

***University of New South Wales Law Research Series***

**OWNING THE STREET: THE  
EVERYDAY LIFE OF PROPERTY**

**AMELIA THORPE**

Owning the Street: The Everyday Life of Property (MIT  
Press, 2021)  
[2021] *UNSWLRS* 26

UNSW Law  
UNSW Sydney NSW 2052 Australia

# Owning the Street: The Everyday Life of Property

ISBN: 9780262539784, webpage: <https://mitpress.mit.edu/books/owning-street>

Amelia Thorpe, UNSW

a.thorpe@unsw.edu.au

**Abstract** This paper is an excerpt from the pre-press version of the introduction to a book published by MIT Press, *Owning the Street: The Everyday Life of Property* (ISBN: 9780262539784). The book examines everyday experiences of and feelings about property and belonging in contemporary cities. It is grounded in an empirical study of PARK(ing) Day, an annual event that reclaims street space from cars. A highly recognizable example of DIY urbanism, PARK(ing) Day has attracted considerable media attention, but not close scholarly examination. Focusing on the event's trajectories in San Francisco, Sydney, and Montréal, *Owning the Street* addresses this gap, making use of extensive fieldwork to explore these tiny, temporary, and yet often transformative urban interventions.

PARK(ing) Day is based on a creative interpretation of the property producible by paying a parking meter. Paying a meter, the event's organizers explained, amounts to taking out a lease on the space; while most “lessees” use that property to store a car, the space could be put to other uses—engaging politics (a free health clinic for migrant workers, a same sex wedding, a protest against fossil fuels) and play (a dance floor, giant Jenga, a pocket park). Through this novel rereading of everyday regulation, PARK(ing) Day provides an example of the connection between belief and action—a connection at the heart of the book’s argument. *Owning the Street* examines ways in which local, personal, and materially grounded understandings about belonging, ownership, and agency intersect with law to shape the city. The analysis offers insights into the ways in which citizens can shape the governance of urban space, particularly in contested environments.

**Keywords** Belonging, cities, commoning, DIY urbanism, legal consciousness, legal geography, legal pluralism, parking, public space, transport, urban activism



Figure 1: PARK(ing) Day, rue St Hubert, Montréal, 2015. Image: Amelia Thorpe.

On the third Friday in September 2015, the proprietors of Librairie Parenthèse, a bookstore on rue St Hubert, Montréal, stepped into the parking space outside their store. Framed by strings of coloured bunting, they furnished the space with astro turf, a hammock, a table and chairs, and laid out sets of chess and Scrabble. On the adjacent footpath they placed a chalkboard reading “*prenez une pause*” (“take a break”). There was no charge or purchase required to take up the invitation, and no signage or promotion for the bookstore. Elyse and Jonathan, the young couple behind the Librairie, then spent the afternoon moving between the street and the store – resting in the hammock, playing games, reading and talking to various people who joined them in the pop-up park. At the end of the day, they packed up and returned the parking space to its former condition.

Further down the street, four other parking spaces were remade into similar sites inviting pauses, play and social interaction, adding to more than 200 across the city. Beyond Montréal, parking spaces in other cities were also transformed. Among many others, these included: a series of seven wedding vow renewal ceremonies in Pittsburgh, Pennsylvania;<sup>i</sup> in Singapore, a row of hammocks, a fish curry lunch, and a pair of brightly painted pianos;<sup>ii</sup> vegetable gardens, play spaces and potted plant installations in Madrid, Spain;<sup>iii</sup> in Almaty, Kazakhstan, a chalk mural;<sup>iv</sup> grass, games and picnic blankets in Lagos, Nigeria.<sup>v</sup>

This international appropriation of parking spaces was part of PARK(ing) Day, an event that has taken place every year since 2006. Initiated in San Francisco by Rebar, then a fledgling design collective, the event's organisation is extremely loose. A how-to guide and a Creative Commons licence were provided on the parkingday.org website, along with photos of other parks, and a set of Google maps on which participants were encouraged to pin the locations of their contributions. Beyond a request not to put parking spaces to commercial use, participants can make of the day whatever they choose.

PARK(ing) Day starts with a small intervention in a specific space, but very quickly becomes a more general claim about rights in and to the city. PARK(ing) Day is explicitly framed as legal. Paying a meter, Rebar argued, amounts to taking out a lease over the space, and while most "lessors" use this to store a car, the space could also be put to other uses. In this novel re-reading of everyday regulation, PARK(ing) Day raises questions about the nature of law. How do rules develop over time? Who participates in the making of law? How is it that a social understanding about law can take effect in the world and become 'real'?

