenities." (Massachusetts General Laws, Chapter 40A subsection 3.). Thus Danielson makes the theoretical point that it was the states' (nation-wide) reluctance to specifically define the relative importance of affordable suburban housing and racial integration, along with court decision which reinforced racial and "community character" legitimations for exclusionary practices that have led to the abuse of the delegated zoning power.
always be to developers' liking, but they will often ac-
quiesce in order to appease and cater to the town.

Turning to the creation of the Housing Appeals Commit-
tee, it dominates the local state by dissolving the immunity
of local zoning decisions. The scope is again, however,
narrow: only 40B decisions can be vacated. H.A.C.'s mandate
is not to override the local decisions per se\(^9\); rather its
function is to mediate between the suburbs and the developer.
That is, it forces the suburbs to negotiate- not simply deny
outright- a permit application. H.A.C. compels local states
and the communities to articulate discursively what they want
in a development, what they do not want, and why. H.A.C.
negates nondecisionmaking in a very narrow bandwidth of
policy making.

It is not merely the developer who has recourse to
H.A.C. If the town feels that the developer is using the
comprehensive permit nefariously to threaten the local
community into approving a variance\(^{10}\) for the development

\(^9\) Though in the bulk of the decisions H.A.C. has
rendered over the last two decades, it has vacated local
decisions for not being consistent with local needs.
Documentation can be found in: (Guzman, 1988; Lacasse & Kane

\(^{10}\) A zoning variance is granted by the Zoning Board of
Appeals in non 40B land use cases where a development does
not conform to existing land use plans. Unlike a comprehen-
sive permit, which tends to be more of a carte blanche for
developers, the zoning variance outlines in specific detail
the elements of a development which are allowed to vary from
the existing plan. The approval of a variance by the Z.B.A.
does not mean that all other necessary permits will be
granted. (See Massachusetts General Laws, Chapter 40A
s/he really wishes to build- and this has not been uncommon-the town can request the H.A.C. to affirm its denial before the developer appeals. The H.A.C. can be used as a guide and information resource by locals to ensure that unscrupulous developers do not abuse the privileges 40B grants them.

H.A.C. is nested in the Governor's Executive Office of Communities and Development (E.O.C.D.). As a prominent state bureaucracy, institutionally it is not interested in completely alienating the towns, who are its primary client base. It will recognize legitimate local concerns, such as health and safety. The point to be stressed is that these concerns must be legitimate to H.A.C., not merely excuses. H.A.C. forces local government to acknowledge the relative significance of housing to traffic, water and sewerage capacities, which have been traditional reasons towns oppose construction.

Finally, the law clearly allows for local representation on the H.A.C., and hence allows members of the local state to take the initiative and fight for local autonomy in disputed 40B cases.

subsection 10).

11 The significance of the law's ability to put housing on the local agenda was summarized in a persuadingly geographic fashion by Housing Specialist Rachel Bratt in a recent Boston Globe interview "If it's not everyone's responsibility, whose is it?...A society has to take responsibility for its citizens and the state can't divide itself into areas and say some places bear that responsibility and others don't." (Canellos, 1989 p. 36.)
By identifying three situations which can be met to satisfy the "consistent with local needs" criterion, the law's ambivalence to local autonomy is specified. Clearly, for suburbs to be immune from an H.A.C. override they do have to open themselves up; they do have to comply with the spirit of the law. 40B is fascinating, however, in that it actually provides means by which suburbs can escape from the talons of the law and yet remain in compliance with it. Should one of the three criteria be met, comprehensive permit applications and hearings still must be dealt with, but the town is free to deny the permit with immunity on any grounds.

Chapter 40B, then, is essentially a passive law. It is only activated when other forces set it in motion. It does not—on its own—force the suburbs to accept subsidized housing; it does not force them to relinquish their autonomy. How then, can this law be reconciled with the theoretical treatment of local autonomy? If existing theory suggests we should examine local autonomy as those tasks the law says local communities can and cannot perform, or as how localities are at the utter mercy of their states, how do we explain Chapter 40B's "carrot and stick approach"? Seemingly all the state would have to do is to require by law that suburbs execute the task of securing their fair share of low and moderate income housing, since clearly 40B is a political statement about how the social and political geography of the Commonwealth ought to be. Why does the law not make stronger
motions to that ends?

The text of the law prevents it from completely eradicating local autonomy. I insist that the reason for this is because there are elements of local autonomy actually within the law itself. The law creates the initiative to plan for and be ready for a comprehensive permit application; it also provides the potential for communities to achieve immunity from it, once a modicum of effort is made.

Certainly Massachusetts suburbs are required by law to open up. But the issues of how, when, and to whom are largely left to local discretion. These are immensely powerful questions. They are not trivial concessions on the state's part, hence 40B is not about granting a meaningless local autonomy as some theorists would expect (Danielson, 1976b; Dear & Clark, 1980, 1981; Clark & Dear, 1984).

The structure of the law itself, I have demonstrated in this section, cannot be understood through conventional perspectives on local autonomy. The task/right analogies simply do not fit the simultaneity of autonomy and heteronomy. It is far too simplistic to say that the state has rescinded some of the local's power, for the passivity of 40B suggests otherwise as well. The bill evinces a dialectical pattern of autonomy and heteronomy— a battle through relations of force by the state and local. The law traces the circulatory paths of power between state and local. It represents negotiation and significant local resistance
rather than oppressive state domination. That is to say there are traces of domination and resistance in the wording of the bill. These forces were at odds with each other during the bill's drafting. 40B's ambivalence suggests that the state had no easy time of abating local autonomy, and furthermore that the definition of state and local during the drafting was not entirely straightforward either.

I do not, however, wish to repeat the error of reification. Individuals in roles that were situated spatially-related to socially, politically, and culturally constructed places were the contestants during the bill's drafting. They produced and reproduced reified places (intentionally and unintentionally) which they endowed with a capacity to act. They were discursively articulating the way places— as sets of social relations relative to location, locale and senses of place— not only were, but also the way they were supposed to be: truth claims about the way they acted and were supposed to act encoded in relations of force and resistance. To make matters more complex, the drafters were not just concerned with suburban places, but the Commonwealth and the nation. A circulatory theory of power points to the critical means by which places were endowed with "power" through various intersecting discourses.

It is useful to understand those involved in the bill's
drafting as authors of a text. These authors are individuations of broader forces and ideas, as well as agents in and of themselves (Giddens, 1987b; Foucault, 1979; Barthes, 1979). Their subject position as authors privilege and legitimate the truth claims they seek to make through their work (Foucault, 1979). Yet these textual truth claims were contextually mediated and understood by the authors. Chapter 40B, then, is a part of these authors' work and understanding of their context, but it is also the sign of a broader text: the truths about places.

e. Place Making Through Law Making: Chapter 40B's Genesis

In the late 1960s, liberal state legislators, housing lobbyists, and academics in Massachusetts arrived at the consensus that the state's housing crisis was primarily caused by a lack of supply (Power, 1974). Moreover this dearth of affordable housing was directly tied to the overly restrictive zoning ordinances in towns whose restrictive policies had been on the rise since the 1950s (Schneider, 1970). Requirements such as a minimum two acre lot size, prohibitions on multi-story buildings or apartments, excessive frontage requirements on properties were just some of the ways in which local zoning power enabled the exclusion of

12 In Barthes' (1979) sense of the term: a methodological field experienced as it is produced in work. It subverts older classifications; it is approached and experienced relative to the sign; it is irreducibly, stereographically plural; the text is orphaned from the author; and it links the writing and dissemination of the work.
low income people from suburbia (Downs, 1973; Babcock, 1966; Babcock & Bosselman, 1973; Masotti & Hadden, 1974; Linowes & Allensworth, 1973; Haar & Iatrides, 1974; Windsor & James, 1975; Davidoff & Brooks, 1976; Danielson, 1976 a,b; Schneider, 1980; Frieden, 1983; Plotkin, 1987). Mirroring nationwide trends, there had been an increasing racial and class dissimilarity between Boston and its suburbs by 1969 (Schneider, 1970; Power, 1974).

Even before the completion of Route 128, Boston's circumferential highway, numerous high-technology start-up companies were locating on its northeast strip (Edel, Sclar & Luria, 1984; Saxenian, 1985). Service sector employment was on the rise throughout the region, while mills, farming and traditional manufacturing industries were closing down or relocating south (Peirce, 1976; Saxenian, 1985). Route 128, and later Route 495 areas experienced booms in single-family housing construction (Saxenian, 1985). Zoning laws throughout Boston's suburbs had become increasingly restrictive since the 1950s, favoring single family dwellings on large lots of 2 acres or more (Schneider, 1970). Boston's deteriorating inner city neighborhoods became more difficult to ignore in the face of suburbanization and urban renewal (Lucas, 1985).

Politically, the most noted cleavage in state politics has been between Yankee elite republicans and Irish working class democrats (e.g. Lucas, 1985, Lockhard, 1965; Peirce,
1976; White, 1983) though Litt (1965) also signifies the Yeomen [sic] (small town republican) and the Managers (urbane technical and professional types living in the Route 128 area). The political culture of the state has long been held as one of the most liberal in the country, the Yankee Brahmins notwithstanding (Peirce, 1976; McGrory, 1988). In 1969 Democrats controlled both the House and Senate, though the Governor was a moderate republican.

"The most important factor," concludes Schneider, "contributing to the passage of the law was the political prudence of its architects (1970, p. 115)." Their willingness to compromise—made meaningful by their understanding of Massachusetts' political context—was crucial to the bill's success. There were two principal authors: Representative Martin Linsky, a liberal republican from the progressive inner suburb of Brookline; and Alex Kovel, a young attache from the Massachusetts Law Reform Institute, an anti-poverty agency in Boston. The two men represented broader social forces and concerns, as well as agents embedded in the context of Massachusetts state politics. Their recollections provide insights into how the local was defined through circulatory, capillary force relations.

MB: Why wasn't the bill stronger?

ML: "There are two answers why the bill wasn't stronger: 1.) that was just the way we wanted it. 2.) once it appeared there was a chance that the law could get passed and it came time for negotiation, people who wanted a stronger bill couldn't get more....There were several [other] reasons why the bill wasn't stronger. First, the question of should or
shouldn't the bill be stronger has to do with the assumption of what a good law is. If you were for screwing the suburbs, then it wasn't a strong law. It depends on your perspective. Those of us who were most seriously involved with the law had the idea of 'putting the suburbs on notice or the state would take more drastic action..."

MB: But there was the sense that this was a big deal?

ML: "It was a big deal because it was symbolic, not because it would change the suburbs. The rhetoric of the opposition was based on symbolic significance of [40B's attack on local autonomy]...It was a camel under the tent. Some line got crossed and that's what got people's emotions engaged."

ML: "Those originally involved felt this was not to be the ultimate sanction; it was a signal that the clock was running. [There were two reasons for the way the bill was structured]: a.) I had a lot of experience during this period in federal and state legislatures in writing much more draconian sanctions and then when the crunch came they never did anything too draconian; b.) for me the use of zoning as a socioeconomic restrictive device stuck in our craws [sic]. So zoning was not an unappealing way to go about it. I felt quite good about that. I was it as having a limited, symbolic, prodding purpose. I never though it would do the job alone...."

ML: "We never suspected that there was gonna be tons of [40B] housing. More expected people in suburbs who wanted to build low and moderate income housing would now have a threat or a tool. [40B] would make the difference at the margins."

(Linsky, 1989)

Compare these statements to Kovel's assessment of the law's drafting:

MB: Could you tell me about the committee that drafted the bill?

AK: "The atmosphere was one of racial rectification. A major push for the bill was the segregation issue....The suburbs seemed lily white to us....I had no experience with this drafting a law. I was twenty-eight years old, fresh out of law school. Roughly what happened was three or four people sat in a room. I wrote most of it...."

MB: "Was there a sensitivity to local concerns?

AK: "There was somewhat of a sensitivity to local concerns.
There was a sense of... we took a census tract and tried to get a high number [of units to come up with the 10% criteria]. It was somewhat of an attempt to be fair. There was a reward for effort. There was that [stipulation about] not too much [construction] in one year. We purposely made [the conditions] very high so that it would keep going. It wasn't [sarcastically] 'Oh, those poor suburbs, let's get em.' Quite the contrary. We had this idea that this was good for them. They were too timid about the cities. And so we benighted ourselves through the snob zoning bill."

