Abstract:
The meaning of law resides not in the statute but in its interpreter. The mode of interpretation used by a particular agency of the state in a particular instance varies from interpretation based on abstract principles to interpretation guided by local contingency. These modes of interpretation are associated with conflicting and mutually exclusive forms of state legitimation. Law and regulation as written, adjudicated, and implemented provide a text that can be read as an indicator of how, and in whose favor, the conflicting legitimation needs of different levels of government have been resolved in particular instances. We illustrate this conceptualization of law with regard to federal-state-local conflict over hazardous waste facility siting. The particular form that hazardous waste law takes in particular places represents the political resolution of conflict among different agencies of the state responding to competing sources of legitimation.

Keywords: Hazardous waste sites