

BUILDING WAL-MART WITH RESISTANCE: COMMUNITY POLITICAL ACTION  
AGAINST A NEW WAL-MART SUPERCENTER

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by  
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BUILDING WAL-MART WITH RESISTANCE: COMMUNITY POLITICAL  
ACTION AGAINST A NEW WAL-MART SUPERCENTER

Presented by David Overfelt

A candidate for the degree of Master of Arts

And hereby certify that in their opinion it is worthy of acceptance.

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This thesis is dedicated to all those who have made my life possible during graduate school. There are too many names to list, but I would particularly like to thank the following folks:

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Dave, you kept me going

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ABSTRACT

A discussion of the three dimensions of power as they play out in the development arena sets the stage for understanding a local social movement within a specific political context. Through the use of face to face interviews and in depth analysis of local government documents, newspaper articles, and an online elite discourse I uncover the ways in which political context plays a role in determining the strategies and outcomes of social movements which have formed around land use disputes. Overall, if local politics are not designed to encourage citizen involvement, citizens are generally unable to have a role in the development process. In an increasingly privatized world, I make a call for deep democracy in the development process.



## **Chapter 1**

### **Movements, Growth, and Power**

#### **Growth and the Local Movement**

This is a paper about relationships of power in a small, local social movement that formed in the Columbia, Missouri around a land use dispute. On the surface, it would appear that this movement was a form of collective action best defined as Not-In-My-Backyard (NIMBY) opposition and not quite a social movement of its own (Snow et al. 2004). Yet, this particular bit of collective action does not stand alone in the manner that NIMBY oppositions to land uses so characteristically do; instead, this local land use dispute was connected to many other local land use disputes because they picked a battle against big box (Wal-Mart in this case, but could also be Lowe's, Home Depot, etc.) development proposed by local landed elites. These battles are being fought in many different communities across the United States, yet, their connections to each other remain tenuous and based in online organizations that help them build strategies because the battles are legally required (by regulations that create, encourage, and enforce neoliberal urban growth) to be both short term and locally focused. Because of the political context, these diverse and diffuse movements that are fighting similar battles with nearly synonymous methods do not often have the time, resources, or networks to build a major national campaign against the contentious growth that has imposed itself on so many of their communities. Furthermore, these battles are all *forced* into institutional channels by these very same political structures because there is no way to fight legal but undesirable growth with a non-institutionalized protest march or a sit-in.

These growth promoting political opportunity structures in which this movement

(and many other movements just like it) operated had a strong effect on both the choices of strategy and the successes and failures of the movements. In using this notion of the political opportunity structure, I agree with Koopmans on a basic level that

- "(1) variations in opportunity are the most important determinant of variations in collective action
  - (2) relevant variations in opportunity result primarily from the interaction of social movements with political actors and institutions
  - (3) variations in such opportunities are not random or a mere product of strategic interaction, but are to an important extent structurally shaped."
- (2004: 63)

The development of the political process approach over time has led these theorists toward a general focus on the comparison of national movements to similar movements in other nations. Authors like Tarrow (1994), Kreisi (2004), and Meyer (2004) have decided that the most important way to build social movement theory is to understand the workings of movements at their grandest level. Tarrow (1994) provides us with a thorough analysis of social movements over the last 200 years, yet this cross-national approach to movements only a builds our understanding that major movements come along when their chances are greatest. Along similar lines, Meyer (2004) argues that we need to understand the political process approach in different settings, for him, these settings are only different when looking at different countries. Kreisi also argues that “this approach has so far mainly been applied to the national political contexts of Western liberal democracies, and to social movements of the past” (2004: 85), for him, this indicates a need to shift our studies of the political process to the cross-national level. As I see these approaches, they provide very important and interesting insights into understanding and refining the broad strokes of political process theory, as it pertains to a “movement society,” on the national and cross-national levels; however, with this

consistent focus, the finer variation between local cases within a nation is lost.

Better than these more recent trends are the case study based political process approaches of the past, like the one employed by Jenkins and Perrow (1977). In their study of farm workers movements, Jenkins and Perrow look at particular issues within the case studies of the development, process, and outcome of two different movements. They do a detailed case study of these two movements in an effort to determine the most important determinants of social movement outcome. Most essential to placing their work into context is their claim that “when insurgency arises threatening these private interests, public officials react by helping to contain insurgency and maintain the *status quo*” (1977: 19, italics in original). There is an undeniable importance of local elites in the outcomes of single cases of protest, especially when looking at land use disputes.

While their work does have a role to play in understanding the importance of political context, McAdam’s (1982) use of the political process approach is much more useful to my research. In the latter half of his analysis of the development of black insurgency, McAdam builds a detailed historical context for this process. In this, he demonstrates that during the years between 1876 and 1954, black insurgency was restricted from developing due to the construction of local politics. It was only when this political context opened up that people began to see that the demand for black rights could be successful within their own communities. In much the same way that McAdam focused on the influence of political context in the development of black insurgency, this paper will look to build an understanding of the importance of political context in the outcome of a local land use dispute. The local political context in which this movement had no choice but to operate determined the opportunities of action which were available

to them and, in turn, these opportunities largely determined the final outcomes.

In much the same way as outlined by McAdam, this paper "rests on the fundamental assumption that wealth and power are concentrated in America in the hands of a few groups, thus depriving most people of any real influence over the major decisions that affect their lives" (1982: 36). However, it was not, as so many political opportunity theorists would have, an opening of the political structure that created this movement. In fact, it is the very consistency of these political structures designed to encourage unrestrained growth that has inspired all of these local movements (or is it a fragmented national movement?) against big box development; furthermore, this lack of political opportunity largely determined the failure of the movement upon which I place greatest attention.

It is in these consistencies of laws and patterns of development that the growth machine thesis becomes most important and the relationships of power begin to emerge. As discussed by Logan and Molotch in *Urban Fortunes* (1987), urban growth, which is not necessarily beneficial to the community, is controlled largely through the local landed elite activism. In this, powerful land development entrepreneurs work to keep local "omnipresent regulations" (the market is a tool, not a guide) in their favor and focused on maintaining a "good business climate." They use these growth policies for their own economic benefit during any land dispute, like this one, over use versus exchange values. Power over place is thus not in the hands of the community, but it is politically, economically, and socially constructed to be in the hands of local place entrepreneurs and these same entrepreneurs work to create and intensify future land use for greater exchange value.

In building this analysis, Logan and Molotch “give primary attention to the strategies, schemes, and needs of human agents and their institutions at the local level” (1987: 12) with the explicit assumption that “the community itself can be a local force” (1987: 19). Their analysis takes special care with the importance of social action shaping the local, built environment. All places, in fact, are built through social action and this paper focuses on the case study of one place that has been constructed through this action in recent local history. While this local movement did not achieve their initial goal, they played a large role in the appearance of the final development and; therefore, changed the appearance of place through social action.

### **The Dimensions of Power**

In order to understand the function of power in this land use dispute I will, first, discuss the three dimensions of power (Lukes 1974) and, second, I will discuss their relation to this land use dispute as I see it.

#### *The One-Dimensional View of Power*

The one-dimensional approach to power was developed by the pluralists, most notably, Robert Dahl. In this, he wrote that his "intuitive idea of power is something like this: A has the power over B to the extent that he can get B to do something that B would not otherwise do" (quoted in Gaventa 1980: 5). The most powerful work along this line of understanding was Robert Dahl's analysis of New Haven in *Who Governs? Democracy and Power in an American City*. In this work Dahl is most interested in who has the most influence (influence is synonymous with power in this method) over the final decisions made during contentious public issues. Overall, this analysis of power stresses the

importance of directly observable behaviors and conflicts; therefore, in the pluralist formulation, if an exercise is not directly and empirically observable then there has been no exercise of power at all.

This formulation was particularly designed in debate with elite based theories of society and social action. Dahl argues then, that power is not in the hands of some known or unknown elite; instead, power rests both in the hands of those who govern and those who elect them. As the argument generally goes, since we live in a democratic state with elected officials, these elected officials must please their constituency in order to retain their positions. The pluralist then believes that "the power of A is thought to affect the action of B, but it is not considered a factor relevant to why B does not act in a manner that B otherwise might, were he not powerless relative to A" (Gaventa 1980: 8). Thus, this formulation of power is problematic in the sense that it cannot account for issues that are not up for public discussion.

*The Two-Dimensional View of Power*

In *Power and Poverty: Theory and Practice*, Bachrach and Baratz (1970)

formulate the second dimension of power in opposition to, and by building from, the pluralist view of power. While pluralists focus whole heartedly on observable conflict, Bachrach and Baratz argue that

"power is certainly exercised when A participates in the making of decisions that affect B. Power is also exercised when A devotes his energies to creating of reinforcing social and political values and institutional practices that limit the scope of the political process to public consideration of only those issues which are comparatively innocuous to A."  
(1970: 7)

While Dahl argued for a focus on "key political issues" in order to understand the exercise of power, Bachrach and Baratz expand on an understanding of power that includes the "mobilization of bias" (Schattschneider 1960: 71) in creating non-decisions. A non-issue is therefore something that would arise within a political debate were it not suppressed or otherwise excluded by those who have the ability to exercise power over another.

All forms of political organization contain bias and, in some way, create barriers to action against certain political problems that citizens may have, with a development project, for instance. In one of the most thorough works on the second dimension of power, Crenson comes to the conclusion that this bias is most easily revealed as "the power of obstruction- of enforcing inaction and thereby maintaining the impenetrability of the political process" (1971: 21). Yet, this view of power is incomplete and basically remains within the realm of a behavioral science because even a non-decision, in their formulation, is a decision made by the powerful in order to prevent potential issues from making it onto the observable political scene.

### *The Three-Dimensional View of Power*

While the two-dimensional view of power is a great advance over the one-dimensional view, a number of remaining problems led Lukes to formulate the third dimension. In this, Lukes asserts that the focus on actual behavior still limits the understanding of power:

"The bias of the system is not sustained simply by a series of individually chosen acts, but also, most importantly, the socially structured and culturally patterned behavior of groups, and practices of institutions, which may indeed be manifested by individuals inaction."  
(1974: 22)

The one- and two-dimensional views of power remain somewhat asociological in their focus on individual action and behavior. Yet, in collective action, the individual's behavior is often overtaken by the collective identity which they have formed in their actions. Knowing this, political behavior is not always the composition of individual behaviors. More important is the notion that the preferences for in/action can be shaped by the powerful:

"To put the matter sharply, A may exercise power over B by getting him to do what he does not want to do, but he also exercises power over him by influencing, shaping or determining his very wants."  
(Lukes 1974: 23)

This dimension of power involves a complete critique of the behavioral focuses found in the first and second dimensions of power and it now allows for an understanding of potential issues that are entirely excluded from a given debate. This exercise of power can occur without any observable conflict at all; instead, the third dimension opens the way for "*latent conflict*, which consists in a contradiction between the interests of those exercising power and the *real interests* of those they exclude" (Lukes 1974: 24, 5 italics in original). In this sense, there would be a conflict between the powerless and the powerful if the powerless were to become aware of the situation in which their lives and minds are embedded.

The local media plays an important role in the development and reinforcement of this third dimension of power because this media apparatus pushes upon the public a discourse closely associated with the desires and ideologies of the affluent. In a powerful analysis of the influence of the media in the collapse of Students for a Democratic Society, Gitlin (2003) highlights media hegemony in the role of determining public

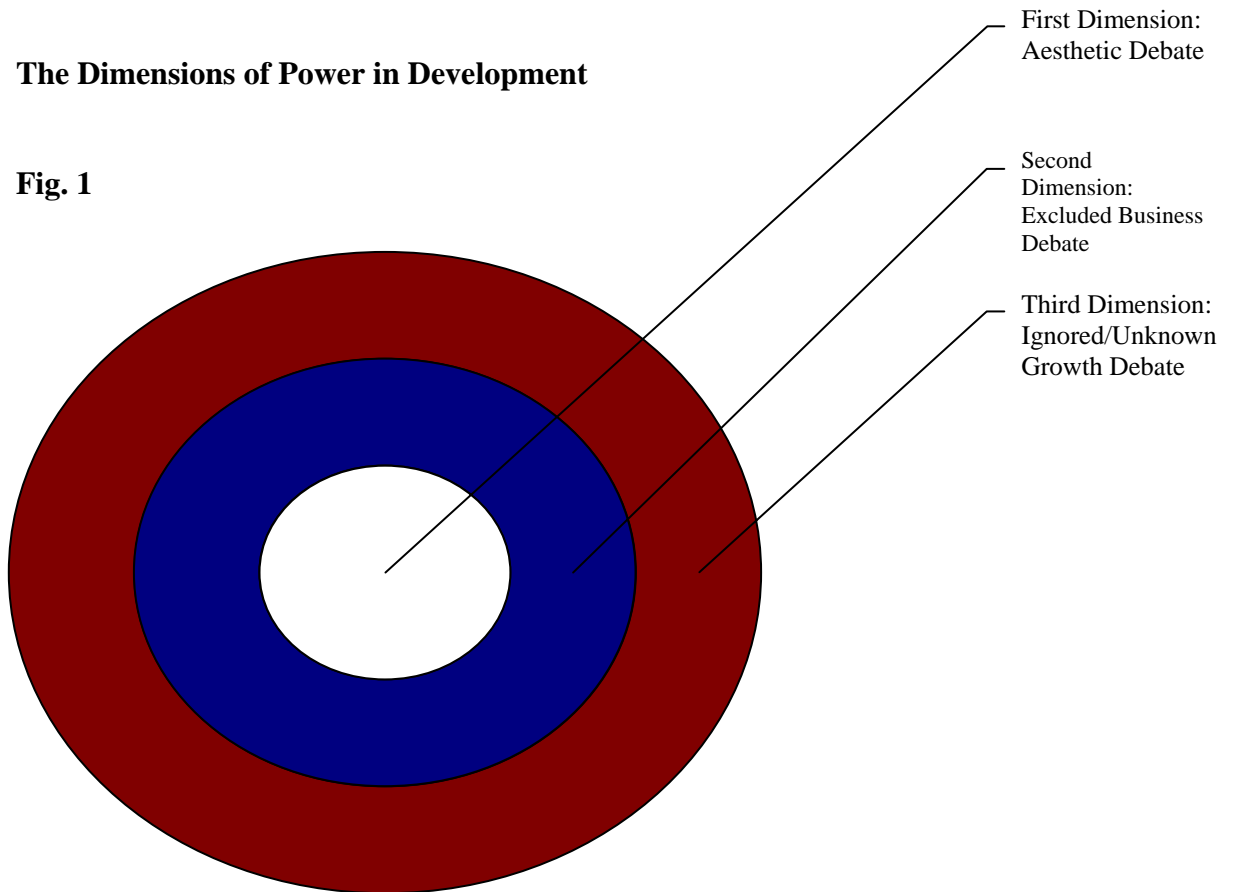


opinion and in a similarly powerful analysis of abortion discourse by Ferree et. al. (2002) highlight the importance of the media in delivering news and shaping public opinion. In much the same way that these authors have emphasized the importance of the media in shaping the particular discourses in which they are interested, I too will be discussing this media influence in a later chapter.

