

The Ties That Bind: Community, *Topos*, and Municipal Dissolution

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Abstract

This article examines cases of municipal dissolution and the impact of the loss of government on a place, its people, and the surrounding area. A framework of three components of municipal community—people, place, and government—is presented. The interrelation of these elements is explored through cases where not all elements are present. Particular attention is given to the removal of government from community through municipal dissolution. The impacts of dissolution on community, and its potential as a governance strategy, are addressed.

Keywords

municipal dissolution, community, governance

Much attention has been given to civic participation and the need to increase the public's level of involvement in the governance of their communities (Candler & Dumont, 2010; Denhardt & Denhardt, 2007; Putnam, 2000). **This scholarship locates people at the core of governance, emphasizing that without people, government cannot function. Less attention has been paid to the obverse: whether people can function without government.** At the heart of both questions is the issue of what constitutes community. A variety of laws and processes dictate municipal existence; however, community transcends

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legal and bureaucratic boundaries. I propose a tripartite relationship between people, place, and government that together constitutes municipal community—what I call *topos*. Rather than looking within each element, I am interested in the permutations of the relationship of people, place, and government—the way that these elements combine in forming a community. Of particular interest here is the emergence of “no-place”—instances where people live together, but community is not formally recognized through an established local government. I explore this in detail through the policies and practice of municipal dissolution.

The formal legal dissolution of a municipality removes only the formal structure of government: Residents are not required to leave, infrastructure is not dismantled, and the land remains untouched. Responsibility for provision of services is transferred to another locality, often either a neighboring municipality or the surrounding county. The idea and structure of community also remain, although they are affected by the removal of government in a number of significant ways. This article develops a framework of the interdependent relationships between the elements of municipal community. It explores the rationales and mechanisms of dissolution and examines how the removal of government affects community.

The Framework

One way of understanding a system is to identify its constituent parts and examine the relationship between them. I begin with “the most widely accepted formulation of the criteria of statehood in international law” (Shaw, 2003, p. 178), the definition of a sovereign state ratified at the Montevideo Convention. In that formulation, a state is defined as having four elements: (a) a permanent population, (b) a defined territory, (c) a government, and (d) a capacity to enter into relations with other states (Convention on the Right and Duties of States, 1933). In moving below the international level, I focus on the first three components: people, place, and government. There is no clear standard for assessing when a municipality is providing services adequately, nor for determining what range of services should be provided. Given the small size (in area and/or population) of some municipalities, it is hard to imagine them not relating to surrounding communities and governments. Similarly, I use a simplified notion of “permanent population.” Here too, size plays a role—municipalities tend to have smaller populations than nation-states and movement of residents between municipalities is vastly less complicated than movement between nations (Tiebout, 1956).

Thomas More coined the term *utopia* to describe his fictional idealized society. Although a utopia can be “a good place” (eu-topia), it can also be “a

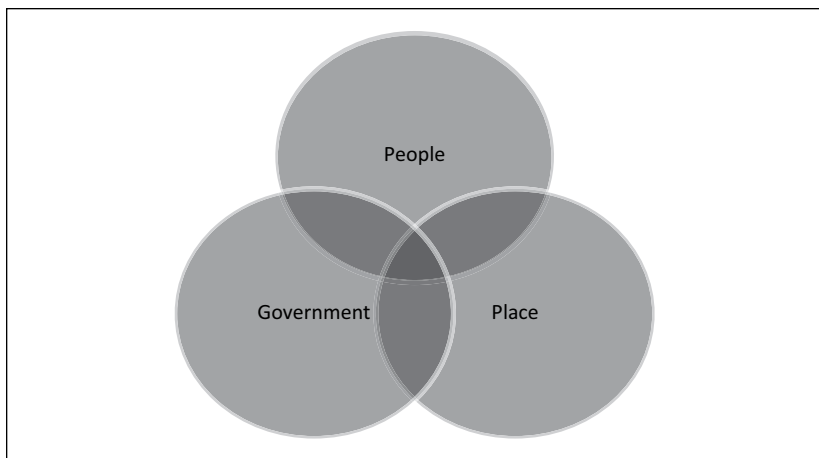


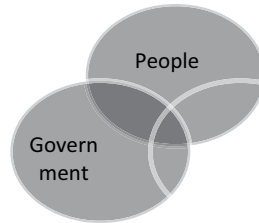
Figure 1. *Topos*—the elements of municipal community.

