RECLAIMING THE STREETS? POSSIBILITIES FOR POST-PANDEMIC PUBLIC SPACE

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Reclaiming the streets? Possibilities for post-pandemic public space

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Abstract. Dramatic shifts in the use of public space triggered by COVID19 are prompting claims that cities will permanently change. Among its many other impacts, the pandemic has upturned established practices of allocating and regulating urban infrastructure. For those who have long critiqued the preference given to cars, the sudden prioritisation of pedestrians and cyclists is being hailed as a once in a lifetime opportunity to achieve more permanent change. Whether lasting shifts do indeed eventuate will depend in large part on whether popular expectations have also shifted. Will the moves from cars to bikes endure, or will we revert to established expectations and understandings about the allocation and regulation of public space? Might the coronavirus prompt a more fundamental re-evaluation of who 'owns' the city, such that people reclaim the streets?

Figure 1: streets closed to cars for social distancing (image: Amelia Thorpe)

Since at least the oil crisis of the 1970s, and especially since the more recent recognition of the global climate crisis, there have been calls to rethink the allocation of public space and particularly public streets to produce more inclusive, resilient and sustainable forms of development (Shoup 2018; Newman and Kenworthy 1999). Policies for compact cities, complete streets and transit-oriented development have been adopted (albeit unevenly) across Australia and in many other cities around the world, yet progress in their implementation has been slow. For advocates of more sustainable cities, the rapid reallocation of urban space prompted by COVID19 presents an exciting opportunity. The decision by mayor Claudia López to replace 35km of Bogotá's traffic lanes with new emergency bike lanes, for example, has been widely celebrated. Many other cities have taken similar measures, reclaiming increasingly large amounts of vehicle space to create new, safer spaces for walking and cycling (NACTO 2020). Might COVID19 provide the impetus for a more permanent move away from car-centric cities?

Whether lasting changes do indeed eventuate will depend in large part on whether popular expectations have also shifted. Public streets are the quintessential site of politics: not just marches and assemblies where rights are demanded and disrupted, but the everyday expression of collective decisions about how we live together, about who gets access to which space, and for what purposes, about the role of the state and the rights and responsibilities of citizens (Iveson 2007; Isin and Nielsen 2008). Those collective decisions are often highly contested, so that the relative rights and responsibilities of citizens and their cities remain the subject of ongoing negotiation.

The rules that regulate streets are always uneven (Valverde 2012; Thorpe 2020). The way those rules are interpreted – and sometimes amended – are influenced to a significant degree by popular understandings about the kinds of use (and users) that are and are not legitimate in public space. Those understandings, and in turn behaviours and rules, can shift. In the mid-twentieth century, streets changed rapidly and radically: from shared spaces (for travel by pedestrians, streetcars, horses and carriages, but also for commerce, play and other forms of social exchange) to become spaces reshaped around the needs of the car (Norton 2011). The rights and responsibilities of citizens and the state shifted too, as expectations of things like safe spaces to walk, cycle and gather, or comprehensive public transport systems, were overshadowed by expectations about engineering for automobility.

An important determinant of expectations about the planning and regulation of public streets are understandings about ownership. Ownership encompasses not only the formal property rights used by councils and other landowners, but also the informal sense of ownership or belonging that enables certain users to control (or influence the control of) streets and other public spaces (Thorpe 2017). Ownership is closely connected to understandings about rights, indicating who is (and is not) able to feel 'at home' in particular places, with important consequences for agency, political voice and wider practices of civic engagement.

These connections were clearly apparent in reactions to the closure of Sydney beaches to support social distancing: when regulations clash with understandings of ownership, they are far more likely to be contested. Beaches are a central part of Australian culture and society, reflected in property and planning laws ensuring public access and ownership. The closure of iconic beaches like Bondi and, particularly, the enforcement of this by police and lifeguards, attracted national and international media attention (Dumas 2020). Regular swimmers were especially resistant, some even claiming that social distancing shutdowns shouldn't apply to them on beaches that were 'theirs' (Bungard 2020).