Drawing together a wide range of debates – about the kinds of changes necessary to increase environmental sustainability, economic resilience and social inclusion, about agency and belonging in contemporary cities, and about the connections between property and power – PARK(ing) Day provides a vivid example of the connection between belief and action, the dynamic nature of legal interpretation and the social embeddedness of legality. Through PARK(ing) Day, a global event, this book examines how local, specific and personal understandings about belonging, ownership and agency intersect with law to shape the city. The analysis offers insights into the ways in which people construct a sense of ownership over space, how those constructions interact with legal notions of property, and the consequences of those relationships for understandings of the city and the place of people within it.

At the heart of this book are claims about property and legality. While Rebar was not the first to appropriate parking spaces for alternative uses, they were uniquely successful in their intervention: no other example has been taken up by so many people, in such a wide range of places, or sustained over so many years. Rebar's invocation of legality is central to that success. PARK(ing) Day draws on law, disrupting established understandings and driving debates forward; it also works to sustain it. By constructing pop-up parks, participants make material and discursive claims about legality, and those claims in turn contribute to the ongoing constitution (and sometimes reorientation) of the laws that shape the city.

The invocation of property law is particularly significant: a key part of the appeal of PARK(ing) Day is its connection to property. Analysis of PARK(ing) Day provides important insights into the nature of property, highlighting complex and co-constitutive relationships between formal property rights, informal ownership and belonging. Beyond conceptualising property, PARK(ing) Day shows that ownership is crucial in understanding how rules are applied on the ground. The inherent openness of law to multiple interpretations means that legal actors must look beyond official texts when making determinations about legality; informal ownership is often central in such determinations when it comes to city streets. PARK(ing) Day helps to explain the nature and importance of various forms of ownership, it can also help to build it. Using words like "profound" and "transformative", participants suggest that PARK(ing) Day can itself be productive of ownership. For many, participation in the event changed their relationship with the street and the city, working as a form of commoning to nurture shared interests and identities, a prefigurative practice opening up new and unexpected possibilities for intervention in the city.

## Cars in the city

PARK(ing) Day connects to a wider questioning of the place of cars in contemporary cities, flowing from a recognition that the orientation of urban space around private automobiles over the past century has created a host of social, economic and environmental burdens.<sup>vi</sup> From the oil crisis of the 1970s to global climate change, automobility is a key contributor to some of the world's most wicked problems.<sup>vii</sup> More immediately, cars create an everyday and extreme danger, with a toll of deaths and injuries on a scale comparable only to war.<sup>viii</sup> Other concerns include health impacts from local air pollution and sedentary lifestyles,<sup>ix</sup> congestion and the increasing costs of building and maintaining roads and associated infrastructure across ever-widening expanses,<sup>x</sup> and a vast array of local, regional and global environmental impacts.<sup>xi</sup> Equity and social justice are importance cross-cutting issues, since vulnerable and marginalised communities bear a disproportionate share of the burdens of car-centric development.<sup>xii</sup> As Gregg Culver argues, “the hegemony of the private automobile and its spaces has constituted a slow and geographically diffuse, but steady, horrific, and expanding human-made catastrophe.”<sup>xiii</sup>

Increasing awareness of these and other impacts has prompted a range of scholarly, advocacy and policy proposals to reorient development away from cars. Alongside others, these include: new urbanism,<sup>xiv</sup> transit oriented development,<sup>xv</sup> complete streets,<sup>xvi</sup> and Vision Zero,<sup>xvii</sup> as well as grassroots initiatives like Critical Mass,<sup>xviii</sup> Reclaim the Streets,<sup>xix</sup> Ciclovía<sup>xx</sup> and Better Block.<sup>xxi</sup>

PARK(ing) Day is interesting among these in its use of the parking meter. Unlike the technologies at the heart of other strategies to reduce car use – technologies that restrict the ability of cars to drive, and certainly to drive fast, on city streets – the parking meter played a key role in facilitating the spread of car-centric development.

Until the start of the twentieth century, streets were widely understood as shared spaces for public use: by travelling pedestrians, streetcars, horses and carriages, but also by street vendors, children playing, neighbourhood gatherings and other forms of social exchange.<sup>xxii</sup> Cars were generally seen as unwelcome and dangerous interlopers, consuming scarce space for far less efficient private use, and causing many thousands of deaths and injuries in the process.<sup>xxiii</sup> The rapid increase in car ownership in the 1920s was hotly contested, with pedestrians, parents, policy and business organisations organising to restrict their use of city streets.