In this analysis, I agree with the aforementioned authors that the media is essentially owned and operated to reinforce the already dominant frameworks of understanding that run through our culture. In this effort, the local media essentially functions to benefit landed elites who are a part of the local growth machine by perpetuating the belief that growth is normal and should not be questioned. Furthermore, the local media, through the consistent use of the incorrect label, “anti-Wal-Mart,” helped to leave the movement stuck within the realm of the third dimension of power. The implication made through the use of this label is that, since the movement is full of crazy elitists, they should not be allowed to make any decisions about the issue of growth. Overall, local media hegemony over the construction of discourse surrounding the movement played a powerful role in shaping the way that the movement was treated in all of the public hearings in which they took part; furthermore, this hegemony played a role both in restricting the debate to aesthetics and in keeping the greater issue of growth and who has power during growth debates excluded from the process entirely.

## The Dimensions of Power in Development

Fig. 1



Most important in outlining these dimensions of power is to understand and operationalize their meaning for the development process in this community. During the process of this land use dispute, the entire debate remained within the first dimension of power in that the only possibility for the movement to challenge the growth machine remained in the realm of aesthetics. If we were to simply analyze the issue as it was reported in the city council and planning and zoning meeting minutes, this is where the issue would remain. A simple pluralist view of this process would not give us the whole picture because a good deal of the debate was stifled through the use of moralist and instrumentalist rhetoric (Jasper 1992).

On the other hand, when taking the two-dimensional view of power into account while analyzing the process and progress of this debate, it becomes clear that certain

aspects of the debate were made into non-issues. In this case, many in the community desired to take issue with the business impacts of another new Wal-Mart Supercenter entering their community. Unfortunately, the city exercised their power and explicitly excluded the possibility of this debate from the agenda. Yet, even at this dimension we are unable to see the whole picture.

When taking account of the third dimension of power we can see that the community did not take issue with the overall process of urban growth and development. On this level, the community has been socialized to accept urban growth as a normal effort to maintain a "good business climate." While the third dimension of power is often depicted as an argument for false consciousness in the community, I do not understand it in this way for this land use dispute. I argue that the realization that urban growth and development is not always good for the community would have come in time had the debate not been stifled within the public hearings and in the local newspaper.

### **Methods and Overview**

In this paper I will be analyzing the political process and context in which this social movement fought their battle against an urban growth machine in an effort to illuminate concentrations of power in the development process. In doing this, I have gleaned my knowledge from a wide variety of sources. First, my knowledge of the movement comes from focused interviews, conducted in person with an organized but open-ended questionnaire. In the end, I interviewed four important people from the movement group and I conducted a follow up later on through an online questionnaire with the leader of the movement.

In addition to these focused interviews I also thoroughly analyzed all of the city

documents associated with this process. The bill packet associated with this development process contained meeting minutes from all of the public hearings held by the City Council and the Planning and Zoning Commission, all of the actual bills up to and including the final draft of the rezoning and the final draft of the site plan, and all of the letters that were passed between the city and the developer. One very crucial document for my analysis that was not a part of the bill packet, though it should have been, was the future land use plan for the City of Columbia.

While I did take copious notes on these important documents, I did not code them, as I never planned to analyze these documents statistically. Instead, I treat these documents as cultural artifacts to be decoded through careful analysis. In this analysis process, I generally follow Dibble's (1963) typology of inference from documents to events and Aron's (1960) guidelines to evidence and inference. The point here is to be clear that great care was taken to understand these documents in light of real events and to assess their meaning based on these events.

In addition to all of these city publications, an essential source for my understanding of this process came from the local newspaper. In this, I explored the archives of the Columbia Daily Tribune in an effort to find any and all articles and editorials that were even vaguely related to the land use dispute. Some of these articles and editorials merely reference the debate in an effort to express like or dislike of Wal-Mart. On the other hand, many of the articles and editorials were used as a forum to express like or dislike of the movement and their goals and/or a place for people in the movement to attempt to clarify their position. This was often a defensive move.

The final source that was of importance for this paper was the Sprawl-Busters

website. This site serves as the only online clearing house of anti-sprawl information; furthermore, this site served as a major source for the strategic choices made by the movement. In analyzing the importance and influence of this website I analyzed their conception and description of a "victory" over sprawl as a form of expert discourse.

In Chapter 2 I begin by synthesizing these sources in an effort to describe the development of the movement and their strategic goals. The goal of this chapter is to set the stage by demonstrating how the movement was not only powerless to fight development, but powerless to define themselves in the public arena.

In Chapter 3 I conduct an in depth analysis of the city's land use plan. In this, the comparison of the language used and the realities of development are very important. To understand this dissonant relationship between language and reality requires hedging these words with the ideologies of market capitalism. Furthermore, it is important to note that this document serves as a legal foundation for the growth process in the City of Columbia. Due to this, the interpretation and implementation of the land use plan sets the stage for all current and future developments until a new plan is formulated.

In Chapter 4 I utilize the Sprawl-Busters website and analyze their conception of victory. I treat this website as an example of elite discourse that strongly contributed to the development of the movement's goals and strategies. In doing this, I compare the contentious process across multiple sites of resistance through emphasizing both the arguments used and the political context in which each of these movements operated. In the end, no matter what the argument used, the successful movements operated in a local political context that was open, inclusive, and offered detailed descriptions of how their citizens could be involved in the process.

In Chapter 5 I explore the bill packet associated with this development in detail. Important here is the effect and direction of the language used within the public hearings. In this process the citizens of Columbia were consistently disempowered by the process itself. The development process is marked both by offering a wealth of attention to the input of developers and a simultaneous total lack of attention to citizen input. The concentration of power within the hands of the developers begins to become abundantly clear through the analysis of this process.

In Chapter 6 I utilize the major local newspaper in order to understand how this newspaper discursively treated the movement. This aspect of the analysis is important because the newspaper plays an essential role in introducing the movement to the public. When the treatment is harsh and brief, the general public understanding of the movement is very similar. Furthermore, being the major source of print media in this community, the local newspaper played a large role in the misconception that this movement was anti-Wal-Mart.

Finally, in Chapter 7 I will make some brief conclusions and comments about power, social movements, development, and democracy in local communities.

## **Chapter 2**

### **The Story of the Movement**

Ever since the death of Sam Walton, battles against Wal-Mart (WM) have grown both more frequent and more publicized due to shifts in WM policy that have driven the business into a mode of profiteering and expansion at any and all costs. Many local social movements have fought these land use battles in an effort to stop the entry of WM into their community and these battles have often been met with great resistance from local developers and city officials.

Overall, the goal of this chapter is to demonstrate the disparity in power between the community and the developer. In this development process, the developers have done their best to push the community into an undesirable position in which they are left with only two choices, good or bad development. Due to the deeply entrenched legal and political structures in which this process operated, the developers were operated within the bounds of the law; furthermore, for these same reasons, when the developers offered aesthetic concessions to the community, they were able to portray themselves as giving and cooperative while simultaneously portraying the community as uncompromising WM haters. Despite this situation of obvious powerlessness in relation to these developers, the group fought the development anyway and, in the end, was successful in some ways. Overall, all three dimensions of power begin to emerge as we see the public debate, the restrictions on this debate, and the lack of any discussion of growth as an issue.

## **Origins**

The movement against WM in Columbia was formed after the local developers, or landed elites, held a meeting in the neighborhood school where the development was planned. Interestingly the developers and the community met in the past, around 2000, when the very same developer and lawyer held a meeting in the local neighborhood school. This meeting was characterized by those I interviewed as a friendly search by the developers for community cooperation. The developers were asking the community what they wanted to see on the land and they were being respectful to their requests and desires. For some reason, this particular development project never happened and no one could explain the abandonment of this initial project. Perhaps the developers were simply testing the waters.

On the other hand, when these very same developers came in to speak with the community about building a WM the approach was so different that it started a movement. In this second meeting the developers and the lawyer came in and told all the community members that, if they cooperated with rezoning, they might make the new WM look nice; however, if they did not cooperate or if they resisted rezoning, the developers would simply build an ugly WM that nobody wanted in the community.

"They were just asking for cooperation the first time and we were cooperating with them. Second time they came around and said unless you support us in this we are going to build a Super Wal-Mart on 17 acres and your just going to have to live with it. If you want a big blue grey store and we can just barely squeeze it on there, but you're going to have to live with it if you don't support us."

(Respondent 1, Mar 28, 2005)

"I went to a meeting for the neighborhood and I didn't like the approach that the developers were taking, especially the developer's attorney. Got me fired up..."

(Respondent 2, Apr 8, 2005)



After this neighborhood meeting called by the developers, one of the people who eventually became the founder of this social movement, decided to write a letter to the editor for the local newspaper. In this letter she outlined her discontent with the apparent lack of citizen control over the situation and the aggressive approach of the developers. This letter to the editor was widely read by the local community and those who felt they had a stake in the outcome of this development started writing, calling, and stopping by this letter writer's house. Everyone was highly interested in doing something to stop the development, NOT just rolling over and letting the city and the developers do as they please. Thus, the mistake the developer's made was deciding to take such an aggressive stance toward the community and because of this choice of approach, the developers incidentally created a small, local social movement based in resisting a new Wal-Mart Supercenter.

The reasons for differences in the developer's approach can be speculated upon; however, there is no way to be certain why they took such a wildly different approach on WM as compared to the previously positive approach in trying to build Kohl's. Most importantly here is the fact that this approach is what created the local social movement against WM. Instead of trying to work with the community and create cooperation as they did in the first development attempt, they approached with force and created conflict and resistance; it was here that the small social movement was initially formed. After this first meeting, many people from the community wanted to meet with the developers and the community again to gain a greater understanding of what exactly was going to happen with the future of the development. The developer's then took the offensive and spoke from then on as if they could do whatever they wanted with the available land;

furthermore, throughout this process, the developers acted as if they were helping community and the movement was just a group of elitists. The community group was then permanently on the defensive with the developers and the city council in an attempt to demonstrate that they were the voice of the community and not some vocal minority.

### **Developing Resistance**

After the first letter to the editor became public the community group developed very quickly. The letter writer immediately started receiving phone calls from parents wanting to do something and within a few weeks the neighborhood association held a meeting and voted 30 to 9 in favor of strongly opposing the development. Of the nine people who voted against forming any opposition, five were home owners whose properties were to be purchased at a very favorable rate if the development came to fruition. If the process ended with "the ugly WM," then these homes would have been on the same city block as WM. The other four who voted against opposing the WM were essentially resigned to failure; in other words, they felt that the community group had no chance of success. The vote of the neighborhood association to oppose the development spurred similar voting at other nearby neighborhood association meetings and all of these voters also turned out against the development. These results were reported to the city council at the development hearings.

The community group itself was composed mostly of neighborhood association members from the immediate area who felt they needed to do something more than just vote at a meeting. Beyond these members, some people from the community and parents from the school jumped in to do whatever they could to help. The first meetings of the local social movement were held in order to determine a platform, a strategy, and pass the

hat for whatever funding the group could come up with. At these first meetings the group decided that they needed to divide responsibilities in order to get as much done as possible. They designated some members to start working on yard signs and buttons, others to continue the organizing work, others to do research, and one person, the former city attorney, to keep good communication with the city.

A great influence on the platform and strategy of the social movement came from the online organization called Sprawl Busters. This group is a self proclaimed 24 hour a day (offering some home phone numbers and personal email addresses to contact anytime help is needed) clearing house of information for fighting and stopping big box development in local communities across the USA. Through this organization the local social movement was able to read up on successful strategies used by similar movements against big box developments. After researching successful movements, consulting privately with city officials to develop the most effective strategy, gaining more members, and getting a little funding together the group focused their strategy around a non-legal petition.

This strategy was chosen because the city requested a petition demonstrating that the movement was not a vocal minority, not a petition that was pushing for a legal battle. In hindsight, this has been very frustrating for the movement. Had they known the council was going to ignore their non-legal petition entirely, I have been told in multiple interviews that they would have pursued a legal petition so that they would have had the option to take the zoning issue to a vote (Hindsight is 20/20!). With the path that they chose, based upon city advice, the movement had no chance to build another petition that would have taken the development to a vote.

## **Resistance**

Overall, this local social movement decided to form their opposition against a WM being built on the spot in question because of a number of possible problems they perceived. The most important of these problems, which all the members spoke against during interviews, were the size, scope, and location of the proposed development. Beyond this main set of complaints, some of the members had diverging viewpoints from the rest of the group, pointing out the concern that such a large and high traffic development would bring crime, and/or that such a huge store would hurt the local economy. While there was only one person who voiced the concern that WM will bring crime, it is a legitimate concern considering the drastically high number of crimes that occurred in WM parking lots during the first part of 2005 (Greenwald 2005). Generally, in addition to bringing crime, this person does not believe WM will fulfill their end of the bargain and build as their contract implies they will. She fears that relatively small fines and the possible imposition of short term shut downs are far too minor a threat for such a large company. Her biggest personal complaint was that she fears WM will destroy good, local, jobs and will create bad, low paying jobs.