no place” (u-topia). The Greek word *topos* means “place” and may thus be a fitting term for this project. *Topos* is also associated with rhetoric, meaning topic, or the “place to find things,” and serving as the “basic categories of relations among ideas” (Burton, n.d.). Aristotle used *topos* to denote general instructions for analyzing a problem in terms of criteria applicable to that problem (Rapp, 2010, Section 7). Interestingly, in Latin rhetoric, *topos* was translated as *locus communis*, commonplace. *Communis*, of course, is the root for community as well as Commonwealth. It is in these senses that I explore commonplaces—municipalities, or those places where we come together as a community for the greater collective good. Municipalities are, quite literally, the wealth of the commons. This connection can be seen in the word municipality. As is often the case, municipal derives from more than one etymological root. Municipal can be derived from *municeps* (a citizen; an inhabitant of a town) plus *capere* (to assume or take). In this sense, a municipality consists of those areas for which the inhabitants are responsible. It can also be derived from *munia* (obligations) and *communis* (bound together). This leads to a similar meaning, of those obligations and duties that bind us together. I lay the elements of municipal community, or *topos*, out in Figure 1.

Figure 1 shows the three elements of *topos*: people, place, and government. When these elements converge, as in the common central triangular area, a municipal community exists in full; the combination of people and government within a place facilitates the exercise of communal obligations for the greater good. Of particular interest are the intermediate areas where

only two of the elements of municipal community are present. I proceed to examine each pairing in turn: people + place; people + government; and government + place.

Government + People – Place



Traditional conceptions of sovereign states envision the state and its sovereign powers, as well as its very basis for existence, as rooted in geography as much as in its people or laws; the state is bounded by its territory. Nevertheless, there are numerous examples of governments and people lacking land but affirming a common identity, as well as a right to independence and self-determination. The modern State of Israel and the ongoing debate over whether (and how) to recognize Palestine as a state are examples of collective identity and claims of sovereignty and independence in the face of contested claims to territory. As a people, Jews existed prior to the 20th century; Israelis were created in 1948 through the recognition of the State of Israel. The legitimacy of that state, of the Israelis as a nation, and of the ownership of the land has been contested since Israel's creation. Ironically, the Palestinians now occupy the Jewish position, claiming to have been dispossessed of territory by the creation of Israel and demanding to be recognized as a sovereign people through the granting of territorial rights. Of relevance here is the fact that both Jews and Palestinians have maintained a strong communal identity and governance structure in diaspora. Similarly, the Central Tibetan Administration (CTA) has operated a government in exile since China annexed Tibetan territory in 1959 (Davis, 2007). While approximately 5.5 million Tibetans remain within that territory and are now considered citizens of the People's Republic of China, roughly 130,000 Tibetans live in exile. India has granted space in Dharamsala, where the CTA is located and where it exercises jurisdiction over the Tibetans living there (Davis, 2007). The CTA exhibits the structure of a government, provides public services, and conducts other governmental activities such as collecting revenue and maintaining citizenship records. However, the CTA (n.d., para. 9) does not see itself as an alternative government for Tibetans, having announced that it will dissolve when the territory and majority of people have re-gained independence. This position provides

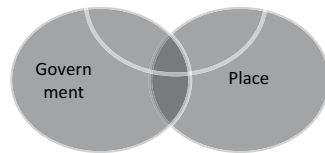
a glimpse into the value placed on territory, even though the CTA has demonstrated over the past 50 years that territory is not necessary to claiming identity, or acting as a government. Interestingly, the case of Tibet showcases the importance of the confluence of people, place, and government: The absence of the Dalai Lama from the country was one of the justifications given by the People's Republic of China (PRC) for exercising direct rule over the territory (Davis, 2007, p. 166). In other words, when the Dalai Lama, the ruler of Tibet, was not in the country, Tibet was lacking in a critical portion of its government and was therefore less than a whole nation.

A further example may be seen in Small Island Developing States (SIDS). First recognized by the United Nations as a distinct group in 1992, 52 nations currently share designation as SIDS (Mayer, 2013). They share many problems, challenges, and traits, such as a particular concern for the anticipated impact of climate change on these states. Several of the lowest-lying states have developed plans to accommodate the eventual loss of their territory due to rising sea levels. Tuvalu is a very small nation of around 10,000 people. Situated on a series of coral atolls with its highest point at 16 feet—and an average height of only 6 feet—above sea level, it has already lost one third of its population to out-migration (Kim, 2011). Kiribati, another low-lying island state, has begun seeking to acquire land within another nation. In 2012, it purchased approximately 25 square kilometers in Fiji (Reardon, 2012; Scott & Andrade, 2012). It has also pursued enhanced migration status for its citizens in Australia and New Zealand, a strategy also used by Tuvalu. In the event that rising sea levels submerge their countries entirely, these nations hope that another state would grant their citizens favorable status and agree to re-locate them en masse. Foreseeing the probable submersion of their land, the Maldives has established a sovereign fund for the purpose of buying land and re-locating its population of 350,000 (Doherty, 2012) with Australia, India, and Sri Lanka among the leading candidates being considered as donor countries (Kim, 2011). In addition, the Maldives is investing in artificial islands. Artificially constructed and raised islands already house 24,000 Maldivians; an additional 80,000 are anticipated to reside on such land within the next 15 years (Sovacool, 2011).

