Making Do: How Cities Pursue Progressive Sustainability Solutions in Light of Empowering or Constraining State Contexts

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Abstract

If scholarship is to describe how and under what circumstances cities can function as policy entrepreneurs of sustainability, it must give adequate attention to a key component of cities' institutional environment: state context. While some states are friendlier to the prospect of cities taking the lead on innovative policies, other states attempt to temper city leadership. Although recent research about urban policy and law has focused on explaining the rise of state preemption, this work lacks a comprehensive view on the role of state-level factors—including legal, political, and ideological factors—that contribute to the broader phenomenon of limits on local autonomy. Two case studies of proposed local plastic bag ordinances are examined: Chicago, whose ordinance succeeded, and Tempe, whose ordinance failed due to state intervention. Situating these cases within their disparate state-level policymaking environments and drawing on qualitative interviews with lawmakers and activists, I analyze conditions on both the state and the local levels for each of these cases. I find that the following conditions related to city-state relationships significantly influence local innovative potential: relative degree of legal autonomy versus legal dependence; relative degree of political facility versus political susceptibility; and relative degree of ideological alignment versus ideological conflict. Using these findings, I develop a theoretical framework for understanding the state-level conditions that empower local policy innovation versus those that limit it. I conclude by discussing the extent to which these findings can be generalized to describe other power disputes among states and cities.

I.   Introduction

In the debate about how to make progress towards sustainability, urban scholars have touted the importance of cities and municipal governments as hubs for both technical and policy innovation (Bulkeley and Broto 2013; Bulkeley et al. 2016). While some cities have become leaders in sustainability, taking on novel projects and developing advanced solutions to complex environmental problems, others have strayed farther behind. In untangling the complex explanations for how and why this inter-city variability exists, this study seeks to explore one dimension that accounts for variation among cities: state-level context.

The role of cities has been of increasing interest to scholars as many urban governments have taken the lead on responding to issues of environmental sustainability and climate (Elmqvist 2013, Vojnovic 2014, Weinstein and Turner 2012). In the absence of action at higher levels of governance, many cities have proven to be pioneering and impactful actors in the space of environmental sustainability governance. While this progress is initially localized, it can nonetheless be exceptionally influential to the extent that it influences or inspires action in other places or at higher governance levels through diffusion or upscaling, respectively (Creutzig et al. 2020, Bulkeley et al. 2016). Hence, one potential pathway towards enabling global sustainability transformations involves first empowering cities to be experimental or innovative in their sustainability governance. However, for many cities, this is easier said than done. To respond effectively to the challenge of sustainability governance, cities must face appropriate conditions to allow for urban transformation (Wolfram 2016). One key element of urban transformative capacity is innovation embedding, whereby cities are empowered to generate creative policy solutions by having barriers to innovation removed (Wolfram 2016). As a crucial component of

cities' institutional context, state governments have significant capacity to impose or to mitigate barriers to urban innovation, which includes urban sustainability. While much scholarship has been dedicated to assessing the dynamics and the transformative potential of urban sustainability governance writ large, less attention has been paid to the context-specific barriers faced by different cities depending on their unique institutional environment; specifically, disparate state-level contexts in part help to explain disparate levels of institutional barriers faced by cities as they pursue sustainability (Gonzalez and Brandtner 2022). Thus, to address this research gap, I explore how state context influences cities' ability and propensity to pass innovative policies related to environmental sustainability. Importantly, in doing so, I consider the disparate barriers faced by cities according to their disparate state contexts. While it is beyond the scope of this project to assess the suitability of addressing climate and sustainability issues through local governance measures, I rather seek to explain variability among local governments in how they are confronting these issues. Still, the stakes are high; if cities are to be pioneers for a global sustainability transformation, institutional barriers on the state-level must be identified and alleviated.

In approaching my analysis, I apply a three-pronged conceptual approach. This structure comprises three categories of state-level conditions that each affect the extent and kind of policy innovation pursued by municipal governments. These categories are the following: legal, political, and ideological. I use this conceptual approach to analyze the policymaking environment of the state, including state legislatures and state-level legal structures. However, I go beyond an analysis of nominal legal relationships between cities and states. In examining the state-level policymaking environment, I also interrogate the less institutionalized political and

ideological factors at play. Thus, investigating the state policy environment through the robust, three-pronged conceptual approach described above allows for a more comprehensive understanding of state context and its influence on local action.

I frame my analysis using case studies of two cities in the United States, both of which considered similar regulations (i.e. bans and/or taxes) on the sale of plastic bags. Plastic bag regulations have become an increasingly popular mechanism for reducing plastic waste in the 21st century, with the first plastic bag ban in the United States being introduced in San Francisco in 2007, though other governments across the world had implemented measures as early as 1991. Between 2015 and 2016, proposed regulations of plastic bags picked up speed in U.S. localities, with several local governments proposing and passing bans, taxes, or both (Xanthos and Walker 2017). The case studies I have chosen are two proposed plastic bag regulations from around this time. They are examples drawn from Chicago, Illinois and from Tempe, Arizona, respectively. Whereas Chicago's ordinance passed, Tempe's proposed ordinance faced significant backlash from state actors and others, ultimately leading to its political failure.

Using data from 12 qualitative, in-depth interviews, I identify the specific state-level conditions in each category that effectively empower or limit urban transformative capacity. Specifically, I find that the following state-level conditions significantly influence cities' innovative policy potential: relative degree of legal autonomy versus legal dependence; relative degree of political facility versus political susceptibility; and relative degree of ideological alignment versus ideological conflict. Ultimately, I aim to draw out generalizations that can better equip scholars and sustainability advocates to 1) contextualize cities' sustainability efforts within the state, 2) understand the ways in which local approaches are appropriate or not in light

of this state-level context, and 3) generate context-sensitive recommendations for cities to successfully enact sustainability policy. These findings contribute to a scholarly understanding of the institutional barriers faced by local governments, especially barriers related to enacting sustainability policy. More broadly, the long-term goal of crystallizing an understanding of such barriers is to facilitate their mitigation and thus to empower local policy innovations.

The remainder of this paper proceeds as follows: I begin with a section on background and contextual information, in which I give policy context for Chicago and Tempe as well as a brief account of the history of plastic bag regulation in the United States. Next is my literature review, where I discuss the current state of research related to local policy innovation and the role of cities in addressing environmental issues. Then, I present my data and methodology, including the conceptual approach that I use to structure my analysis. Subsequently is my data analysis, in which I present the findings from my research in detail. Finally, my conclusion summarizes findings, discusses limitations to my work, and postulates the applicability of my work in future research.

II.   Background on Bag Taxes in Chicago and Tempe

Disposable bag regulation refers to policy that either bans or taxes plastic bags, paper bags, or both. While the precise terms and makeup of policies that regulate disposable bags can vary significantly, the primary motivation for regulating disposable bags is to reduce waste and pollution into the environment, especially pollution of plastics and microplastics. As of March 2023, over 150 bag ordinances were in place in 24 states in the United States, with a state-wide regulation already in place in California and another pending in Massachusetts ("National List of

Local Plastic Bag Ordinances"). Based on the landscape of plastic bag ordinances in the United States, cities and local governments are clearly leading the way (Romer 2019). Further, in some states such as California and Massachusetts, these policies have successfully scaled up into state-wide action. But how did cities come to operate in this specific policy niche? To answer this question, we must examine how the role of cities in the governance of environmental sustainability has evolved.

The first local bag regulation in the United States was in San Francisco in 2007, which banned the sale of non-compostable, plastic checkout bags in supermarket and pharmacy chains (City and County of San Francisco, 2007). From the perspective of local governments, banning plastic bags presents an accessible way to act on environmental sustainability, specifically on plastic pollution, due to legal jurisdictional precedent that gives local governments the authority to regulate waste management. Moreover, bag regulations represent a new solution to an old problem; while the issue of plastic pollution is by no means new, bag regulations represent an opportunity for cities to engage in *policy innovation*. Seeing the opportunity to innovate, many United States cities proposed and/or adopted similar regulations on plastic bags over the subsequent decade, following San Francisco's lead (Xanthos and Walker 2017).

Adoption rates for local bag ordinances were especially high between 2014 and 2016 (Xanthos and Walker 2017); the specific timing of this string of bag ordinances can be attributed to two factors, namely 1) mounting discourse regarding climate change and environmental governance among international and national NGOs and government bodies between 2013 and 2015, and 2) the delegation of this policy responsibility to local governments. The first point is demonstrated by the adoption of the United Nations Sustainable Development Goals as well as the Paris Accords, both in 2015. International policy discussions began centering climate

governance, as policy actors at all levels simultaneously sought ways to take action. The second point, moreover, is evident from NGO efforts to highlight *cities'* role in environmental governance. For instance, The Rockefeller Foundation launched the 100 Resilient Cities Program in 2013, which provided cities with necessary resources for developing climate resilience strategies and infrastructure. Alongside similar efforts from other national and international NGOs, 100RC encouraged and empowered many cities to 'step up to the plate' to address climate change and environmental sustainability ("100 Resilient Cities"). Thus, these programs turned *environmental* problems into distinctly *urban* problems too, as they delegated the task of designing and implementing environmental solutions specifically to urban local institutions. Given this context, we can better understand why so many cities passed bag regulations in the policy window between 2014 and 2016.