The community group formed their public voice of dissent and methods of resistance in ways they felt would make them most successful based mostly on the research conducted through the Sprawl-Busters website. The group became (at least publicly) explicitly *not* anti-WM and they went out of their way to present themselves in this manner; instead of being anti-WM, they were against having a WM in that location and of that particular size:

"Legally they can put it there but that's not what that zoning category was intended for. We would have been willing to go along with a strip mall or

some smaller department store like a Kohl's or a.... it didn't happen. The biggest reason why we were all adamantly opposed was because of the size and the magnitude. They're just overwhelming that piece of property and it's simply a residential area. They're overwhelming it with 220,000 square feet of commercial... it's just too big for that neighborhood and that piece of property... that's what we think."  
(Respondent 3, Apr 13, 2005)

"You know, as far as the general public knows and as far as our stand goes, we're fine with Wal-Mart being built [elsewhere]. It's just this location."  
(Respondent 4, May 2, 2005)

The group felt that in choosing this particular location that WM and the developers made an unprecedented move. They have not been able to find a WM that sits in a similar location so close to a middle school, an elementary school, a neighborhood, and a church:

"I asked the developers to find another Wal-Mart that close to an elementary school... and they told me there was one in Hannibal. So I got on the internet and looked and I called a friend whose Mom lives in Hannibal. First of all it's not a Super Wal-Mart and second of all it's across the highway."  
(Respondent 2, Apr 8, 2005)

Being unable to find another WM of this particular size and magnitude in a similar location was a driving motivation for the continued existence of this group. But, as they continued their research the information continued to compile and when the group found out about the cities future land use plan, everyone became incensed. Within this plan the group discovered that the entire development they were resisting seemed to go against this very important planning document. Within this document the city claims that they desire to create communities that are pedestrian friendly, based around neighborhoods, and filled with businesses that would support the neighborhoods which they are based upon. Yet, in the end the city did exactly the opposite by allowing these

developers to build a business that is based in intensive auto travel and regional draws. Looking back upon this document with hindsight it becomes clear that the document itself is either very deceptive or the city council interpreted it in ways far differing from the community. While the future land use plan discusses resident enjoyment of "physical surroundings", mixed uses, and "sound neighborhoods," the city's interpretation is to let developers know that they will be allowed to enjoy their property to the fullest extent. In other words, developers seem to be allowed to make money in the best way possible and if residents don't like it, too bad because this council equates profit with enjoyment.

After all this, the small social movement formed their public and group resistance in opposition to the size, scope, and location of WM and worked closely with the city council and the community to show that they were against rezoning for a WM in this spot and; furthermore, that they were not a vocal minority but a strong voice, well representative of community opinion AND the future land use plan document published by the city. In developing their petition and getting signatures, demonstrating that they were true to these ideas were the main goal. The petition was used to demonstrate that the entire community was against a WM in the spot the developers had chosen and, most importantly, that the group was not being elitist, but community oriented. In attempting to avoid the elitist characterization they tried to get as many people as possible from the community on board through this petition which ended up being composed of approximately 5,300 signatures from many different areas of the city. For a frame of reference, a recent policy initiative made it to a special election and was passed into law by a clear majority vote when that petition only had 1,600 signatures.

Despite all the efforts of the community group to show they were not anti-WM,

elitist, or anti-community, the city council and the local news media constantly demonized their position, calling them exactly what they said they were not. In an editorial, written as "The Tribune's View," the publisher of the Tribune stated that:

"We should not blame the neighbors for their adamant stance. It's their right, but they leave no room for compromise. Nothing will appease them. They have become thoroughly anti-Wal-Mart. Even though the Wal-Mart store will be built, regardless, and the community will benefit with a larger tract, a group of neighbors has decided to do anything possible to deny the developers. Developers say they will present neighbors holding a more accommodating view, a tactic they should have used earlier."

(Hank Waters, Columbia Daily Tribune, Dec 19, 2004)

Once they were labeled, the label stuck and became truth and a powerful approximation of how the community group was to be treated by the council. When it came down to making final decisions, this mischaracterization of the community movement became evident when one council person attacked the petition for incorrect wording:

"He first read what the citizens signed - we the undersigned hereby voice our strong opposition to the proposed location of another Columbia Wal-Mart Supercenter... He noted that it stated nothing about one plan versus the other. It stated that they did not want a Supercenter at this location and commented that if provided to him, he probably would have signed it also. He pointed out that it was not their choice to make. He also pointed out that the petition was not to the City Council. The last sentence read - we ask the Wal-Mart Corporation to exercise civic responsibility in this choice and not develop a Wal-Mart Supercenter at the proposed location. For those that would say the City Council was ignoring their constituency if they voted in favor of the rezoning, he suggested they go back and look at what they signed and to recall that their voices were not the only ones in the community."

(Jan 3 2005, Columbia City Council Meeting Minutes)

Because this council person sees the development differently and disapproves of the wording of the petition, he decided that 5,300 signatures should be ignored.

Interestingly this is fairly consistent with all of the council persons actions (outside of the two that voted against the development) surrounding this process. Despite the group's

best efforts, the local media persistently characterized this community based group as being elitist and anti-WM and the city council played right along. Even though the community group explicitly called themselves pro community and not anti-WM, the city council, at least the 5 of 7 who voted for this development, acted as if the movement was anti-WM by only allowing discussion of, and challenges to, the appearance and infrastructure of the development. Most importantly, this explicit exclusion of the discussion of real problems with WM and its increasing impact on local, federal, and world economies (through business practices, for instance) actually makes it impossible for the community group to be anti-WM in city hearings. Thus, local media characterizations of the community movement were deceptive at best and served only to turn people, council members included, against the goals of the movement. The movement and its goals were therefore marginalized (and this marginalization was constantly reinforced) through the use of media discourse and, most importantly, their most powerful arguments were explicitly excluded from the conversation within the chambers.

The actions of the city council played perfectly into the hands of the WM developers by excluding any tough questions from the hearings. The movement was thus confined, from the start, to contesting issues of aesthetics and as this issue progressed the developers became increasingly less willing to change or limit the development any further. In the later stages of the city council hearings this issue came to such a head that the developers threatened to walk away from the whole deal because if the development were limited any more they would not have any incentive to build. While the community group felt this would be just fine, the city council bent over backwards to apologize and



keep the developers on board. From these interactions it became clear to some of the members of the community group that the city council was, no matter what, on the side of the developers in spite of the fact that a majority of community itself was against the development. During one of my interviews of the movement participants, I was told that one council person who represented a ward with an obvious majority opposed to this development, said to her:

"I don't care if I get reelected in 2007, that is just 25% more of my time free. I am going to do what I think is best for the community."  
(Respondent 2, Apr 8, 2005)

For this council person there is no chance that the community group might know what is best for their own community or even a chance that the community itself might know what is best. The council person apparently never justified how he knew best, but only told everyone that he did. It is most interesting to think that a majority of the council took as truth what the developers told them would be best. The developers clearly had a power advantage throughout this dispute. Their word was taken as truth and gospel while the community group was constantly forced to fight in order to gain any kind of respect. The developers are considered experts on the situation and even though they are highly invested in making a dollar, which surely causes some bias, their voice is given more weight than any other. Yet, more importantly than the weight and trust given to the developers is that the hearings themselves, through introductory framing statements made by the mayor, are structured to systematically and explicitly *deemphasize* and exclude the importance of things like job quality, environmental sustainability, and neighborhood satisfaction in the development process. This process is set in place only to ensure that development will be successfully completed while minimally pleasing the

constituents.

### **Winning in Losing**

Despite having failed in their overall goal of stopping the development altogether, this social movement did have some successes overall because some of the city staff members were on their side. Most importantly, they changed the appearance of the development such that the developers are going to be forced to build a very uncommon looking WM.

One particular meeting between the social movement and the developers is of great importance for the clarification of this point. While both groups were sitting around a table in the area school (right across the street from the contentious property) the development lawyer pulled a picture out of his briefcase and told the social movement that if they were willing to change their stance the developers might be willing to build the pictured WM. This picture contained a WM with a brick facade, trees, fountains, and a rather pretty parking lot. Some within the group were slightly interested but the landowner, with one glance, tossed the picture in the trash and said that they would never build such a thing. After this incident the meeting was essentially over, instead of calming the group down and enticing them into compromise, the landowner smashed the possibility.

Interestingly, this picture (and the landowner throwing it in the trash) served to inspire the movement into a secondary goal. If they could not stop the development, then at least they could make it look a lot better and, if they could do this, they would be able to throw something in the developers face (even a small success matters in such a powerless situation). In the end, the pictured WM is exactly what the developers are

being forced into making. Outside of the brick facade, the group managed to gain a number of other concessions from the developers. This was made possible through city staff reports that led both the City Council and the Planning and Development Board through some fine legal details that required more specific attention in the plan itself. In doing this, the city staff opened up a negotiation between movement, council, and developers that ended with a list of changes to the plan that would not have existed without this negotiation. Included on this list are a number of trees and landscaping amenities, lighting restrictions, parking lot water filters, a fountain, stoplights in the immediate vicinity, crosswalks (pending MODOT approval), a bus stop, a parking lot for the school, and a ban on overnight semi and RV parking.

Overall, the movement was successful in its failure, despite how odd that sounds. Being consistently unwilling to roll over for the developers, this movement gained a good deal in making this WM look better. Unfortunately, no matter how many trees or fountains the developers add to the lot, no matter how many roads they build, the business practices, size, scope, location, and impacts of this development remain unchanged. This point is of no consequence to the overall development planning process however. The most important comment in this regard came from the development lawyer himself when he stated that:

"This is not a question of whether or not there will be a Super Wal-Mart at this location, but a question of whether the city wanted to join with the developer in making this the best plan for the site that it could."  
(Sep 22 2005, Columbia Planning and Zoning Commission meeting minutes)

Thus the community group was:

"left with either supporting the larger rezoning or getting the 17 acre project crammed down their throats."  
(Respondent 3, Apr 13, 2005)

### **Chapter 3**

#### **Political Context and the Future Land Use Plan**

This chapter focuses on the power of political context and I build this context through a step by step analysis of the future land use plan. The land use plan described here is a document that is, in itself, imbued with power. Yet, the importance of the document does not lie within the words themselves; instead, the power of this document lies in its interpretation. While the document sets the stage for development, it is the actors who use this document for their own needs and through their own interpretations. In these interpretations the city officials and the developers are unified while the community is excluded from this practice of documentary interpretation. This document, its uses, and its interpretation are the official channels through which the city official and the developers are able to exercise their power in the second dimension.

#### **Metro 2020- A Planning Guide for Columbia's Future**

A thorough understanding of the Metro 2020 Land Use Plan is essential for understanding why this social movement (or any resistance at all) existed in the first place because this plan sets the stage for all planning in the city. Even if the city does not officially speak of the plan during council hearings, the importance of the plan, stated on the cover, is clear: "A Planning Guide for Columbia's Future." This plan sets the stage for development by laying out a number of principles and visions for the future of Columbia; however, these visions are all refracted through the lens of market capitalism. The most important point here, which I will develop through the chapter, is that the document, seeming to have power on the surface, becomes essentially meaningless once

we understand the values of market capitalism do not (cannot?) support community development unless profit is the primary focus. Thus, in the final analysis, the plan is both a way to placate the community into thinking future development will be under their control and a way to let developers know that Columbia is open for any and all business.

Along with the Columbia Area Transportation Study Organization (CATSO), the City of Columbia Department of Planning and Development created the Metro 2020 Land Use Plan in order to have a comprehensive city and county level plan for the future of land use in Columbia. The process leading up to the final plan included a review of past land use plans and public comment from neighborhood association presidents, developers, real estate interests, and environmental groups. This plan is most generally described in the following introductory statement:

"The Vision for Columbia as expressed within this document is a one of a community where residents are content with their physical surroundings and a mix of uses co-exist in a manner that ensures the continued use and enjoyment of property.

Where a system of well planned roadways, greenbelts, regional parks along with sound neighborhoods as building blocks and a strong central city core forming the structure which support a variety of business, social, recreational, and educational, opportunities.

Where the efficient and proper arrangement of land uses and public infrastructure support continued growth and local governments and service providers cooperate to efficiently serve the growing population." (i)

Overall, this statement claims that planning is used for the residents of the neighborhood. Yet, if this is true, then why did the city allow a Wal-Mart Supercenter to be built in a location that completely contradicts all the principles of the Metro 2020 plan?

Most helpful in trying to answer this question is that, in the first chapter, The Department of Planning and Development makes it clear that this document is not a rigid

rule to restrict the future of land use in the area, but, instead, this document is merely a generalized guide to define the meaning of each zoning district, outline some guidelines for compatibility between these zoning districts, and, most importantly, ensure future land use values do not decrease (read: always increase). All with the explicit recognition of the general assumption that the city will have to mediate between "market forces" and the land use plan. Despite the positive neighborhood and pedestrian oriented development goals and values emanating from the document, the final outcome of development in the Columbia Metro area has not been aligned with these values and goals. It is in this chapter which I will uncover the market ideologies underlying this conflict and leading to greater capitalist control over development in this community.

### **Guiding the Plan through Assuming the Market**

The Metro 2020 Future Land Use Plan is a self-proclaimed generalized guide to future land use in the Columbia metro area. The plan starts in its first chapter by describing the guiding assumptions, the core issues, and the general goals for future land use.

The guiding assumptions, that market forces and the maintenance of property value will lead development, are rather broad but serve as the ideological underpinning of the plan and are highly influential in the development process. Though the Planning and Development Committee does not describe and define the logic behind these formative concepts, there is an implicit reference to market driven capitalism within them. The use of the concept, "market forces," and the focus on value invokes a long history of capitalist exploitation of resources and people. Within this context, using market forces as a guiding assumption determines the direction of the document; furthermore, this

characterization of the "market force" makes the market appear as some sort of amorphous and hidden concept when, in reality, this document itself is a market force and the city is a director of the market. While the use of market forces conceptually removes responsibility from city officials, the reality is that these city officials are the directors of the market and they are giving developers market power through such an open ended plan.

In using these amorphous ideas for guiding concepts, the Planning and Development Committee is explicitly ascribing to these values and implicitly approving of their history. Through using these "guiding" concepts the city is making the implication that businesses and profit, instead of people and community wants or needs, will steer the city into the future. Overall, these values are contradictory to the core issues and goals of the plan.