Instead of banning cars from central areas and forcing people to use public transport, as some had proposed, the decision to regulate cars through parking meters *increased* their use: ensuring turnover greatly increased capacity, and the new revenue stream created municipal support.<sup>xxiv</sup> The result, as John Jackle and Keith Sculle explain, was a process in which “increased parking create[d] insatiable appetite for more parking, leading to the wholesale destruction of traditional city landscapes and to the creation of new and highly wasteful suburban places”.<sup>xxv</sup> PARK(ing) Day is distinctive in its inversion of this tool of automobility: after decades of enabling car-centric development, the meter becomes a tool for its critique.

## DIY urbanism

PARK(ing) Day is perhaps the most recognisable example of the increasingly prevalent phenomenon of “DIY”, “guerrilla”, “adaptive”, “pop-up”, “everyday” or “tactical” urbanism: the

shipping container bars, palette seats, pavement chalk and knitted bike racks that are now familiar in cities around the world.<sup>xxvi</sup> Advocates describe this as a “quicker, lighter, cheaper” alternative to conventional planning, one that enables citizens to contribute to the development of their cities in meaningful and positive ways.<sup>xxvii</sup> In contrast to the technocratic, top-down approach that dominated planning and development for much of the last century, or to the carefully-choreographed forms of engagement that have emerged more recently, DIY urbanism is promoted as much better able to incorporate the multiplicity of publics and public interests that constitute contemporary cities. Connecting to scholarship on the power and potential of the everyday,<sup>xxviii</sup> some see in DIY urbanism the potential to enact the right to the city, perhaps even a new urban politics and in turn a new kind of city.<sup>xxix</sup>

To others, practices like PARK(ing) Day merit much less celebration. DIY urban interventions are now regularly deployed by activists and communities, yet these groups invariably engage from a position of privilege: the vast majority are white, educated, equipped with cultural if not financial capital.<sup>xxx</sup> The capacity for intervention in public space, and especially for intervention without negative consequences, is not universally shared, particularly not by marginalised and vulnerable groups like undocumented migrants and indigenous and ethnic minorities. Instead of achieving the right to the city, critics see DIY urban interventions as highlighting its absence, emphasising stark disparities with respect to who actually owns the city and who has the right to make use of urban space.<sup>xxxi</sup>

Beyond privileged creatives, DIY urban interventions are also increasingly being deployed by state planning authorities, professional placemakers and businesses – including large corporations like Coca Cola and BMW. Small-scale, informal interventions like PARK(ing) Day in that context are dismissed as too trivial to counter the powerful interests that drive development in contemporary cities. Far from inclusive or progressive, DIY urban interventions can be understood as one more tool that has been co-opted by big capital, one more contributor to processes of gentrification and real estate speculation.<sup>xxxii</sup>

PARK(ing) Day has not been the focus of these critiques. In contrast to larger and longer lasting DIY interventions, particularly those with a commercial element – things like pop-up beer gardens, restaurants, swimming pools and art projects – most critiques of PARK(ing) Day centre instead on its lack of impacts. Yet many participants are aware of and concerned about the potential for the event to have negative consequences, and many struggle to work out how best to engage in this context. There is a recognition, particularly among those who have been involved in PARK(ing) Day over many years, that interventions in public space are highly charged, and require careful attention to the complexities of the local context.

## **Participatory planning**

PARK(ing) Day is significant in the context of concerns about the involvement of citizens in contemporary city-making processes. The adoption of DIY or tactical techniques by professional planners reflects the influence of the ‘collaborative turn’ from the 1990s, and a general commitment to participation as essential for democratic values such as legitimacy, accountability and effectiveness in governance, as well as better planning outcomes.<sup>xxxiii</sup> Yet it is reflective also of an ongoing failure to engage the public in meaningful ways. Perhaps because there is little evidence that the emphasis on participation has brought with it any real increase in citizen influence, public

participation remains reactive and largely oppositional (resisting proposals for highways, public housing or other controversial developments).<sup>xxxiv</sup> When it comes to developing the more constructive visions necessary to guide future development, professional planners regularly lament the fact that participation rarely extends beyond a small group of “usual suspects”.<sup>xxxv</sup>

PARK(ing) Day provides a stark contrast to such apathy and opposition. PARK(ing) Day is now entering its fifteenth year. Most of the original participants have long stopped being involved, yet PARK(ing) Day continues to attract new participants, to capture the imaginations of the people who happen upon a tiny, temporary parking space park on the street, and the many more who see images and video footage of parks online. The idea remains compelling.

