

Dispelling the Myth of Home Rule

Local Power in Greater Boston

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Publisher's Note

Dispelling the Myth of Home Rule: Local Power in Greater Boston, by David Barron, Gerald Frug, and Rick Su, is the third volume in the Governing Greater Boston Series published by the Rappaport Institute for Greater Boston at Harvard University's John F. Kennedy School of Government.

The first two editions of the Governing Greater Boston Series explored a wide range of policy and governance challenges facing the region. The thinking behind these editions was simple: Before informed discussions of public policy could take place, Greater Boston's "attentive publics"—scholars, public officials, stakeholder organizations, journalists, and ordinary citizens—needed a good survey of issues, actors, and options in each policy area. Too often, policy discussions focus on one or two aspects of an issue without an adequate understanding of the larger context.

The 2002 edition, *Governing Greater Boston: The Politics and Policy of Place*, offers overviews and analyses of regionalism, the environment, transportation, housing, and planning. The 2003 edition, *Governing Greater Boston: Meeting the Needs of the Region's People*, offers overviews and analyses of governance in the state and region, civic leadership, the changing demographics of the region, family policy, education, health care, and finance and management issues in state and local government. All of the chapters from these collections are available at www.ksg.harvard.edu/rappaport/research/GGB.htm.

After releasing the first two editions of the series, the Rappaport Institute shifted its focus from broad overviews toward detailed analyses of "leverage" issues of policy and governance. Home rule provided an ideal topic for this sharper, more analytic approach to understanding governance.

Home rule lurks behind every important concern of Greater Boston. A local government's policies and practices on a wide variety of issues—finance and management, land use (including the affordable housing crisis), and education—depend on how much authority that local government enjoys. Massachusetts provides localities with home rule authority for a wide range of legal and policy matters. But contrary to the myth of home rule, local authority is restricted. Localities have little discretion over taxes, fees, and borrowing. The state government imposes a number of unfunded mandates—requirements for local policy without the necessary financial resources. Cities and towns also have fragmented control over their public schools, an issue of central and immediate importance to all communities. When state and local statutes conflict, localities are subject to the state laws, even when the locality is operating within the bounds of its home rule powers. On a broad range of issues, localities must seek

passage of home rule petitions in the state legislature, a political process that gives vast powers to representatives of other communities and that can go awry for trivial reasons.

The confusion and myths about home rule have great consequences for localities and for the larger region. The consequences can be counterintuitive. Because cities and towns lack adequate control over their own affairs, they often resist efforts to bring them into larger regional strategies for housing, transportation, the environment, and other matters that have a regional scope. Localities often lack the wherewithal to deal with many pressing concerns but resist becoming part of a process that might offer a framework for dealing with those issues. One might call this stance “defensive localism.”

As Barron, Frug, and Su point out, one way to open up the possibilities for regional policy is to take the local desire for home rule more seriously, but in a way that would encourage greater regional cooperation. By giving cities and towns greater capacity, in some cases as a carrot for working together, local governments will not only be able to solve more local problems locally, but also be better able to join with neighboring communities on issues of mutual concern.

The last time that the Commonwealth of Massachusetts undertook a wholesale reconsideration of state and local powers was in the 1960s, when the state passed the home rule amendment.

The Rappaport Institute, in conjunction with Frug and Barron, are producing a more detailed study of local political authority in the City of Boston. That study, funded with a generous grant from The Boston Foundation, will provide a detailed analysis of Boston’s unique home rule status. The study will not only analyze home rule in Boston, but will also provide detailed comparisons with other major American cities: Atlanta, Chicago, Denver, New York, San Francisco, and Seattle.

The time may have come for a broad reconsideration of local authority in Massachusetts. The Rappaport Institute’s job is to raise issues, not settle them. We hope and expect this volume to reinvigorate the political, legal, and civic dialogue on what might be the most fundamental issue in state and local government.

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