The core issues for the planning process are to create "quality" (their quotes, not mine) development, use flexible zoning, develop master planning and coordination between the city and the council, ensure compatibility between zoning districts, and use neighborhood identities as the focal points of the development process. Were one to open to this section without having read the any other part of the plan, these core issues would appear like positive planning goals that are beneficial to the community, not just business. However, interpreted through the guiding assumptions of market capitalism (read: subordinated to the market), "quality" means high profit and "flexible" zoning means that the zoning categories can be reinterpreted at any point in time in order to remove any obstacle to profit.

Master planning and coordination between the city and the county can prevent

sprawl and create good use of land; on the other hand, it can also promote the poor use of land. Master planning never makes any claim to slowing or containing growth and thus is just another tool to help *promote* growth. In other words, master planning is not going to interfere with profit, but instead, is another tool to promote profit. In this way, master planning, in this particular case, is serving much the same function as flexible zoning. Most importantly, the Metro 2020 land use plan is intended to serve as a guide for the overall master plan. Thus the Metro 2020 plan is a generalized guide, generally guided by market forces, to be used as the background for another general plan that will supposedly coordinate development between city and county. Maybe this will be the ultimate plan!

The looseness is emphasized here to demonstrate the absurdity of the whole situation. While these plans stand out as important references to policy developments, the meanings are built so loosely that they seem to have no true intention outside of promoting market driven development. The plan thus becomes merely a guideline through which some language must be filtered in an effort to present future development as necessary, inevitable, and beneficial. Now that the document is fully in place as a hidden market force, councilors, city officials, and developers reference their compliance with the desires of the document in order to benefit their standing and progress. Yet, when this document means essentially nothing under close scrutiny it leads me to believe that their references to the document make up nothing more than a clever step taken to elude the social responsibility to create the positive development that is vaguely outlined in the document.

For this project, the documents claims about compatibility between the zoning



districts is very important because these claims were entirely violated through allowing a Wal-Mart Supercenter next to districts zoned residential. While this section claims that the compatibility guidelines for residential, commercial, central employment district, etc. are guidelines to promote well organized growth, the reality is that flexible zoning and profit driven development, as guiding assumptions, overrule all the toothless guidelines. When flexible zoning and profit are core principles, I find it hard to believe that zoning compatibility has any real meaning for the planning process at all unless it is given some significant legal reinforcement to make compatibility real.

The final core issue, keeping neighborhood identity as the focal point of the development process, is best illustrated by the following quote from the plan:

"The Metro 2020 plan encourages the creation of neighborhood centers to provide a focal point for residents and to foster a sense of neighborhood identity" (3).

If the city really were trying to make development fit into and help to build some sort of neighborhood identity, why then did the city build a Wal-Mart Supercenter in the one neighborhood where this identity is being screamed at the council and all the surrounding neighborhood associations vocally opposed the development? It seems that a neighborhood identity is another concept within this document meant to appease residents into believing that development will benefit them. For instance, if a developing neighborhood already has a city park in the area, this park will serve as the focal point mentioned in the previous statement and, according to local officials, the neighborhood therefore complies with this section of the plan. In this sense, the neighborhood identity which the city speaks of has nothing to do with how the community identifies with the businesses in the area or how the community perceives the future of development for

their own neighborhood. Furthermore, "the market," being the impersonal guiding force of development in Columbia, considers only profit in development, not the preservation or promotion of some elusive and undefined neighborhood identity. Thus this identity will only matter in the cases where the identity is somehow closely associated with making profit.

These core issues, on the surface, seem like they are designed to promote positive development that fits the desires and aesthetics of each community. Yet, knowing the market ideologies that serve as the foundations of the document and knowing that the city allowed a Wal-Mart Supercenter to be built with large vocal opposition, these core issues become a simple facade laid over an ugly sales pitch. Through the combination of the guiding assumptions and the core issues the purpose of the document starts to emerge through the fog. This document is not written to protect the community from sprawling disorganized development; instead, its vagueness and flexibility is used to protect developers and promote development while simultaneously making the documented claim that Columbia is open for business. This is by no means that surprising considering the global economic and political context which all cities operate within, but it is an essential point that helps us understand the local political context in which this social movement operated.

The goals of the document, like the core issues, are positive in their appearance by seeming to push development that fits with community desires and aesthetics, but, like the core issues, the goals are subsumed under the power of the market and lack any real meaning. The goals of the plan are to contain urban development to easily serviced areas, encourage high quality commercial and industrial, hold development to high

standards, ensure transportation mobility for all residents, maintain neighborhood stability, increase affordable housing and housing affordability, and finally, to promote and maintain aesthetic quality. In a very broad sense, these goals were followed through the process. Most importantly, however, the operative language within the goals (e.g. to guide, encourage, and promote quality) flows very well with the overall stream of a general plan. As long as the language stays general throughout the plan then the city has never made a solid commitment to any quality or style of development. This commitment, instead, is supposedly given to the market, to forces unseen, to things uncontrollable. This claim in itself is so ridiculous that it requires no more attention other than to reiterate that this document is, in itself, a market force that is opening up the local market to greater abuse from the development community through some sort of even more absurd utilitarian claim that more money "on the market" helps everyone.

The main objectives of the plan are to prevent urban sprawl, encourage high quality development that supports the character of neighborhoods, accommodate contemporary lifestyles, build neighborhood, community, and regional scale developments where appropriate, build mixed use developments to reduce automobile traffic while encouraging pedestrian forms of travel, and pay close attention to preserving neighborhood harmony with the surrounding areas by building compatible developments. Upon first read, it was here where I really got frustrated about the new Supercenter because absolutely every one of the objectives was specifically violated through this development. A Supercenter is not a neighborhood draw that promotes pedestrian traffic, in fact, it is exactly the opposite. While these objectives are undeniably good, they were never implemented in approving a Wal-Mart Supercenter on this site and, when

considering the final outcome of the process, it is hard to believe that they were ever even considered. The only explanation for this complete lack of coherence between the land use plan and the realities of development in Columbia is the fact that the grounding principles of market capitalism do not agree with and override these more specific goals.

The most important lesson to draw from this land use plan is that words are always up for interpretation. In this case, either the more generalized assumptions underlying the plan have taken precedence over the more specific core issues and goals, or, these core issues and goals are interpreted far differently by the city than by the community and the interpretation of the city holds greater weight than that of the community. Either case is unacceptable because, in both cases, the community is completely powerless, lacking any control over their immediate and lived environment even when they desire to have some control.

### **Compatibility?**

Beyond all of these basic premises, issues, and goals, it is most interesting to note that many of the category compatibility issues and zoning ideals outlined in Chapters 4 and 6 are violated with this development. When the Planning and Zoning discusses compatibility, they are specifically addressing what sorts of businesses belong in and around specific zoning districts and these compatibility guidelines were violated in approving for a Supercenter to be placed at the contested location.

While some of the basic goals and issues were essentially negated by using the word "flexibility," the zoning compatibility guidelines within Chapter 4 and 6 of the land use plan are intended, respectively, to describe the characteristics and compatibility guidelines of neighborhood and commercial districts. These chapters emphasize the ideal

neighborhood as a place where the businesses fit the character, the car traffic is low (less than 1,000 cars a day), the whole area is focused on a neighborhood commons, and the commercial developments are built to suit pedestrians. Overall, there are maybe two communities in the city that are even loosely designed in this fashion. Like a good portion of new development in this city, a Wal-Mart Supercenter is a far cry from these goals and like the rest of the relationship between the document and development found within the introductory chapters, the claims made within the chapters on compatibility do not match the observable reality. Yet, for me, this chapter still retains its importance because it represents the idealization of the Columbia neighborhood, built through a seemingly democratic process that has been thoroughly violated by the realities of development.

Legally, the city manager gave the developers and Wal-Mart the right to build on this location because he claimed that a 60,000 square foot K-Mart set the precedent of building an 185,000 square foot Wal-Mart on similarly zoned areas, despite the fact that they are located within entirely different contexts. As described, the Wal-Mart is going to be in the middle of a neighborhood, bordered by two schools and a church. On the other hand, the precedent setting K-Mart is bordered only by other major businesses. I have been unable to get any responses for my questions directed to the city manager surrounding this issue, let alone any response that would offer reasoning for such an unreasonable decision.

Thus, throughout this analysis of the Metro 2020 future land use plan, I feel as if I am sometimes being too hard on the city council for its lack of attention to the plan. I feel sympathy for the council in many ways because they are stuck between the intentions

of the plan and the cooperative powers of landowners and the city manager to do as they wish with the (with new immanent domain laws, is it now any?) property. Yet, had the city planner refused to allow Wal-Mart to build in an area zoned C-1, then there would have been a more explicit choice beyond an ugly Wal-Mart or a pretty Wal-Mart.

Nonetheless, I find it difficult to believe that the city council could not have overruled the decision of the city planner in the name of the citizens and in an attempt to make the positive vision of the future, specifically outlined by the Metro 2020 plan, a reality.

Among many possible explanations for this phenomenon, I think that the following are most likely and/or most important: the city council is unaware of and/or has never read this future land use plan, the plan is just a pleasing facade to placate the community into believing that development will be pretty and under control, and/or the plan is interpreted with great emphasis on the core issues of flexibility and profit.

All of these possibilities are probably a part of the overall reasoning behind the fact that there is going to be a Wal-Mart Supercenter on this highly contested piece of property. Since the city never referenced this document in any of the hearings or even suggested possible restrictions on the development based in the plan, it would seem that no councilor actually opened the plan at all. If the council did read any part of plan then they did not mention it during any of the hearings in an effort to avoid any conversation with the community about the violations of the plan. Yet, it is hard to believe that council members had never seen or heard of the plan when members of the city staff were writing letters to councilors that outlined the specific aspects of the Metro 2020 plan that were violated through this development.

The most straightforward (and probably the most realistic) explanation is that this

plan is interpreted with flexibility and profit as the focal points. While the plan exists, it is not intended to provide any restriction on development. Instead, it is only there to provide an ideal type (not a realistic) description of future development. In this case, the ideal type only served to modify the parking lot, create some additional landscaping, and add a pretty fountain and a brick facade. These are important additions but they were also forced by the local social movement. Without the social movement the Wal-Mart would be far less attractive, making the city appear even more ignorant of the future land use plan, as if the only section they read was in the opening paragraphs where flexibility and profit were highlighted. If flexibility is the most important point in the plan then, whether or not this is the intention, the plan serves both as a device to placate the community into a hopeful stance for future development in the Columbia Metro area and simultaneously as a device used to attract developers. While the community reads happily about pedestrian oriented development the developers and land owners read happily about flexibility and live without the need to concern themselves with such trivial things as neighborhood or job quality.

In the final analysis, it is very revealing to consider that, while this document mentions increases in job numbers and only talks vaguely of development quality, it never once even mentions job quality. What better way to evaluate the benefits of development for a city than to look directly at how it might possibly change the lives of the people living within the city? Every development, and especially such large developments like Wal-Mart, changes the city in which they build their new store. The labor practices of Wal-Mart have created changes in global labor markets through their business practices, should we not question these impacts on our own community? In the

greater context of the privatization of absolutely everything, we find that even our local land use plans and urban development in general become privatized with little, if any, consideration for the direct impact on community residents. Instead of looking at what this development means for the people who live in the community and instead of trying to understand what will be best for the members of the community, the focus is shifted such that the only important aspects to consider in the development process are increasing profits, increasing tax bases, and increasing the total number of jobs.



## **Chapter 4**

### **Success among Movements**

This chapter focuses on the power of expert discourse in shaping the strategies of these movements. While many of these movements I will discuss were spatially distant from each other, their strategies remain very similar. Even though these communities lie within places ranging from large and wealthy suburban communities to medium sized college towns and even to small rural communities, their strategies are all strikingly similar while their outcomes vary wildly in a seemingly senseless manner. While the expert discourse is a valuable tool to assist movements and it can save a great deal of time and effort in developing strategies, it seems to have sometimes done more harm than good by applying a logic that is supposed to work across the board. Curiously enough, this expert discourse functions to reaffirm the third dimension of power that excludes the overall debate about growth from the movements. This is made possible through a focus on fighting one battle at a time and pushing communities to be convinced that success lies within the little victories.

#### **Planning Across Cities**

All states have some sort of regulation that requires "citizen participation" in the development process. The interpretation of these laws is wildly different in many cities and there is a distinct difference between the planning documents of those cities that were able to stop WM and those cities which were unable to stop them. For instance, in Columbia, MO and Stoughton, WI citizen participation is a simple matter of sending citizens within 500 feet of the development a notification of a meeting; furthermore,

when the citizens oppose development or sprawl in these areas the city is not compelled to follow the citizen opinion for whatever reasons they see fit (i.e. citizens are not knowledgeable enough to make a judgment). In these cities, the general planning documents only talk about rules and processes that lead the developer to successful development, they do not discuss the processes of citizen participation and the rules for citizen notification are minimal.

In cities like Gresham, OR and Avondale, AZ, where WM was stopped entirely in the end, citizen participation is much deeper. In these communities, the entire planning process is up for public reviews and the political system is open to this process. All planning oriented documents are clearly available on these city websites and, most importantly, citizen participation is a *central aspect* of these cities' development processes. The planning process details specific rules for notifying citizens about development, the documents themselves went through a citizen review, and specific instructions for the citizens to get involved are contained within the documents. When citizen inclusion is an important and explicit part of the development process, the council generally allows for comments about business practices while, on the other hand, these discussions are explicitly excluded from the hearings in places like Columbia and Stoughton. In these communities the citizen voice matters more and, because of this, though I have not compared population ratios for participation rates, it seems that more citizens get involved in the process.

It is hard to say exactly *why* these planning processes are so different, but the fact of the matter is that the widely different political processes in these communities makes a big difference in the outcomes of development disputes. In towns where the community

must struggle to be heard, WM generally wins and gets a new location. In the communities where hearing the citizen voice is encouraged and *legally required* for approval of the development, it is much harder for WM to win.