Beaches are useful for understanding ownership also in that they reveal its strong connection to race, class, gender and other forms of privilege. As Aileen Moreton-Robinson explains, "the

right to be here and the sense of belonging it creates are reinforced institutionally and socially; profound personal sentiment is enabled by structural conditions" (Moreton-Robinson 2015, 18). Ownership is much harder for some people to develop than others, and often tends to reproduce pre-existing inequalities in access to public space. The uneven ownership of Australian beaches has a long history, perhaps most notoriously demonstrated in the riots by (white) locals against what they saw as a Lebanese invasion of 'their' beach (Moreton-Robinson 2015). While beaches are publicly owned and accessible, the land near them is not: for most people, beachside suburbs are prohibitively expensive, so that the ability to 'own' a beach through regular use coincides with other forms of privilege. This unevenness is again apparent in the blaming of outsiders (foreign backpackers) for spreading the coronavirus and triggering the closure of beaches (Dumas 2020).

For almost a century, the idea that cars 'own' city streets has been widely accepted. Cars have dominated streets physically, economically and conceptually, receiving far greater allocations of space (for driving and for parking, with zebra crossings, lights and other physical and visual barriers providing clear signals that anyone not in a car should keep off the roadway) and of infrastructure budgets (plus significant shares of health other budgets consumed by the indirect costs of things like accidents, air pollution and sedentary lifestyles). This inequity is supported and exacerbated by a vast array of planning and other regulatory provisions: prohibitions on jaywalking, planning requirements for parking, engineering standards for high speed travel.

Suddenly, that order has been overturned. Cars, instead of pedestrians and cyclists, are being pushed to the periphery of many streets. Prohibitions on jaywalking are being replaced by invitations to spread out across the roadway, with the result that people previously too scared to cycle (or to let their children cycle) are taking to their bikes in large numbers. Instead of danger, noise and smog, these newly-empowered pedestrians and cyclists are experiencing streets that are welcoming, and many are celebrating this by sharing videos and photos online.

Figure 2: Traffic signals reprogrammed to prioritise pedestrians (image: Amelia Thorpe)

As we begin to think about what happens next, a key question concerns how people have understood the reallocation of streets and other public spaces. Activities in public space are not only shaped by ownership, they can also play a role in reshaping it (Thorpe 2020). Through their activities on city streets, people make material and discursive claims about their rights to do so, and those claims in turn contribute to the ongoing constitution (and sometimes reorientation) of the norms, rules and practices through which urban space is regulated. Even small-scale interventions by citizens and community groups can lead to significant shifts in understandings of ownership and legality, and in turn to significant shifts in the regulation of urban space by planners, policy makers, police and other officials.

The experience of walking or cycling on newly-safe streets – enjoying clearer air, more wildlife, less traffic noise and far less deaths and injuries – might be enough for people to develop a sense of ownership for those spaces, particularly as the weeks and months pass and the novelty turns into habit. That ownership, in turn, might then be enough to shift expectations about how – and for which users – urban space and infrastructure should be planned and regulated.

Ownership is personal, but also relational: the potential for ownership to be established or strengthened is determined to a significant extent by the networks and social practices in which it is situated. Beyond spending time physically occupying a space, engaging with others in ways that affirm that occupation is crucial to the development of ownership. When a space is already 'owned' by others, and especially when those pre-existing relationships are strongly felt and widely respected, it is much harder to develop feelings of ownership. For pop-up bike lanes and footpaths to translate into longer lasting changes in the planning and governance of urban streets will require not only that new pedestrians and cyclists develop feelings of ownership, but also that cars relinquish theirs, at least to some extent. While most commentary on pop-up infrastructure has been supportive, the potential for resistance to wider shifts is already apparent: the Royal Automobile Club of Queensland, for example, has argued that new bike lanes and footpaths are desirable, but must be additional infrastructure, avoiding even temporary reductions in space for vehicle traffic.

The networks and social practices in which infrastructure for pedestrians and cyclists are situated are complex (Zavestoski and Agyeman 2015). Like beaches, the best bike lanes and footpaths tend to be located in areas of relatively high socio-economic status. Active transport and the infrastructure that supports it have attracted critiques for their amplification of existing patterns of privilege and for their role in gentrification (Hoffmann 2016; Pearsall 2018). Those patterns are apparent in the pop-up infrastructure installed to support social distancing. Leafy, inner areas are far easier to walk and cycle in, so that pop-up infrastructure is more likely to be installed and used there than in the less accessible areas in which disadvantaged communities tend to be located.