MB: "What about the effects of 40B in suburbia?"

AK: "Basically, the attitude was fuck 'em. How much housing could we get out there... Today, they're more sophisticated with their zoning laws. They're smarter and they act better. But back then, y' see that was the problem. It was like, 'Who are these assholes?' Why is so much control delegated to these schlepps? That's the biggest cop out in Massachusetts politics- that there's so much control at the local level."

MB: "So how did you see the role of the local boards?"

AK: "The problem was some types of housing that ought to be excluded wouldn't be. Towns should not lose control no matter what type of housing it is- like design problems, and septic systems.... But nobody liked the suburbs. They had this smug attitude. No one thought there was political merit in keeping local control [over zoning for housing]. It wasn't like the school committee. I do remember arguing over how much local control there ought to be. There really were legitimate reasons to turn [developers] down. But once you acknowledged that, it sent you down a slippery slope. How do you set up a process that deals with [these issues]?" (Kovel, 1989)

Linsky and Kovel individually and together seem to represent a coalition of opposing forces united to pass the law.

Linsky was a liberal suburban republican stressing the normative vision of law and the constitutive dimension of politics. He wanted to "put the suburbs on notice" with the law; he was also trying to rearticulate day to day politics
with the American regime\textsuperscript{13}. Kovel, conversely, underscored the instrumental force of law and the means/ends economic rationality of politics (Elkin, 1985). For him, 40B was meant to rectify the inequality between city and suburb. He was interested in who got what, when, where and why. In places, his comments emphasize retribution for what the suburbs had and why. His politics were passionate as he seems to have embodied the "do something" feeling of political action prevalent in the 1960s. For Kovel, 40B was not just a warning as Linsky would have it.

More to the point, both men reify places through their political discourses. Notice that neither singles out the local state. Their tones are much more general. It was not just that the pair had a problem with the duties, activities, or spending practices of local government, they took issue with the way suburbs were, vis-a-vis the cities: the mobilization of bias favouring suburban autonomy, the suburban subculture, and the broader acceptance through American society of both.

Linsky and Kovel anticipated a reaction from the suburbs, not just their governments. Linsky wanted the suburbs to take a hint, to lay the groundwork for suburbanites themselves to change their places. Kovel spoke aggressively of the law that would change the way suburbs

\textsuperscript{13} In Elkin's (1987, p. 110) sense of the term: "the desired political way of life" of a society.
"act"- to challenge their "smug attitude." Linsky and Kovel both activated and embodied the suburbs with "power" in the conventional sense of the term through the way they circumscribed and defined those places. Their actions point up their junctures in a network of broader forces that construe suburbia as such.

Interestingly, Linsky and Kovel were seeking to redefine the local, but "redefining" presumes a definition already exists. Their truth was saturated by a rather stereotypical image: the myth of suburbia. This does not mean that such places didn't exist in Massachusetts, clearly they did. But the pair were drawing on "invalid" truth claims about the way suburbia was and the way it ought to be. They might have been thinking of affluent suburbs like Lincoln or Weston, but the bill would affect working class suburbs like Dracut, Lynn and Revere as well (see Chapter Five). Their local places- as reifications- were social constructions truthfully fueling their rhetoric.

I would argue as well that it was not merely the local which the pair was conceptualizing. Both understood 40B in a broader context of national and state place making. It was 1969, the air of racial rectification was strong in light of the recent assassination of Martin Luther King. The Douglas Commission (1968) warned that the nation- as a place- was becoming two distinct societies: one white and one black. Urban-suburban disparities played a visible role in splitting
the country apart it argued. Linsky himself for instance, notes that zoning had become a moderate national issue by 1969, and this was one reason for the bill's admonishment to suburbia.

As part of the state-level place making, 40B has been seen as a component of the liberal legislation in the Commonwealth. It is grouped with the famous Racial Imbalance Law, a bill refusing to send Massachusetts men to Vietnam, strict gun control and consumer-protection laws, and the creation of a financing agency for low and moderate income housing production by private developers (Peirce, 1976). Witness Kovel's distaste over local autonomy as a "cop out" in Massachusetts politics. His argument certainly confirms Clark and Dear's state apparatus argument, but more importantly it suggests Kovel's actions sought to redefine the way in which "local" and "state" mutually defined each other. For both men, there was a problem with the way the relation suppressed the state's responsibility towards the local.

40B was not just an expression of a particular political philosophy, or a corrective for the state apparatus nor was it a direct and simple expression of the Commonwealth's political culture. It was a nexus of rather strong expressions about the way society: national, state, and local both is and ought to be. More precisely, 40B made a statement about how localities should act with respect to low income people and minorities such that they, the states and the
nation would be better places in the future: they would aim toward the American regime.

Suburban opponents to the Anti-Snob Zoning Bill also reified places through their truth claims about the way things really were via the Boston papers:

"...it is a basic right of each community to determine the quality of its own environment. It is much more important to maintain that right than it is to fulfill arbitrary percentages and quotas. The cities may indeed be sick, but there is no cure in injecting the surrounding countryside." (Peck, 1969, p. 32)

"...it is only these towns [with stringent zoning] that have been willing and able to tax themselves heavily to buy great tracts of land for conservation—most of it open to everyone. Even now it is difficult to muster the rate to do this. Can these towns continue to increase open space or even keep what they have (their unique contribution to metropolitan Boston) if they must also pay for services given to those who cannot carry their full share of town expenses. "Certainly, people of low and moderate income cannot afford to live in these 'affluent, elegant, fastidious' suburbs (Herald Traveler editorial) but neither can they live on parts of Beacon Hill, Commonwealth Avenue and Memorial Drive where there is no 'snob zoning'." (Anderson, 1969)

"I cannot understand why any state legislature should now pass laws which could force me to give up a lifetime accomplishment and move to a less desirable community in order to make way for people who have not expended the effort and made the sacrifices to 'make it' on their own. This is contrary to all the principles on which our country was founded." (Hobkirk, 1969)

"How is suburbia going to supply unskilled or semi-skilled ghetto migrants with jobs? The inner city will not be off the hook. How about all those people, even more encouraged, moving from the rural and southern areas?" (Collette, 1969)

Each of these positions reaffirms many of the truth claims about suburbia Linsky and Kovel were staking. All stressed the difference and the logic of the categories "city" and "suburb", with only one challenging their valid-
ity. The process of placemaking is an interactive one. Location, locale and sense of place are all significant, but their significance lies precisely in the way they are all made meaningful and contestable in a context. An affluent Boston suburb with no employment opportunities may or may not be the best place for a low income person, but all agreed that the community had to date the ability to decide whether or not that kind of person could live there. Both Linsky and his opponents recognized the reality of that inviolate line. All agreed that the network of force relations that allowed this capacity were numerous and multifaceted but the paramount issue to all parties was: what would these suburbs be like after 40B? How would the bill alter (the social relations constituting) these places?

It would better articulate them with the American regime, and if the suburbs were as virtuous as rhetoric had claimed, it would affect them very little. As Linsky and fellow State Representative Maurice Frye Jr. replied to their critics in the press:

"This is a fair bill. It actually strikes a blow in favor of towns continuing to have basic control over their own destinies through zoning and against the more drastic solutions to the housing problems which have been adopted in such states as New York and Hawaii." (Linsky & Frye, 1969)

The relation between "local autonomy" and 40B then was mutually reinforcing, ironically. This point explains why, at one level, the bill was not stronger. Recall Linsky's earlier comments regarding both his motive for drafting the
bill and the legislative context. As a suburban legislator himself, Linsky was only out to warn the suburbs, not to punish them. Linsky was not out to negate local autonomy. He, in fact, held that he respected the notion that "government that governs closest governs best" moreso than those legislators who used local autonomy rhetorically:

ML: "If you look objectively at the law: is there anything that it takes away? Yes. Now, whether it takes away anything that's powerful or important is subject to analysis. At the time, there was a sense that it was a big deal. Zoning had taken on a special place. It was different than even collective bargaining. And we had a special cast of people [drafting the bill]: people who cared about local autonomy....Those of us most involved felt that we had crossed into a heretofore inviolate line...We appreciated the significance of breaching the zoning line. That wasn't unintentional, thoughtless choice. It was deliberate. Driven by the original bills filed, but also a sense of purpose...Zoning had been abused."

Zoning is intrinsically related to the local autonomy of suburbia—politically and culturally. Linsky underscores this as he grapples with issues of political and social theory: how to place a check and balance on an abused privilege and how to provide a means by which the unequal social geography of the American metropolis could be changed while local autonomy was preserved.

To Linsky, local autonomy too often meant the rhetorical value ascribed by Clark (1985):

"In my experience and observations, local autonomy is a subsidiary argument that is wheeled out in response to some other service. It is not on the short list of principles."

Elsewhere he states more bluntly, "People resent the righteous argument for local control when they think it's a
cover for racism, classism or something else." (Canellos 1989).

Recalling local autonomy's significance in the legislative debate over 40B, Linsky remarks:

"Local autonomy was a very big issue, but it wasn't a majority issue. It was salient to a large minority. It was lower on the list than race. If I had to take a rough guesstimate, I would say that for about 1/3 [of the legislators] it made a difference, it made the short list. And about 1/6 it made the long list. But everyone says they're for home rule. It wasn't a majority [motive]. It was a surrogate for something else. Like I said, for 1/3 local autonomy was a guiding principle. In and of itself [however] it doesn't have any saliency. It's a respected value. It's the 97th value out of 100...People rhetorically defer to local autonomy but whenever you hit the crunch point, it doesn't have any weight."

Later, Linsky acknowledges the significance of this value:

"But I don't devalue or dismiss the strength of feeling those people who thought something awful had happened. Not that the suburbs would be inundated with [low and moderate income housing], but that the legislature had violated this important value and if it could do it here, where would it stop? [Their concerns] had nothing to do with housing."

Kovel also respected the value of local autonomy. He pragmatically understood the need for and significance of local autonomy: "We ought to be proud of the judiciousness of restraint [we exercised in drafting the law]. It was not a mindless override of local autonomy." Despite the fact that he disagreed with the justifications for local autonomy, he recognized its existence within the political culture of the state and in turn, the contextual manifestation of the law:

"Remember what the state legislature is called: The Great and General Court of the Commonwealth of Massachusetts. It is the source of all power. It comes from a notion of sovereignty that dates back to the seventeenth century. Towns are irrelevant upstarts. And it is the great sin of the
legislature- it's cowardly the way the state kowtows to the towns. There's a loss of confidence and a loss of argument. It's a copout."

MB: "Would you say local autonomy exists vis-a-vis Chapter 40B?"

AK: "Yes, local autonomy exists. Because remember how development goes. The developer still has to go to the town. And no one wants trouble with the town. Although it may look like the town is overridden, the truth is that the developer has already tailored his [sic] plan as close to local zoning as possible. No developer ignores local zoning. It's hard to assemble such parcels. [The provision of] services is an issue. People by and large want to avoid problems...People try not to buy trouble for themselves. Market pressures are against senseless overrides [from a developer's perspective]."

Herein again, we can see how networks of force relations define and redefine the local such that it is partially autonomous. The local is something that is cherished culturally and politically. It can be used as an excuse to "cop out", or a convenient cover for ulterior motives, nevertheless it is salient enough to argue a point with some degree of legitimacy. Both Linksy and Kovel as authors reproduce this legitimacy themselves as the deny others's legitimate adoption of its value dimension. It was the abuse of control that perturbed the two- not necessarily local control itself. Even Kovel admitted there was a purview for local land-use decisionmaking.

But as a cultural value, local autonomy was not reducible to solipsism. It had been institutionalized historically: through the town meeting, and an overrepresentation in the House and Senate (Peirce, 1976). It had a material expression in the cultural geography of the state.
Zoning, as Linsky emphasized, was inviolate. 40B was the first successful challenge to suburban autonomy in the state. Suburbs then as they were made and remade by those who lived there and those who did not, was institutionalized as autonomous. The way in which the law was (Linsky) or had to be (Kovel) drafted to pass affirms this institutionalization of the value of local autonomy.