My understanding of these different processes has been gleaned from similar sources which brought my understanding of the movement in Columbia. These sources include city and movement websites, local newspapers, local city planning and development documents, and the Sprawl-Busters website.

### **Similarities**

In order to begin understanding the differences in outcomes of these social movements against WM Supercenters it is important to understand the similarities between the winning and losing battles in order to understand their differences. As a note, this initial assessment was compiled through a random introductory search of Sprawl-Busters' victory cities and then a deeper search of movement websites and newspaper articles associated with those victories.

First, despite all the demographic differences between the communities I have studied, there are common argumentative themes across many of the different movements I have investigated. Win or lose, these movements generally focus on traffic increases and appearance. While a broader range of argumentation was allowed during the council hearings in the cities that won, the discourse of the movements was nonetheless focused on traffic and appearance issues, the discourse of the developers was nonetheless focused on their positive contributions to the city, their willingness to work with the movement, and the movements unwillingness to work with them (presumably because they are elitist WM haters), and the city council was nonetheless focused on getting the development

process completed, approval or disapproval. I find this to be unsurprising, considering the approval processes in all of the cities encourage this argumentation because it follows standard legal protocols and a given city has very little legal power to control the business practices during the development process. If these different cities are all using similar focuses in their argumentation then it becomes fairly clear that this is not the most influential matter in trying to understand the level of movement success because the most powerful arguments mean nothing when the citizen voice is not influential in the planning and development process.

Second, unity between the city and the community is very important. If the city council and the movement are unified in their decision to stop WM, for whatever reason, then it is likely that the development will be stopped. When the city council disagrees with the movement's contentions about traffic and/or WM neutralizes any or all of the movement's claims by making marginal improvements to the proposed development, the city council generally votes against the interests of the movement. Of course, this is not surprising either, because the city is working more closely with the developers than they are with the community from the start in these cases; furthermore, the simple fact that the city and the community are unified does not explain how and why they were able to become unified.

Finally, quality development always means following the local rules. In fact, quality only matters in reference to these rules. If the city has a broad and flexible plan and the hearing process emphasizes completion over collaboration and cooperation then quality itself is also broad and flexible, bent toward helping developers, and based in whatever loose interpretation the city officials see fit. If the plan emphasizes citizen

approval and flexibility is directed toward modifying development to fit citizen needs then quality is entirely based on citizen interpretations. Across the board, though they usually did not discuss it openly in the hearings, the city council was focused on following the rules set down by these planning and development documents. For instance, even though the city council would often *allow* discussion of business practices in the council hearings where communities won in the end, they would encourage those participating to keep their arguments bounded by the cities rules and regulations because arguments within these bounds could lead to victory for the movement while those arguments that strayed had little influence on the decisions made by the council. Thus, the more detailed and direct a plan in reference to citizen participation, the greater the chance that a community movement will be able to stop the entry of a new WM because they have a greater understanding and are more involved in the collaborative development process from the start. Yet, an explanation of the construction of quality development is really not as important as the point about following the rules, which I will return to shortly.

### **Misconceiving Success**

While Sprawl-Busters has served as a very important and encouraging (not to mention the only) "clearing house" for anti-sprawl information, they are also guilty of creating some confusion among movements against new development. Regardless of whether or not Sprawl-Busters was the main source of discourse used by all of these different movements, many of these movements used similar discourse (focused on traffic and appearance as violations of zoning codes) and Sprawl-Busters encourages the use of this particular discourse, not to mention that about half of the movements were

named either "community first" or "*x-city* first." This assessment of the Sprawl-Busters victory conception has been compiled by looking through all of the information linked from every city that is labeled as a victory. While this obviously does not give me all the information about each of these movements, it provides me with the same lens through which local movement in which I am most interested formed their own strategy. The news flashes associated with these communities were submitted by the movements themselves and then supported with whatever information the writer had available. These updates mentioned the arguments used by citizen movements approximately 90% of the time.

When first looking randomly through the Sprawl-Busters database of news flashes that focus on victories, an organizer would think that they either have to get lucky, have lots of resources, or they have to get a bunch of people together and argue against the development with concerns about traffic increases and size as the argumentative focal points. Since being lucky and having resources are luxuries most people are not willing to wait around for, the latter arguments often become the focal point of the movements. Yet, as I have already demonstrated with the Columbia example and, more briefly, with the Stoughton example, this alone will not stop WM. As one digs deeper into the Sprawl-Busters library, it becomes unclear why some movements win and others lose, after all, they are all doing similar same thing. In the end, the website offers oversimplified and unsatisfactory reasons behind the failures of movements, blaming both the immorality of WM and distance between the values of Sam Walton's WM and the WM of today. While this is an interesting and valid point, it has little to no bearing on the outcomes of social movements against sprawl.

Under the heading of "Victories," Sprawl-Busters begins with the following comment:

"The following 277 communities have beaten a big box store in their community at least once, or pressured a developer to withdraw. In some cases a big box store may come back a second time, moved to another location in the town, or otherwise gotten in. But every city or town on this list defeated a store at least one time. This is the Sprawl-Busters list only. There are many big box victories we never hear about."

This is where the understanding of victory starts to get very fuzzy. Importantly, there is little description of either the process a movement actually employed in stopping a big box development or the context within which the movement operated; instead, the victory itself is the focus and generally includes a brief mention of the argumentation used.

Of the 277 communities listed on the website, only 156 of them could be considered even close to a final victory that stopped or shaped WM (see figs 1-4). Of these, about 70 of the victories were actually associated with a social movement. The rest of the time the big box business backed out of the deal themselves due to excessive regulatory barriers to the development (often environmental regulations) or the city stopped the development because of a poorly designed plan. In the later case, the developer only has to return with a better plan to get approval. Within these 70 movement victories, the most popular arguments against development (these often overlap) were based in complaints about traffic (25 total) and complaints about size, scope, or scale (27 total). Less frequently used arguments were very diverse. For instance, crime, economy, parking, and compatibility were each used to stop or slow development 5 times while environment and re/zoning issues were each used 11 times and the developments were stopped by a vote 11 times.

These stories of victory often happened a few years ago and if the website has no further updates it is entirely unclear if the big box was ever actually stopped or if it was merely shaped or delayed as it was in Columbia and so many other communities. This is not to belittle the successes of these movements and/or cities. When the general expectation is that development will always prevail, having this many victories available to help movements in their battle is very encouraging. Yet, my difficulty with the Sprawl-Busters piecemeal conception of victory remains because many of these slightly improved developments, despite continued resistance, happen in the end anyway, there is no further information after knowing that a battle has started, and/or the battle has continued to the state supreme court in a yet unfinished or unreported appeals process.

Of these 277 listed victories, I consider 7, like Columbia, to be total losses in which movements and regulations were only able to slow development or an initiative went to ballot and the development won the vote. It is apparently considered victory to get an initiative on the ballot. While this takes a lot of work, hard work does not equal win.

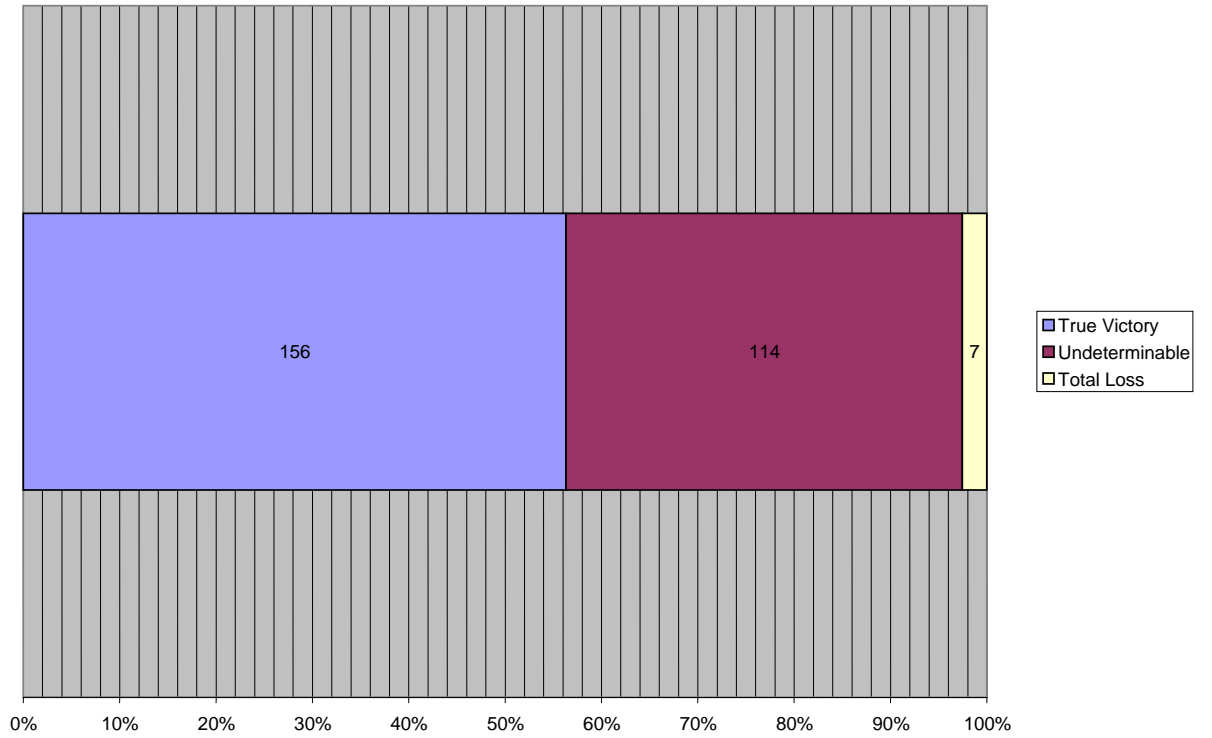
Of the other 114 cities listed as victorious, 70 of these had no news flashes associated with them in any way and there is no explanation for this. The other 44 "victories" on this list are composed of battles that started a few years ago and have no further information associated with the city. Being that these news flashes are based in movement submitted information it is likely that these movements simply never wrote back to Sprawl-Busters.

While I do see shaping a development as an important success that can help preserve important cultural, architectural, and spatial aspects of a given city that a development would have destroyed without resistance. However, at the heart of my

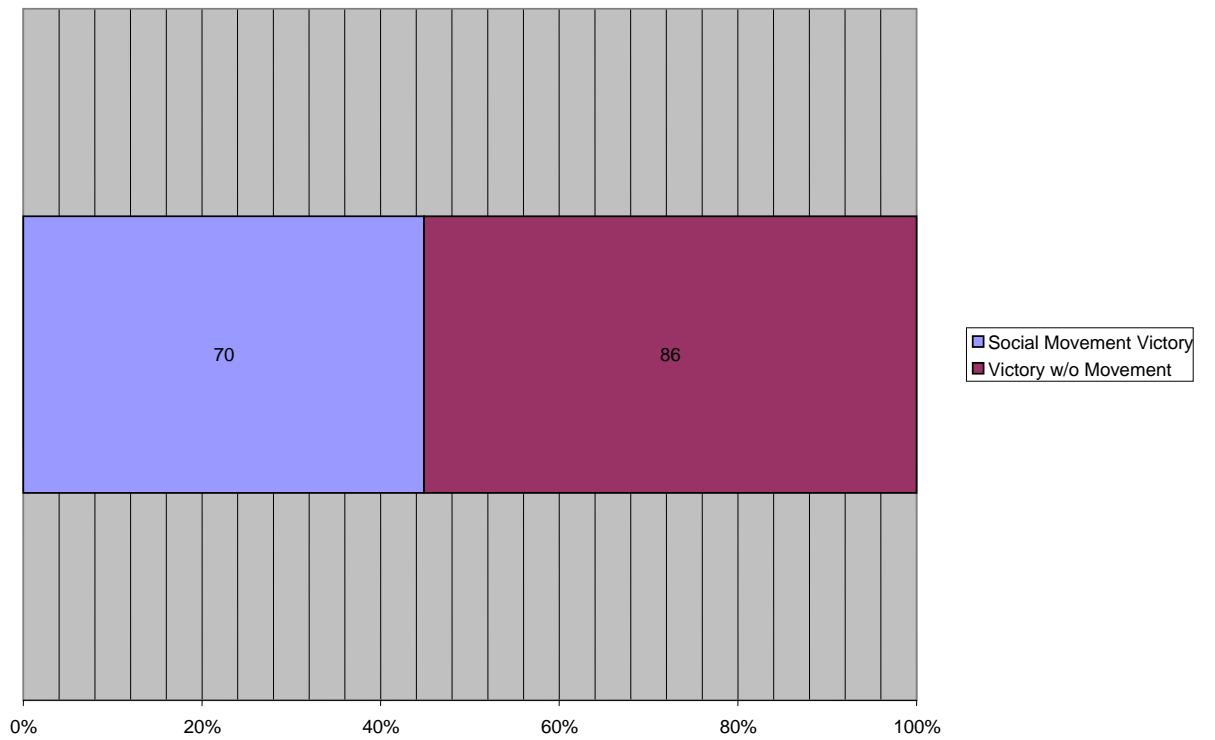


difficulty with this conception of victory lies the fact that, even when a movement is able to stop one development, the developer can come back one year later with a new plan or an entirely different big box business can come it with an entirely new plan, against which any movement must essentially start over to fight. The pressure to develop, especially coming from big box stores, is relentless. The fundamental problem is that any movement is starting from a position of relatively little power and resources to put into a fight in relation to big developers associated with the likes of WM and Home Depot. While WM frequently takes their fight to the Supreme Court level, community movements like the one in Columbia can't even afford to hire a lawyer. Because of this, even when WM is breaking zoning laws, neither movements nor cities generally have the capability to fight a battle all the way through the Supreme Court. Thus, in the final analysis, Sprawl-Busters would be more aptly titled Sprawl-Stallers and we continue to lack a compelling explanation for the success of a given movement.