Unlike beaches, infrastructure for active transport – and especially for cycling – is not a central part of Australian culture and society. Most Australians do cycle as children, but adult cyclists are much less common (government surveys show consistently that most people feel that roads are unsafe). Bikes and bike lanes are not something that most Australians use (or even aspire to use) regularly, and cyclists can be objects of critique: 'MAMILs' (middle aged men in lycra) and 'lycra louts' are frequently accused of flouting road rules. In a striking example of this kind of attitude, the Minister for Health (and former Minister for Planning) in NSW singled out cyclists in his first media interview after the easing of coronavirus restrictions: he described seeing a group that he thought might have been less than 1.5m apart during their post ride coffees.

For the ownership – and the allocation – of road space to shift more permanently will require attitudes like these to shift. Pop-up infrastructure might allow pedestrians and cyclists to develop a stronger sense of ownership over city streets, but more will be needed to displace competing claims. Addressing the connection between infrastructure and privilege will be important in this respect. Particular attention should be directed to the distribution of pop-up infrastructure, to ensuring that equity is increased wherever possible. This will maximise both short and longer term benefits. If feelings of ownership for city streets – and, importantly, the agency and political voice that comes with those feelings – can be increased beyond the already-privileged, there is a much greater chance that more permanent change will result.

Cities won't be the same again, but the shape of the 'new normal' remains unclear. Whether COVID19 will lead to more equitable, inclusive or sustainable cities will depend on how its disruptions are experienced. For shifts in the allocation and regulation of public space to be understood not as temporary inconveniences but as the beginning of more permanent change, a re-evaluation and re-shaping of who 'owns' the city is needed. Equity, inclusion and sustainability require a reduced emphasis not only on cars, but also on the privileged communities that too often dominate sustainability debates.

References

BUNGARD, M. (2020), '"This Is My Beach": Fence Doesn't Deter Sydney Swimmers', *Sydney Morning Herald*, 25 March.
DUMAS, D. (2020), 'Bondi Beach: How the Australian Icon Became a Coronavirus Hotspot', *The Guardian*, 5 April.
HOFFMANN, M. (2016), *Bike Lanes Are White Lanes: Bicycle Advocacy and Urban Planning*, Lincoln, NE, University of Nebraska Press.
ISIN, E, and NIELSEN, G. (eds) (2008), *Acts of Citizenship*, London, Zed Books.
IVESON, K. (2007), *Publics and the City*, Oxford, Blackwell Publishers.
MORETON-ROBINSON, A. (2015), *The White Possessive: Property, Power, and Indigenous Sovereignty*, Minneapolis, University of Minnesota Press.
NACTO (2020), *Streets for Pandemic Response and Recovery*, New York, NY, https://nacto.org/streets-for-pandemic-response-recovery/?fbclid=IwAR0ClqchJ6rnQhW0NivlObGJHone--reocriTH8P-gVp0pt1fPpYNdtjSfE (accessed 28 May 2020).
NEWMAN, P. and KENWORTHY, J. (1999), *Sustainability and Cities: Overcoming Automobile Dependence*, Washington, DC, Island Press.
NORTON, P. (2011), *Fighting Traffic: The Dawn of the Motor Age in the American City*, Cambridge, MA, The MIT Press.
PEARSALL, H. (2018), 'New Directions in Urban Environmental/Green Gentrification Research', in L. Lees and P. Phillips (eds), *Handbook of Gentrification Studies*, Edward Elgar Publishing, 329–45
SHOUP, D. (ed) (2018), *Parking and the City*, New York, Routledge.
THORPE, A. (2017), 'Hegel's Hipsters: Claiming Ownership in the Contemporary City', *Social & Legal Studies*, 1–23.
THORPE, A. (2020), *Owning the Street: The Everyday Life of Property*, Cambridge, MA, The MIT Press.
VALVERDE, M. (2012), *Everyday Law on the Street: City Governance in an Age of Diversity*, Chicago, The University of Chicago Press.
ZAVESTOSKI, S, and AGYEMAN, J. (eds) (2015), *Incomplete Streets: Processes, Practices, and Possibilities*. Abingdon, Oxon, Routledge.