For Elyse and Jonathan, the young couple who run *Librairie Parenthèse*, PARK(ing) Day was unlike anything they had ever done before. Neither had any expertise or experience in planning or related activities; Elyse commented that the city would not be interested in her ideas, because she is “not qualified”.<sup>xxxvi</sup> Elyse and Jonathan are not typical among the participants in PARK(ing) Day (many have some experience or expertise in design or planning), but nor are they unusual. A very wide range of people get involved in the event, motivated by many different aims and aspirations. The activities with which participants fill their parking spaces are similarly varied: some are very elaborate, some simple, some highly political, some playful, some meticulously designed, some makeshift.

What is it about the event that draws in people like Elyse and Jonathan who had previously paid little or no attention to planning processes? What do they get out of their participation? How might this relate to other forms of city-making?

These are the question at the heart of this book. The origins for this research lie in my deep commitment to public participation in the process of city-making and, as a former planner and current member of a planning authority, my first-hand frustration with the way in which this is undertaken in practice. Far too often, citizens are relegated to the role of objector, and then derided as obstructive NIMBYs seeking to protect their private (property) interests at the expense of the public good. My aim in examining PARK(ing) Day was to understand a practice through which citizens contribute constructively to their cities, to learn what draws them in, and what comes of their contributions.

## **Property in the city**

Particularly significant in thinking about these questions is the way in which the event is framed. PARK(ing) Day is grounded in a claim about property. By paying a meter, Rebar explained, participants take out a short term “lease” over the parking space, acquiring a property right that enables them to remake the space, at least for the duration of their “rental”.

The idea that private property rights are generative of more social and sustainable approaches to city-making is novel. From NIMBY mums and dads to global development corporations, there is a large literature suggesting that property owners use the planning system to pursue their interests with little regard for wider consequences.<sup>xxxvii</sup> Property is frequently portrayed as having a negative influence on urban development, blamed to various degrees for a very wide range of problems: from urban sprawl and environmental destruction to the current housing crisis, from racial segregation and colonial dispossession to the privatisation and securitisation of public space.

PARK(ing) Day may be read in contrast to many of the narratives about the role of property in contemporary cities. Yet in its reliance on a lease and, particularly, the claim that such a lease gives participants the right to do whatever they wish with the parking space, PARK(ing) Day can be read as exploiting loopholes to pursue activities at odds with those determined through collective, democratic planning processes. Not unlike the real estate investors that are so often critiqued for their profit-focused manipulation of the rules through which cities are shaped, PARK(ing) Day might thus be viewed as another example of enclosure, more competitive and individualistic than progressive or inclusive.

My initial approach was very much along those lines: PARK(ing) Day enables the already (relatively) privileged to expand their claims over the city. Even fleeting assertions of exclusive control over public space, regardless of social context and collective planning decisions, are difficult to reconcile with my longstanding commitment to processes through which cities might be made more socially and spatially just. I began this project with a series of case studies, of which PARK(ing) Day was just one; my aim was to contrast this rather libertarian activity with other, more equitable and ethically oriented interventions.

Analysis of the way in which people actually understand the event, however, reveals a more nuanced role for property. Far from enclosure, the pop up parks constructed on PARK(ing) Day are much more likely to be rooted in relationships of social and material connection; efforts not to take, but to give. Examination of PARK(ing) Day was for me a profoundly hopeful experience, and the shift from critical example to central study reflects this. From my initial position of skepticism, I came to appreciate the contradictions and complexities of the event, its entanglement with a wide range of social and environmental struggles, and the degree to which it is animated by care and commitment. While the idea of the “lease” provides a catchy point of entry, the property that is most significant for PARK(ing) Day is more often an informal and deeply relational sense of ownership.

For Elyse and Jonathan, the decision to get involved in the event followed from their motivation for opening the store two years earlier. It was part of a desire to be more connected to and to contribute more to the local community, and motivated by strong feelings for the street:

We moved into the plaza because we loved it ... it's really a part of the Montreal story. Yes, it's part of our culture. ... we want to revive [the street] ... it's like saving an old couple who were once in love and then one tries to recover the first years? Yes, it's a bit like that our sense of *appartenance*, it's to try to revive this street<sup>xxxviii</sup>

While less typical in their backgrounds, Elyse and Jonathan are typical in the sentiments of connection and contribution they express: the vast majority of participants are drawn to PARK(ing) Day by a desire to give back, make a place better; feelings of personal connection and emotion are often mentioned.