For the purposes of my research, I examine case studies of plastic bag regulation in order to derive broader insights about innovative and transformative policy through the lens of local action. In choosing case studies, I explicitly looked for localities in which bag regulations had disparate policy outcomes; Chicago was selected because its bag regulation was successful, and Tempe was selected because its bag regulation was unsuccessful, and moreover because its reasons for political failure were tied to state-level policymaking context.

In the city of Chicago, in 2015, a municipal ordinance placed a ban on single-use plastic bags. However, after just a few months, the city realized that this ban had unintended consequences: since it only applied to thin, plastic bags, retailers were circumventing the intention of the ordinance by distributing thicker, supposedly reusable plastic bags or paper bags, which were not subject to the ban. In 2016, the ordinance was repealed and in 2017, the city instead imposed a fee-per-bag that applied to all checkout bags.

In the same year as Chicago's original ordinance, 2015, a similar restriction that both banned the use of plastic bags and imposed a tax on paper bags in the city of Tempe has been proposed and was under consideration by the Tempe city council. At that time, Bisbee, another Arizona municipality, had already banned plastic bags and several other cities in the state were considering the same. Before any political or legislative progress was made in the city, however, the idea was swiftly preempted by the state, thereby preventing the possibility of legally passing such a restriction. I look to these case studies of sustainability policy success and failure to characterize how the success or failure of urban sustainability policies are impacted by disparate state contexts. In particular, I examine the legal, political, and ideological aspects of state conditions in search of an explanation for why these similar local policies met very different fates.

Given the current state of the literature on state context for local policy innovation, which is sparse, it is unclear just how representative this case study comparison is of the overall variability among state-level policymaking contexts and in state-city relationships; however, for the purposes of this study, this question of overall variability is out of scope. The variability of local policy outcomes in context (i.e. success versus failure of local policies) inherently indicates a substantial degree of variability among these state contexts. Regardless of state-level variability in general, the specific variation studied here is nonetheless sufficient to generate robust findings about the state conditions that cause it, which is the focus of this study.

III.   Literature Review

To explore the question of how state context impacts cities' ability and propensity to pass innovative sustainability policies, I turn to existing literatures on cities and climate change, the

innovative potential of local governments, and struggles over the balance of power in the context of environmental law. In my review of the literature, I find that scholarship has distinctly highlighted the prominence of cities and urban leadership innovation in various policy issues, such as public health, transportation, and, importantly, sustainability. However, not all cities have been able to innovate to the same extent. Despite many authors touting the potential of cities to serve as hotbeds for large-scale policy transformation, some cities have struggled to live up to this ideal due to a range of institutional barriers, some of which result from conditions at the state level. State-level barriers to urban innovation manifest themselves in many ways, from state preemption, where state law is passed that explicitly overrides local authority, to ideological norms and paradigms, which influence popular notions of the sociopolitically appropriate role for cities to play in a multi-scalar governance structure. In this section, I review existing scholarship on the following three topics: cities' role in governing environmental sustainability (specifically, variation among cities in their respective approaches to sustainability governance), the ways in which state-level policymaking environments vary, and the potential for local policy innovation given disparate state context. I then go on to situate my research intervention within existing scholarly work.

Cities as policy leaders and laggards

In the debate about how to make progress towards sustainability, urban scholars have touted the importance of municipal governments as hubs for both technical and policy innovation (Bulkeley and Broto 2013; Bulkeley et al. 2016). For the last two decades, scholarship has noted and sought to address the lack of leadership from global society and international organizations on key issues, including climate change. Some argue that due to the deficiencies of global-scale

organized action on such substantial and complex issues, local-level action might be the solution, allowing change to be generated from the bottom-up (Acuto 2013a). Policy experiments—that is, novel, untested, or relatively risky policy prospects—might be easier to implement on the local level as a test-run to test for efficacy and to refine policy details. As such, cities can function as useful arenas for testing out these experimental political solutions and demonstrating their efficacy. The concept of cities' functional advantage for political and democratic experimentation is not new; in fact, it has deep philosophical roots in the enlightenment vis-à-vis consent of the governed and social contract theory. Further, this idea has been elaborated specifically in the American context by Alexis de Tocqueville, who argued that local institutions embody the strength and freedom of a people (Tocqueville 2004), and U.S. Supreme Court Justice Louis Brandeis, who in 1932 declared that states and cities may act as 'laboratories of democracy' (New State Ice Co. v. Liebmann, 1932). But while the theory of governance from below has been operative in American politics for over two centuries, the role of the city has increased in prominence in recent years. Amid contemporary policy conditions, as described above, cities' propensity to take the lead on innovative and progressive policies has accelerated, representing a trend that began around the 1990s and early 2000s. For instance, cities have led the way on public health regulations of tobacco use and on initiatives to combat obesity (Goodman et al. 2021; Diller 2013). In the context of climate change and sustainability, moreover, it has become clear that cities have already been addressing vertical governance gaps over the last two decades by taking the lead on climate action (Bulkeley 2010; Fitzgerald 2020; Lee and Koski 2012; Broto 2017; Corfee-Morlot et al. 2009; Acuto 2013b). In addition, the propensity of cities to "step into the action vacuum left by higher levels of government" is more

pronounced for more liberal local governments in relatively conservative states (Brandtner et al. 2021: 1).

However, while some cities have become leaders in sustainability, taking on novel projects and developing advanced solutions to complex environmental problems, others have not. In the same book where she defines cities as climate pioneers or innovators, Bulkeley (2010) also defines the antithesis of climate leaders: climate laggards. These are cities that have struggled or failed to act successfully on climate and sustainability issues, regardless of whether or not they have tried to do so.

Plenty of existing scholarship focuses on how cities address sustainability from a local vantage point, taking into account the plurality of horizontal stakeholders at the local level as well as vertical stakeholders across a multi-level governance structure. Krause and Hawkins (2021) emphasize that because sustainability is such a complex and multi-dimensional issue, overlapping with so many functional areas of governance, it has caused cities to take on roles that are much more expansive than their traditional functions as local regulators and legislators. The nature of sustainability as an issue that is "simultaneously everyone's responsibility and no one's responsibility" creates the need for climate and sustainability solutions to integrate functional units across the city. Such integration is essential to generating truly comprehensive horizontal governance solutions (Krause and Hawkins 2021: 1, 187). Moreover, Nolon and Gavin (2013) optimistically suggest that a form of cooperative governance is favorable for environmental regulation, wherein states lead the way while recognizing cities' local interests by allowing them to pursue zoning, siting, and other localized policies. Certainly, to the extent that these forms of horizontal and vertical cooperation in governance are possible in cities and states, scholarship has underscored their effectiveness; however, more attention must be paid to the

diverse and various institutional barriers that local public actors face in attempting innovative solutions (Gonzalez and Brandtner 2022). To address this, I explore the state context and its role in constructing or eliminating barriers to local policy innovation in sustainability.

Understanding variability in state-level policymaking environments

In order to describe how and why cities do or do not engage in local policy innovation, we must understand variability in their state-level policymaking environments. The constitutional structure of different states may grant disparate levels of autonomy depending on whether they adhere to home rule doctrine or Dillon's rule doctrine (Weiland 2000). This has implications for what cities are legally able to accomplish without interference from the state. Where states do interfere, state action can prevent local officials from being able to address local concerns through policy. In a hostile state-level environment city officials have to be more cautious of their legal authority to regulate and of the costs associated with any attempted sustainability initiatives due to a lack of reliable support from the state; this downgrades localities from being makers of law to being mere influencers of law (Weiland 1999).