For these SIDS, place is a complicated issue. For the government, place is seen as a valued and perhaps necessary component of the state. At the same time, it is acknowledged not to be permanent in the face of anticipated sea levels. Clearly, re-locating a people to purchased or borrowed land uproots the state at a basic level. The importance of place then would seem to lie more in its ability to define a people and state through physical proximity, rather than through particular qualities of geography. Similar to Jews and Palestinians, although the notion of home and a homeland exercises powerful

feelings, communal identity is also tied to a collective existence: Home is where we are together. This latter sense is expressed through the high levels of out-migration experienced by Tuvalu and other low-lying SIDS. As long as a community can be established, the designation as “state” appears to be relatively unimportant to migrating citizens who establish communities in other lands. “Statehood” is less important than functional community. Future research may investigate the role of government in shaping and maintaining this community. For example, out-migration to exile communities suggests that there is value in living in proximity to those with a shared background and value. Presumably, the government of Australia (where several such displaced communities have re-located) provides a framework for delivering public services and ensuring civic rights. The question of whether having that framework is sufficient, or whether the specific framework of the home government is necessary to maintaining an emigrant community, is still open.

Government + Place – People



This category includes forbidden places—areas to which the government controls access, and which government may refuse to admit exist at all. Perhaps the prime example is Area 51, properly known as the Nevada Test and Training Range, and only officially acknowledged by the Central Intelligence Agency (CIA) in 2005 (Richelson, 2013b). The area is off-limits to civilian and military land and air traffic (Richelson, 2013a); astronauts on Skylab were reprimanded for unintentionally photographing part of the area from space (Day, 2006). Less extreme examples include Kwajalein and Vieques—lands appropriated by the U.S. military for training and testing purposes. Ironically, in both relatively empty places, there is a strong sense of government. As with Area 51, access to both islands is controlled,¹ separating people from place. What remains is governmental presence, as it controls the land, determining its use. As an inescapable physical presence and as a powerful force in the local economies, the government also exerts control over the people. On both islands, the U.S. government re-located a substantial portion of the native population, which led to an active resistance against the government occupation (Schwartz, 2000). The resistances’ demand that the land be returned to local control was, on one level, about putting people back

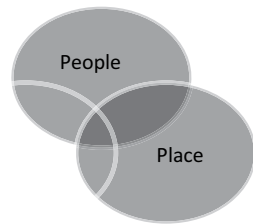
on property and restoring community. On another level, it was about the inalienable right of people to exist in a particular place as a self-determining community and that the right of a people to form a community was not separable from the place of that community.

The category of government operating in a place with no people also includes depopulated places. Distinct from unincorporated areas, there are cases where government must continue to control land that is no longer fit for habitation. Thus, the idea of government persists in a place although the people have gone; government function occurs at a distance, removed from both people and place. The Chernobyl Nuclear Power Plant Zone of Alienation is perhaps the most well-known such case. In the wake of the devastating nuclear accident, 135,000 people were evacuated and the exclusion zone was established with a radius of 30 kilometers around the plant (Mould, 2000). Management of the zone has been complicated by the breakup of the Soviet Union and subsequent cross-border administration—the zone covers portions of Ukraine as well as Belarus. The zone is managed through a number of Ukrainian state agencies in cooperation with Belarussian border guards (Marples, 1988; Mould, 2000). The zone is an environmental recovery activity, with all business and residential activities prohibited (Decree of the President of Ukraine, 2011; Mould, 2000). Nevertheless, a small population of scientists and recovery specialists work within the zone. In addition, a number of squatters have returned (Marples, 1988), and former residents of the zone are allowed to return once per year (Marples, 1988; Mould, 2000), a poignant example of the strength of place to conceptions of home and community.

Other problematic examples of depopulated places include Centralia, Pennsylvania, where a mine fire has been burning under the town since 1962 (DeKok, 2000; Kroll-Smith & Couch, 1990). Residents became widely aware of the problem in 1979 and re-location efforts began in 1984. Sinkholes as well as steam and gas vents formed throughout the town. Land sank and roads melted from the heat of the underground fire. Eminent domain was declared on the entire town in 1992; the town's zip code was revoked in 2002 and formal eviction proceedings began in 2009. In spite of these steps, several residents refused to leave. Centralia reported 10 residents in the 2010 census. The commitment to maintaining an identity and some level of civic life may be seen in reports that the borough council continues to hold meetings, pay bills, and undertake some maintenance (Wheary, 2011); that civic holidays continue to draw attendees (see, for example, centraliapa.com and oscette.com); and that St. Mary's church continues to hold services in Centralia with (see the church's website at <http://www.vpnavy01.com/websites/church/index.html>).