A sense of ownership is in many ways an open term, a matter of subjective and shifting social and material relationships connected to identity, community, belonging (in Montréal, the French *appartenance*) and place attachment – terms that are themselves open and connected in turn to other concepts.<sup>xxxix</sup> A sense of ownership might relate to the street, the neighbourhood, or even the city as a whole. A sense of ownership is not a matter of legal title, or at least not merely a matter of such title; rather, it indicates a moral or social feeling of entitlement and perhaps responsibility

towards a particular place. A sense of ownership focuses more on voice and influence than the exclusive control that is paradigmatic of private property.

A sense of ownership is important in drawing people in to PARK(ing) Day and in how others respond to the appropriation of parking spaces for other uses; developing and strengthening ownership is also one of the most significant benefits that people derive from their engagement. The importance of a sense of ownership is consistent with the literature on informality, which suggests that informal ownership may be more important to outcomes on the ground – to who decides how particular places are used – than formal property rights.<sup>xi</sup> This project goes further, however, arguing not simply that feelings of ownership can prompt people to act in ways that thwart or constrain the application of formal property rights. A sense of ownership is significant for legality at a deeper level, and should itself be understood as a form of property.

To discuss informal ownership alongside a lease might be challenged as eliding significant differences between them. Yet while a sense of ownership is not the same as a lease or other conventional forms of property, neither is it entirely different. The “lease” here is more than a trick or a Trojan horse.

Even in its most conventional forms, property is a complex concept.<sup>xii</sup> There is a long running debate between theorists who argue for an understanding of property as a bundle of separable, severable rights or “sticks”, its difference from other rights a mere matter of degree, and those who claim instead that there is something particular or essential about property, typically framed around the right to exclude as the definitive core or essence of property.

While that debate continues, a growing number of scholars have moved away from attempts to define property in such a thing-like way. Rather than focusing on the rights associated with ownership as self-contained, this scholarship focuses instead on the role that property plays in society, accepting it as socially constructed, contingent and contextual.<sup>xiii</sup> For some, the socially constructed nature of property is a normative conclusion. In the US, “progressive property” scholars draw on normative claims to challenge the strong influence of economics on property.<sup>xiiii</sup> What is needed, they argue, is a more explicitly political approach, paying greater attention to the “plural and incommensurable values” that property serves, and the social relationships it shapes and reflects.

Socio-legal scholarship has been important in extending these normative claims, offering a fuller understanding of the ways in which property is indeed materialized in the here and now. Robert Ellickson’s examination of disputes between ranchers in Shasta County, California, provides an early demonstration of the complex connections between property and its place in the world: law operates with and within social understandings about property.<sup>xiv</sup> More recent studies have extended Ellickson’s insights, showing that rights are more complex than rules.<sup>xv</sup> Among these Carol Rose has been particularly influential in her claim that property is at heart a matter of persuasion, of various and variable ways in which people make up their minds about the scope of proprietary rights and, importantly, seek to persuade others to do the same.<sup>xvi</sup>

Perhaps the most sustained empirical examination of the practices of property can be found in the work of Nicholas Blomley.<sup>xvii</sup> With examples ranging from contemporary struggles over gentrification to colonial displacement and enclosure, from urban gardening to early modern surveying, Blomley presents a rich and provocative picture of property as “definitionally, politically, and empirically heterogenous”.<sup>xviii</sup> Particularly interesting among this work is Blomley’s call for an understanding of property as performative, in the sense that claims about property help to constitute that which they describe.<sup>xlix</sup>

Claims about property build upon earlier claims, repeating and rearticulating claims made in other places and at other times. Significantly, Blomley explains, the performances through which property is enacted extend beyond the official actions more typically associated with property law, such as passing legislation, deciding cases or registering titles. Property depends also on performances that are more humble, and more diverse. Like other areas of law, property takes effect in the world through everyday activities like fence painting, hedge trimming, removing graffiti or paying council taxes.

There are multiple forms of property and, when it comes to city-making, private property may not be the most important. Adding to calls for a refocusing of attention away from private ownership to enable a fuller and more meaningful conception of property,<sup>1</sup> analysis of PARK(ing) Day emphasises the interactions between different forms of property, and their mutual and co-constitutive role in shaping the urban environment.