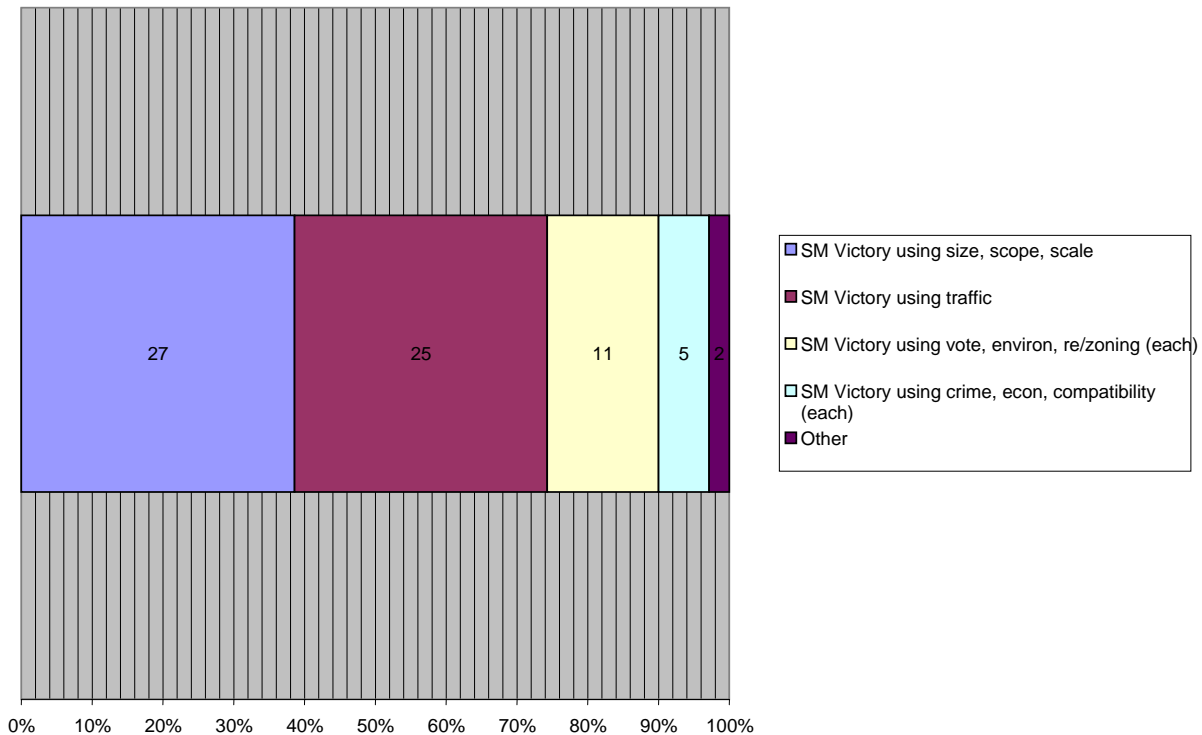
**Fig 2: Breakdown of Total "Victories"**



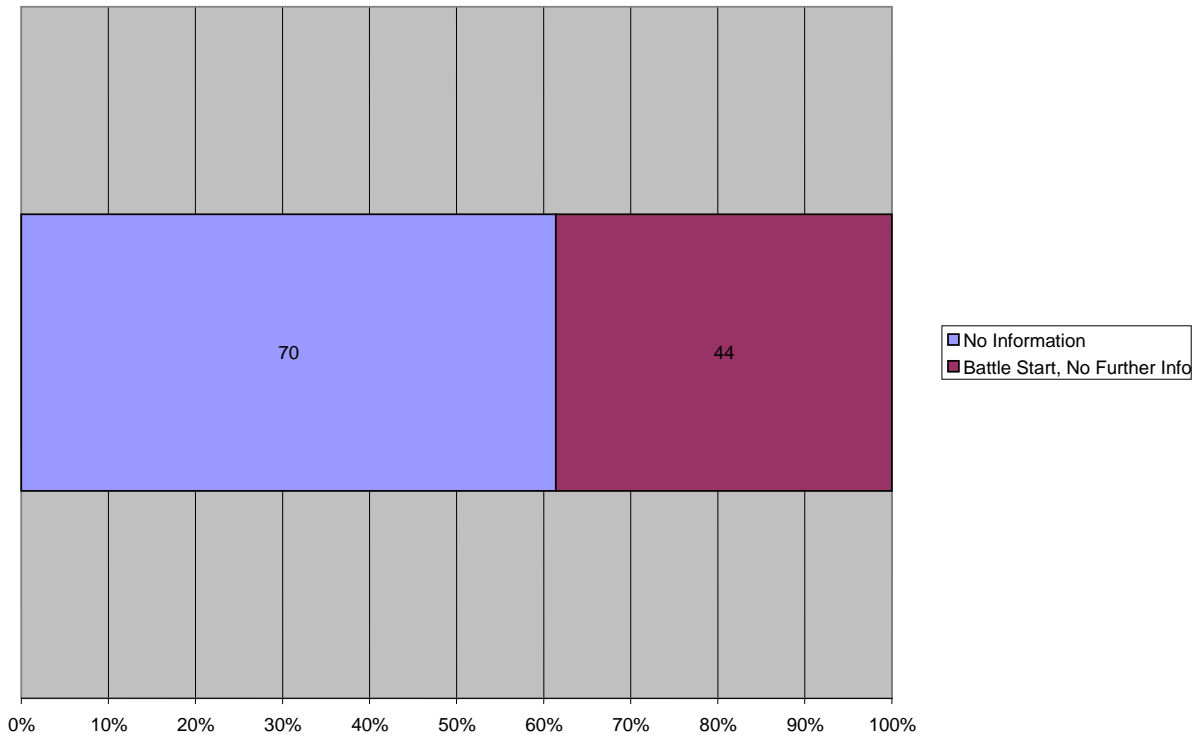
**Fig 3: Breakdown of True Victories**



**Fig 4: Breakdown of Social Movement Victories**



**Fig 5: Breakdown of Undeterminable**



### **Achieving Success**

On the surface, it would seem that greater numbers increase the chances of success. It would seem, in a supposedly democratic society, that greater numbers of movement participants would sway the city council in favor of stopping WM and, in fact, large resistance was cited 14 times as the cause of stopping or slowing development. Yet, if this were the answer, how did such a well supported movement fail to achieve their goals in Columbia? In fact, Columbia is not an anomaly in this sense. A number of communities that were unable to stop the development seem to have higher rates of participation (15 cited with at least 150 members in their organization), larger pools of resources (15 movements cited as taking their battles to court), and more diverse and readily available communication between the city and the community. Some of these communities had long standing organizations devoted to "smart growth," full websites, and money enough to hire lawyers and traffic engineers to keep up an offensive against WM. Despite all of these seemingly important differences, communities with greater resources also lost their battles or were only able to shape the development as in Columbia. Most importantly, some movements that used all of the very same strategies did win their battles; because of this, neither the numbers, the strategy, nor the resources seem to have a dramatic impact on the final outcome of the process.

As WM is very aware, the physical location of the contested site plays an important role in the outcome of the process. For instance, when WM tries to enter a fairly rural community, like Boonville, MO and 10 other cities, they first choose a site in town and if they encounter significant resistance to this development location then they will propose to the city council that a land annexation take place so they can build on the outskirts of

town where there will be less direct resistance. If a WM is entering a more urban area, like Columbia, MO, they choose a site and if they encounter significant resistance then they will propose piecemeal changes to the development until they can minimally appease the council as they did in at least 7 other cities. If WM encounters heavy resistance and/or strong regulations (as they did in at least 40 cities) that go beyond the scope of their standardized and situational plans, then they will withdraw altogether. Therefore, in order to win, the community (city council included) must come together in an effort to make development standards higher than WM is willing to go and the development process must be oriented toward benefiting the community beyond a simple growth in the tax base. When the prior is the case, WM is generally not willing to go all the way to satisfy stringent requirements for environmental standards and when the latter is the case, the community has greater control over the development than the developers. Because of all this, the physical location and the social context in which that location is immersed are very important in trying to understand the outcome of a given development debate. It is to this sociopolitical context and the rules which I now turn.

### **Planning the Process and the Plan that Involves**

An explanation more powerful than numbers, resources, or differences in discourse comes from understanding the political context in which these movements operate. In this, the movements who lost their development disputes lived in cities where the development plans were more similar with other cities that also lost their disputes than they were with those cities that won their disputes.

Cities like Columbia, MO and Stoughton, WI have general development plans that focus on rules and compatibility regulations and never even mention the requirements for

citizen participation. These planning documents are so similar to the Metro 2020 land use plan that I already spent a chapter describing that I will not spend any more time on them here outside of making their similarity explicit. I argue that this plan sets up the context in which the whole development process unravels. When the city focuses on flexible and general guidelines with little reference to the processes for citizen involvement, the citizens have little to no control over the final outcomes of the development process.

On the other hand, when cities win their development disputes, they are working in contexts that encourage citizen input and participation. The planning documents in cities like Avondale, AZ and Gresham, OR *start* with outlining the requirements, processes, the places to go, and the methods for citizens to be involved in the development process. Because of this, I argue that the final outcome of development disputes depends more on what the city has made possible for citizens to do and the steps that the city requires developers to take rather than what the citizens actually do. This is not to say that the citizens accomplish nothing; as I mentioned in the chapter discussing the movement in Columbia, without resistance, the store would look entirely different. This *is* to say that, in these communities with disempowered citizens, they will only be able to shape, not stop, the development of a new WM.

While the overall structure of all these plans in winning and losing communities is fairly similar in the way they all talk about creating a sustainable community that values history, culture, and "quality" development they differ widely on the way they talk about citizen participation. In the communities that won, this participation is explicitly outlined in the very beginning of the document and the documents themselves are written in a

very accessible fashion. These city plans offer descriptions of how to use and understand the information contained within. The plan for Avondale, for instance, includes a URL and an actual screenshot of the web gateway to citizen participation in the development process. Beyond this, the plan goes on to describe real strategies for the city to encouraging citizen participation. The reason for these differences in planning documents would require a research project of its own but, for this application, the most important thing to note is that explicit citizen participation contained within the documents plays an essential role in the final outcomes of the development process as a whole.

Most importantly, this very same conclusion came out of an interview, which I will quote at length, with the founder of the Columbia movement. After reflecting on their strategy and the outcome of the whole process with the question focused on what had been learned about city politics overall, she commented that:

"The main thing I learned is that the city has no means with which to help its citizens participate in these types of issues. Just having a public hearing isn't enough. I really feel an ombudsmen or similar position is needed to assist people in navigating the complexities of the rules, regulations, information sources etc.

This is especially needed as those in groups like ours have NO experience or expertise and we are going up against professional developers with lawyers who do nothing but work with the city re: development.

The developers and lawyers are the experts in getting through or around any roadblocks to getting what they want. We were frequently surprised or ambushed by last minute changes; tactics used by the developer; the familiarity of the developer with the staff, council, media; usual & customary issues, precedence we had no knowledge of; logistics like where to get up to date information etc.

So you end up standing in front of the council at a hearing and are challenged by the developers and find yourself stuttering or unprepared to answer. This is a huge advantage to the developer. They were excellent at painting us as emotional, unreasonable, or ill-informed."

(Respondent 1, March 8, 2006)

## **Chapter 5**

### **Power in Documents and Process**

This chapter emphasizes the power within the public hearings and the documentary process. Through analyzing the packet of documents attached to this development bill it becomes clear that the developer is closely connected to the city, while the community is far removed from the very same political processes. Furthermore, it becomes evident, through the minutes of all the public hearings, that the voices of the community are of little importance to the overall process. These hearings become a spectacle of powerlessness in which, over time, the community becomes further removed from the whole process. In this chapter the first and second dimensions of power become abundantly clear through this marginal treatment of the "public debate;" furthermore, the third dimension becomes evident as we now see that the consistency of movement argumentation helped to lead them toward focusing on the aesthetic debate alone.

#### **Documentation**

One very simple and revealing way to understand the decision making process in the city is to look at the documentation surrounding the bill of interest. In this case, the bill packet coming from the city was thick with documents, notably so, according to the city clerk. Within this packet, I found all of the planning and zoning (P and Z) and city council meeting minutes, all of the letters that passed between the developer and the city, all of the letters that passed between state and city organizations (i.e. MODOT, Parks and Recreation) and the city, and three letters that passed between the community and the



city. All of the letters from the developers and the official organizations attached to the government on some level are on official letterheads, had time stamps of the day they were received, and were addressed to someone important involved in the process. The developers often addressed their letter directly to the city manager, but, more importantly, the state organizations often addressed their letters directly to the developer.

On the other hand, the three letters from the community included in this packet look as if they were printed out from an email. They have no date stamp marking the date of receipt and one of them does not even have a name along with the letter. On top of all this, the actual petition given to the city was not included in this bill packet. Noting this opens up the eye to the fact that very little of this documentation comes from the community; it is the official record of official discourse.

The general progression of the documents makes it clear that communication between the city and the developer was intense while communication between the city and the community was sparse. For instance, the packet starts with a report from the city staff noting problems with the first version of the proposed development and offering advice for P and Z to decline the development proposal if these things do not change. Following this and still before the first hearing, is an amendment from the developer that addresses these very problems with the development. Most importantly, this amendment only made it into the hands of P and Z, not into the hands of the community. Due to this lack of communication between city and community, the movement group came into the hearing totally unprepared to argue against the development that changed right before their eyes because of an amendment of which they were totally unaware. This, in addition to the lack of a petition (or anything at all from the community) in the packet,

leads me to the conclusion that the community is excluded from the documentary process.

### **Language, Process, Outcome**

In order to present the whole picture of the development process as I see it, I am going to discuss the process from beginning to end and highlight the important points in order to bring out both the disempowerment of the community and the total disconnection between city and community. While this process officially started in 2000 when the developers went to the community with a totally different project in mind, the process started in force in August 2004 when the staff made their first report on the development that would eventually be approved by the city, thus, I will start with this report, its reaction, and its treatment and end with the final approval of the development.

#### *In the beginning...*

The first staff report, dated October 21, 2004, describes the development as it was initially proposed and recommends that the plan be rejected because its request to rezone the area from Intermediate Business District (better known as neighborhood commercial, C-1) to Planned Commercial(C-P) runs counter to the Metro 2020 land use plan and the developer does not provide a full C-P development plan. The staff report also offers 12 conditions that, if fulfilled in the plan, would lead the staff to recommend approval of the plan.