One very clear and explicit mechanism that shapes state-level policymaking environments and city-state relationships is state preemption, whereby states override local authority by passing policy that mandates or controls what cities can do politically. This can happen through state prohibition of certain local policies, the setting of minimum or maximum standards, or extensive state-level regulation of a policy issue such that the state 'occupies' a policy arena, leaving no room for local regulation. State preemption may also seek to control the design or structure of local democracy (e.g., council structure, districting and zoning plans), which may have significant implications for the core paradigms of equality and political participation

(Sellers and Scharff 2020). While some state preemption may stem from genuine disagreement over Constitutional authority, other evidence suggests that it is more often motivated by partisanship; in fact, one 2019 study found that political ideology was more predictive than institutional factors (such as legislative professionalism or Dillon's rule versus home rule) of which states were more or less prone to preempt local policy. Given this, we can understand the recent rise in state preemption as a function of political polarization (Fowler et al. 2019). More specifically, in many cases, the rise in state preemption is a reaction of conservative states to progressive policy coming out of ideologically liberal cities (Riverstone-Newell 2017). Thus, in some ways, it appears that heightened partisanship has transformed the issue of preemption from a strictly legal question of federalism and appropriate balancing of authority, into a political brawl between Democratic cities and Republican states. Moreover, partisanship divides between cities and states not only create antagonistic relationships between the two governance levels, but they also preclude urban innovation, thereby challenging one of the "central purported benefits of federalism" (Einstein and Glick, 2017: 615). In the context of environmental sustainability, this translates into political clashes, where local attempts at promoting sustainability are at odds with state attempts to instead prioritize economic growth and neoliberal policy. The priorities of conservatives are illustrated well by Hess et al. (2016), who demonstrate that renewable energy and energy efficiency policies are more successful in Republican states when they support businesses through tax cuts and development opportunities, but less successful when they place the financial burden of environmental sustainability on businesses and consumers. Liberal cities, however, are unlikely to support conservative-sounding economic policy; this very dynamic is the foundation for partisanship leading to preemption (Hess et al. 2016). While partisanship has been accepted as a primary reason for the recent rise in state preemption, this has not always

been so; Goodman et al. (2021) chart out four epochs of state preemption, in which the current epoch is characterized as a mélange of punitive and vacuum preemption, resulting from ideological tensions between states and cities. However, each epoch defined by Goodman et al. has different causes and contexts, not all of which are rooted in political ideology. State preemption might also be exacerbated by other factors unrelated to partisanship; for this reason, one must look beyond partisanship in order to fully understand how state context enables or constraints cities to act on sustainability.

Though preemption is a very visible and clear form of conflict between cities and states, other, more subtle dynamics, which have not received adequate attention from the existing literature on cities and climate change, may also play a role in creating favorable state conditions for innovation. These include administrative and bureaucratic barriers, such as the "structural and cultural features" of municipal governance organizations (De Vries et al 2015: 155), as well as barriers of political culture (McGovern 1997). In addition, practical features such as the funding schemes between states and cities are crucial to politically enabling localities. For instance, Scharff (2021) argues that states and federal governments must make investments in urban areas if cities are to take on complex governance challenges, as they have begun to do in recent years.

Local policy innovation in the context of the state

At the intersection of literatures on urban approaches to sustainability governance and variegated state-level influences on local policy there is a critical area for investigation. While local leadership on sustainability and climate action has generated plenty of attention from scholars and practitioners alike, it has also raised broader questions about the role of cities relative to other levels of government, especially the state. Environmental law has long been

fraught with a debate over centralization versus decentralization across levels of governance. In this debate, centralization may be preferable because it can grant policies greater capacity for change, greater uniformity for private actors, and it is also less constitutionally tenuous; however, decentralization allows for greater context specificity and the potential for local innovation (Weiland 2000). This puts states and cities at odds with each other, as states prioritize centralized environmental policy, while cities prioritize local values and pursue localized solutions, such as novel sustainability solutions. The debate over degree of centralization is further complicated by changing partisanship and political interests, and their impact on power balances among levels of governance (Peterson 2006). Taking into consideration these longstanding federalism debates alongside the variability in state-level policymaking environments, as described above, I consider how this has the potential to impact local policy innovation in the context of sustainability.

The issue of state preemption is also pertinent to determining how local governments operate within their respective state contexts. In the past, preemption has threatened local health-related policymaking across the United States, and this has further implications in areas such as minimum wages, paid family and sick leave, firearm safety, and nutrition policies (Pomeranz and Pertschuk 2017). In fact, preemption in the context of public health has been a salient topic that has generated attention from scholars seeking to find workarounds in the interest of promoting public health (Bare et al. 2019; Kang et al. 2020; Pertschuk et al. 2013).

However, despite the adverse effects that preemption has had in some policy areas, preemption itself is not an anti-environmental mechanism, especially when it is used to mandate minimums on environmental regulations, rather than maximums. Weiland (2000) lays out four models of how preemption can work. This framework clarifies how preemption might operate in

the context of environmental law. In general, preemption has the potential to yield either net

benefits or net detriments to the environment, and a preemption model that imposes uniform

minimum standards "would yield the greatest net benefits for the environment" (Weiland 2000:

238). Further, Weiland also warns of a potential race to the bottom in preemption models that

impose uniform maximum standards with no minimum floor (2000: 276). One hopeful analysis

provides an example of a 'floor-not-ceiling' preemption policy in which the state of

Pennsylvania imposed mandatory minimum standards on municipalities for the regulation of

green buildings, with limited exceptions; the author argues that regulation at the state level

through uniform minimum standards would permit both local innovation and adequate control at

the state-level, while avoiding the federalism concerns that may arise in policy centralization on

a national level (Shapiro 2009). Other examples of sustainability-forward preemption doctrines

have come in the form of minimum density regulation and the prohibition of single-family

zoning ("State Preemption of Local Zoning Laws as Intersectional Climate Policy" 2022).

Unfortunately, however, the likelihood of states working so methodically to empower urban

sustainability is low. State governments are often relatively less concerned than their constituent

cities about sustainability for its own sake; rather, they prioritize economic and fiscal issues

(Hess et al. 2016). This is to be expected, given the urban-rural political divide and the general

tendencies for state governments to be more politically conservative than local governments.

Instead of imposing pro-environment minimum standards, states are more prone to limit the

ways in which relatively more liberal cities can innovate with respect to environmental

regulations.

Literature from Riverstone-Newell (2017) and Goodman et al. (2021) has confirmed this in

more recent years, by synthesizing what Burger (2010) first began to note: extreme forms of

preemption such as ceiling preemption (imposes maximum standards), blanket preemption (freezes all local authority), and super-preemption (gives statutory standing for organizations to sue local governments over certain types of policies) have been on the rise in the last two decades, making it much more difficult for cities to confidently pursue innovative sustainability, especially in more restrictive state contexts. Scharff (2018) termed this new form of state preemption "hyper preemption," noting states' intention to slow local policymaking and limit local authority writ large. Burger (2010), however, argues that there is a Constitutional workaround for these restrictions; he argues that the Market Participant Exception provides cities with the right to compete against other cities in a 'free market' to attract residents, business, and capital investments. To do so, cities may choose to present themselves as more 'green' than other cities. While potentially promising, this Constitutional argument has yet to be tested in court, therefore it has not proven its ability to satisfactorily resolve power conflicts between state and city environmental regulations.

While some cities have managed to be unlikely pioneers despite state-level conditions (King and Dale 2016; Homsy 2018), deeper analysis is needed to understand the legal, political, and ideological factors that have enabled this. Without a comprehensive understanding of the many variable factors that enable local public innovation in sustainability (Moore 2005), cities may take uncoordinated approaches and thus struggle to reliably meet climate change and sustainability policy targets (van der Heijden 2021). Beyond state preemption and its partisan motives, existing literature has failed to adequately address the relationship between local policy innovation and state-level context by lacking a comprehensive framework for understanding state-city relationships. As such, this is what I seek to contribute to the literature. I do so by examining the various dimensions of state-level context, including the more subtle dynamics

alluded to above, to understand how cities operate within these disparate policymaking environments.

IV.   Data and Methodology

How did conditions on both the state and city level lead to disparities in ability and propensity to pass plastic bag ordinances in Chicago and Tempe, respectively? What generalizations can be drawn from these examples about the state-level conditions that caused this disparity?

To answer the above questions, I apply a conceptual logic in which I analyze three types of conditions at the state level to generate insights about the effects of these conditions at the local level. In other words, I use a three-pronged framework to break down state context, and I analyze findings about each of these three categories with the goal of understanding how cities operate in context. These three broad categories are legal, political, and ideological. The legal aspect refers to constitutional provisions, laws, and hard regulations that dictate the relative authority between cities and states. This can also be thought of as the 'on the books' relationships between cities and states. The political aspect refers to policymaking procedures, including debates among stakeholders and interest groups, as well as the inherent power dynamics at play. Finally, the ideological aspect refers to the social and cultural norms that define dominant decision-making paradigms about governance at both the local and state levels. I chose this specific conceptual framework because it is simultaneously mutually exclusive and collectively exhaustive. That is, the categories are wide-reaching enough to capture many, if not all, relevant conditions that could characterize policymaking conditions at the state level; however, the categories are not so

broad that they are vague or overlapping. As such, this logic is a suitable lens for structuring my analysis.