The process of place making can also be teased out of the legislative trajectory of the bill. The bill was controversial enough that it could not have come out of committee too strong before it went to the House floor for debate. It had to be palatable enough so that the "do good liberals from the 'burbs" (as Kovel called them) could support it. The bill still had to be politically feasible, despite the urban-democratic nature of the General Court. Indeed, during the debate several attempts were made at fastening hostile clauses to the bill (Schneider, 1970). In Massachusetts, the House Speaker and Senate Presidents can singlehandedly decide the fate of a bill. In 1969, both leaders were urban democrats. With some adept political manoeuvering, they were able to move the bill out of committee and across the House and Senate floors without seriously jeopardizing its import. They were further able to whip enough suburban democrats into party line to secure the bill's passage.

A major motive for support was urban legislator's
retaliation against the strong suburban initiative that passed the 1965 Racial Imbalance law. That law forced primarily urban school districts to desegregate internally—without feeding minority students into the suburbs (Lucas, 1985; Levy, 1971). Many liberal suburban legislators were awkwardly pressured into supporting 40B lest they seem janus-faced. As Senate President Maurice Donahue (from the city of Holyoke) put it, "I got a sort of savage pleasure out of [it's] passage," (Power, 1974, p. 112).

The governor in 1969 was Francis Seargent, a moderate republican from the affluent suburb of Dover. Though otherwise likely to veto such a bill, he signed it in order to gain support in urban areas for an upcoming gubernatorial race against Senate President Donahue or Boston Mayor Kevin White. He was also pressed into making the bill law by an aggressive aide; and a republican supporter reminded him, "You're the Governor of Massachusetts, not Dover!" (Schneider, 1970, p. 88.). Seargent did, of course, sign the bill. Nevertheless, we can see how suburban forces were represented through the legislative and executive branches of the state. The local was "always already" in the state.

This legislative process can also be considered from a place perspective. The entire debate was characterized as an urban versus suburban issue in the context of who would be most affected by 40B, much like the debate over the Racial Imbalance Law. These debates focused on the links between
the re-presentation of ideology and party line and the re-presentation of the local constituency. In the context of 40B, suburban liberals had to admit that what was good for the cities had to be good for the suburbs as well through their place making. They had to recognize that the atmosphere of "do something" politics of the era nationally translated into how they could affect the constitution of their own localities. Local placemaking did affect national placemaking. For urban legislators, it was an attack on the way suburbs were, and the way cities were as a result of suburbia. The governor had to re-present the interests of the Commonwealth, not just a single place or select group of interest.

f. Summary and Comments

Dispelling conventional theories of local autonomy, I have empirically set out to investigate the issue with an eye on the way in which authoring and legislating a law makes and remakes places. Three points are made. First, the authors of the Massachusetts Anti Snob Zoning Law were at a nexus of broader force relations in society. Thus a relational view of power dispelled the academic categorization of urban and suburban while it explained the manifestation of those categories textually and through discourse. Yet the authors were also knowledgeable agents in a geographic context. They were structurating political and cultural discourses. 40B represents a discursive medium between those broader forces
and their local manifestations.

Second, the law demonstrates the presence of not only state domination, but also local resistance. Again, a more subtle theory of power can explain this dialectic in power. These forces were related to one another in this bill as it was a site of their contest. They mutually defined each other and the lines of debate as they drew upon and reproduced conceptualizations of places. Theories of local autonomy that stress power as a task, right or duty, or those that reduce power to finance or those that emphasize the legal constraints on autonomy suppress and negate the fundamental way in which resistance plays a part in what otherwise would be called "state domination" of the local.

Third, I teased out the place-making dimensions of those force relations implicated in the bill's drafting and passage. Legislators not only make law, they make places as they re-present them. Places were objectified as they were distanced from agents and institutions; they became reifications. Kovel, for instance, recreates the conventional theory of sovereignty problematized by Foucault, as he himself reacts against it in Massachusetts politics. Places were constructed culturally with local knowledge and stereotypes, political philosophy and passionate rhetoric. A variety of resources were employed in their construction. They were anthropomorphized with personalities. They were things made "powerful". Moreover, the process was an
interactive one, based on the relation between power and knowledge/truth.

Understanding how "local" is defined such that it is or is not powerful through a circulatory theory of power provides a much more complex portrayal of local autonomy than previous authors have mustered. Empirically, the Massachusetts context of local autonomy is not as categorically heteronomous as others have suggested, if a more nuanced theory of place and power is used. The way in which place and power are webbed as 40B is actively produced in everyday life will be discussed next.
CHAPTER FIVE
LOCAL AUTONOMY: SUBURBAN EXPERIENCE
AS PLACE MAKING

a. Place Making Through State-Local Relations

Chapter Four related the way in which law making through legislation and representation was a component of the place-making process. In this chapter, I continue to develop the categories "local" and "autonomy" by concentrating on how places are constituted through political discourse so as to define their "powerfulness" or "powerlessness". Places are made autonomous and heteronomous as they are reified and distanced from the agents and institutions defining them. This chapter examines that process within the context of everyday state-local relations regarding the Anti Snob Zoning Law specifically, and Massachusetts housing policy generally.

Four suburbs' experience with the state and its affordable housing policy during the mid 1980s are discussed. The aim is to focus on the mutual definition process between these reified "places" as their agents and institutions interact in a political and cultural context vis-a-vis local autonomy. These forces relate local autonomy to truth as social relations through the place making process reinforce or contradict one another.

\[1\] In addition, a more modest contribution of this chapter is to offer case-study data on 40B to what has been an consistently state-wide treatment of the law (cf. Haar and Iatrides, 1974).
b. Method

Nine suburbs and various agencies were investigated. The places and agencies were chosen, following the logic of theoretical sampling, for their potential to explain significant dimensions of local autonomy (Glaser & Strauss, 1967). A recent retrospective on 40B in the Boston Globe (Canellos, 1989), along with data on the amount of low and moderate income housing in each town (E.O.C.D., 1985) were used to develop the sampling frame of potentially interesting suburbs (see below). The goal was to sample the widest possible variety of Greater Boston suburbs to cover the range of policy variation hinted at by the data and news coverage. The nine suburbs sampled were: Beverly, Carlisle, Concord, Dracut, Hanson, Lincoln, Needham, Scituate, and Weston (see figure one).

In this chapter I only discuss accounts taken from Dracut, Hanson, Lincoln and Weston because of space limitations. They represent the diversity of experience with 40B, and their data encompass much of the discussions from the other towns. Weston was chosen because of its alleged obstinance towards affordable housing production. It carried a stereotypical affluent "snobtown" image through the state (Canellos, 1989; Korman, 1989). Lincoln was touted as the aggressive liberal yet affluent suburb that is eagerly meeting its 10% quota, but in its own way (Graham, 1989; Korman, 1989; Canellos, 1989). Hanson was said to also be
active in producing affordable housing, but it has a more working-class image. Finally Dracut represents those towns which have been deluged with comprehensive permit applications (Canellos, 1989). Like Hanson, it is a working-class area.

Letters requesting an interview were sent to each town's Zoning Board of Appeals. Because that board meets infrequently and often has no secretary, my requests were forwarded to different departments across the town halls. Consequently I spoke with an assortment of suburban bureaucrats and elected officials. This diversity has benefited category development, as different perspectives were tapped, ensuring a more sophisticated understanding of local autonomy (see list of interviews in the bibliography). Developers, lawyers, housing lobbyists and consultants were also interviewed along with state legislators and bureaucrats to achieve a complete and accurate understanding of local autonomy in Massachusetts.

The theoretical point I would stress is that each of these individuals is a representative of a place. In their discussions they re-present it as a cogent whole. They inhabit different roles through state and local governments and the polity itself, but their representations are all reifications. Through their interviews, they claimed truths about the way things were in towns and the state such that these sets of social relations became real entities. To
paraphrase Ley (1977) these geographical facts take on personalities through an insider's perspective. I risk the charge of universal fallacy by textually attributing their claims to their place they re-present. I recognize local division and debate, and the reader should be critical of the comprehensiveness of the commentaries. But I retain this strategy because my focus is on the way in which place is articulated in discourse. Pred (1989), for instance, has recently argued the significance of the "local" struggles over language and representation, and meaning more generally. In order to underscore the reification aspect of place making that links the definition of the local to relations of domination and resistance, I allow the individual to speak for and categorize the entire place at issue.

c. Massachusetts in the Mid 1980s

The 1980s were the days of the so-called "Massachusetts Miracle," a period of economic expansion and extremely low unemployment on average through the state. Debate remains over what actually caused the miracle, but most agree that the Route 128- I-495 area was where most of the growth was located, though Boston itself experienced a surge of revitalization as well (Harrison, 1985; Saxsenian, 1985; Dukakis & Kanter, 1988; Lampe, 1988). The rise in defence contracts through the 1970s and 1980s, the growing service sector, and the orchestrating moves of the state to help direct investments geographically shaped the culture of the area into "the
high tech highway" (Graham & Ross, 1989).

The boom escalated land values throughout the Greater Boston area especially causing a visible and politically troubling affordable housing crisis for the state (Keyes, 1990). The Reagan administration's refusal to fund the construction of subsidized housing, capping a ten year retrenchment of the federal government from housing production exacerbated the crisis. The issue of homelessness, receiving national media attention, placed housing issues on the agenda, but as a state problem to solve (Nolan, 1989).

In 1984 Michael Dukakis replaced Ed King as Governor of the Commonwealth, campaigning on a strong housing platform. Through the mid 1980s, his Executive Office of Communities and Development (E.O.C.D.) instituted a broad policy of encouraging private construction of low and moderate income housing. It entailed several components.

E.O.C.D. created a variety of subsidy programmes for developers through the Massachusetts Housing Finance Agency (M.H.F.A.) which had been dormant since the late 1960s. The economic windfall of the mid 1980s filled state coffers with enough funds to bolster M.H.F.A.'s role. M.H.F.A. guarantees private developers funding for developments so long as at least 25% of the units are designated as "affordable" (Yinger, 1984; Keyes, 1990). The developments are generally

2 E.O.C.D. defines affordable differently depending on the subsidy programme and the location of the development within the state.
mixed income, cluster developments; they are not the "pro-
jects of the 1950s". Funding rounds were held quarterly so
that developers compete with one another for the state
subsidy.

A second portion of the policy is the Massachusetts
Housing Partnership, a branch of E.O.C.D. that acts as a
coordinating and advisory agency for local housing partner-
ships. Local housing partnerships are loosely defined, broad
consensus-building coalitions of, for example: town resi-
dents, real estate agents, and bankers. The task of the
Housing Partnership is to make recommendations to the town
Board of Selectmen [sic] who must endorse a developer's
application. This local approval (through letters of
recommendation and a site approval plan) is a critical com-
ponent in a bid for state funds. Housing partnerships are
also given grants to conduct needs analyses through towns.
Clearly, however, their biggest role is to legitimate and
bolster local support for subsidized housing (Herr, 1989).
They keep housing on the local agenda and in a positive
light. Recognizing the need and calling for affordable
housing has thus become a legitimate component of suburban
culture in Massachusetts. As one suburbanite person said at
a recent E.O.C.D. (1988) conference, "God seems to be smiling
on the poor people."

A third component of state housing policy reflects the
reduction of the fiscal autonomy discussed in Chapter Two.
In 1982, Governor King signed Executive Order 215 into law (see Appendix). It directs E.O.C.D. to determine whether or not localities are encouraging the construction of affordable housing. If not, E.O.C.D. is directed— at its discretion— to withhold any state discretionary funds until a letter of agreement is signed. The order does not affect general state aid, but depending on the town, can block from thousands to millions of dollars (Nolan, 1989).

The Anti Snob Zoning Law completes the picture. Recall that 40B can only be used to build housing that is subsidized. Since there is no federal money, M.H.F.A. has become the source of money for developers wishing to use 40B. Through the 1970s, the law remained rather obscure due to this lack of funds. Its only publicity came from a smattering of court cases, all of which affirmed the state’s policy towards suburban exclusion, and the constitutionality of the law (see Reed, 1981).