Within 7 days, on October 28, the development lawyer provided a 9 page amendment letter (the letter the community never saw) intended to act as a part of their development application. This letter, in addition to addressing the concerns of the city

staff, preemptively addresses some of the concerns of the community. In this, the developers work to negate the communities arguments against size, location, and traffic by presenting all of the road and aesthetic improvements they are wiling to be a part of; furthermore, the timing of this letter leads me to believe that it was done this way to keep the community out of the loop. With this much modification to the development within one week of the hearing, they could have been certain that the community would never hear anything about it until they got into the first hearing. Beyond this, another function of this letter was to provide P and Z with just enough information to push the rezoning plan through to the council with as little resistance as possible and to let the city know that

“the applicants are willing to refine the amended plan and Illustrative Site Diagram further in order to make this planned development a beneficial and attractive improvement to the City of Columbia”  
(Conclusion of Letter from Van Matre to member of P and Z).

This was an effective move in that the community had no idea what the city was talking about when they read off the modified plan to those in the P and Z hearing. The leader of the community movement was only able to make the following comments after her prepared speech, stating that their movement was

"concerned about the turnaround in the staff support, which previously recommended denial. Despite recent amendments, the plan remains untenable to [the movement group] as the amendment continues to show rezoning of the entire tract."  
(P and Z hearing November 4, 2004)

This first hearing reflects the original policy on public hearings that shifted in between the first and second hearings; furthermore, this first hearing represents the height of public resistance to this development. More people were allowed to speak and they were allowed to speak about whatever they liked. In other words, there were not yet any

restrictions on what the community was allowed to say. Yet, the conversational process and the time frames allowed to each group are very revealing of the orientation of power in this instance.

From the very beginning, members of P and Z are willing to admit that they have never seen anything like this before. No developer had ever come to the city for approval of a C-P rezoning plan without an actual detailed C-P plan:

"Mr Barrow asked if the City had ever done this before and if it has been tested in court.

Mr Watkins said he was new to the position as interim director. He had no knowledge that this had ever been done before, but he saw no reason why it couldn't be done."

(P and Z hearing November 4, 2004)

An approach of "don't know, don't care" is already coming from P and Z within the first five minutes of discussion after the bill has been read. Perhaps this serves to foreshadow the eventual outcome of the process. It is clear from the start that the goal here is not to slow or stop development according to the community, but to encourage development and make the developer's job as easy as possible:

"[Mr Watkins] stated that this is one of the issues with the C-P zoning district -- how to get sufficient detail so that the neighbors, Commission, the staff and city council can feel comfortable with the request without going through the formal and expensive process of completing an entire C-P plan."

(P and Z hearing November 4, 2004)

How can the neighbors be satisfied with the development if their only desire is to stop it? Most importantly here is that the city is trying to skirt its own regulations, trying to bend the rules so that the developer doesn't have to spend too much time and money on making a full plan because the developer has a good track record, of getting developments done. The city attorney had, despite the fact that he openly stated he didn't

care, never been asked to give a legal opinion on this particular strategy. This trend is further indicative of the city being oriented to getting development pushed through to completion with the minimum of difficulty and the minimum of public intervention.

Once P and Z opened the public hearing, they outlined a special time procedure that set the basic precedent for all other meetings over this issue. This procedure seems to have been enacted to control for the huge amount of people wanting to speak against this development. Yet, the fact that the developer and the community are given equal time and the developer talks throughout the hearing makes it clear that the developer is favored in this case.

"[Mr Wade] indicated that an alternative procedure would be in place for this public hearing. He stated that the developer and his representatives would have 30 minutes to make their presentation. Others who support the proposal would then have 3 minutes each to make additional comments. Then those in opposition would have 30 minutes to make their presentation. After the presentation, others in opposition who felt their interests were not stated would have 3 minutes each to make additional statements."

(P and Z hearing November 4, 2004)

The subtle difference lies between the way each of these positive and negative discourses are treated and received. The developers and the engineers with them are in *conversation* with the city over how the development will turn out in the end. Not to mention that these same people are spoken to *outside* of the time allotted for the public hearing. The developers report becomes a question and answer session with P and Z in which the commission ensures their understanding of the report and makes some suggestion for ways to make it better.

On the other hand, when the 30 community members (speaking few repeated complaints, indicating there were probably others who did not speak because their

complaints had been heard) came to speak, P and Z essentially ignored them unless they requested some specific development improvement or asked some specific question of the commission. This is not a conversation at all, rather, this hearing becomes a spectacle of community disempowerment in which the presence of the community is systematically ignored; after all, they are only allowed to speak when spoken to and 30 people get the same time to speak as 3 developers. When we, as citizens, are told that we can only represent ourselves through collective action, this debacle clearly demonstrates how collective action can be systematically ignored when one sleeps through it.

*During the crucial stages between the first P and Z hearing and the first Council hearing...*

There is no public record of the community having any involvement in the process until the next public hearing (the first Council hearing) and, simultaneously, quite a bit happens in between these hearings. In fact, as far as documents are concerned, this is the busiest period in the whole process. During this period the city received letters (multiples from some places) that offered, encouraged, or pressured for approval. These came, chronologically listed, from the city manager, Parks and Recreation, Columbia Public Schools, MODOT, the development lawyers, and from Wal-Mart Stores, Inc.

Of these letters it seems that the most important came from the development lawyer. In this letter, which was hand delivered to the Mayor on December 15, 2004, 5 days before the hearing, the development lawyer submitted a rebuttal to the arguments put forth by the movement against their development. Once again, this document came in with such perfect timing that the movement was never notified of this action until after the December 20 council hearing began. Outside of undermining the movements

arguments with faulty statistics that were taken as truth, this letter was designed to demonstrate all the concessions the developer had made, how good the development was going to be for the city, and to characterize the movement as uncooperative. Where the movement had once said the developer was making threats to the city, this letter says that the movement is threatening the city because they want a smaller development. Of course, he doesn't mention that the developers had uncooperatively refused to scale down the development and improve infrastructure because there was just not enough room for what they wanted to do. Point being, this letter is included in the packet with the bill and there is almost nothing from the movement included in the packet. Were this packet the only available information, one would have to read through a few sets of meeting minutes before they ever realized there was an official organization opposing this development.

The first City Council Hearing went much the same way as the first P and Z hearing, except the movement (and anyone willing to agree with them) was limited in their argumentation. Starting with this hearing, for the rest of the time this issue was open to public debate, the public was only allowed to speak about specific problems with the development. In the end, the council seems to ignore the movement in the same way that P and Z ignored them. For instance, there is little conversation going on between the city and the community. The community comes up, makes their statements, and goes home. On the other hand, the developer talks throughout the whole hearing and the city asks for his thoughts whenever they want to change anything.

In the overall scheme of things, this second hearing was only used to make a few amendments to the development plan and table it to the next hearing. As time goes on, fewer and fewer people show up to speak because it becomes increasingly evident that

the community has little say in the final outcome of this process.

*Approaching the final stages of the rezoning process...*

One of the city council members who had been working closely with the community proposed a version of the development bill that was highly restrictive. This version of the bill would force the developer to build all of their proposed improvements before they built the new Supercenter. As happened every time before this, the development lawyer hand delivered a rebuttal to this restrictive bill to the Mayor 5 days before the final hearing. Once again, the community was unaware of this rebuttal until they came to the council hearing.

Regardless of the developers repeated efforts to sideline the community out of the process, the city did a good enough job themselves by acting as if the community merely came to the meeting so they could do a little show during the public hearing (as soon as the public hearing ends they start talking to the developers about how to make it look best). While some community concerns about traffic issues and aesthetics are addressed, the more fundamental issues about the development overwhelming the site and the neighborhood were ignored completely. Most importantly, once the public hearing ends, the council immediately starts tearing apart the bill proposed by one of their own members and "Mr Ash suggested focusing on the applicants version while tightening up a bit" (City Council Meeting Minutes, Jan 3, 2005). Of course, this ends up being a compromise that the developer lays the ground rules for. In the end, the developer sets their own schedule for the road improvement and makes it so they merely have to demonstrate the financial capability to improve the area. Needless to say, they are building the WM before they ever improve the roads and some of the promised



improvements are left open ended, to be finished when they are deemed necessary.

In one very interesting and revealing moment, the council person who had been working closely with the community proposed cutting the size of the store by another 17,000 square feet. When the council person brings this up for debate, the developer interrupted to say that they hope they don't have to do that because they are willing to go along with road improvements and then changed the subject entirely. If the council brings s up something he doesn't like, he just changes the subject. In the end, this seems to be just another indication that the developer, not the council, is the one controlling these hearings over development.

At the end of this hearing the council approved the rezoning with one council person making it a point to talk about the meaninglessness of the petition in his mind and another council person telling them that they need to "be careful what they wish for because they might get it" (City Council Meeting Minutes, Jan 3, 2005). The community is treated as if they have no idea what is good for the future, let alone any idea what they want. They are deemed foolish because they fight to make a huge development smaller, they are told to go home because the city will make the right choice for them.

At this point, the rezoning is approved and the developers must only present a plan deemed acceptable by P and Z and the Council. Also at this point, the members of P and Z seem to get sick of the community being involved in the process. Right before the start of the public hearing, as in every other hearing, the presiding authority made explicit what was to be allowed spoken in their presence. This time though, they were particularly curt:

"Let me please emphasize what I said -- clarifying information, not advocacy for your position. That is to be an opportunity for clarifying

information only, not advocacy closing remarks. I might also note that we only have one question on the table before us. That's a discussion and consideration of the development plan. This is not a forum to talk about what personal feeling about Wal-Mart may be, or whether or not there should be a Wal-Mart store at that location. Those decisions have been made and are not before us, and I will ask anyone who addresses those questions to please refrain."

(P and Z meeting minutes, Sep 22, 2005)

Interestingly, the decision of whether or not to have a WM on that spot was *always* made without the concession of the community. This issue was *never* up for debate, nor had anyone brought it up in since the very first hearing nearly a year ago. Yet this person goes out of their way to shake a finger at the community and ensure that they will be complaint with the process.

In the later stages of the public hearing, the P and Z commissioners finally talk to the community for the first time in order to say things like:

"Are you finished?"

"Can you move to wrap up and make your point as it relates to this proposal, please?"

(P and Z meeting minutes, Sep 22, 2005)

The total lack of respect for the community through this commentary makes it abundantly clear that the community is not welcome in these hearings. Their interference merely slows down the process and their comments are seen as disconnected form the greater process at hand which the commission firmly believes to be for the benefit of the community.

In addition to feeling like the community is slowing down the process, the commission gives the developers great praise for working so hard to make a good development:

"I think that I've been on the Planning and Zoning Commission for five years , and I think that the -- this applicant, more so than any applicant I've seen in that five years, has done everything possible to meet a compromise with every party involved; with the various agreements, the infrastructure improvements... I mean, I can't imagine a developer doing more, and I'm very impressed with that, and I want to thank them."  
(P and Z meeting minutes, Sep 22, 2005)

Interestingly, this developer has been an applicant many times over in that five year period and was certainly unwilling to make compromises with anyone if it required limiting the size of the development any more than it already had been. Overall, the hearing, outside of being an event that simply happens to clarify what has already been decided upon, becomes a self glorification ceremony. After this comment is made, all of the commissioners praise the developer and the development in their own way, talking up their great success to each other.

After this hearing, the issue moved back to the council once again for final approval of the C-P plan and the resistance dwindled to only the main representatives from the movement and neighborhood organizations. At this point, there was little the group could do outside of trying to demonstrate that they had worked hard to make this a better development and the public hearing is essentially non-existent. Overall, the final hearing seems to be a momentary pause to once again praise the developer and development for all their great work.

### **Argumentation**

In the final analysis, this series of documents presents a development in which the reasoning behind the development was rather poor. Where once the developer argued that they might as well build something big on this location because the road they are building on will get big when the state connects it to an exit ramp from the interstate

highway he later argued that there is no need to expect them to improve that road until much later because the ramp will not be built for 10 or 20 years. Where once the developer said they would not build on the smaller C-1 zoned area because there is no economic incentive their traffic engineer later assured the city that there was no real difference between the WM on the current or proposed rezoning, that there would be the same traffic increase and thus the same general income. Overall, the developer never stuck with any argument, saying one thing only to contradict himself later. Apparently nobody noticed this.

On the other hand, the community was never able to make the city hear any of their arguments. When they argued that the development was against the future land use plans, their comments were totally ignored, when they begged the council to force the developers into the original zoning, they were told to be careful what they wished for. Overall, the city has rather selective ways of choosing which arguments are acceptable to be spoken in their presence. The process is bent toward pushing developments through as fast as they can by streamlining the process for the developer. Even when there is resistance, as there obviously was in this case, the development cannot be stopped, it can only be adapted to minimally appease this resistance and it must fall into the acceptable parameters laid out by the developer.

Development in this city then, is not about community decision making, it is not even about community desire. The simple fact of the matter is that development is there for the sake of development. There is no assessment of impacts and there is no consideration for those who feel they have a stake in the development of the neighborhood, unless, of course, you are a major developer who has worked closely with

the city on many other occasions.

## **Chapter 6**

### **Public Discourse and the Power of Identification**

This chapter reveals the public discourse that existed outside of the public hearings; furthermore, this chapter describes the power of the newspaper publishers, editors, and writers to describe an event on their own terms. The implications and accusations made by these important people at the newspaper were further reflected in the discourse of the public hearings. What the newspaper said about people stuck, even if they also published pieces in the newspaper that directly confronted these issues. This chapter indicates further that the movement had no power of self definition in the local public arena. Through this process, the newspaper played a role in reaffirming false notions about the movement and, therefore, played a large role in shaping the public understanding of the movement. More importantly however, is the fact that this was the only arena that allowed any and all types of discussion. Because of this, it becomes abundantly clear that, along the third dimension of power, nobody was considering this to be an issue of growth. At best, it became an issue about WM in which case it only hurt the chances of the movement to define themselves.