Methodologically, I utilize a qualitative analysis approach, analyzing 1) primary source legal and policy documents and 2) semi-structured qualitative interviews of relevant stakeholders from each of my case studies. Primary source analysis facilitates identification of the technical and structural mechanisms at play, such as the formal political and legal tools being used by state and local governments; moreover, qualitative interviews supplement this formal understanding by providing narrative accounts of the complex social and political nuances that characterize city-state relationships. Further, the use of two case studies in comparison allowed for narrow, in-depth analyses of two initially similar ordinances that were both introduced in the same year, but that met drastically different outcomes. Such analysis illuminates the nuances and subtleties within the governance processes and power mechanisms I seek to understand. The type of case study comparison I use is an easy test in that it is likely to support my argument that state context matters with respect to how cities approach sustainability. Because Tempe's dominant challenge was pushback and preemption from actors specifically at the state level, it is already quite clear that state context does matter. However, given that the primary goal of this study is to understand the *how* state context matters—and not *whether* it does or does not—this framework is nonetheless appropriate. In other words, the goal of my study is to characterize the state contexts in which innovative local policies are more or less likely to succeed, as opposed to creating a framework for predicting whether they will succeed or fail. Finally, although I do not attempt to make universal claims based on these two case studies alone, I extrapolate in my conclusion to draw out reasonable generalities based on the nature of the problems and questions at hand.

Data analysis proceeded as follows: I first grounded myself in the case study events by reading news articles and publicly available policy documents, such as the proposed ordinances and press releases, which were available via online government archives. I also read relevant sections of state codes and constitutions, such as state policies and constitutional provisions that explicitly mention local governments. From this, I was able to construct a generic understanding of nominal political and legal dynamics among the city- and state-levels in these two cases. Based on this understanding, I approached interviews with the goal of supplementing my formal policy knowledge with information about the informal processes and social dynamics that led to the ultimate outcomes. As such, I asked questions about the involved stakeholders, conflict and collaboration among actors, and cultural paradigms that shaped outcomes.

For the identification of prospective interviewees, I searched for specific individuals who were influential in advocating or opposing one or both ordinances. Importantly, I aimed to recruit interviewees who played diverse roles in the policy events in question. I spoke to political advocates, city sustainability administrators, and state representatives; many interviewees were proponents for plastic bag regulation; one was opposed and had lobbied against it. To identify these individuals, I looked at names mentioned in policies listed above, in addition to news articles, website archives, and other online materials. I also utilized snowball sampling to identify additional interviewees based on past interviews. I interviewed a total of 12 individuals, comprising five subjects for each policy event, and two background interviews with policy advocates from different national NGOs. This number of interviews was appropriate for the purposes of constructing a solid theory based on what I heard; in fact, according to Guest et al. (2006), 6-12 interviews is the optimal range for reaching data saturation, at which point one can be confident in emergent theoretical findings. The table below designates each of the

interviewees and their pertinent roles in the cases I discuss. I also assign a unique ID tag to each

interviewee, which I use to refer to interviewees in the data analysis section below.

CASE	ID	ROLE TYPE
ILLINOIS	I1	Former sustainability official at the City of Chicago
	I2	Sustainability policy advocate at state level
	I3	Sustainability policy advocate at state level
	I4	Former Illinois legislator in the IL House of Representatives
	I5	Current sustainability official at the City of Chicago
ARIZONA	A1	Former councilmember in the City of Tempe
	A2	Current sustainability official in the City of Tempe
	A3	Sustainability policy advocate at state/regional level
	A4	Progressive policy advocate (state level) for a national NGO
	A5	Current state legislator in the AZ Senate
BACKGROUND	B1	Plastic pollution policy advocate (state and local levels) for a national NGO
	B2	Pro-business policy advocate (who works with local governments) for a national NGO

During interviews, I gained a comprehensive understanding of the process of passing the

given legislation; the historical context for policies and why certain approaches were taken over

others; which stakeholders were engaged and why; what challenges were faced in the process of

passing or implementing the policies; and what parts of the process occurred more quickly or

more easily than others. For instance, I learned about the earlier drafts of each city's plastic bag

ordinance, where compromise occurred, and what worked or failed to work between the original

policy conception to the final product. Additionally, interviewees provided meaningful

perspective on the general nature of their relationships with other political and private actors at

local and state levels. The narrative nature of the data served to shed light on the complex

processes of proposing the ordinances, negotiating the policies, and managing stakeholders.

Further, this form of data collection provided a more nuanced understanding than what could be

gathered by document analysis alone.

While interviews were valuable sources of information about the city-state dynamics I sought

to understand, there are nonetheless some key limitations inherent in the interview process.

Despite my intentional outreach to many potential interviewees who represented vast ideological

and experiential diversity, those who responded tended to be more politically liberal, and were

almost always proponents of the ordinances in question and of local sustainability policy

autonomy more generally; as such, the self-selecting nature of the interview pool may lead to

sampling bias. Moreover, though I tried to remain neutral during interviews to avoid influencing

interviewee responses, interviewees' interpretations of my opinions and biases may have

influenced how they responded to questions.

Interviews were semi-structured, guided by a general interview protocol to facilitate

consistent data collection, while allowing for diversions based on interviewee responses. I chose

to use a consistent interview framework, so I could generate reasonably consistent data that

would be comparable in a case study context. Below is the general interview protocol that

provided the basic framework for each of my interviews:

#	QUESTION
1	Tell me a bit about your role generally during the time of this policy event.
2	What was your role in supporting, opposing, or otherwise engaging in this policy event? a. How much power did you feel you had in this event? How did or didn't you leverage this power? Why?
3	What were your biggest challenges? Why? a. Who did you feel were your biggest opponents in this policy event? Why?

	b. How did these conflicts begin? How did they play out? Why did things happen the way that they did? (Could they have gone differently? Under what circumstances?)

4	What were your biggest wins? Why?
	    a. Who were your biggest supporters? Why?
	    b. How did these relationships begin? How did they play out / How did they support you? Why did things happen the way that they did?
	    c. Could they have done differently? Under what circumstances?

5	To what extent did you feel that [you / your organization / your office / your administration / your department] could work autonomously on this policy?
6	Speaking generally, how do you think governance should play out when there are conflicts between the city and the state? Why?
7	To what extent do you think that these issues are specific to plastic bag or sustainability policies? Why?

Interview transcripts were analyzed using a grounded theory approach conducted in Microsoft Word. Grounded theory is premised on inductive reasoning, which allows for themes and concepts to emerge organically from the data, rather than attempting an explicit test of discrete hypotheses. Through an open coding process, I labelled, or 'tagged,' excerpts from interview transcripts with concepts and topics that interviewees brought up. This approach, open coding with grounded theory, has proven useful to avoid potential qualitative methodological bias compared to other deductive methods. There is strong precedent for using this approach with several different types of materials (Corbin and Strauss 2014). Further, the grounded theory approach is highly suited to developing theories and hypothesis from source data (Glaser and Strauss, 1967; Charmaz 2006). Thus, utilizing a multi-level coding process, I assigned first-order codes, or 'tags', based on direct themes emerging from the content, through the lens of my three-pronged conceptual logic. From this initial tagging process, using the tags that were dispersed throughout the interview text, I aggregated segments of text with the same tag and assigned second-order codes to aggregate them into broader, conceptual categories. Finally, I further

aggregated second order concepts into third-order concepts that highlight links between these conceptual themes and to existing theoretical concepts in the literature. This highest level of aggregation also provided a solid structure for my theoretical argument. Thus, a three-tiered coding structure, shown below, emerged. The boxes shaded in blue correspond to themes emerging from Chicago interviewees, and boxes shaded in green correspond to themes emerging from Tempe interviewees.

Table 1. Coding scheme that emerged in data analysis.

