

Review of *Everyday Law on the Street* by Mariana Valverde, University of Chicago Press, 2012.  
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I asked my students in an advanced urban-studies seminar what makes a city. They talked about entertainment, diversity, stores, restaurants, and housing density, but no one said anything about law or government. If they had first read Mariana Valverde's new book, *Everyday Law on the Street*, my students would have offered a very different set of answers.

Valverde draws attention to a crucial but often overlooked foundation of cities: the administrative legal structures that make them run. In her focus on the everyday law of the city, she joins powerful intellectuals across many disciplines, including law professors Gerald Frug and David Barron; sociologists John Logan, Harvey Molotch, and Mitch Duneier; geographer Nick Blomley; historian Hendrik Hartog; and anthropologist Sally Engle Merry. Until Valverde, however, none had crafted such a comprehensive picture of local law and city life.

Valverde critiques as anachronistic Jane Jacobs' vision of cities as comprised of organically organized neighborhoods that embrace diversity. She shows us, instead, that today's governments' regulatory tentacles are inescapable, so acting as if government will stay away is both idealistic and unwise. Residents face a very different government than Jacobs did. In the 1950s and 1960s, Jacobs fought massive public projects forced on unsuspecting residents, but today's city dwellers confront governments that nurture public-private partnerships and mediate conflicts, and their success is judged only by the ability to reach a private agreement, rather than by broader public standards.

Valverde presents six different micro-studies of law's urban life. In one chapter, bureaucrats struggle to enforce seemingly objective noise and yard standards in culturally diverse situations. Next, readers ride along with municipal officials enforcing city codes and see that officials adhere to neighborhood politician's priorities, rather than technical standards. In another chapter, zoning laws reflect reverence for the single-family home, sending multi-unit housing complexes for disabled and low-income populations to poorer neighborhoods. In two chapters on licensing of mobile operations, Valverde shows how street-food vendors and taxi drivers suffer from law's outdated notions about running small businesses. Finally, readers watch conflicts over the siting of mosques and see politicians choosing either to champion diversity or breed intolerance. The conclusion describes one more frustrating story about the myopia of local politics and law, as even the most timorous attempt to update citywide zoning law meets with political failure. And, with that sad story, Valverde reiterates her critique of Jacobs' reverence for neighborhood solidarity, for it impedes comprehensive planning.

One significant strength of the book is its clever diagnosis of fundamental problems with urban law. Valverde exposes the structural dilemmas behind inequities in everyday life. First, whereas states regulate people with strong rights of their own, local governments regulate property, without such protections. While state governments would not be permitted to do so, city governments can enforce the morals of the majority like what yards should look like. And they do, despite their reputation for

embracing diversity. Second, after decades of legislators layering laws upon laws, bureaucrats cannot master the palimpsest of regulations relevant to the situations they encounter. Moreover, seemingly objective standards involve countless judgment calls. And yet citizens often expect bureaucrats to know the law and to apply it rationally and uniformly. As in her earlier work, Valverde beautifully explains the gap between official and lay legal knowledge. Finally, Valverde demonstrates how politicians engage in a modern form of patronage when they advocate for *their* constituents in struggles *against* the unwieldy city bureaucracy. Yet, when they act as local heroes for their constituents rather than as part of a larger citywide project, elected officials make it impossible to engage in more inclusive planning and usually reward privileged residents who make their voices heard. Valverde does an excellent job of exposing dilemmas of local governance, but she seems to want to go further: to offer solutions to the problems she identifies.

Although corrective measures are only the focus of the conclusion, there is an underlying sense throughout the book that the problems witnessed have a solution, and law can provide it. Modern, rational, objective, citywide law is presented as an antidote to dirty, neighborhood-level politics. Although Valverde's prior work delicately reveals complications of seemingly rational law, here Valverde unfortunately seems to retreat to the ultimately deceptive promise that rational law can be apolitical, that they can rise above inequalities outside of the law. Throughout, she is quite critical of administrators and politicians who serve as mediators of private disputes and emphasizes the need to craft general regulations, rather than forge specific compromises. Most explicitly in her conclusion, Valverde shares her hope that if regulations were written and enforced at the city rather than the neighborhood scale, greater equity would result.

Valverde's attempt to prescribe a cure for the ills she describes is ultimately less satisfying than her diagnosis. She offers little support for the idea that more regulation will produce satisfying outcomes. In fact, Valverde's and others' research suggests that increased legal enforcement would likely only hurt the poor and already disenfranchised, who tend to secure resources and power by acting informally and working around the law. An even more crucial oversight in her recommendation is her expectation of constituent participation in crafting these imagined, better laws. In fact, her own research contradicts her hopes for such input. The norm, as she reveals, is that home ownership and immediate threats draw people out. Long-term, large-scale visioning does not motivate diverse participation (notwithstanding innovative and unusual participatory budgeting initiatives). These problems with Valverde's solutions only expose how little we know about overcoming structural inequalities in the application of local law, and thus *Everyday Law* sets a promising and important research agenda.

Another real strength of the book is the way it extends the study of urban-legal sociology to the regulation of mobile property. Food vendors and taxi drivers suffer from unwise licensing practices. City officials intended to help small entrepreneurs by making taxi licenses more accessible for those who owned and drove their own cars, but this prevented them from later hiring help. Standard food-cart rules similarly enacted to open the field to a more diverse supply actually cost so much that it drove people out, rather than into the business. In effect, the city enforced anachronistic notions of the petty entrepreneur and immigrant worker, and as a result prevented those people from advancing. These

studies of licensing strengthen Valverde's argument that new ideas about how municipal governments can simultaneously support diverse public and private goods are needed.

Throughout, Valverde artfully uses accessible and intriguing prose to invite readers on this deeply analytical journey. And every reader will find something to identify with. Anyone who has eaten at a food truck or ridden in a taxi cab, complained or received complaints about noisy or unkempt neighbors, or read about fights over the locations of strip clubs, bars, affordable housing, or even mosques will find themselves drawn back to those moments of their own lives as they read. Because of the ease and expertise with which it introduces readers to an understudied and valuable meeting of law and the city, *Everyday Law on the Street* would be a terrific book to assign in undergraduate and graduate classes.