Much more common are gradual cases of depopulation through out-migration, often due to economic reasons. Municipalities dependent on a single industry for their economic base are particularly vulnerable to this kind of depopulation. Detroit may be the largest example, with a current population that has been reduced to a third of its peak in the 1950s. There are a plethora of small towns shrinking as people move away in search of jobs. For example, Springs Borough, Pennsylvania, lost 98% of its population in 20 years, shrinking from 117 people in 1970 to 3 people in 1990 (Lucchino,² 1994, p. 2). Cold Springs, Pennsylvania, began declining in the 1930s when the local mine closed and has not collected taxes or conducted elections since the mid-1980s (Lucchino, 1994, p. 2).

People + Place – Government



The final category is introduced as “no-place”: People located within a specific place, but where the framework of government has been removed through the phenomenon of municipal dissolution. As one method of answering the problems posed by the loss of population or capacity in a municipality, dissolution deserves more attention. Recent cases of municipal bankruptcies (e.g., Detroit, Michigan; Harrisburg, Pennsylvania; San Bernardino, California) have made headlines and raised questions of whether government can be said to exist in a meaningful sense if it has no capacity to carry out its functions and deliver services. Although dissolution is also on the rise, cases generate much less scholarly and popular attention. Municipal dissolution has a less well-developed and less consistent legal framework but has the potential to affect residents of dissolved municipalities as well as those in surrounding areas.

“Municipal dissolution, also known as disincorporation, is the termination of the political unit of an incorporated municipality, whether city, village, or incorporated town” (Anderson, 2012, p. 104). Note that this dissolves only the political element, leaving both land and people in place, although not unaffected. Municipal dissolution can be done through merger into another municipality; however, it is possible for some municipalities simply to

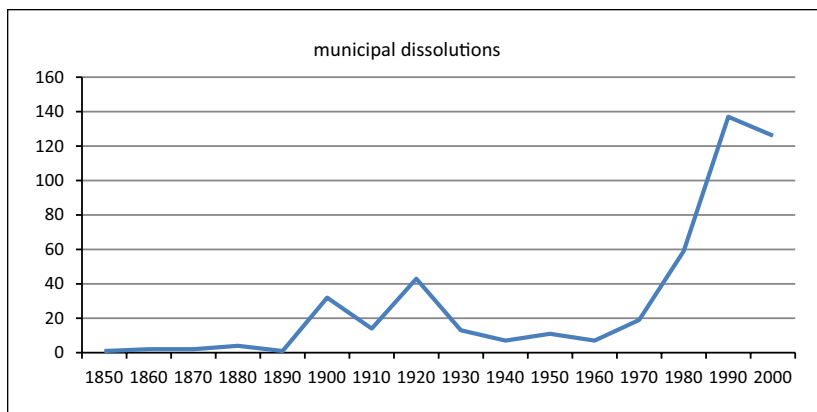


Figure 2. Municipal dissolution by decade.

Source. Author.

dissolve altogether, creating a political no-place. It is these no-places and their effect on the people living in them as well as on the surrounding communities and governments, which are the focus of this work.

Shrinking cities, mergers, and the regionalization of services are all topics gaining scholarly attention (Schlappa & Neill, 2013). These trends call for a re-examination of the long-held tacit assumption that cities are defined by growth. Jacobs (1961) noted the decline of many city neighborhoods and mapped a plan for urban re-vitalization in her seminal work, *The Death and Life of Great American Cities*, yet “city formation . . . has been treated as a one-way trajectory” (Anderson, 2012, p. 157) with little attention given to the mechanisms of shutting down municipalities or its impact on the community. Municipal dissolution is far more common than municipal bankruptcy, with 131 dissolutions recorded since 2000 and only 33 municipal bankruptcies over the same period (Henchman, 2013). Figure 2 shows municipal dissolutions by decade since 1850. Figure 3 details the dissolutions by year since 2000.

