

Law And The City

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Mariana Valverde, [Everyday Law on the Street: City Governance in an Age of Diversity](#) (University of Chicago Press, 2012).

When I was growing up in Chicago in the 1970s, I obsessed about Jane Jacobs' *Death and Life of Great American Cities* (1961). The book captured much about what I loved about living in the city: The differences one discovered walking down that street instead of this one, the various faces a single block could present at different moments of the day, the way the little independent stores that sold small market journals or Asian specialties butted up against the more generic stores that sold the Snickers bars and Dr. Peppers that I lived on in high school. But there were also things about Chicago that the book did not address: The fact that there were areas not far from my home that I could not go into as a white teenager and other areas that my classmates could not go as teenaged blacks. The way that those spaces were defined as much by the city government's decisions not to enforce laws or to fail to enforce laws equally, as they were by local preferences. The fact that Chicago's neighborhoods, and the racial tensions between them, were defined as much by choices to ignore federal laws against redlining, racial steering, or housing discrimination as they were by community norms. And, finally Jacobs' celebration of the local did not capture the extent to which the struggles over those problems were defined by national, and sometimes even international, debates.

I started reading Mariana Valverde's recent book, *Everyday Law on the Street: City Governance in an Age of Diversity* (2012), a study of street-level urban governance in Toronto, because it promised a law and society alternative to Jacobs' work. But while I came, so to speak, for the law and society recasting of Jacobs, I stayed for the reminders her work offers legal historians.

Of course, there have been important legal histories of cities before; one thinks of Dirk Hartog's *Public Property and Private Power* (1989). Valverde's book, although not directly a history (though history plays a role in her account), is clearly in that vein. But her book is more than a reminder of important law and society contributions to the legal history of urban life. It is a constitutional story of how people negotiate multi-layered sovereignty (from the local to international) that shows us how historical actors are shaped by, and shape, a mix of legal regimes. Her descriptions of the grey and informal spaces where laws, regulations, government agents, and members of the public interact, demonstrate how blurry the lines between formal law and popular constitutionalism or extralegal justice can often be. And by unpacking that in-between space of quasi-law and discretion, she points us in the direction of the important work being done in Latin American legal history by scholars like Amy Chazkel (*Law's of Chance: Brazil's Clandestine Lottery and the Making of Urban Public Life* (2011)) and Pablo Piccato (*City of Suspects: Crime in Mexico City, 1900-1931* (2001)). Valverde focuses on land use and regulation, while Chazkel and Piccato look at criminal law, but all three works describe cities where law and the legal system are merely a part (albeit an important part) of a larger social system. In the process, they also show us how constitutional claims (from state power to the scope of citizenship and individual rights and privileges) are defined, in all senses of the term, by the enforcement, non-enforcement, or disregard of laws and regulations on the ground.

Ultimately, by peeling back the elements of law in Toronto, Valverde's book shows us just how variegated a city can be; it also reminds us how amorphous the subject of legal history is.

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Legal History

The Journal of Things We Like (Lots)
<http://legalhist.jotwell.com>

Law on the Street: City Governance in an Age of Diversity (University of Chicago Press, 2012),
<http://legalhist.jotwell.com/law-and-the-city/>.