The subsidy mechanism outlined above catapulted 40B from the law books into the heart of suburban politics through the mid 1980s. Suddenly, local zoning boards were deluged with comprehensive permit applications, shocked that their zoning laws could be nullified (anon., 1987). Fear, misunderstanding and anger permeated suburbia. Yet the suburbs were changing as well. They were graying, housing costs were skyrocketing, the elderly, children of the suburbs and town employees were finding it difficult to remain in
towns (cf. Gutowski & Field, 1979; Masotti & Hadden, 1974). Many suburbs were urbanizing and running into fiscal crises more familiar to urban governments. The need for full time, professional staff was pervading suburbia; previously the work was done by committed volunteers in the spirit of 'altruistic democracy' (see Gans, 1967). The rising cost of land, increasing demand for commercial zoning, the influx of comprehensive permit applications, and the limitations of Proposition 2 1/2 comprised the significant elements of suburban politics through the Route 128- I-495 area.

The overflow of permit applications was at first met with an onslaught of denials in the mid 1980s. H.A.C. responded as it generally did: vacating the local denial and approving the permit despite local concerns (Korman, 1989; Lacasse & Kane, 1987; Guzman, 1989). This exacerbated suburban fear and resentment over the apparent usurpation of zoning control. Unscrupulous developers compounded the situation by threatening towns with high density 40B projects if they did not get to build what they actually wanted.

Since 1987, the state has offered more assistance to localities partially countering the air of powerlessness in suburbia. Various grants are available for technical and planning research. Annual seminars are held to explain the law, dispelling rumors, and myths to misinformed volunteer zoning officials. As the towns' education process continues, H.A.C. demands that Z.B.A.s and developers attempt to
negotiate a compromise before it will adjudicate (Korman, 1989; Nolan, 1989). There is also a private mediation service and consultants who will help towns articulate realistic requests, as well as state grants to localities to use these services (Stockard & Engler, 1989).

d. Local Autonomy: Resistances, Strategies and Tactics

In spite of the clear state domination of suburbs through the 1980s, commentators have noted the scattered resistances suburbs use during the permit-granting process. First, recall that the local state is hardly removed from the process. Local zoning still exists in Massachusetts, and developers must present a plan to the Z.B.A. As Kovel noted (above) no developer completely ignores existing local zoning. No developer walks into a town without some understanding of local regulations. The less the developer violates existing regulations with the comprehensive permit, the less hostility s/he can expect from local boards (Stockard & Engler, 1989; Brown, 1989). At a more general level, it does not behoove developers to approach the town with a confrontational attitude. The friendlier and more amicable the permit process, the easier it will be to solve the inevitable problems faced by both developers and local boards (Staaf, 1989; Stockhard & Engler, 1989; Nolan, 1989; Brown, 1989).

Second, time is on the side of the suburb. Developers often only have options to buy a parcel of land and are thus
involved in a purchase-and-sale agreement every few months. An extended public hearing process can prevent them from acquiring the land. Regardless of the deadlines specified in the text of 40B, Z.B.A's often draw out public hearings by motioning for continuances (Cohen, 1989; Stockhard & Engler, 1989; Brown, 1989; Connoly, 1989; Staaf, 1989). Heavy public turnout can drag the hearings for months. Developers do not resist these tactics because they must receive a site approval plan and local support to compete for state funds, and they want as smooth of an approval process as possible (Brown, 1989; Connoly, 1989; Stockhard & Engler, 1989; Staaf, 1989). During the spate of permit applications in the mid 1980s, H.A.C. itself was deluged with hearings. Often they, too would require continuances thus even if a developer appealed with all likelihood of winning, the appeal could add months on what might have already been a 6 month local hearing process (Korman, 1989).

Third, the local is not just the local state. Abutters can do their part (and can always be counted on) to resist a development. As one development lawyer put it, "We try to go in and get the worst site in the best town. You want the least amount of abutter objection" (Cohen, 1990). Abutters can take a developer to court with a private suit. Generally this has not been successful directly, and it does invite countersuit. Nevertheless, it serves to draw the lead time out (Stockhard & Engler, 1989; Cohen, 1989). If wetlands
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*Active appeals at H.A.C.: in hearing stage as of April, 1989 (most recent data available). Source: Guzman, 1989, p. 31.
are at issue, abutters have the right to appeal a developer's wetlands delineation line to the state Department of Environmental Quality Engineering (D.E.Q.E.).

Fourth, the Conservation Commission can halt the project as it is the only permit not covered by the comprehensive permit. Abuse of this control is considered highly unlikely by most parties I interviewed (Stockhard & Engler, 1989; Nolan, 1989; Brown, 1989; O'Toole, 1989; Fargo, 1989; Pierndak, 1989; Uhlir, 1989). Commissions' purview is solely wetlands. If there is a disagreement over soil perkability or the delineation line, D.E.Q.E. can settle the issue by retesting.

Fifth, as the state has stressed bargaining and negotiation, this tactic can also be effective not so much in blocking a project but modifying it substantially. Locals have learned not to approach a 40B development as categorically bad, and instead negotiate over specific problems, for example: road widths, septic systems, and architecture (Nolan, 1989; Korman, 1989; Cohen, 1989). As 40B becomes more familiar to local boards, many have become quite zealous in their negotiations (Staaf, 1989; Stockhard & Engler, 1989; Brown, 1989). Some have claimed that this process can be illegal technically. By law, local governments in Massachusetts cannot ask a developer for items s/he is not required to provide otherwise; the developer must initiate the offer (Staaf, 1989). H.A.C. has even admitted that it
will let towns "get away with murder" if locals are truly negotiating with a developer and want the project (see below, Korman, 1989).

Sixth, locals can also use the law to actually build certain kinds of affordable housing. Krefetz (1979, 1980) for example has documented the overwhelming approval of 40B permits for elderly housing, seen by locals as benign and tolerable. Others (Brown, 1989; Stockard & Engler, 1989; Staaf, 1989) have noted the popularity of accepting moderate as opposed to low income housing. The H.O.P. or homeownership opportunity programme has been extremely well received by developers and locals alike because of suburbia's cultural preference for homeownership. E.O.C.D. does, however, keep tabs on these preferences, and is now encouraging more low income and family units (Canellos, 1989; Nolan, 1989).

Related to this strategy is the intense bargaining over local preference in allocating the housing units. Generally M.H.F.A. establish local quotas, however commentators have noted negotiations on local tenancy (Stockard & Engler, 1989). Interestingly, no data exist on who actually inhabits Chapter 40B housing (Krefetz, Guzman & Brown, 1990). The desire for local preference and the lack of state-wide hard data on tenancy suggests that suburbia might be exercising considerable autonomy in complying with the letter of the law, but not its spirit. The locals I interviewed guessed that most of the units were occupied by town residents or
employees. The awareness of available affordable units in a town logically is sharpest around that area, giving the town an edge in filling a project with its own people. Moreover, if a local public housing authority manages the development, the majority of those units must be offered first to town residents or their relatives.

My intention in this section was to demonstrate the resistances the local has at its disposal to block or modify a 40B project. They are strands of local autonomy through state and local politics. How effective these efforts can be is indeterminate: housing advocates found them to be occasionally efficacious while local representatives downplayed their effectiveness. Nevertheless these strategies, tactics and resistances cannot be ignored. They can only be theoretically accounted for by the relational view of power discussed in Chapter One. They must be understood as patterns of local autonomy stemming from the processes of place definition and redefinition. These processes are detailed in the case studies below. Four issues are drawn out to demonstrate the dialectic of local autonomy and heteronomy: how the state defines itself, how the state defines the towns, how the town defines itself and how the towns define the state.

e. Local Autonomy: Place Making Through Place Interaction

e. i. The State

The Commonwealth has long maintained that local
autonomy remains despite Chapter 40B. Indeed, one of its conferences was entitled, "40B: A Tool for Local Control."

What has been rescinded is local nondecisionmaking, the state argues (Korman, 1989; Nolan, 1989). A discussion with an E.O.C.D. official brings this point to the fore:

MB: "Do local communities have autonomy in terms of 40B?"

LN: "I think they do. New regulations have reinforced the fact that communities are responding— they are providing for needed housing. The state plays an appropriate role in terms of the fact that there is a need for housing. We're not trying to say you need two units of "x" by this date. The problem arises when they're not proactive but reactive. It's been twenty years, get off the stick. But if you're doing the job, the control is there." (Nolan, 1989).

The Chair of H.A.C makes a similar point:

"The essential purpose of the statute when passed was definitely a crackdown on local autonomy. For the first time local's unlimited power was cut down. They now had decisions to make subject to review...At the beginning they were totally unreasonable. Ninety-five per cent of the time they just turned it down. After a while, that changed. [40B developments] were built and they weren't slums. In fact they turned out to be the nicest developments in town. All the blacks people feared never moved in. They got a lot of nice attractive units for their own people. The next time they went along further. If they did go along we let them get away with murder— asking for road widening and lighting. After awhile the percentage of appeals went down, the number of cases went down and the number of over rules decreased." (Korman, 1989) (see Table One)

From these discussions, we can see that the way in which the state defines the localities overall has shifted. Early on, it was aggressive to the point of alienating the local. Locals protested, but they also complied. The state then began to play up the local as a responsible entity.

"Any suburb with a community planning office realizes autonomy. Communities won't understand until they are
threatened. We hold workshops every year, the Massachusetts Municipal Association it's always mentioned [sic]. Still, they panic. Local autonomy means volunteer boards with limited attention averted to crisis. They're going to focus on their own agenda. It's only rare when housing comes up in town, like when there's an internal need. That's common to any public facility. 40B allows communities to recognize that there are ways they can have control over development because if a community has an idea, a plan...a local housing plan, this is what it's all about. Do that plan! If you do, the burden falls on the developer. He [sic] has to indicate how his development fits into the plan." (Nolan, 1989)

In this way, the locality is made autonomous to the extent that its governance can be related to the virtue of responsibility. The relation between this virtue and the status of local government is a politically powerful truth claim in the American regime. Thus the state's argument is that the virtuous, American suburb would plan for and contain affordable housing and simultaneously be autonomous.

The state defines itself as "playing an appropriate role". It is implementing policy for the "common wealth", and as such it recognizes that it sometimes alienates member localities. But it does not wish to take on a strong or heavy-handed image towards the local precisely because the local is a valid and integral component of the state. By encouraging negotiation, making state funds available to locals as well as developers, holding seminars, providing information it goads the local into conforming to the broader policy goal. In this way we can see both the instrumental and constitutive dimensions of policy: the state becomes a place where affordable housing gets constructed and it is a place where the locality can play an active role in that
process, evincing its autonomy.

e. ii. Weston

The town of Weston is located at the intersection of the Massachusetts Turnpike and Route 128, surrounded by stretches of high technology plants and producer services (see Figure One). Yet it has shielded itself from office and factory construction that has swept through neighboring suburbs like Waltham, Needham and Newton. Weston is said to be the most affluent community in the state, and indeed its median family income in 1979 was $51,339 (see Table Two). Culturally, it is seen as a place of old Yankee money, however its south side is home to transient Route 128 owners and managers (Uhlir, 1989; cf. Whyte, 1956). It paints itself as a small town (1986 population 10,700) compared to nearby suburbs. It holds open town meetings and townspeople are quite active in local issues (Uhlir, 1989). Republicans slightly outnumber democrats (see Table Two), making it an extremely conservative town by Massachusetts' standards, though overall the ethos of suburban nonpartisanship weighs heavily through the case-study suburbs.

Weston has been painted stereotypically as a snobtown (Korman, 1989; Connoly, 1989; Staaf, 1989), and the local representative acknowledges this (Uhlir, 1989). It has strict zoning regulations and single-family housing predominates. It also takes pride in governing itself efficiently. Executive Order 215 has been invoked on the town, and the
Figure 1. Case-Study Suburbs In Greater Boston
Table II.
Summary Statistics for Weston, Massachusetts

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<td>28%</td>
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<td>13%</td>
<td>22%</td>
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Source: 1989 Massachusetts Municipal Profiles Unless otherwise noted. Categories derived from U.S. Census data unless otherwise noted.
* Source: E.O.C.D. latest available data.

3 "These communities are ineligible for most state discretionary grants until they sign a Memorandum of Agreement with EOCD and/or demonstrate significant local efforts to facilitate the development of housing for low and moderate income families." (E.O.C.D., 1989, p.2)
town is also denied state funds because it practices unfair hiring practices. Much of the problem stems from the dominance of an old town guard which is slowly being replaced (Uhlir, 1989).