The Creation of No-Place

Forty states have municipal dissolution laws of some type. Fifteen states have passive dissolution laws, facilitating the dissolution of an “inactive” municipality, typically defined by failures to elect officials, collect taxes, or provide services. Some states include a provision for dissolution based on population,

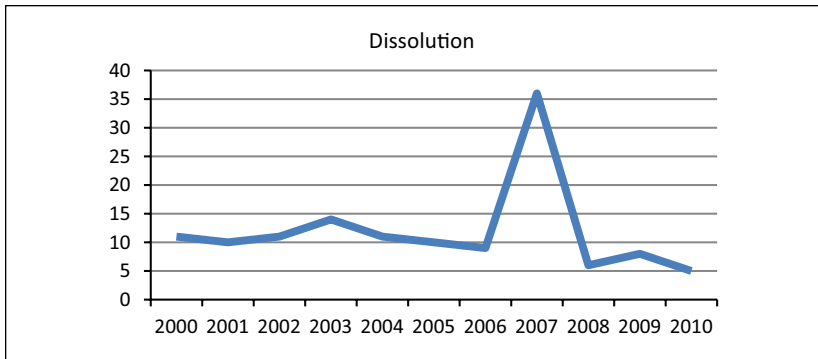


Figure 3. Municipal dissolution since 2000.

Source. Author.

setting a minimum resident population as a requirement of municipality (Anderson, 2012, pp. 113-114). Thirty-seven states allow voluntary dissolution; only three of these do not allow dissolution proceedings to be initiated at the local level (Anderson, 2012, p. 114). So, in two thirds of the country, the decision to dissolve a municipality can be initiated by that community.³

Thirteen states do not have a mechanism for municipal dissolution. These include seven states where dissolution is structurally not possible as there is no unincorporated territory into which a municipality could revert (Anderson, 2012, p. 113). In other words, in these states, there is no possibility for a place not to be associated with government. This situation raises fundamental questions, such as “What value is added to a place through government?” and “What obligations does government have to place?”⁴ If government has declared itself as a necessary component of place, there should be clear guidelines as to what benefits government confers to that place. Thus, the concern here is on voluntary dissolution and its effects on community.

Anderson (2012) identified five rationales for dissolution that recur in case histories and public records: (a) race, (b) reform, (c) taxes (i.e., rebellion against taxation levels), (d) decline (budgetary and population), and (e) community and the desire to preserve civic bonds. The first four will be treated briefly whereas the last rationale will be explored more fully as the rationale of the greatest concern in this research.

Race

Although no longer a common factor in dissolution, “race” was raised as a rationale both for and against dissolution. Race has been identified as a factor

in the forced dissolution of minority towns; it has also played a role in the maintenance of majority–minority towns and villages. The 19th and 20th centuries saw the formation of “all-Black towns,” notably in the Oklahoma and Indian Territories. More recently, the continued value of all-minority or majority–minority towns has been raised, and the impact of desegregation discussed (Anderson, 2012, p. 147ff). A more contemporary example of the effect of race on dissolution may be found in Vallejo, California. Vallejo, a city of 116,000, with a majority Latino and African American population, recently explored dissolution. Solano County, the surrounding territory into which Vallejo would dissolve, has a total population of 20,000, the majority of whom are White. The impact on the county in numbers of residents requiring services would be significant. In addition, the demographic changes are expected to change the political economy throughout the county (Anderson, 2012, p. 152).

Reform

Dissolution for the reform of government is most often initiated in response to overwhelming scandal and corruption. It may be involuntary (the state takes over in the wake of corruption) or brought about by the citizens in recognition that the situation is untenably bad and the only solution is to dissolve the political organization entirely. Hampton, Florida, has 477 inhabitants in its 1 square mile. It also has 1,260 feet of frontage on Route 301. It used this frontage to generate revenues through speeding tickets, bringing in more than US\$615,000 between 2010 and 2012. Nevertheless, the town operated a deficit (Alvarez, 2014; Martin, 2014). An audit by the state auditor general revealed widespread mismanagement, misappropriation of funds, and inattention to service provision (Martin, 2014). Widespread calls for the town’s forcible dissolution followed. The strength of municipal ties and of community may be seen in Hampton’s response: Within a month of the audit and calls for investigations and dissolutions, residents had developed a plan to save their town and convinced state legislators not to move forward with forcible dissolution (O’Neill, 2014).

Taxation

This topic covers tax reform as well as a perceived need to either shrink government or make it more efficient. As Anderson (2012) noted, anti-tax sentiment is stronger in municipalities with high tax rates relative to surrounding areas, or in places where services are seen to duplicate effective county government (p. 141). Anti-tax activism has also sparked local ballot initiatives,

as have calls for modernization and improving efficiency with concomitant tax reform. However, these four rationales make up a relatively small proportion of municipal dissolution cases.