#### **The Power of the Paper**

For this study, the important pieces that the newspaper carries are editorials from the community, articles from staff writers, and an editorial written by the publisher that is, very importantly, called "The Tribune's View." In order to understand how the newspaper contributed to this debate over land uses I will discuss the differences between these pieces. Overall, there are a fairly small amount of articles associated with this

debate, they come almost entirely from the time periods immediately surrounding the five public hearings, and there were progressively fewer pieces as time went on. Unless the piece directly responded to an article in the immediate past, the articles operated independently of each other and almost every article commented on the immediate goings on in the development process. Most importantly, these articles represent a public discourse that carries a lot of weight in the community because it is the both main source for local print news and an important way for the community to come to understand their officials. Comments that do not come out in the meeting minutes are clearly articulated in articles containing commentary from interviews. Thus, the paper offers the debate that is not heard in the council chambers.

### **Op-Ed Pieces and Letters to the Editor**

The editorial pages serve as a place for the community to make their voice public; in fact, it was an editorial that started this movement. In making these public statements, the op-ed page often become a place to announce, clarify, or criticize positions. In doing this the majority of the editorials, 13 of 18, written by community members and associated with this land use dispute were either written with the intention to criticize the developers and those who supported them or to defend the movement group and clarify their intentions and positions. A minority of these editorials, 5 of 18, were written to both attack the goals and intentions of the movement and to encourage the city to approve the development plan.

Taken together, though they were mostly written independently of each other, these editorials represent an argument between those promoting the development who write for the paper and the community members who want to convince them that the

development is not the best thing for the neighborhood or the city. Letters to the editor, with a limit of 250 words, represent one of the only places that the community can get their opinion into public view outside of the public hearing. Being in a debate with the columns written by staff writers who did not have such tight space requirements, the community was at a distinct argumentative disadvantage.

Despite this disadvantage, the editorial forum provided a place where the community could bring out and clarify arguments against the development. Since I have already spent a chapter describing their arguments and their position I will not spend a lot of time reiterating them here; instead, I want to demonstrate that, no matter how hard they tried, the movement was unable to make an acceptable argument. One very important editorial made it clear that, while much of the community itself was against WM, the movement organization was, very specifically, not opposing WM:

"Editor, the Tribune: Community First is not anti-Wal-Mart. Community First cooperators know that businesses will occupy the northwest corner of Broadway and Fairview Road.

We are opposed to rezoning the additional land so a 200,000-plus-square-foot Wal-Mart Supercenter can be erected rather than a 180,000-square-foot building without rezoning."

(James R Brown, Columbia Daily Tribune, Oct 26, 2004)

While this is a simple description of the position it served to counterweight some of the more insidious editorials that attacked the movement. In fact, most of the letters written were in this same spirit and, much like the arguments given in the public hearings, the community kept their arguments simple and they kept their complaints limited to the positions that the city had deemed reasonable (i.e. size, scope, traffic, etc).

Despite all of their attempts, the movement was unable to keep their name clear of anti-WM sentiment. Some of the editorials coming from the community were rather



harsh and damning:

"Editor, the Tribune: Now is the chance for the Columbia City Council to show leadership for the entire city or buckle under to a few irrational and emotional adjacent homeowners who for some unfathomable reasons do not understand that a Wal-Mart Supercenter is going to be built at Broadway and Fairview Road. It is like, 'Hello, are you there?'"

(Terry Gibson, Open Column, Columbia Daily Tribune, Dec 22, 2004)

"Editor, the Tribune: We will soon learn the outcome of the Columbia City Council's decision on the Fairview/Broadway Wal-Mart plan. The council members must demonstrate their vision for a better Columbia by cutting through the emotional debate and anti-Wal-Mart sentiment and vote for rezoning - providing west Columbia with a more attractive, safer development.

Rezoning will offer better vehicle and pedestrian access, a safer environment for children who walk to Paxton Keeley and an increase in property values for the Park de Ville area."

(Kelly Veach, Open Column, Columbia Daily Tribune, Dec 19, 2004)

"If a person cuts through the emotional rhetoric and anti-Wal-Mart sentiment that has surrounded this issue and approaches this decision with a level head, it is easy to recognize the plan as the preferred development for this main intersection that serves western Columbia."

(Kathleen Veach, Open Column, Columbia Daily Tribune, Dec 17, 2004)

This last comment about approaching the situation with a level head was exactly the path that the movement tried to follow. Apparently, no matter what the movement had to say for themselves, parts of the community were nonetheless unwilling to listen to the movement on their own terms. Unsurprisingly, this reflects the same impression of the movement that some of the articles written by the staff and the publisher were pushing on the community. It is to these articles written by the staff and the publisher which I now turn.

## Articles

Within the pieces written by the staff of the tribune the responses to the community ranged from highly critical to seemingly neutral. Those pieces that were written to be highly critical often directed their comments toward the movement. Those pieces that were seemingly neutral talked mostly about the actions and opinions of the developers and council while giving the movement such a brief treatment as to make it appear ridiculous. Both of these slightly different pieces simultaneously served the interests of the developers and hurt the efforts of the movement.

The following clips exemplify the range of argumentation used in the more critical pieces; some were almost rude while others simply tried to undermine the movement:

"We should not blame the neighbors for their adamant stance. It's their right, but they leave no room for compromise. Nothing will appease them. They have become thoroughly anti-Wal-Mart. Even though the Wal-Mart store will be built, regardless, and the community will benefit with a larger tract, a group of neighbors has decided to do anything possible to deny the developers...

So be it. The important issue here is what the city council does. It has the power and responsibility to make the best city policy it can. If council members vote against this rezoning request, they will be doing so strictly because of the furor of certain neighbors, not because the smaller initial development will represent better land use."  
(Henry J Waters III, Publisher, Columbia Daily Tribune, Dec 19, 2004)

"Well, Toto, at least we're not in Kansas anymore.

That's the path some Columbia residents wanted to send our city down with their anti-Wal-Mart protests that reached a fevered pitch early this week.

Columbia city council members - most of them, anyway - resisted drinking the Kool-Aid and instead did the only thing they could do Monday night...

Opponents of Wal-Mart claim the city ignored them.

They're wrong.

The city listened, and it decided not to follow the yellow brick road to ruin."

(Tony Messenger, Tribune Column, Columbia Daily Tribune, Jan 5, 2005)

"When the consequences of Wal-Mart's size and business practices are added up, there is more that should concern Columbia citizens that just the location of another Supercenter at a high-traffic density intersection. Concerned citizens need to be vigilant about the adverse social, economic, and political impact of this economic superpower."  
(David Webber, Columbia Daily Tribune, Jan 12, 2005)

While these clips from the newspaper speak for themselves rather well, it is important to note that the overall thrust of all three of these examples is to undermine the movement. The publisher, in this case, pushes the council to make choices for the community instead of with the community, a direction of discourse that was reflected in the council chambers as well. He argues that the only decision is to rezone the contentious property and that the community only wants to stop the development because it is a WM. This article simultaneously ignores and undermines the arguments of the movement, pushing the council to make a decision that the community does not desire.

The columnist simply insults the movement by placing their arguments in the realm of fantasy land. While the publisher made comments that lead me to believe he has no idea what the movement was actually arguing, this author portrays the movement not only as totally irrational, but also as a group that is trying to lead the city to ruin.

The final author makes it sound as if the movement is misguided and in need of better argumentation. While this article makes a good point, it neglects the fact that the arguments he is trying to tell people to use were explicitly excluded from the debate. While enough of the people in the movement believed these arguments such that they would have used them if they were allowed, they were not allowed. Thus, this article only serves the same purpose as the other two and it starts to appear that the newspaper was merely trying to make the movement look stupid.

The rest of the articles associated with this debate were not quite so negative about the movement, but they nonetheless painted a rather incomplete picture that simultaneously made the movement appear non-existent and uncompromising while making the developers appear like good citizens who really tried to negotiate. Importantly, the articles in this category were all published immediately following the public hearings surrounding this issue and they were thus portrayed as a report of the procedures. In all of these articles, one for each hearing, the focus was on the developers, their actions, the changes in the development, and the progress toward completion. When these articles mention the movement, they only do so rather briefly:

"Opponents say it would overwhelm the roads and neighborhoods in that part of town. The developer has the zoning to build a smaller store on the site but contends a larger planned development will fit better in the neighborhood and improve traffic flow."  
(Columbia Daily tribune, Nov 3, 2004)

"Last night, the [movement] group, which has fought the development since it organized early this year, submitted 5,000 signatures of people opposed to the project."  
(Dave Moore, Columbia Daily Tribune, Nov 5, 2004)

"[She] said developers are threatening the city and residents to rezone the area or face a worse plan. Either way, [she] said, it's a bad idea with too much traffic for nearby homes."  
(Chuck Adamson, Columbia Daily Tribune, Dec 15 2004)

"[She] vowed yesterday to keep pressure on Van Matre and the developers."  
(Matthew LeBlanc, Columbia Daily Tribune, Sep 21, 2005)

Although these articles did not condemn the movement for their actions, they offered no explanation for these actions. In the context of these articles about the public hearings, which go into great detail about what the development could look like and what the developers have done to make it look better, this treatment of the movement simply

makes them appear ridiculous and pushes people toward accepting a development which the articles give the appearance of inevitability; furthermore, it paints the developers as good citizens when the reality of the situation is that they were pushing this development on the community in the context of great resistance. Yet, their treatment of the movement did get worse. In articles that came after the development there was no mention of the movement at all, as if their actions had no impact whatsoever, as if the developers had just decided to offer the community a much better looking development in the end.

Overall, when the articles talk *about* the movement, they only do so briefly. When the articles talk *to* the movement they damn them for trying to hurt the city. Thus the movement was presented with a no win situation on all fronts. Even the local newspaper was unreceptive to the movement, their goals, and their accomplishments. The portrayal of this movement was so one-sided that anyone reading the articles with no other knowledge of the issue would either wonder what was wrong with these people in the movement or wonder what was wrong with the writers of these articles.

## **Chapter 7 Conclusions**

### **Movements, Power, the Shape of Politics, and the Appearance of Place**

While social movement generally literature focuses on movements that are national in scale with high levels of organization, I have focused on a small local social movement that is fragmented from its counterparts, directed by an expert discourse, bashed by local media, and contained in a political system that reinforces the power of developer's and development. Yet, as I demonstrated in Chapter 4, this disempowered local movement is nonetheless connected to many other movements around the country. While this paper does not make much of a contribution to social movement theory, it does demonstrate, in the spirit of political process theories, that movement strategies and outcomes are in many ways largely determined by the context and structure of local politics. In this situation, the local political context has much stronger of an effect on movements than any national or global level political structure.

On the other hand, and somewhat paradoxically, these development processes are inextricably connected with politics and processes of development that are both national and global in scale. On both of these levels urban growth and development have become a generalized process that emphasizes the "free market." In this, local landed elites are networked with major transnational corporations in an effort to bring unrestrained development to every nook and cranny of the globe. Yet, despite this process being well known to many, it has been entirely excluded from any public debate, left alone in the realm of the third dimension of power. While some communities may be allowed to discuss business impacts, it is only because their local political system allows things to be

this way. Because of this, the local political context, built over time through social action, becomes essential in understanding the processes surrounding and the movements against development; furthermore, though it is beyond the scope of this paper, it is necessary to contextualize these processes, movements, and systems of power within the national and global levels in order to understand growth and development as a whole.

It has been difficult to paint this picture as one of small successes; yet, these successes have long standing impacts that were invisible during most of the research and writing process and will most likely remain invisible to any cursory observation of the community. Most importantly, this movement exposed the flaws of the political system to many members of the community. Since I have completed my research, a local election has ousted some of the council members who were rude, unhelpful, and excessively pro-growth throughout this process. These people have been replaced with locals who are more interested in "Smart Growth" initiatives. While the growth issue remains hidden from view, some steps toward better growth policy are being taken and it is possible that, once people start to openly question the general effects of developments, growth itself could become an issue of public debate. This, however, remains in the realm of speculation.

In addition to the changes in the local politicians, this movement had a dramatic effect on the physical appearance of the development in question. While this may seem like a small gain for the movement, it is important to note that the community has played a role in changing the shape of their immediate and lived environment. This alone is reason enough to keep up the fight.

## **Democracy...**

I would like to conclude this paper with a brief discussion of and a call for democracy in the United States. As John Dewey so frequently commented, "the cure for ailments in democracy is more democracy." In the development arena, as in so many other arenas, we are suffering from ailments in democracy that restrict people from participation in real dialogue, even when they desire nothing more than to be able to participate in this dialogue. While this nation is founded on the principles of democracy, we nonetheless exist in a

"limited, formal conception of democracy [that] contrasts with *a deeper conception of democracy* that expresses the experience-based possibility of more equal, respectful, and mutually beneficial ways of community life and 'habits of the heart'- those characteristic, feeling-based, culturally shaped and located frameworks of value within which we perceive the world and formulate our active responses to it."

(Green 1999: vi)

Our system of purely formal democracy has far reaching consequences of disempowerment and helps to create a social nihilism that will continue unabated until we approach these issues in a serious effort to promote social justice, human rights, and self-determination and empowerment. While people fight to have control over their own everyday lived environment, our political system pushes them away in favor of multinational capital in an effort to build a "good business climate" through the pursuit of an impossible and largely undesirable free market. These sociopolitical practices so common in our lives push us away from a real and empowering dialogue and discourse that would enable us to decide for ourselves what this world should look like. As Paulo Friere so eloquently noted in Pedagogy of the Oppressed, this discourse must be open on all levels and to all people, we must convince the oppressor to stop being as such, we must also draw the oppressor into dialogue with the oppressed.



The foundation of this democracy, I believe, starts at the local, grassroots level. It starts with fighting to change our connections and interfaces with the everyday things in life like urban growth and development, racism, sexism, consumerism, classism, and heteronormativity over which you seem to have no control. A true deep democracy does not come from our formal institution of democracy, nor will it be given. In our world, all positive social progress has been achieved through social movements and the powerful and violent forces of neoliberal capitalism in a globalizing world are not going to simply hand us a form of democracy that would most likely strip them of such great power and wealth. Thus, I argue, along with many others like me, that we need to band together in order to fundamentally shift our everyday practices, our everyday existence, and, most importantly, the systems of domination and control in which we are so deeply immersed and imbedded throughout our lives.

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