Weston is a fiscally responsible town. Not surprisingly, it is the town with the most successful number of Proposition 2 1/2 overrides (Uhlir, 1989). There is a pay-as-you-go mentality, and lack of state funds is not a problem to the town. Indeed, it is boastful about this fact: Weston does not need a handout. It can manage within its own resources. This fiscal responsibility is, however, becoming more and more difficult as service costs rise.

As the representative from the Planning Board put it:

"Chapter [40B] was enacted in 1969 to clear away obstacles for developers who would create housing units with below market rents. The need for such units was great then; it still is now. "This law is currently being used as a tool to wipe away local land use controls. It produces conflicts among state agencies with different priorities such as water pollution control and aquifer protection. It creates very little affordable housing for a very short time." (Uhlir, 1988)

Caught between conflicting state priorities is how Weston portrays itself in the context of the state and affordable housing. A 1986 comprehensive development proposal threatened the quality of a town aquifer. Under Massachusetts Water Resources Authority guidelines, towns are responsible for protecting native water supplies. Despite the aquifer issue, the Z.B.A felt compelled to grant the permit. Abutters disagreed over the wetlands delineation line and
requested a hearing with D.E.Q.E. The Department of Environmental Quality Engineering could find "no facts in dispute" and refused an adjudicatory hearing. The abutters are still working on an appeal. In the meantime the town has extended the permit's expiration.

According to the Planning Board member, another conflicting set of priorities is in the focus on the subsidization of construction, rather than what happens in the future. With respect to the development at stake in town:

"Those apartments will be ripe for condo-ization. It is so clear that they will be yuppie apartments. Maximum density equals maximum profit in the long run. "Limited dividend corporation" only refers to the paydown of a loan. That loan is to be paid off in less than fifteen years time. We can't control the lock-in decision. 1:1, 50/50 market rate to affordable: that would serve the public purpose. But the Z.B.A. didn't choose to say the town had the rights to the affordable units. I asked Mr. Korman [Chair of the H.A.C.] if such a condition would impact [sic] on the economic feasibility of a development. As far as H.A.C. was concerned, he had never been asked. He said it was outside the period of the law. That's how towns and cities don't have autonomy."

"Presumably the intent of the statute is to create affordable housing. It does very little and it's a subsidy program for huge private developers." (Uhlir, 1989).

Weston acknowledges a need for "greater housing diversity." Like all towns it sees the growing internal need for affordable housing. Weston seems to agree with the state policy. It has granted a comprehensive permit. It has relaxed restrictions on accessory apartments. A housing partnership has even been formed, though the town lacks an overall housing plan.

The process of opening up Weston, however, has not been
easy. There is local resistance, and the town has hardly been as aggressive as it could be. The town had utilized the state open space program to buy up vacant lots. This, along with the general real estate boom and the flipping by transient 128 managers and professionals helped raise land prices in town, making the state subsidy programmes often unworkable because of such high land costs (Uhlir, 1989; Cohen, 1989). To argue that Weston is a perfectly autonomous snob town, using a variety of resources and external forces to maintain itself misses the complexity of power relations enveloping the issue. The truths claimed about "subsidized housing" have changed to the extent that "low and moderate income housing" has a place in every town, even Weston.

Thus the town portrays itself as part of the common-wealth, doing its share. But simultaneously it defines itself in terms of how it is not like the state. State government seems to be in the pockets of big developers (Uhlir, 1989). The connotation is that Weston might not be the most open accessible community in the state, but it can at least govern itself responsibly- unlike the state. 40B was a hastily conceived law that was not well thought out. This is not responsible government; it smacks of corruption and favoritism. As the State Representative for the area put it, "40B took too much power away- viz what a town is like. They have the right to have some kind of say in what goes on in their town!" (Marsh, 1989). Weston is the voice of reason
in a crisis atmosphere. In this way, the state's truth claims and its own, despite their contradiction, are both affirmed.

The state along with others, portrays Weston stereotypically. The town uses its guise of progressive government to shirk its responsibility. Weston is a polite, fiercely intelligent and resourceful town. It never caused problems directly, unlike more working class towns deluged with comprehensive permits, but it has been incredibly slow in responding to the crisis. As one E.O.C.D. official put it, "We keep hoping with Weston" (Nolan, 1989).

In Weston, then, we see the state slowly eroding the town's capacity to define and ignore its responsibilities. Weston has, however, managed to resist that policy. Results-oriented policy analysts would make this point: Weston has merely chosen to be "more concerned" about its water than about affordable housing. Watersheds are ardently protected while lip-service is paid to 40B. But examine the power relations: there is a redefinition process occurring in town. Slowly, subsidized housing is becoming a legitimate part of this kind of town (see Table Two) while simultaneously, Weston claims its autonomy: it resists by using available cultural and political resources that signify it as not being part of the state. These resources can be quite effective in its context. The way Weston is defined and defines itself exemplifies the autonomy/heteronomy dialectic.
"Remember, Lincoln is the town that, a few years back, made Winter Street on the Lincoln-Waltham border one-way - leading out of Lincoln - to keep the riffraff out. "It was also the town where the First Parish Church was deeply divided over whether to continue a paint job or scrap it when it was almost complete because some congregants wanted to get away from the nickname of "the white church," so-called due to the color of its facade. Seems they were afraid of alienating people of color, so they took a vote on whether to paint the church a nonracist gray..." (English, 1990)

Located on the infamous route between Lexington and Concord, just fourteen miles outside of Boston, Lincoln signifies the "do good liberals from the 'burbs" Kovel described (see Figure One). Like Weston, it remains a ruralesque, residential suburb of relatively affluent people easily within commuting distance of Route 128 and Boston. Through the region, however, it does not have the conservative ethos of its neighboring towns. Lincoln is a small place (1986 population: 7,710) said to be filled with academics who teach in Boston and Cambridge and other such "liberals". The data in Table Three bear out these points.

Unlike Weston, however, Lincoln has been extremely aggressive in the affordable housing area: so much so that when its Battle Road Farm development has been completed, it will have reached its 10% quota. A member of the Board of Selectmen [sic] explains:

"Lincoln's housing efforts began in 1967. The town was concerned with the rising cost of land. It wanted a heterogeneous community. It wanted to do it's thing, you know: its social responsibility. So, it appointed an affordable housing commission. Selectmen [sic] and Planning Board
**Summary Statistics for Lincoln, Massachusetts**

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<td>&quot;indicates that a city or town has executed a Memorandum of Agreement with EOCD or made other formal commitments relating to local housing policy. These communities will remain in compliance with Executive Order 215 as long as they fulfill the terms of these commitments.&quot; (E.O.C.D. 1989, p.1)</td>
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worked closely together. They recommended a local non profit development corporation to use state and federal funds called 'the Lincoln Foundation.' It sponsored Lincoln Woods: 125 coops in 1976.

"We are not a bedroom suburb. There is a strong, direct open town meeting. There is an abiding sense of stewardship in town, in conservation, environmental issues, and housing as well. The idea is to leave things in better shape than when you got them. There are a great many independents in town. It's well educated, caring responsible town - very responsible towards local government. There is not much apathy here."

Since 1967 land-use conferences have been held in town every five years. Such a process is extremely rare in Massachusetts suburbs, and served to equate affordable housing with more conventional issues like traffic, open space preservation and town planning in general. Despite this progressive atmosphere, an agreement to sell town land for a mixed income development was barely defeated at a town meeting in 1981. That decision, combined with a lack of action on affordable housing through the early 1980s resulted in Executive Order 215 being applied to Lincoln. The state felt the town had "reneged on a promise" to support affordable housing. According to the Planning Board member, losing the money really was not the issue. Unlike Weston, Lincoln was embarrassed by being on the list.

Yet Lincoln will be the only suburb to achieve its 10% quota without ever issuing a comprehensive permit. It did so by a consensus-driven political process behind a large mixed-use development in 1986. The town had an option on 47 acres of land in north Lincoln. The alternatives was to lose the
land to a religious institution, or to the Massachusetts Port Authority (Massport).

"At the June 86 town meeting, people gave us the green light. Town likes to do things its own way. The attitude is 'don't tell us we can't do it. Tell us how we can do it!' Things like this were being said to town counsel. People did not want to lose that 47 acres. If we didn't act then, we'd lose control. There were anti MassPort feelings as well. We had six months before the next town meeting to work things out. Very next day met with Stockhard and Engler, who consult on affordable housing. They helped us draft a request for proposal for commercial and residential development. We issued the R.F.P. by August, calling for 75% low/mod and 25% market rate. Some developers were scared. Some were cautiously interested. Only got one specific proposal. They said they could do it at 60/40 ratio, and we did like their proposal, so we agreed....

"We proceeded to work for November town meeting. We met with local newspapers to educate the public. We held meetings. We made a promise on the editorial page that we would be open about this project. We provided them with the hard copy and photos, each week there was a different aspect discussed in the newspaper: traffic, noise study, architecture. We scheduled a series of neighborhood meetings held in people's homes. We explained what we were bringing to town meeting. In this way we did three things: 1. we reached lots of people neighborly; 2. we got to find out the real and hidden concerns; 3. it was a practice time to smooth the bugs out of the project." (Fargo, 1989)

Town meeting approved the spot zoning (not a comprehensive permit) by a 9:1 margin. The developer used state funding to cover the cost of the affordable units, and the town worked out a future purchase plan to keep the units affordable in perpetuity. Construction is underway and the town was promptly removed from the Executive Order 215 list.

The case of Lincoln demonstrates that the way in which a place defines itself affects the way in which it is autonomous. Certainly the "consensus-driven" politics that preceded town meeting suggests an active agenda of the way in
which the town ought to be, however ironic that agenda might be. Such consensus-oriented politics have long been an element of suburban political culture in the U.S (Kaplan, 1976; Williams, 1971). But that agenda fit with the local culture of "stewardship" and liberalness as well. Even if one paints the issue as the "least worst" option, favouring subsidized housing over an air strip or a church suggests attitudes were somewhat more welcoming than would be expected in suburbia.

The issue was not over what would be on the land, but whether the town would have control. Savvy local leaders—both bureaucrats and elected officials—recognized that to retain local control over land use, they had to appease the state, and that this was not necessarily a pejorative position:

"I believe local autonomy exists. You certainly see it here. I think Lincoln has shown that you can exercise it and still be a participating member of the Commonwealth. It's not necessarily state control. It can be a very positive position....We exercised local autonomy in a 'let's do it our way' sense." (Fargo, 1989)

Notice that the emphasis is more on the state as a commonwealth than a tier of government. The only other comment made about the state was that it (E.O.C.D.) had been "extremely helpful" when Lincoln was in dispute with MassPort over the 47 acres. Certainly Lincoln acknowledged its subservient position by its embarrassment at being placed on the 215 list, but the town did not translate its position into "powerlessness" as Weston seems to have. It saw itself
as an "powerful" entity, but one that was in a partnership to which it owed a responsibility. Moreover, Lincoln defined itself such that being in those two positions was not necessarily contradictory.

In turn, the state defines Lincoln as the example of how to retain local autonomy vis-a-vis Chapter 40B (Graham, 1989; Nolan, 1989). At annual seminars and lectures across the state, Lincoln is touted as a tangible success (Stockhard & Engler, 1989). It has not been overridden by crime and degenerates. It negotiated the kind of development it wanted. It was not abused by developers. And now, if it wants to, it can recklessly reject any new comprehensive permit. Lincoln becomes amenable to both other suburbs' and the state's images of suburbia simultaneously.

Lincoln perhaps represents Saunder's (1979) point about the empirical nature of the local autonomy question. After all, the town was autonomous to the extent that it got what it wanted. But at a more complex level, Lincoln demands a much more sophisticated understanding of local autonomy in terms of how communities come to be- or not be- autonomous. The way in which Lincoln defined itself and was defined affected the way in which it gained and relinquished autonomy.
More a suburb of Lowell than Boston, Dracut lies just off Route 495 on the New Hampshire border (see Figure One). It is an overwhelmingly white, working class town historically. It is a rather large suburb with a 1986 population of 24,040 (see Table Four). Dracut is heavily democratic, though somewhat "conservative" according to those interviewed (Pierndak, 1989; Tully, 1989).