Decline (Budgetary)

The major theme behind dissolution efforts is “economic decline and budgetary collapse” along with an accompanying loss of population (Anderson, 2012, p. 138). Darbydale, Ohio, dissolved in 1986 due to an eroded tax base. Originally an incorporated seasonal resort, it became a year-round commuter municipality as Columbus expanded. This shift strained the capacity of the community’s infrastructure, as sewers and roads were not built to accommodate expanded levels of continuous use. With a population of 825, major infrastructure upgrades were not feasible. Reverting to unincorporated territory facilitated county provision of some services, promoting efficiency and easing the financial burden on the community (Lucchino, 1994, pp. 12-13). Similarly, Cabazon, California, disincorporated in 1972 when it became clear that the community of 613 residents would never grow to a size that could sustain public services (Lucchino, p. 13). Curiously, “no state has a statutory mandate of dissolution in the face of financial peril” (Anderson, 2012, p. 117). The impending financial collapse of a municipality may be predicted, but cannot be prevented from the outside by dissolution before the crisis breaks. Few states mandate that counties (most often the body into which a municipality dissolves) have a role in the discussion or process of dissolution. Few states require that the planning and process of dissolution include mechanisms for dealing with municipal debts, obligations, assets, and contracts (Anderson, 2012, pp. 116-118).

Decline (Population)

Although economic collapse and the inability to provide services, maintain infrastructure, or meet its obligations may ultimately lead to a municipality failing, it is not de facto a reason for dissolution. Population loss, which may accompany or precipitate economic decline, is used as a prompt for dissolution (Anderson, 2012, p. 117). Several states permit *voluntary* dissolution only for small municipalities. Where these caps exist, they tend to be quite low. For example, Alabama caps voluntary dissolution at 1,100 or fewer residents (AL Code § 11-41-20); Mississippi at 1,000 (MI Code § 21-1-53); but South Dakota sets their cap at 250 or fewer residents (SD Code § 9-6-1). In other states, similar population thresholds trigger *involuntary* dissolution. Again, these limits are often quite low, ranging from 1,100 (Alabama) down

to 50 residents (Mississippi and South Carolina). Of course, for states where dissolution is not possible, there is no practical way to deal with empty or near-empty municipalities. The weight of more prosaic losses of population lies heavier on counties and surrounding governments. In 1994, more than half of Allegheny County's (Pennsylvania) municipalities had fewer than 4,800 residents, with more than half of these at less than 2,500 residents while 5 had populations under 500 (Lucchino, 1994). These small municipalities place considerable strain on the resources of the surrounding county.

Municipal Dissolution as a Strategy for Good Governance

The dissolution of troubled municipalities—whether suffering from low population, corruption, financial insolvency, or the inability to provide services—should be seen as a governance choice with implications for the municipality as well as for the surrounding areas. Municipal dissolution disbands a city or town as a corporate entity, removing only government from the equation. Local government may be dissolved, assets disbursed, and records removed, but the place and people remain. Dissolving a troubled city removes the city, but may not remove the trouble. Instead, dissolving may frequently be more accurately seen as “up-volving,” as municipal territory, assets, and obligations are assumed by the county. Counties are inherently stable: “All land in the United States is located within a county . . . county boundaries are virtually indelible—only in the rarest circumstances are new counties created, old ones destroyed, or borders moved” (Anderson, 2012, p. 157). Geographic stability leads to the perception of governmental stability. Lucchino (1994) noted a common thread observed in dissolution cases: “When local government is unable to provide services due to economic pressure coupled with ineffective government, citizens run to the county for assistance. In return, county government is able to supply improved services to the unincorporated area” (p. iv). Dissolution increases the burden on counties, expanding the territory and population for which a county is responsible. Lucchino’s optimism is grounded in the context of Allegheny County, which has a large percentage of small and fiscally distressed municipalities. In many instances, the county is already supplementing or subsidizing municipal services that cannot be adequately provided at the local level. Small and fiscally stressed municipalities are often able to provide fewer services; doing so imposes a higher burden. In Pennsylvania, the most distressed municipalities devoted 92% of their resources to providing core services (police, public works and administration), whereas the least distressed communities spent 75% of their resources on the same services (Lucchino, 1994, pp. 16-17).

This comparison masks the impact of resource allocation. In real dollars, per-capita spending on police services in non-stressed municipalities grew by 23% whereas spending in distressed municipalities shrank by 20% (Lucchino, 1994, pp. 18-21). So, distressed municipalities spend less but feel the impact more strongly.

In situations such as Allegheny County, economies of scale may allow counties to provide services more efficiently. Dissolving the five most distressed municipalities in that county would only add 2% to the county's governed population (Bureau of the Census, 2010). This is a circumstance where, as Lucchino argues, counties may be able to more efficiently deliver services with little overall impact. In contrast, the anticipation of the increased service and financial burden placed on the county was a major source of concern for Solano County when Vallejo, California, explored dissolution. The impact of an additional 116,000 residents of Vallejo being added to the unincorporated county population less than one fifth its size would have fundamentally altered the finances and service capability of the county. The efficient and equitable delivery of services and distribution of resources are a central concern for dissolution.