FIRST-ORDER CODES	SECOND-ORDER CODES	THIRD-ORDER CODES
Home rule relationship grants autonomy	Legal autonomy	Empowering contextual aspects
City as a priority for state policymaking		
Exempting city from state laws		
Local inclination towards independence	High local political facility	
State willingness to support local autonomy		
City's financial capacity		
Liberal state politics	Ideological alignment	
Goal alignment between city and state		
Cities rely on state for crucial funding	Legal dependence	Constraining contextual aspects
States overriding cities and taking the lead		
Council-manager structure	Local political susceptibility	
Priorities of local officials		
Priority to business interest		
State hostility and partisanship	Ideological conflict	
Conflicting ideas about the role of the city		
Desire to innovate	Eager to lead	Empowered local approaches
Peer city comparison		
Potential to influence other cities	Scaling up and out	
Encouraging state to take action		
Lower susceptibility to anti-environment rhetoric	Progressive social and environmental paradigms	
Balanced local prioritization framework		
Coalition building	Soft power building	Constrained local approaches
Non-regulatory initiatives		
Working with state politicians	Creative workarounds	
Third party influence		
Hesitancy to challenge legal authority	Risk aversion	
Hesitancy to pursue restrictive policy		

V.   Data Analysis

By comparing the two case studies in these two vastly different cities, I construct a picture of how the city-state relationships each function—in particular, I illuminate how the respective cities and states collaborate, conflict, or coexist with one another. Importantly, I find that there were key differences in how the state and city governments in my case studies interacted with one another along each of the three dimensions—legal, political, and ideological—that I used to structure my analysis. My findings in Illinois were characterized by *empowering* contextual aspects, while my findings in Arizona were characterized by *constraining* contextual aspects. Beyond this, I analyzed local conditions for Chicago and Tempe, in order to explicate the differences between Chicago's *empowered* sustainability approaches and Tempe's *constrained* sustainability approaches. While my data is not expansive or general enough to tell the story for the interactions between city and state for any type of policy writ-large, the dynamics I describe were certainly at play for the specific policy events on which my research is narrowly focused, which are plastic bag regulations. Nonetheless, interviewees frequently raised examples of how these same dynamics are visible and can be applied in other instances of policy dynamics between the city and the state; as such, it is also true that these dynamics are not limited to the examples I am studying. In this section, I recount the results of my analysis, first describing the state-level policymaking environments in Illinois and then in Arizona; I then describe how Chicago and Tempe, respectively, pursue sustainability in light of their respective state-level policymaking environments.

Empowering contextual aspects: Chicago's state-level policymaking environment

Legal autonomy

In Illinois, the legal relationship between the state and the city can be characterized as one of independence. Chicago, in addition to several other cities in Illinois enjoy well-established and constitutionally enshrined home rule provisions. That is, these Illinois cities are automatically entitled to create their own ordinances, such as the checkout bag ordinance, without input from the state, once they reach this population threshold. Due to this guaranteed autonomy, the city is immune to state-level policies that conflict with local ordinances; in effect, they have the legal leeway to concern themselves less with potential state-city discords. Moreover, there are no financial mechanisms that create dependence between the city and the state, seeing as the city legally and constitutionally has free reign over municipal budgets and related financial matters. As one interviewee said, "Communities have just a whole lot more flexibility in the way they raise revenues and the way they pay off debts, all those kinds of things" (Interviewee I4). Additionally, the sentiments of a sustainability officer at the city-level reflect this sentiment of autonomy from the state as well, stating:

> We [the city's sustainability personnel] don't need to coordinate with anybody at the state necessarily, although we do because we want there to be continuity in our relationships, and we want to make sure that they're aware of what we're doing (Interviewee I5).

While the city feels capable of and empowered to make its own policy decisions related to sustainability, it nonetheless maintains communication with the state in order to foster a collaborative relationship.

The state, in turn, treats the city with a similar respect, demonstrating a willingness to prioritize the city's needs in state policymaking. A state legislator from Illinois told me that

> There's generally a willingness on the part of the state to be responsive to city needs. As I say I've never known a governor who has not understood that the city is the economic engine that drives the state. So at the end of the day, there's usually are some kind of parity for the needs of the city of Chicago (Interviewee I4).

Even if the goals of Chicago and Illinois are not aligned, the state's reliance on Chicago as a 'big fish' city manifests in many ways. Chicago is the population, economic, civic, and cultural heart of the state. As such, the state has no choice but to remain highly responsive to the needs of such a significant stakeholder. They also give other municipalities consideration, by granting notable credence to the Illinois Municipal League as well as to individual city interests. Put simply, the state wants cities to succeed, and it attempts to do as much as it can by facilitating their political success. Sentiments at the state level indicate that local policy innovation is positive and that it can generate numerous benefits, including novel ideas for sustainability solutions.

As part of Illinois's considerations for city needs, they frequently opt to exempt Chicago from state policy—this is one clear way that Chicago gets special treatment compared to the rest of the state. This is done in an attempt to appease the city and to enable it to move in its own innovative policy directions without being held back by policies or legal structures at the state level. One interviewee said "there's always a sense that Chicago gets away with murder. And that's partly because Chicago's home rule. And it's partly because in a lot of arenas Chicago is exempt on legislation that gets passed, often Chicago is not included" (Interviewee I4). Therefore, given that Chicago is so often exempt from state policy, it often does not experience state contextual conditions in the same way that another city in Illinois or in another state might. In many respects, Chicago is given substantial credence to be independent from the state.

High local political facility

Chicago's independence from the Illinois context, however, is not given for nothing. The city fights hard to demand and to maintain its independence because it wants to stand out on national and global scales without interference from the state. Chicago is such a significant fixture in Illinois that it is virtually impossible for organizations and individuals not to engage with Chicago if they wish to engage with the state of Illinois. For instance, many advocacy organizations have offices both in Springfield and in Chicago, due to Chicago's political and cultural dominance. Because Chicago is a consolidated force of power and influence in the state, it cannot be overlooked. Interviewees discussed the way that Chicago is seen by the general population as an important national hub: "when President Biden or Vice President Harris fly to Illinois, they go to Chicago" (Interviewee I3). Other Illinois cities cannot claim this same status. One interviewee discussed the ways that Chicago's elite national status makes some city officials cocky, as they might come to believe that they do not have to play by the rules of the state. As one Chicago official put rather eloquently, "from the standpoint of Chicago, if you're not f***ing with us, I don't care" (Interviewee I1). That is, as long as the state stays out of the city's way and allows Chicago to do what it wants politically to maintain its status, the city-state relationship remains positive, though perhaps distant. Chicago wishes to operate independent of restrictions or input from the state; however, if the state were to try to challenge Chicago's political independence, significant problems would surely ensue.

Luckily, the state is quite willing to promote local autonomy, not just by considering Chicago's needs and exempting Chicago from state policies, but also in the way that they frame policy discussions about Chicago. From the perspective of the state, "Chicago is its own beast, in

a lot of ways" (Interviewee I3). Those working at the state level recognize that due to its immense size and the dominance it holds compared to the rest of the state, Chicago has its own distinct set of needs that it needs to pursue without state intervention. One Chicago official shared a perspective on this: "we are the population, economic, political hub of the entire state, and we disproportionately control a lot of things here in the region. I mean, it's just the way the cookie crumbles demographically" (Interviewee I5). Thus, the city recognizes its own primacy and dominance not only within the state but also within the region; as such, they are aware that their needs and priorities supersede the capacity of state-level institutions, which drives them to pursue transformative policies from the local level, as opposed to engaging with the state.

Importantly, state actors also recognize that "the state needs the city in a couple of ways" (Interviewee I2), especially in terms of the financial capital that Chicago provides:

> In my experience, including experience working with many Republican governors, the people at the top understand that Chicago was a critical economic engine for the state, and that it is foolish to think that the state would do well without it (Interviewee I4).

Therefore, those at the state level are amenable to leaving Chicago alone and unrestricted. Instead, priority for state officials is maintaining the financial relationship with Chicago. This dynamic reflects an exchange between city and state: Chicago's share of state tax contributes significantly to state policy budgets, and in return, the state offers the city political leniency and independence: "if it's not being controlled by state regulation, and it's not written in state law, that's an opening for local governments to get involved" (Interviewee I3).

Ideological alignment

The relationship between Chicago and Illinois is also benefitted by the fact that both are overwhelmingly politically liberal. Given this political alignment, they are relatively well-

positioned to agree on many policy issues, and to work towards similar goals. Because they are not held back by partisan or ideological conflict, the city-state relationship is a healthy one in which they can collaborate, share findings, and help each other overcome problems. Such a relationship can also help the state and the city to collaboratively identify to policy areas to which each of them are best suited. They can operate in this way because they share a mutual set of political values and normative beliefs about what they should be working towards and how. A Chicago official stated that "this is the beauty of having a good relationship with your state government. You can share ideas and model code and legislation back and forth and create harmonious kind of policy environments that are achieving similar objectives" (Interviewee I5).

Constraining contextual aspects: Tempe's state-level policymaking environment

Unlike Illinois, Arizona embodies a very different set of contextual conditions that define its state-level policymaking environment and influence the ways in which cities are less able to enact transformative and innovative sustainability policies.