Dracut and its neighbors were heavily hit with comprehensive permit applications in the mid 1980s. This was perhaps due to the relatively low cost of land (formerly farms), the spread of economic activity from Route 128 outwards toward I-495 (Pierndak, 1989) and the revitalization of Lowell (Tully, 1989; see Lampe 1988). Dracut itself received three applications in 24 months, "None of which were easy." (Tully, 1989). The town is between 4 and 5% low and moderate income housing, with most of it run by the housing authority. Most of it is elderly housing.

Like Weston, Dracut feels severely constrained by the state, though there is an acknowledgement that this is slowly changing with respect to 40B. As the Town Manager comments:

"The question is are [towns] reactive or proactive. Ours was reactive. In our case we were caught with it. We were put at a disadvantage....We never did anything and then we really got whacked. The majority of towns are similar. We maybe put our act together more quickly.

"The town took the position that we couldn't avoid it. 40B was there; you can't put your head in the sand. Someone recommended we become a [housing] partnership community ahead of the board of appeals stage so that we could mitigate
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<tr>
<th>Year</th>
<th>Population</th>
<th>Non-White (%)</th>
<th>Income (%)</th>
<th>Managers &amp; Professionals</th>
<th>Technical, Sales &amp; Administrative Support</th>
<th>Service Occupations</th>
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<th>Self-Employed Persons</th>
<th>Democrat (%)</th>
<th>Republican (%)</th>
<th>Independent (%)</th>
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Source: 1989 Massachusetts Municipal Profiles Unless otherwise noted. Categories derived from U.S. Census data unless otherwise noted.

* Source: E.O.C.D. latest available data.

5 "indicates that a city or town's housing policies have been reviewed by EOCD and, based upon demonstrated local housing efforts, the community was determined to be in compliance with Executive Order 215. This status may change as a result of subsequent EOCD review." (E.O.C.D. 1989, p.1)
impacts on abutters. That did happen with one comprehensive permit. Rather than meeting with the partnership, they [the developers] went right for the board of appeals. On the partnership, lots of people got involved. A wish list gets put together, so that when it comes to the public hearing—'if it were next to my house' that sort of thing gets addressed." (Pierndak, 1989)

MB: "In what sense is 40B a tool for local control?"

DP: "I don't see it [40B] as a tool for local control. You have a tool already without the law. It's giving developers extra density.

MB: "How forceful has the state been with locating affordable housing in suburban communities?"

DP: "It depends on your perspective. It's a runaway train sort of thing. They could have been more forceful. I don't think they've been overly forceful....The community has to have some say. But historically towns and states were separated out legally. Towns were creatures of the state to perform the services sovereign to the state. They were children of the state...At the same time, there are elected officials at the state level to do something. It's a fact of life." (Pierndak, 1989)

The Chair of the Housing Partnership (also the director of the Housing Authority) adds:

JT: "Once funds were available, developers just jumped in. The state itself never had a working relationship with developers. Some regulations were changed daily. It was an ongoing process. At one point it appeared that the developers had an upper hand. Then there was a change in the law or its interpretation and towns' influence became greater, or at least became more equal. It was about 2 years ago....then it became obvious that the developer didn't have influence, though I'd say that the town thought they did. For example, initially if a developer went to the board of appeals and they rejected him [sic], the developer went to the state and the state would grant the permit. That happened. But then the developer went to the state and the state said go back and work out an agreement, you knew they weren't rubber stamping permits any more." (Tully, 1989)

The Town Manager places 40B in the context of an overall process of state centralization that is limiting local autonomy. He would like more discretion in deciding
what gets counted towards the 10% threshold. He further argues that the combination of Chapter 40B and Proposition 2 1/2 increases demand for local services while it decreases the ability of Dracut to pay for them.

"[Local autonomy] is the ability to chart your own destiny. From a comparative point of view between Maryland and here, there's less home rule in Massachusetts than Maryland. It's an issue of self control. Massachusetts charters require referenda to be approved by the legislative body. The structure of government: you can't issue a tax bill without rate approval. Bond issues are regulated by the state. Property tax assessments are subject to state review." (Pierndak, 1989)

Dracut represents the contradictions in any simple mapping of local autonomy onto a political community. While it defines itself rather helplessly as largely a creature of the state- and a fiscally and politically constrained one at that- it also recognizes its legislative representation as part of its resistance to that force. The Housing Partnership Chair makes this point most strongly:

"[local autonomy] exists in different ways in different areas. The state is influential when it comes to the public school system or local aid. Town always relies on the state. The town has as much influence as it could on zoning. There are things that the town can do. How do we use local aid? Where are the cuts made? The town has a state representative who can voice town issues...If you've singled out a problem in town, you go to the state rep." (Tully, 1989)

This has actually happened with Chapter 40B. The Senators and Representatives from the area have been active in creating a review committee on 40B to give communities more flexibility and discretion (Micelli, 1989; Gambon, 6

6 The Dracut Town Manager used to work in Maryland.
Presently, amendments to that end are being drafted (Berry & Grace, 1989).

Dracut defines the state then as a dominant and oppressive force, seeing its representatives and Senators less as a component of state power and more of their local resistance. Yet clearly those individuals stand as both in a network of force relations between state and local. It also acknowledges that the state is obliged to grant some modicum of local control, even if it legally does not have to. The contradiction between legal and political types of autonomy is portrayed as the discrepancy between political theory and reality by the Town Manager. I would suggest that together they theoretically represent a dialectic of autonomy through locally-defined social relations.

Even within political autonomy there is contradiction for Dracut. Both the Housing Partnership Director and the Town Manager acknowledged the symbolic significance of town meeting in Dracut. Town administration, however, has many problems with this form of direct representation vis-a-vis autonomy

"As population [in town] goes up, problems go up, revenue has to go up. You need to be more creative. Smaller towns have town meetings, but town meeting is archaic. We have a town of 25,000 and we're holding town meeting in the high school auditorium. Maybe 500 people show up— a minority represented. Town meeting is controlled by special interest groups. It's more important to people who have been here—the natives who grew up in Dracut. It's a big institution." (Pierndak, 1989)
The Town Clerk agrees:

"Town meetings are going through an evolutionary process, because you're always grasping at straws at town meetings. Billerica has moved to a representative town meeting. Methuen has become the City of Methuen with no town meeting and a city council. As time goes on [the natives] they want to hold onto this day and age that doesn't exist any more. You just can't have an efficiency with a budget. They can move things around [that bureaucrats have spent months budgeting]. (McCarthy, 1989)

These quotes represent the danger in solely ascribing an economic rationality to political interaction. Just as the political, legal and fiscal relations of autonomy have been bracketed in Dracut, as in the scholarly literature, the links between the way in which individuals associate to define themselves as a political community is relegated to a level of inefficient symbolism by town management. This contest demonstrates the contradictory forces within suburban political culture that help to constitute that place: are New England suburbs meant to be efficient service providers or vestiges of direct democracy? How that question is answered in Dracut relates directly to whether or not the town is potentially autonomous.

e. v. Hanson

Hanson is located off Route 128 South, near Route 3 (see Figure One). Like Dracut, it is more of a blue collar community than Weston or Lincoln. Much of the town used to work in cranberry harvesting or in the Brockton shoe factories before both industries relocated. Pockets of a former Yankee aristocracy are scattered through Hanson, but few
Table V.
Summary Statistics for Hanson, Massachusetts

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<td></td>
<td>8,617</td>
<td>9,010</td>
<td>9,426</td>
<td>4%</td>
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<tr>
<td>Receiving Public Aid</td>
<td>7%</td>
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<tr>
<td>Persons in Poverty</td>
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<td>Median Family Income,</td>
<td>$21,658</td>
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<td></td>
<td></td>
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<tr>
<td>% Managers &amp; Professionals</td>
<td>23%</td>
<td></td>
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<tr>
<td>% Technical, Sales &amp; Administrative Support</td>
<td>29%</td>
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<tr>
<td>Service Occupations</td>
<td>13%</td>
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<tr>
<td>Farming, Fishing, Forestry</td>
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<tr>
<td>Precision Production Craft &amp; Repair</td>
<td>14%</td>
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<tr>
<td>Operators, Fabricators &amp; Labourers</td>
<td>13%</td>
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<tr>
<td>Self-Employed Persons</td>
<td>5%</td>
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<tr>
<td>% Democrat 1988</td>
<td>29%</td>
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<td></td>
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<tr>
<td>% Republican</td>
<td>16%</td>
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<tr>
<td>% Independent</td>
<td>56%</td>
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<tr>
<td>Valuation of Residential Taxable Property 1988 (in millions)</td>
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<tr>
<td>Rate (per $1000 of assessed valuation)</td>
<td>$17.62</td>
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<tr>
<td>Total Land Area</td>
<td>15.82 sq. mi</td>
<td></td>
<td></td>
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<tr>
<td>1989 Status Vis-a-Vis E.O. 215*</td>
<td>&quot;FULFILLING COMMITMENTS&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1985 % Low &amp; Moderate Income Housing*</td>
<td>2.61%</td>
<td></td>
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</tbody>
</table>

Source: 1989 Massachusetts Municipal Profiles Unless otherwise noted. Categories derived from U.S. Census data unless otherwise noted.
* Source: E.O.C.D. latest available data.

7 See supra note 4 for definition.
Route 128 executives call the town home (Brown, 1989; Collins, 1989).

Small and rural is how the town casts itself. It lies just outside of the high tech highway purview. Hanson has a 1986 population of 9,010. It is also labelled "conservative" and politically apathetic. Independents dominate, while democrats slightly edge republicans in town. Statistics in Table Five demonstrate these points. Like Weston, Hanson views itself as fiscally responsible but more out of necessity than to any deep commitment to political philosophy (Collins, 1989).

Hanson went through an education process on affordable housing in the 1980s. It already had a housing authority and a project for the elderly, but it was not quite ready for its first comprehensive permit application in 1980. Indeed, when the developer submitted the application, the Zoning Board of Appeals had to turn to the General Laws and look up whether such a permit actually existed.

Hearing that H.A.C. rarely found in favour of the towns, the Z.B.A. acquiesced and granted the permit, thinking it had no standing whatsoever in denying the permit. There was a sense of panic and fear in the town. People worried Hanson would become "another Columbia Point," an infamously troubled public housing project in Boston (Collins, 1989).

Financing never came through, so the development was never actually built. With no other actions taken on
affordable housing, by 1986 Hanson received a warning from E.O.C.D. that it was in danger of losing state funds via Executive Order 215. One of the first steps the town took was to hire a full time executive secretary and a town planner. Part of the problem in Hanson (like Weston) was that it was relying too heavily on part time inexperienced staff or volunteers. The Executive Secretary recalls:

"When I first came to town we were in limbo/hot water with 215. One of the first things I did was to meet with the state. We needed the money. Consequently, we bargained. I needed a town planner. We applied for a grant, got it, and hired the planner. Then we made an agreement with the state. Hanson would make a concerted effort to do low and moderate income housing. We would try to reach the goal of 250 units. At the time we had 68... The next step was to put together a plan. The state was pushing the H.O.P. (homeownership opportunity plan) so we became a housing partnership community.

"Me and the town planner put together a plan. We were not going to wait for a developer to come along. There was a lot of fear and apprehension. We wanted to set the agenda. We didn't feel that the town could donate the land; we figured we could do it under a private developer." (Nugent, 1990)

The Town Planner echoed this call for autonomy:

"We put together an R.F.P. We wanted to have the control. We got five applicants, none were acceptable: no experience, no track record, none had done housing. We sent it out a second time and got three proposals back, and agreed on the one. (O'Toole, 1989)

"After they went before the Board of Selectmen [sic] they came before the Planning Board. They gave a presentation on what the project would consist of, how many units, what they wanted to do. To be perfectly honest with you, the Planning Board did not think that they were showing us enough. Under that Chapter [40b] the developer only has to submit a very, very preliminary sketch; and this was very, very preliminary. And we wanted more meats and potatoes, we really did. So we asked them to come back. They weren't really pleased."

"The board of appeals hired an engineer and we started from the beginning, reviewing this. The developers were not very
happy, now because we were establishing control. If you're gonna bring eighty-eight units into our community and impact us we want a class project: a project that if we ever decide to accept this, we don't want a headache out there, we don't fiscally have the money to handle this project."