In the wake of fiscal distress and an environment of corruption, a successful grassroots campaign was launched in 1996 to put a dissolution referendum on the ballot for the city of Miami, Florida (Steinacker, 2001). Although the dissolution effort was framed in terms of reducing taxes and improving services, the campaign was revealed to be an attempt by wealthier communities to cut out poor neighborhoods and reserve tax payments for expenditures within their own community. To an extent, the dissolution referendum was the expression of dissatisfaction with local efficiencies, taxes, and resource allocations, as well as the preference for county government. However, it was also an attempt by wealthy neighborhoods to re-draw municipal boundaries along economic lines. Once dissolved, selected neighborhoods would then re-incorporate, excluding poor communities (Steinacker, 2001, pp. 104-105). This ploy failed as the underlying agenda became known and led to Florida's requirement that municipalities be "compact and contiguous" (FL Stat. § 165.061).

Done ethically, municipal dissolution can be an overt tool for re-structuring the landscape of local government and increasing efficiencies. New Jersey, for example, has 566 municipalities (Kocieniewski, 2009). That pales in comparison with New York State's total of 10,521 governments. As New York's attorney general, Andrew Cuomo noted that local government in the state was broken, characterizing it as a "ramshackle mess" (Office of the Attorney General, n.d.). Efforts to consolidate and simplify New York's local governments have focused on villages, a subdivision of towns in New York (New York State Department of State, 2009a). As towns are typically more

rural and smaller than cities, this means that it is the smaller, more local levels of government that are the most fragmented. The duplication of services that follows has resulted, for example, in Westchester County having 40 school districts, 45 police chiefs, and 60 fire chiefs. The town of Greenburgh (total population: 88,400) has 6 villages and 11 separate school districts (Greenburgh, N.D.). As governor, Cuomo signed the Government Reorganization and Citizen Empowerment Act to remedy this situation. This law simplified the process of consolidating local governments. It facilitated public discussion of dissolution, lowering the signatures required for a dissolution petition from 1/3 to 10% of the electorate (New York State Conference of Mayors and Municipal Officials, 2010). The law requires a majority approval for dissolution; it also requires a formal dissolution plan (New York State Department of State, 2009b). New York also sponsored a grant program to fund dissolution plans, covering the procedural costs and supporting grassroots dissolution campaigns. Although the underlying causes—high property tax burdens, inefficient local governments, and redundant levels of local governments—have been acknowledged, the politics of addressing these problems, and of the Act and grant program, have been contentious. The Association of Towns for the State of New York strongly opposed the Act, arguing that expected reductions in taxes and increases in efficiencies would not result from the reduction of local governments (Haber, 2008). Grassroots proponents of the Act note that small governments are inherently resource-intensive. In Erie County, in Western New York, 9% of the population live in villages that supply a quarter of the county's politicians (Gaughan, 2008, pp. 7-8). Lucchino's solution for Allegheny County, Pennsylvania, was to up-volve local government services to the county level. Similarly, Gaughan has proposed that local government functions and services be carried out at a county or regional level. Village dissolution has had mixed results in New York: Following the passage of the 2010 Act, seven villages immediately called the question of dissolution. All seven proposals were rejected by voters following heated public debate characterized as a "suburban riot" (Gardner, 2010). Although there is a basic agreement that the costs and burdens of continuing to provide services at local levels for small municipalities must be addressed, the opposition to dissolution raises the question of what is lost when government leaves.

Conclusion: What Leaves When Government Is Taken Out?

A municipality is more than an instantiation of government. *Topos*, as used here, emphasizes the interrelation of people, place, and government. Place

unifies municipal community through common space and shared boundaries. Government provides a common framework for structuring communal behavior and advancing collective goods and goals. However, it is the people who embody community, binding a municipality together through their actions. Lacking place, there is no space in which a community can coalesce; without people, government is an empty concept, unable to implement policy or effect change in the lives of residents. When the onus of government is removed through municipal dissolution, people and place appear to remain; however, all elements are changed through the removal of government.

Reformers and proponents of regionalism argue that when the number of local governments shrinks, what is lost are layers of bureaucracy, inefficiencies, and higher service costs and tax burdens (Anderson, 2012; Lucchino, 1994). Opposition to municipal dissolution often focuses on other issues entirely. Social bonds are frequently at the heart of opposition to dissolution, framing the problem in human, rather than government service, terms. People fear not the loss of government, but the loss of community.