Legal dependence

Like Illinois, Arizona cities are granted home rule autonomy to make their own laws without permission from the state.[1] However, because of funding allocations that make the city reliant on the state, the state can leverage these funding structures to threaten and intimidate the cities into compliance. State-shared revenue describes a funding scheme in which states impose income tax

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[1] While Arizona municipalities do currently enjoy home rule through the provision of municipal home rule charters, this structure creates the additional steps in obtaining a charter to enjoy home rule rights. Further, a recent state bill from February 2023 (ARIZONA SCR1023) proposes to repeal home rule provisions from the state constitution entirely; this action demonstrates the tenuousness and tensions surrounding local autonomy in Arizona, even despite the nominal local autonomy enjoyed by cities with home rule provisions. This bill is currently being considered by the legislature.

and distribute funding to municipal governments based on the population distribution across the state. With this structure, local governments are not allowed to impose any additional, local income taxes. This funding scheme is significant because it recenters power (vis-à-vis financial capacity and control) onto the state level. Significantly, this also opens the potential for states to abuse this power under threat of not distributing a cities' share of state-shared revenue. In the last decade, Arizona has done just this, leveraging the threat of taking away municipal funding, due to discontentment with progressive local policy approaches:

> I would say that as recently as maybe 15 years ago, [state shared revenue] was it was seen as untouchable, it was seen, as, you know, not something that you mess with, it was seen as the break glass in case of emergency way to go after cities. And now, it's just kind of par for the course (Interviewee A4).

Ultimately, this power held by the state goes a long way in influencing city action. Regardless of whether or not the state would actually take away state-shared revenue from cities (which they have not done thus far), the threat of doing so is intimidating enough that it causes cities to become hesitant. Thus, this legally enshrined funding scheme takes away power and autonomy from cities.

The state also enacts its power, or threatens to do so, through the mechanism of preemption. As described above, preemption describes the process of a higher level of government overriding the autonomy of a lower level of government, either in response to a specific policy that has been passed at this lower level or simply as a proactive measure. Arizona has been an active agent of preemption to override local policy, a key example of which was when they preempted local authority to pass plastic bag regulations. The state also preempted several other innovative local policy ideas that had been floated in local governance spaces, including mandatory energy benchmarking in Tempe and natural gas bans. While neither of these policies was ever proposed

or passed, the state nonetheless took the opportunity to assert legal authority before cities could try to do so themselves. One interviewee discussed the fact that preemption is in part a result of power struggles between the city and the state, with the state wanting to maintain steady and solid control over cities, despite the variable needs that may exist across different cities in the state. Additionally, there is a dimension of ideological and political divergence: "On a philosophical level, a lot of this has to do with a gut feeling that many of these legislators have, that these local jurisdictions have become too far to the left" (Interviewee A4). In response to this sentiment, state legislators attempt to rein cities in by enacting their own legal authority; this is discussed further below.

Local political susceptibility

Another crucial context that informed Tempe's limited capacity to pass the plastic bag ban was a political structure that was relatively more susceptible to external influences. One reason for this is the council-manager structure of their city government, which, when compared to partisan political government structures, gives local politicians less drive and less leverage to take innovative or experimental steps. As one interviewee put it,

> It's hard to overstate how much of this dynamic has to do with the strong manager form of government, as opposed to a strong mayor. It really takes a lot of the political wind out from the sails of the cities, and in a lot of ways cities are less able to maneuver politically... one of the ultimate questions here is what would happen if you had cities [in Arizona] where the mayors or the council members had that political bully pulpit to actually be able to do stuff, as opposed to just sort of being cheerleaders for the city, while the actual decision making power lies with professional staff, which is basically the current situation (Interviewee A4).

Here, we see that in Tempe and its surrounding cities, political power is lost to the fact that leading local politicians do not have the ability to mobilize in the same way that a strong mayor does. Because much of the actual, substantive running of cities is done by a non-political,

administrative professional staff, there is insufficient political tension to motivate local action and innovation. Moreover, because of the non-political nature of the urban governance structure, local politicians also tend to have weaker political commitment and convictions. A former council member from the city of Tempe described this phenomenon: "The council members, they're there for the little bit extra income, they get, it's $30,000 a year. They are there to help pay their kids' tuition—I mean, they're not really proactive, not activists" (Interviewee A1).

Local politicians in Arizona cities are more inclined to follow a status quo method of governance, rather than pursuing policy transformations according to moral and political passions. This less impassioned governance makes Arizona's local governments more susceptible to outside groups attempting to influence local governments and shape policy according to their own interests—namely, business lobbies and wealthy donors. Pro-business and other conservative influences have taken advantage of this, which reflects in the local policy framing as well as in the state's broader political and civic culture. The primacy of the business interest is deeply embedded in Tempe's political paradigm. For instance, real estate developers have a strong voice in shaping politics: "The pushback [to environmental regulation] is really coming from developers. But in Arizona, developers and land use attorneys are very, very powerful… there's definitely a cultural piece of who has power" (Interviewee A2).

In part, Arizona business interests and developers have so much political power because of the several neighboring, mid-size cities competing with one another for investment and political contributions from such businesses. Because the spatiality of urban governance in Arizona is decentralized, each of these cities has a distinct local government despite their proximity to one another. Governance decentralization gives business interests the upper hand in regulatory negotiations with cities, since they have the ability to move elsewhere if they dislike the policy

of one municipality. The result of this is a 'race to the bottom' of local business regulations among nearby cities. Unlike in Chicago, where urban spatiality and government structure is rather centralized, Arizona's urban morphology creates a different reality. Thus, this context explains why Tempe's political environment was unfriendly to the prospect of the proposed business regulation on plastic bags. Through both political structure and spatiality, the pro-business paradigm predominates.

Ideological conflict

Finally, the relationship between Tempe and Arizona can be characterized both by hostility on the part of the state and by partisanship conflicts between the two. In addition, this ideological conflict extended to conflicting conceptions between the state versus the city about the proper role for localities in a multi-level governance framework. The partisan ideological conflict manifests itself in many ways, including stifling of local and/or liberal voices during state political processes, unwillingness to hear environmental bills in the state legislature, and state's authoritative monitoring of local actions and ideas so that they may enact legal authority to override or preempt before cities can attempt to pass or implement them. One state senator from Arizona discussed her suspicions that a good deal of state preemption in Arizona has been prompted by partisanship rather than by substantive disagreements over good policy:

> It seems to be that sometimes the majority party has an agenda. And they will put through a preemption to promote their agenda. And when it's a partisan piece of agenda, then that is I don't think it's the best way to govern (Interviewee A5).

Frustration with partisanship conflicts is expressed by city officials as well. In the aftermath of the plastic bag regulation preemption, one Tempe city council member describes their experience being shut down repeatedly by state legal action or threats of such action, while trying to

introduce novel, moderately liberal ideas at the city level: "We heard from lobbyists and the Democratic staff that [state legislators] were targeting me and targeting anything that I did" (Interviewee A1). In this sense, the state attempts to target any policy idea from this particular council member represented hostility towards local action, and another interviewee described this urge from the state legislators as "a desire to push back on the perception that the cities had become more liberal" (Interviewee A4).

During this period of a few years, and since then, partisan tensions were on the rise, heightening conservative disapproval for experimental local policies that were often also perceived as exceedingly liberal or progressive. With Democrats in the minority at the state level, but composing the majority of local governments, the ideological conflict between Tempe and Arizona could in many ways be understood as a conflict between conservative and liberal agendas.

Furthermore, ideological conflict also comes in the form of conflicting ideas of the city's role in making and implementing policy. While some interviewees touted the importance of local autonomy and of cities' capacity to address a broad range of governance issues, others believed cities needed to be tempered.

Local officials in Tempe emphasized the aptness of local government to address complex governance challenges because they are often residents' closest form of democracy:

> You know, if your trash isn't picked up, you call your councilmember, you call your city. And why should the state have anything to do with how we collect our trash? It's important that we stand up for our local democracies (Interviewee A1).

However, despite the push for cities to expand their governance capacity, there is significant opposition. Many believe that cities are overstepping their bounds to attempt to legislate issues over which they do not and should not have any authority. A representative of a prominent

conservative lobbying group that works frequently in the state of Arizona said that they would

tell cities to:

> Stay in your lane, dude. You know, if you're a local government, and you're trying to mess with things, particularly banning things, or it can be promoting things, that's not something that should be decided on a local level (Interviewee B2).

Beyond advocating against local decision-making authority for certain issues, some feel the need

to take further action against cities when they cross the line. At one point, the governor of

Arizona threatened to strip cities of crucial funding capacity in response to proposed legislation

that some considered to be outside the scope of their governance authority:

> I think in 2016, the governor said in the State of the Union speech that if cities move forward in trying to enact earned sick day legislation, I'll do everything in my power to stop them, including taking away state-shared revenue (Interviewee A1).

This tension between the two notions of local authority creates a power struggle between the city

and the state. While the city fights to seize authority and to regulate environmental issues, the

state works to undermine local authority, both in rhetoric and in action. When discussing the

state-level policymaking environment, local Tempe officials expressed major doubts and

frustrations: "If you want to do this climate work, it's like, how much headbanging are you going

to be willing to put up with?" (Interviewee A2).