Each of the town boards met with the developers and made it clear that there were serious issues (chiefly over wetlands). Despite pressure from the Board of Selectmen [sic], eager to "do something" about housing to maintain state aid, the town boards held their ground and the developers modified their proposals. Town government had shown effort, as per agreement with the state. The town utilized E.O.C.D grants to study specifics of the plan which it could not have done fiscally on its own. The state recognized Hanson was raising legitimate concerns, and supported its insistence on more details from the developer. The town boards were even making concerted efforts (like Lincoln) to educate the local public as to what the development would be, and what it would look like. Had the developers forced the process and Hanson denied the permit, the town would have been in very good standing with H.A.C. because of its sincere efforts.

The dialectic of autonomy and heteronomy in 40B is also evident in the Hanson case. The town recognized that it could no longer ignore the issue of affordable housing. Given that broad constraint, however, the town has fought to control within that boundary:

MB: "Is Chapter 40B a tool for local control?"
NO: "We've used it as a tool for local control. I'm not sure that it is. I think it's more or less a tool for state control. I think it started out as a state tool. And I think that the discretionary power depends on the town. And I think the state set forth a situation where the town does have more power today. In the beginning it was basically the state: you do this and that's it. But now with the site plan approval process and letters of recommendation I think the town has more control today, and the state has given that. In the beginning I think the state had all the power. I think the town has fought for that power, though. The more educated towns are- the towns that happen to know more about the law- the better off they are. I think the town of Hanson really fought for that. We fought for our standing. We've educated ourselves. So it probably is a control issue for us. But we feel like the state is our back up. We don't feel like they're the leader. We're the leader and they're our back up, because it's our community. And I think the state wants the towns to take control because they don't want the headache. They want you to create that housing. We have had tremendous support from the state. We've worked hand in hand with the state. I've used all the programs. I've received funding from all the programs....So we were so aggressive and they were responsive to us. We have a super relationship. And people say that Hanson is a great town to work with." (O'Toole, 1989)

Hanson has learned not only that it needs to do something, but also (unlike Dracut and Weston) that it can willfully and effectively control the process to an acceptable degree.

Town boards can do their jobs in spite of pressure to get the housing built "or else".

"We never felt forced on this [development]. We never felt that we had to create affordable housing. I think that's important because a lot of towns feel that they have to do this. We never felt like that because we felt we had everything in line, and if this didn't work out there'd be another project to come along that perhaps would. But we wanted to create the housing....If you don't have your act together you feel insecure about anything you do, but if you have your act together you can set things in line.-...Interestingly enough when the developer came in, he was very surprised at what the boards knew. They just thought they would fly through; they were shocked they were asked for additional information." (O'Toole, 1989)
Evidence from Hanson could support Clark and Dear's thesis that local autonomy is essentially a sham— that really the state holds all the power. But that interpretation deliberately silences the way in which state and local were "really" made to be in a geographic context. The state portrays Hanson as formerly scared and ill-equipped to deal with developers. In a rather parental fashion, it offered assistance and advice to Hanson. The town took a subservient role to the state, fearing the loss of money. But it also exhibited initiative and control in its own right. It recognized the reality of fiscal constraints as well as local demand for housing and acted accordingly. State assistance was contingent on this initiative.

The state was reproduced as dominant only in a general sense; Hanson carved out an autonomy of its own specifically. The town now sees itself as a bit more responsible and assertive. It is not helpless, backward place with ill-defined goals. There is a confidence that it can deal with developers and an acknowledgement that the town does need affordable housing. In turn, Hanson is cited as an example of how towns can exhibit local autonomy (Canellos, 1989). The point made is that there is the potential for autonomy if the law is not ignored or misunderstood. Hanson has thus earned a reputation throughout the Commonwealth (e.g. Brown, 1989). This definition and redefinition process was a dimension of the town's experience with Chapter 40B; the town
was not simply duped by the state.

f. Summary and Comments

Dear and Clark (1980, 1981) conclude that local autonomy does not actually vary from place to place. Theoretically, the state reigns supreme. More recent work on the geographic variability of public policy would challenge such a conclusion based on its reliance on acontextual, aspatial social theory. The evidence presented here specifically confirms the variability of local autonomy, and validates the use of contextual, spatialized social theory.

It does more. It demonstrates the dialectic of autonomy and heteronomy through the diversity of experiences with 40B. That is, how local communities were or were not autonomous varied contextually. What remained consistent was the way in which the dialectic was evinced. How places— as reified sets of social relations— were made and remade as powerful or powerless produced patterns of autonomy/heteronomy. The state has defined autonomous towns as responsible ones. It has created this truth. It has defined its own role and defines towns as having their own role to play as well. Local debate over these truths persists in suburbia, but most people interviewed agreed that localities do have the potential for autonomy under current housing policies.

The localities actively made themselves as well. In Weston, the town claims it has little autonomy. Yet abutters
have successfully drawn out the project where the local state could not halt it. Weston is opening up very slowly while claiming a moral high ground that stakes its autonomy. It will have little to do with irresponsible laws. Lincoln's local culture also defined the way in which it responded to the housing crisis, and in turn this context allowed the town to control the development process and escape from future H.A.C. overrides. Dracut's beleaguered local state claims little autonomy—defining it as the literature has, and thus denies any initiative. Yet the ability of its State Representative to review and amend the law suggests Dracut has a modicum of autonomy. Finally, the education process in Hanson was not a simple duping by the state, but an accommodation of state policy with an understanding of local issues and demands. Armed with that knowledge, Hanson could effectively exert control over the development process.

Defining the local as solely the local state erects somewhat arbitrary and stationary partitions between local government, state government and the local polity. This kind of definition was of little use in investigating Massachusetts suburbs, where altruistic democracy means many town residents "offer themselves up" for public service in the spirit of community. As each of the towns held town meetings, the local citizens also played the role of the town legislature. The activities of abutters blurs this distinction as well. Where the local state cannot act, the polity
can in the interest of the local. The local is also represented at the state level in the House of Representatives and the Senate.

Simultaneously, the local state is part of a capitalist state apparatus. For example, I have heard of cases where the local state was actually in favour of the development, contrary to the wishes of the local polity. They purposely denied the permit, and encouraged the developer to appeal. In this way, the state "takes the dive" while local officials retain their local support (Korman, 1989; Nolan, 1989).

In all cases, the local did conform to Massachusetts housing policy—itself derived from a contradiction in the capitalist economy. These three sets of social relations (the local state, the state and the polity) are not necessarily discrete and distinct, though they can be reified as separate, distinct and autonomous. Hence the emphasis on the way in which "local" is created is the optimal way to investigate "local" autonomy.

A corporeal, commodified theory of power could not accommodate the empirical evidence above. To be sure localities were reified as powerful or powerless, but that process was executed through a network of force relations. There was clearly state domination (through legal, political and fiscal means), but there were also local strategies, tactics and resistances to that domination. Power was eminently tied to truth claims. Its exercise was far more
complex than the state merely granting or rescinding power, because the way in which the entities "state" and "local" were defined—actively and institutionally—were not grand theories but capillary and "local" exercises of power.
In the face of mounting pressure from suburbs deluged with comprehensive permit applications, a special legislative task force on 40B was commissioned in 1988 (Berry & Grace, 1989). After months of public hearings across the Commonwealth, it concluded its study with four recommendations: 1. E.O.C.D would recognize "local initiatives" whereby localities themselves construct housing; 2. Localities could devise a local housing plan. Such a plan would establish "local needs" criteria by which Z.B.As could reject a comprehensive permit if it was not consistent with a reasonable local plan; 3. E.O.C.D would clarify the 40B process and educate local boards and commissions. It would monitor the production of affordable housing more consistently than it has in the past; 4. The Governor would make affordable housing production a priority, diminishing the likelihood that localities would be caught between conflicting state aims. These recommendations are being implemented presently. An economic downturn in the state, and an ensuing fiscal crisis in state government, however, forced M.H.F.A and E.O.C.D. to cut subsidy programmes (Nolan, 1989). There is no longer a spate of comprehensive permit applications in suburbia.

What is so interesting about the committee's recommen-
dations is that they are not new points or ideas. Chapter Five offers evidence for the implementation of each one of those recommendations. Lincoln and Hanson developed their own housing plans. Lincoln is building its own development without relying on the state. The Commonwealth felt it made housing production a top priority through the 1980s through a variety of policies, though Weston disagrees. Hanson utilized the available resources and data from E.O.C.D., while places like Dracut and Weston did not.

What is novel about the recommendations is the manner in which they bolster credibility to local initiatives. The recommendations are nothing new, but they represent a new, legitimate way for the state and localities to define the local as autonomous. Whereas before these points were state recommendations to the locals, now they have been arrived at through consensus. The difference is not merely in political strategies, it is also in the different way that power relations between state and locality are used to define those places. In the former case, the state holds a negative, co-optive and manipulating power. In the latter case the state is made powerful in a co-optive and manipulating way, but so too is the local made powerful through counterpoint and challenge. It becomes legitimate for the local to contribute to the amendment of 40B, its nemesis. The power of the state is not denied, but it is challenged and resisted by the local.
b. Local Autonomy Reconceptualized

The update to the 40B story above brings this thesis full circle. The major point I propose is that conceptualizations of local autonomy must begin not with the question "what are localities autonomous from?" but rather "how are localities autonomous or heteronomous?". Starting with the latter question allows the issue of local autonomy to be placed squarely within a theoretical rather than an empirical realm. Such positioning is important because too great of an empirical focus on local autonomy has uselessly bracketed "types" of autonomy: fiscal, political, and legal without conceptually integrating them. They are not different autonomies, but different dimensions of the same phenomenon. Hence there is a danger in conceptually disentangling phenomena whose very integration is theoretically significant (Ley, 1989).

Further, these brackets lead to falsely straightforward conclusions about the extent of autonomy in U.S. localities. I do not deny that localities lack autonomy from the law, capitalism or the capitalist state, politics or federalism. Certainly they do not. But their position vis-a-vis states cannot be reduced down to administrative sub apparatuses, conflict-deflection mechanisms, or convenient lackeys. The local holds a plethora of meanings as its identity is woven through a variety of discourses. Simply put, there is more than one set of truth claims operating over "the local".
These claims, sometimes reinforcing but often contradictory, foster dispute and debate over the existence of "local autonomy".

Building on this point, I demonstrated the need to reconceptualize local autonomy such that the terms "local" and "autonomy" related to one another. "Local" refers to place: a meaningful set of social relations relative to a geographic context. The local state, the typical purview of existing theories of local autonomy, is one set of those social relations, but it does not stand in isolation. "Autonomy" is self-rule. It is a term which should be used not to deny or negate an objects' position in a web of force relations. The concept suggests that in addition to being part of a network of power, the local also has integrity in and of itself. That is, a locality cannot be reduced to the network in which it is located.

How the local controls or rules itself is fundamentally wrapped up in the issue of how it defines itself vis-a-vis a concept of power. I labelled this definition process "place making": a social process by which sets of social relations bound to a geographic concept are bundled with meaning and identity through power. A crucial step in this process is reification, in which the abstract place is distanced and objectified from those who constitute its relations. By distancing place from individual or group roles, the place becomes a different entity; it takes on its own ontological
status. Truths about the relation between power and place inform this active process of place making.

In order to capture these relations of power, conventional theories of power were abandoned. Power was treated as a network of force relations in society. Although the reification process demonstrates actors' and institutions' will to treat power as an exchangeable, corporeal entity, the place-making process itself is best understood through a circulatory and relational theory of power. This perspective does not deny the oppressive, domineering "top-down" vectors of force. Rather, it situates those forces relative to strategies of resistance, challenge, reclamation, and ignorance (the "bottom-up" vectors). This relational view of power captures the importance of truth claims which are used to define places and their proper relations between each another. Power and truth inform the active place-making process and the reifications of social relations, as the local becomes defined in both "powerful" and "powerless" ways. The simultaneity of these forces thus suggests that autonomy and heteronomy must be viewed as dialectical, not mutually exclusive categories.

The Massachusetts Anti Snob Zoning Law provided a vehicle to probe the intricacies of this dialectic. Conventional theories of local autonomy would recognize it and Executive Order 215 as means by which a state rescinds local autonomy. They would appear to be abatements of legal and
fiscal autonomy in a typical local purview: land use regulation.