The dissolution of the Village of Seneca Falls into the surrounding Town of Seneca Falls was successful in part because it was touted as bringing not only reduced costs and improved services, but because it promised to increase Village resident participation in the governance of the Town by “eliminating an invisible boundary that divides the community” (Dissolution Study Committee, 2009). In this case, the Village itself was framed as an artificial and unneeded impediment to community. A sense of community led to the overwhelming failure of dissolution proposals in two other New York villages. As one opponent noted, “For all the problems . . . we have, with all the politicians, it wasn’t about that. It was about community” (Tan & Specht, 2010, para. 5). Another saw the dissolution proposal as an attempt to “mess with a way of life,” a sentiment echoed by a village deputy mayor: “We know what we have and we don’t want it to stop” (Tan & Specht, 2010, para. 36).

Centralia, Pennsylvania, was condemned by the state in 1992, yet people continue to live there. Local government also continues to exist: A borough council holds regular meetings, paying bills, and keeping the notion of community alive (Usalis, 2008; Wheary, 2011). Gaughan (2008) has argued that “a village is not a government . . . [but] . . . an idea, a sense of place, a community” (p. 8). This attitude captures the notion that social bonds are stronger at a small, local scale. Anderson (2012) noted that, for similar reasons, bonds between citizens and government may also be stronger at a small scale “because participation is better and government closer” (p. 153). Government may be tied to land and seen in the delivery of services and maintenance of infrastructure, but it is primarily about people. Thus, when a municipality is formally dissolved, community is also destroyed.

However, it may also be that dissolution can be a tool for creating community. This was the intent behind the attempted dissolution of Miami—to create a more “desirable” community—one structured along explicit socio-economic status lines. More commonly, this is also the intent behind the dissolutions and mergers proposed by Lucchino for Allegheny County as well as for those communities in New York State discussed above. In these cases, it may be that the municipalities no longer represent functional communities. As Lucchino (1994) noted, “76% of Allegheny County residents do not care who provides their local services if they are of the highest quality and provided at the lowest price” (p. iii). This echoes the County planning department’s report that the “fragmentation of the county into 130 municipal governments is ‘wasteful.’” Tellingly, the report also concludes that municipal lines no longer represent community, as they are “based on boundaries that long ago lost any meaning” (Vercellotti, 1991, p. C1).

Currently, municipal incorporation and dissolution laws are structured in terms of the elements of the framework described here: population, place, and government. Population levels are a frequent component of incorporation statutes and are one means of distinguishing classes of municipality. Place is included through stipulations that municipalities demonstrate a specified population volume per land area; and that they are formed of contiguous (or compact and contiguous) land. Government may be an assumed component, as in Pennsylvania and other states where no unincorporated territory is possible. The obverse may also be true, as in Alaska, where “a demonstrated need for city government” is a necessary precursor to incorporation (AK Stat. § 29.05.011). However, an integrated approach is not widely evident. It is assumed that, with the elements of people, place, and government established, a community will emerge and prosper. Yet, as examples of shrinking, fiscally distressed, and bankrupt cities show, this is not a natural consequence.

Municipal dissolution removes the formal structure of government from a community. In doing so, it affects that community in ways that are not acknowledged in the processes of dissolution, and have not been studied in sufficient depth. The framework presented here holds that government is not imposed on a community, but comprises an integral part of a community’s identity; that local government provides more than infrastructure and services—that, in connecting a group of people together in a set place, it provides structure around which a community can prosper. Dissolving municipal government should not, in and of itself, be expected to restore either people or place.

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Notes

1. The U.S. Navy withdrew from Vieques in 2003, following decades of resistance and confrontation. Former Navy lands have largely been designated a National Wildlife Refuge; access to a significant portion of these lands is restricted as environmental clean-up operations are ongoing. The Army installation at Kwajalein Atoll is downsizing, although the Army has stated its intentions to remain at the facility (Rowa, 2007).
2. The Honorable Frank J. Lucchino served as Allegheny County controller from 1980 to 2000. He was a vocal proponent of the impact that depopulation and shrinking municipalities have on the surrounding county as well as on residents' quality of life, and advocated for reform of state laws to allow for voluntary disincorporation as a tool of good governance. His report on the potential benefits of disincorporation for Allegheny County residents continues to be discussed as a strategy for revitalizing the county and region.
3. Far more controversial, and less common, are state-initiated involuntary dissolutions. Typically reserved for cases of corruption or chronic mismanagement, this power falls under a state's power to terminate its subdivisions and is a matter of the state directly imposing its will on the citizens of a municipality.
4. Pennsylvania is one such state; Centralia, discussed above, frames the obligations of government to place in stark terms.

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