Empowered local approaches: Sustainability efforts in Chicago

I now turn to an analysis of city action given disparate state-level policymaking

environments. The previous sections have described variability among Arizona and Illinois in

how they relate to and contextualize city action; however, it is also crucial to understand further

how this action—in this case, their approaches and local conditions regarding plastic bag

regulations—differed as a result of state context.

Eager to lead

In pursuing sustainability policies, Chicago is interested in policies that are creative and innovative. Relative to the state, they take on a significant degree of authority to innovate and to make progress at the local level. In fact, they were so confident in taking on this authoritative role at the local level that they "had zero interaction with the state before this was included as part of the mayor's 2017 budget…we fully expected it to pass, and we knew if we did our jobs, that this should pass" (Interviewee I1). Thus, beyond state conditions that empower local innovation, Chicago's approach is characterized by an eagerness to capitalize on opportunities granted by their state environment and take the lead on sustainability.

This eagerness to lead also extends beyond the state context. When discussing the process of passing plastic bag regulation and beyond in Chicago, sustainability officials frequently benchmarked Chicago against other cities in the U.S. that they consider to be peer cities. In doing so, they seek to measure up to the sustainability initiatives of other large cities, as well as to surpass what other cities have done. Put simply, they seek to 'keep up' so they can stand out as a leader among local governments. One Chicago official specified that the initial idea to pursue plastic bag regulation was advanced with help from officials in a peer city, New York City, who had already implemented a similar policy:

> My team and I started kicking around the idea probably summer 2016. We knew other cities were doing this, we called New York, right, a lot of cities talk to each other. So we called New York, because they had passed their, their tax, like that year, the year before, and, and kind of got some feedback there (Interviewee I1).

In addition to keeping up with other cities and receiving support for policy ideas, there is also frequent peer city comparison. One current Chicago sustainability official lamented the fact that certain policies are easier to get passed in peer cities than they are in Chicago:

> I think folks in New York and LA might have an easier time with certain kinds of policies that we might not have the easiest time passing... Chicago is the largest Midwestern city, we are in a very different part of the country. I mean, the coastal kind of Cosmopolitan metropolis is that exists are they oftentimes have greater pluralities for progressive local leaders, which can make consensus for some bold or climate policy easier to achieve (Interviewee I5).

Comparisons made between Chicago and other cities speak back to Chicago's desire to lead. Not only does Chicago want to pursue innovative policies within their state context, but they are also interested in being one of the best at sustainability. Comparing themselves against other highly active local governments allows them to see where they fall relatively, in order to plan for how they can catch up.

Scaling up and out

In addition to their awareness of peer city activities, Chicago is also conscious of their ability to drive change on the state level as well as in other cities, either within or beyond Illinois. Because of the conditions that enable them to pass innovative sustainability efforts, they work to scale this change beyond their municipal borders and into other policy venues. One state legislator discussed Chicago's capacity to facilitate change in surrounding areas:

> I think that Chicago has played a really good role in working with local governments in and around the city. The mayor has always belonged to whatever Conference of Mayors includes the Chicago area, so from the perspective of asking how to work with your neighbors, I think Chicago has generally done a pretty good job, no matter who is mayor (Interviewee I4).

Further, a sustainability official from the city level recalled working with other municipalities in Illinois frequently, providing support and answering questions to help these municipalities where

possible. In this way, Chicago's work towards sustainability has some ripple effects on other cities in Illinois; Chicago's demonstrations of *what is possible* with regard to sustainability policy may encourage other local governments to adopt similar measures, creating a process of policy diffusion through the state.

This process itself may create a political groundswell that encourages sustainability action at the state level. In addition, the city of Chicago also uses their direct relationship with the state to encourage sustainability action. In the case of plastic bag regulation, several other Illinois municipalities have considered or passed checkout bag taxes similar to that of Chicago, and a bill to create a statewide law mandating a checkout bag tax has been introduced twice, once in 2019 (SB 1240) and again in 2022 (HB4615). Though each of these bills died in session, the symbolic scaling up of policy still occurred. Importantly, individuals working at the state level frequently feel that there is something to be learned from city action. In other words, by empowering localities to innovate and to experiment politically, states can reap the benefits of their learnings by scaling up successful policies. One policy advocate at the state level told me: "I think there are good tales from city government that can maybe at some point serve as models for the state" (Interviewee I3). Thus, under empowered state conditions, the city can scale up and out to effect meaningful changes in sustainability policy.

Progressive social and environmental paradigms

In Chicago, the process of passing bag regulation was characterized by the employment of a local prioritization framework that incorporated progressive social values, including equity and environment. Compared to the staunchly pro-business, pro-growth paradigms that are common in other local polities (including in Tempe), Chicago's approach to local policy reflects its more

fiscally and socially liberal population base. Speaking generally about Chicago's approach to local sustainability policy one official stated:

> We won't pursue policy doesn't take racial equity as its core foundation. A policy that would only help a small portion of the city who isn't disenfranchised in some way is not something that we would take on, it's not specifically of interest to us, usually. The racial equity lens is really critical (Interviewee I5).

Other interviewees discussed the tempered influence that business interests have in both the city and the state level, such that if social interests, such as labor rights, and environmental interests align, business interests are unlikely to win out over them. Interviewees described a local decision-making framework in which the three areas of social interests, environmental interests, and business interests were all represented and prioritized approximately equally. This kind of local political prioritization means that right-wing business interests are not as effective in Chicago as they are in other, more fiscally conservative cities; instead, business interests such as those represented by the Chicagoland Chamber of Commerce are more moderate. Unlike the Republican-leaning Illinois Chamber of Commerce, the Chicagoland Chamber "is not as partisan and has a lot of strong relationships with Democrats. That's really the main voice of business to the city of Chicago" (Interviewee I2).

As a result of this local prioritization framework, Chicago also appeared to have a lower susceptibility to anti-environment rhetoric. Because advocacy for business interests often coincides with advocacy against regulation, environmental regulations are often at odds with the political interests of business. However, Chicago was less susceptible to these arguments, especially those coming from outside lobbying and business groups. One sustainability official said:

> I remember [an anti bag ban lobbying group]. But all their arguments were awful. They tried [to rally opposition for the ban]. I mean, we knew that there are some bags that were made in the

city, but for the most part most of these bags are made in China. So, you know, part of politics is deciding who you listen to (Interviewee I1).

Despite attempts at convincing local stakeholders and political actors to oppose the bag ban, they gained little to no traction. Even though other local governments had been much more receptive to the arguments of this group, the political priorities of Chicago's government and population base were otherwise, such that the city had neither a political obligation nor a desire to consider the interests of these anti-ban, pro-business lobbyists.

Constrained local approaches: Sustainability efforts in Tempe

Unlike Chicago, the realities of Tempe's sustainability initiatives are different in light of their disparate state contextual conditions. In trying to advocate for and pass plastic bag regulation, as well as in their efforts to promote environmental sustainability since then, Tempe's work has utilized soft power approaches (rather than regulatory approaches) to appease business interests. The city has also discovered other creative workarounds that have allowed them to get things done on sustainability. Still, however, the city's approach is overall relatively risk averse, and many actors in the urban governance network expressed hesitancy to appear too extreme in their sustainability efforts, including those related to plastic bag regulation. I discuss this phenomenon more below.

Soft power building

In light of their constraining state context, Tempe officials discussed the potential for cities such as Tempe to act as leaders on sustainability through different means. They even believed

these initiative- and incentive-based approaches might be more effective than the strict

regulations and technical solutions implemented in other places:

> On one hand, you can't do these big moves. But, on the other hand, you have so much freedom to do movement building and to do the soft power approaches... I've been tracking the work happening in Sacramento and certain other cities, and a lot of cities are not really driving innovation in California anymore, because they can't really afford to experiment. They're just forced to do cold, hard numbers (Interviewee A2).

Despite the regulatory limitations imposed on Tempe, they still find ways to create a culture

around sustainability that can change the behaviors of people and of businesses. This occurs

through the development of a cultural movement towards sustainability, which is largely

attributable to the surrounding research universities. These universities host significant research

operations as well as schools of sustainability:

> We do see quite a bit of sustainability movement in Arizona, even though we don't have a lot of regulation. I would argue that that has to do with our leading universities and the fact that we have 3 universities in the State that all have high quality sustainability programs. They're turning out sustainability graduates, they're doing city-university-community partnerships on sustainability issues (Interviewee A2).

Thus, in spite of their constraining state context, a civic groundswell movement has nonetheless

originated in the culture of the city thanks to the universities; this culture has gone on to impact

the sentiments and behaviors of residents, businesses, and local government alike, even though

the state limits that which they're able to do in terms of environmental regulation.