The literature on suburban politics and identity, as well as the text of the bill and its outcome in four towns challenged such a simplistic reading. Suburbia is a site of power and privilege in American culture and politics to the extent that it confounds the simplicity of Dillon's Rule. Local autonomy, as I demonstrated in Chapter Four, was actually written into the text of Chapter 40B. The bill's outcome must be understood as a negotiated outcome of contextual cultural and political forces of the day and the area. Its authors also represented broader social forces in a more abstract sense. Through 40B, they debated the proper social organization of American society. More to the point, their arguments represented a dimension of the place-making process, as theories of places informed these debates and, in turn, became instrumentalized through the legislative process. That places were and ought to be autonomous was held to be true throughout these debates.

The "law-space nexus" was examined in Chapter Five (Blomley, 1989b). How abstract law becomes lived in a geographic context was thus conveyed. The point of the chapter was to demonstrate that the reification process inherent in the interaction between state and locality is imbued with local power. Certainly there is state domination, and hence local heteronomy; but there are also local
strategies of resistance, reclamation and ignorance that underscore a local autonomy. The interaction between places makes and remakes the local vis-a-vis power and truth claims. The four case study suburbs demonstrate a variability in the autonomy/heteronomy dialectic to be sure, but they all demonstrate that dialectic nevertheless.

c. The Utility of the Place Perspective for Local Autonomy Studies

This reconceptualized theory of local autonomy is useful for a number of reasons. First, it explicitly links disparate empirical work on local power. Fiscal, political, and legal autonomies were treated as ideal types because they are the consequences of ad hoc theories of local autonomy which I wished to integrate.

Second, local political analysis can benefit from a refined theory of local autonomy because it more accurately captures not only the political dimensions to these relations, but also their geographic side as well. American local political analysis often lacks a contextualized theoretical approach, serving to reproduce an unnecessary chasm between theory and empirics (witness the community power debates of the sixties and seventies, or the urban heteronomy/suburban autonomy problematic discussed in chapter two). Contextualized social theory and a place-perspective on politics can transcend this dualism.

Third, this theory also explicitly relates power to
that which the term "local autonomy" specifies: the local. In this way the term defines what it ought to: the autonomy of the local, rather than the local state or some key agent therein. This theory thus joins geographic and political theories of place and politics. Places are socially constructed relative to truth and knowledge claims about the status quo in society. This often tacit process is hardly neutral, even if the subsequent debate over how places should be is rooted in consensual themes of American political theory. Recall that nowhere in the empirical chapters did any interviewee deny a significance to local autonomy, even if they debated how, when, or why it should be evinced. For these reasons, this reconceptualized theory of local autonomy is useful in capturing the complexity, subtlety, diversity, and variability of state-local relations in U.S. politics, where more conventional theories have glossed over these points.

Most importantly, this thesis challenges existing conclusions about local autonomy. It renders them incomplete and oversimplified. Power must be viewed relationally to understand both the descending and ascending vectors of force in any social relation. The question, "who got what, when, where, why, and how?"; the mainstay of conventional political analysis; leads to a sole focus on the negative, dominant, and constraining forces in politics. To complete the accuracy of political inquiry, the constitutive dimension of
politics and its role in reproducing the social fabric must also be considered. In this way, the complexity and dynamics inherent in politics are not trodden, and a theoretical space is created for local autonomy in U.S. politics.

In the study of local politics, Stone, Whelan & Murin (1979, p. 187) remind us that: "[t]he test of a theory is not its ability to account for everything that happens but its ability to pinpoint what is most important." The theoretical consensus on a local "powerlessness" has blinded conventional theories to the possibilities of local autonomy. The theory developed here corrects that problem by highlighting the importance of both state and local power.
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d. Court Cases

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e. Conferences

APPENDIX

a. Massachusetts General Laws, Chapter 40B, Regional Planning, Subsections 20-23, Low and Moderate Income Housing

20. Definitions

The following words, wherever used in this section and in sections twenty-one to twenty-three, inclusive, shall, unless a different meaning clearly appears from the context, have the following meanings:

"Low and moderate income housing", any housing subsidized by the federal or state government under any program to assist the construction of low or moderate income housing as defined in the applicable federal or state statute, whether built or operated by any public agency or any nonprofit or limited dividend organization.

"Uneconomic", any condition brought about by any single factor or combination of factors to the extent that it makes it impossible for a public agency or nonprofit organization to proceed in building or operating low or moderate income housing without financial loss, or for a limited dividend organization to proceed and still realize a reasonable return in building or operating such housing within the limitations set by the subsidizing agency of government on the size or character of the development or on the amount or nature of the subsidy or on the tenants, rentals and income permissible, and without substantially changing the rent levels and units sizes proposed by the public, nonprofit or limited
"Consistent with local needs", requirements and regulations shall be considered consistent with local needs if they are reasonable in view of the regional need for low and moderate income housing considered with the number of low income persons in the city or town affected and the need to protect the health and safety of the occupants of the proposed housing or of the residents of the city or town, to promote better site and building design in relation to the surroundings, or to preserve open spaces, and if such requirements and regulations are applied as equally as possible to both subsidized and unsubsidized housing. Requirements or regulations shall be consistent with local needs when imposed by a board of zoning appeals after comprehensive hearing in a city or town where (1) low or moderate income housing exists which is in excess of ten per cent of the housing units reported in the latest decennial census of the city or town or on sites comprising one and one half per cent or more of the total land area zoned for residential, commercial or industrial use or (2) the application before the board would result in the commencement of construction of such housing on sites comprising more than three tenths of one per cent of such land area or ten acres, whichever is larger, in any one calendar year; provided, however, that land area owned by the United States, the commonwealth or any political subdivision thereof, the
metropolitan district commission or any public authority shall be excluded from the total land area referred to above when making such determination of consistency with local needs.

"Local Board", any town or city board of survey, board of health, board of subdivision control appeals, planning board, building inspector, or the officer or board having supervision of the construction of buildings or the power of enforcing municipal building laws, or city council or board of selectmen [sic].

21. Low or moderate income housing; applications for approval of proposed construction; hearing; appeal

Any public agency or limited dividend or nonprofit organization proposing to build low or moderate income housing may submit to the board of appeals, established under section twelve of chapter forty A, a single application to build such housing in lieu of separate applications to the applicable local boards. The board of appeals shall forthwith notify each such local board, as applicable, of the filing of such application by sending a copy thereof to such local boards for their recommendations and shall, within thirty days of the receipt of such application, hold a public hearing on the same. The board of appeals shall request the appearance at said hearing of such representatives of said local boards as are deemed necessary or helpful in making its decision upon such application and shall have the same power to issue permits or approvals as any local board or official
who would otherwise act with respect to such application, including but not limited to the power to attach to said permit or approval conditions and requirements with respect to height, site plan, size or shape, or building materials as are consistent with the terms of this section. The board of appeals, in making its decision on said application, shall take into consideration the recommendations of the local boards and shall have the authority to use the testimony of consultants. The provisions of section eleven of chapter forty A shall apply to all such hearings. The board of appeals shall render a decision, based upon a majority vote of said board, within forty days after the termination of the public hearing and, if favorable to the applicant, shall forthwith issue a comprehensive permit or approval. If said hearing is not convened or a decision in not rendered within the time allowed, unless the time has been extended by mutual agreement between the board and the applicant, the application shall be deemed to have been allowed and the comprehensive permit or approval shall forthwith issue. Any person aggrieved by the issuance of a comprehensive permit or approval may appeal to the court as provided in section seventeen of chapter forty A.

22. Appeal to housing appeals committee; procedure; judicial review

Whenever an application filed under the provisions of section twenty-one is denied, or is granted with such conditions and requirements as to make the building or
operation of such housing uneconomic, the applicant shall have the right to appeal to the housing appeals committee in the department of community affairs for a review of the same. Such appeal shall be taken within twenty days after the date of the notice of the decision by the board of appeals by filing with said committee a statement of the prior proceedings and the reasons upon which the appeal is based. The committee shall forthwith notify the board of appeals of the filing of such petition for review and the latter shall, within ten days of the receipt of such notice, transmit a copy of its decision and the reasons therefor to the committee. Such appeal shall be heard by the committee within twenty days after receipt of the applicant's statement. A stenographic record of the proceedings shall be kept and the committee shall render a written decision, based upon a majority vote, stating its findings of fact, its conclusions and the reasons therefor within thirty days after the termination of the hearing, unless such time shall have been extended by mutual agreement between the committee and the applicant. Such decision may be reviewed in the superior court in accordance with the provisions of chapter thirty A.

23. Hearing by housing appeals committee; issues; powers of disposition; orders; enforcement

The hearing by the housing appeals committee in the department of community affairs shall be limited to the issue of whether, in the case of the denial of an application, the decision of the board of appeals was reasonable and consis-
tent with local needs and, in the case of an approval of an application with conditions and requirements imposed, whether such conditions and requirements make the construction or operation of such housing uneconomic and whether they are consistent with local needs. If the committee finds, in the case of a denial, that the decision of the board of appeals was unreasonable and not consistent with local needs, it shall vacate such decision and shall direct the board to issue a comprehensive permit or approval to the applicant. If the committee finds, in the case of an approval, with conditions and requirements imposed, that the decision of the board makes the building or operation of such housing uneconomic and is not consistent with local needs, it shall order such board to modify or remove any such condition or requirement so as to make the proposal no longer uneconomic and to issue any necessary permit or approval; provided, however, that the committee shall not issue any order that would permit the building or operation of such housing in accordance with standards less safe than the applicable building and site plan requirements of the federal Housing Administration or the Massachusetts Housing Finance Agency, whichever agency is financially assisting such housing. Decisions or conditions and requirements imposed by a board of appeals that are consistent with local needs shall not be vacated, modified, or removed by the committee notwithstanding that such decisions or conditions and requirements have
the effect of making the applicant's proposal uneconomic.

The housing appeals committee or the petitioner shall have the power to enforce the orders of the committee at law or in equity in the superior court. The board of appeals shall carry out the order or the hearing appeals committee within thirty days of its entry and, upon failure to do so, the order of said committee shall, for all purposes, be deemed to be the action of said board, unless the petitioner consents to a different decision or order by such board.

b. Commonwealth of Massachusetts, Executive Order 215, Disbursement of State Development Assistance, March, 1982

The development of affordable housing is critical to meeting the needs of the Commonwealth's population. In order to accommodate the growing housing needs of our population, Massachusetts needs to add to its housing supply over the next decade. Without a supply of affordable housing, Massachusetts will find it more difficult to attract and retain industry.

Massachusetts provides funding to its cities and towns through a variety of programs designed to foster sound growth and development. The distribution of discretionary funds should, to the maximum extent feasible, promote the balanced growth of the Commonwealth.

In some cities and towns, local regulations and restrictions have the effect of excluding the development of
affordable housing. In so doing, they have imposed development costs inequitably on other communities and have impaired the ability of our citizens to locate affordable housing. It is appropriate, therefore, in the review of local applications for state development assistance that the city's or town's housing policies and practices be taken into consideration. This shall be accomplished so as not to infringe upon the constitutional right to home rule.

WHEREAS, housing growth, economic development, and environmental protection are statewide needs which are not mutually exclusive and are each vital to the balanced growth and development of the Commonwealth; and

WHEREAS, an ample supply of housing, with diversity in price, and location, is necessary both for the well being of our citizens and for a strong state economy; and

WHEREAS, state development assistance should be awarded to cities and towns which are not unreasonably restrictive of housing growth;

NOW THEREFORE, I, Edward J. King, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution and by the statutes of this Commonwealth do hereby order and direct that:

1. All state agencies disbursing development-related financial assistance to cities or towns should consider, in making such discretionary awards, the applicant city's or town's housing policies and practices. It should be the
general policy of all state agencies not to award discretionary funds to cities or towns which have been determined to be unreasonably restrictive of new housing growth. For the purposes of the Executive Order, "development-related assistance" may include (but is not limited to): economic development assistance; open space and recreation funds; technical assistance grants; so-called "urban systems" transportation improvements; conservation land grants; elderly housing; sewer collection system and water system grants; parking facility funds; convention center facility grants; federal grant funds for development-related activities; and the review of federal grant applications for development assistance. For the purposes of this Executive Order, "development-related assistance" does not include local aid fund reimbursements or distributions.