Non-regulatory initiatives including education campaigns, comprehensive sustainability

plans, voluntary reporting, and more can be used as tools within the soft-power approach. Where

political will or political feasibility are absent, these solutions may still be viable, as one

advocate for plastic pollution policy told me. Still, there are circumstances in which the

drawbacks to these approaches are clear. While non-regulatory approaches can be effective in

changing local culture around sustainability, firmer approaches may be necessary to truly 'get sustainability done.' A state-level environmental advocate noted that though many cities have adopted sustainability plans and have good intentions, "there hasn't been the same level of push for the actual funding of the policy as there was for the passing of the policy" (Interviewee A3).

Creative workarounds

In addition to soft power approaches, Tempe has also employed other creative workarounds to advocate for local sustainability interests. Both in anticipation of and after the plastic bag preemption was passed at the state level, many people attempted to reach out to state politicians to convince them of the merits of the ban. A Tempe official said that a group of pro-ban advocates in Tempe "were getting to [Governor Ducey] through his son, who was a lacrosse player in high school. We had a friend whose son was also a lacrosse player with Ducey's son, so we were trying to get the economic arguments across" (Interviewee A1). In addition, others worked to influence the state legislature by leveraging ally relationships with state Democrats. One advocacy group worked specifically with state legislators to provide "trainings, one-on-one coaching and advising for liberal legislators, connections to various national networks" in order to promote progressive political interests within the state legislature (Interviewee A4). Ultimately, using and maneuvering these political relationships is one key mechanism that officials in Tempe and beyond attempt to overcome limitations at the state level.

The local government in Tempe also took support from third parties, including environmental advocacy groups and legal support organizations, to resist the state limitations. After the state's preemption on plastic bag bans was passed, a Tempe official banded together with other nongovernmental organizations to sue the state. Though the court deemed that the city

lacked standing to sue over the state's preemption law, the support offered to the city by various organizations demonstrated an important characteristic of sustainability initiatives in Tempe: the influence of third parties can be influential in enabling their attempt to creatively work around the limitations they face from the state.

Risk aversion

Finally, in spite of both the soft power capabilities and the creative solutions available to Tempe given its state-level limitations, their approach to the plastic bag ban and to policies since then have been undeniably hesitant. In particular, they are careful to avoid any policies that might be considered restrictive, for fear of challenging the legal authority wielded by the state. When Tempe's plastic bag ban was being considered, councilmembers at first appeared to be mostly on board. However, they soon began hearing whispers of the state's discontent with the policy, and in response to this, local officials in Tempe and elsewhere, even those who otherwise supported the ban, started getting cold feet and advocating against it. Once the state enacted a preemption law, local initiative for the policy devolved almost entirely, as fear and hesitancy overcame the council. One Tempe official said:

> [The council was] worried about state-shared revenue being withheld. And they were worried that Tempe was going to be targeted with all these different policies. They thought it's best to stay quiet, stay under the radar, not make a big deal because we didn't want to be targeted against in legislation, or in funding appropriations (Interviewee A1).

Thus, due to their fear of city-state conflict, they tempered their own attempts at seizing any meaningful degree local authority. Moreover, in other policy contexts as well, hesitancy prevails. It even prevents cities from feeling comfortable to express their desires to attempt experimental or innovative policies, for fear of intervention from the state: "one of the things that we have in

Arizona is, if you have a good idea, don't say it out loud, because there was such a culture of someone finding out about it and taking it to the state legislature" (Interviewee A2). The political culture of hesitancy and distrust facilitates a policymaking environment in which local political innovation is difficult.

In the case of Tempe's plastic bag ban, the hesitancy to challenge state legal authority created a hesitancy on the part of local government to seize regulatory authority. So as not to upset the state government or any of the powerful business interests, cities relinquished control to corporate interests who represent pro-business, anti-regulation voices:

> A lot of the cities were either neutral or were in favor of the preempt of getting themselves preempted, because they were more concerned about the opinion of the chamber and the gas company than they were about sort of the broader things...it's an interesting case study where we had gone from only the local jurisdictions caring about it, through this long evolution, to a point where, all of these stakeholders and organizers and people who were building political power on the left latched onto it, and were finally paying attention, and really had strong feelings about it, only to have the municipal jurisdictions say, you know, this is something that alienates XYZ quietly powerful corporate lobby in my city. No, thanks (Interviewee A4).

Rather than attempting to fight for their right to create local policy towards sustainability, Tempe and its surrounding cities chose to stand down. One Tempe official interprets this as pure political cowardice on the part of the council: "When I was on [the city council, it] was, of the seven, six Democrats, one Republican. People think of Tempe as a progressive city, but in my mind, they showed their underbelly so many times, and were afraid" (Interviewee A1). This hesitancy kept the city from enacting any kind of environmental regulation. Rather than pursuing innovative local environmental regulations, the city preferred to avoid conflict with the state.

VI.   Conclusion

State-level conditions have immense potential to influence cities' sustainability efforts both in extent and in kind. In Arizona and in Illinois, they do so through legal means, relating to the structural autonomy legally endowed to cities; political means, relating to the political processes and power dynamics that shape policymaking at state and local levels; and ideological means, relating to the philosophical and cultural orientations of cities and states relative to one another and relative to perspectives on local innovation and autonomy. Within these different contexts, cities respond in distinct yet appropriate ways. In this paper, I have argued that state context, as examined through a three-pronged conceptual approach that comprises legal, political and ideological elements, does significantly influence cities' ability and propensity to enact local policies related to environmental sustainability. I make this argument by comparing two case studies in which I analyze the conditions surrounding attempted plastic bag regulations in Tempe, Arizona, and Chicago, Illinois. More specifically, I find that the following state-level conditions significantly influence cities' innovative policy potential: relative degree of legal autonomy versus legal dependence; relative degree of political facility versus political susceptibility; and relative degree of ideological alignment versus ideological conflict. Each of these distinctions is thoroughly described in the previous section. Thus, in my analysis, I go beyond arguing that state context *matters* to elucidate *how* it matters. I do this by proposing a comprehensive theoretical structure that emerged from my findings.

Despite these important contributions, my study remains limited in a few important ways. First, my focus on plastic bag regulation is insightful, but for the purposes of generalizing my findings to other areas of sustainability policy, my proposed framework may not be universally applicable. Sustainability initiatives and policies take many forms; though my findings are likely useful for understanding other regulatory requirements and restrictions related to sustainability,

they might be less applicable for initiative-based approaches that do not involve business regulations. Further, I am methodologically limited by the fact that only two case studies were examined, and by the fact that the structure of the comparative case studies was an easy test. Third, while studying two cases that occurred in the same year helps to control for the variable of change over time, it is possible that the dynamics I describe were reflective of a particular moment in time in which political tensions were playing out in full force; as such, it is unclear how dynamic and therefore how applicable this framework will be through time.

Tempe and Chicago respond to their respective state environments by pursuing sustainability initiatives and policies in disparate ways according to the extent of autonomy and power that they have, or at least that they perceive themselves to have. In the case of plastic bag regulations, while Chicago was able to be assertive in taking on regulatory authority, Tempe's efforts to do the same were not as successful. Therefore, these two illustrative case studies have demonstrated two instances in which state context facilitates or inhibits local policy innovation, respectively. Within the broader context of the literature, this study serves as a starting place for drawing out state-level factors that influence urban transformative capacity with respect to sustainability, elaborating in detail one institutional barrier—state context—that cities face in pursuit of sustainability action. This precise barrier was identified in earlier work by Gonzalez and Brandtner (2022). To this end, the comparative theoretical framework that I offer based on two case studies of state context helps to deepen scholarly understanding of the institutional barriers faced by cities in pursuit of policy innovation. Despite focusing specifically on plastic bag policies, interview participants often spoke generically about policy dynamics (including policy not related to sustainability) between states and cities. As such, there is potential to apply my general findings at least to other types of sustainability policy, especially those that are similarly

regulatory in nature, such as energy benchmarking, pollution management, waste management, and water or air quality regulation. Some of my findings might further be applied to policy areas beyond sustainability, though more research should be done to examine its applicability in such areas.

Further research on this topic should study other city-state policymaking contexts to pressure test the framework I have proposed. First, different contexts in which policy has been successful should be studied in relation to each other, and the same should be done in contexts where policy has been unsuccessful. This will help control for additional variables, thereby revealing further nuances in my framework and identifying any additional conditions or considerations that should contextualize our understanding of urban sustainability transformations. Second, further studies should update my proposed framework with more recent case studies of sustainability and other types of local innovative policy. Third and finally, further research can explore how cities interface with other governance organizations, both in their horizontal ties (e.g., intermunicipal relationships connected in policy diffusion), as well as in their vertical governance relationships, such as those with federal governments and international agencies. Each of these avenues provides fruitful opportunities for new learnings related to cities' institutional environments and their potential to enact transformative change.

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