In illuminating the dynamic and socially entangled nature of property, analysis of PARK(ing) Day provides new insights into questions that have long troubled property scholars: What is the source of property rights, and why do others respect them? What are the connections between property, power and agency? PARK(ing) Day is rich also with relevance for more contemporary and politically pressing questions: how do formal and informal understandings of property intersect, and what impacts do those understandings have on the development of suburbs and cities?

The tension in Rebar's use of the lease in PARK(ing) Day, as something that can be read in both progressive and conservative directions, is one that lies at the heart of property. With its connections to wealth and power, property is both deeply desired and fiercely contested. Beyond its implication in the challenges facing contemporary cities, property is blamed also for a much wider range of problems: from the exploitation of workers to the exclusion of minorities, from the dispossession of indigenous peoples to the entrenchment of gender inequality and, more recently, vast environmental degradation.<sup>ii</sup> Yet property is also highly valued, connected to powerful human needs for autonomy and identity, belonging and community.<sup>iii</sup>

On top of longstanding critiques about the forces of neoliberalism and globalisation, the concentrations of property in a rapidly shrinking proportion of society have attracted heated responses. In contrast to the more direct and dramatic challenges posed by actions like squatting or the Occupy movement, PARK(ing) Day questions the workings of property in more subtle ways. Yet, while the conversion of parking spaces into temporary parks may seem far removed from either the theories or the challenges that animate property discourse, they provide important insights about its nature. As Andres Van der Walt has argued, there is much that can be gained by approaching property from the margins.<sup>iiii</sup>

## **Reading for difference**

PARK(ing) Day stands as both a celebration and a critique of ownership. In line with the work of scholars such as Blomley and Sarah Keenan, my aim is not to highlight flaws or to propose reforms to property, but instead to seek out the “cracks” in dominant understandings. As John Law and John Urry argue, social inquiry and its methods are productive: they do not simply describe the world as it is, but also enact it.<sup>liv</sup> As scholars, we have a responsibility to think about the worlds we want our work to help bring about.

This project is very much motivated by that responsibility. While recognising the important role of critique, my aim is not “to confirm what we already know – that the world is full of devastation and oppression”.<sup>lv</sup> PARK(ing) Day is in many ways an easy target: for its brevity, its lack of tangible outcomes, the privilege of its protagonists, its potential connection to gentrification and to the marketization of the creative class. But would this take us closer to the kind of world we want?

We know that social and economic power shape who participates in the diverse range of activities through which claims and counter-claims are made on city streets – not just playful experiments like PARK(ing) Day, but daily struggles for survival by more vulnerable groups like unlicensed vendors, windscreen-washers, day labourers, sex workers and pan handlers. Structural imbalances are again apparent in PARK(ing) Day, and must not be ignored, but they tell only part of the story.

Significantly, a focus on structural imbalances may not be the most productive or progressive part of the story to examine. There is a very real risk, as scholars like JK Gibson-Graham explain, that an emphasis on naming and shaming can naturalise and further entrench forms of dominance and oppression, obscuring more hopeful forms of difference that might point the way to more just alternatives.<sup>lvi</sup> As Kurt Iveson urges, scholars must do more than critique, we must “identify, nurture and participate in ongoing collective efforts to make different and more just kinds of cities through the practice of critical urban theory.”<sup>lvii</sup>

Just as Gibson-Graham has sought to generate new economic possibilities by “reading for difference rather than dominance”, in studying PARK(ing) Day I hope to foreground the multiplicity of property and of city-making practices, and as such to perform the political task of valorising a wider range of possibilities.<sup>lviii</sup> While there is much that pop-up parks do not do, or do not do consistently (particularly with respect to questions about gentrification, race and privilege), this should not overshadow the contributions that PARK(ing) Day does make (particularly with respect to the environment: in the face of political inertia despite the growing climate crisis, PARK(ing) Day suggests that small scale citizen actions can make a difference). Drawing on critical property scholarship but also literature on commoning, the right to the city and prefigurative politics, my aim is not to evaluate PARK(ing) Day (and certainly not to defend it against critique), but to examine how participants themselves understand the event, and how this might point toward more progressive cities.

## **Methodological approach**

Within the broad tradition of sociolegal studies, this project examines the way in which law and property are understood and enacted at the local level. There are many texts on property theory, and cases where judges discuss various concepts of property that they then enforce as law. However, these provide only a partial picture of the way property is enacted and maintained in the world. As Blomley argues, “Empirically speaking, we simply do not know enough about lay conceptions and practices of property.”<sup>lix</sup> Qualitative, empirical research provides a direct sense of how people understand property and how this in turn affects (and is affected by) their contributions to the urban environment.

To understand the ways in which people engage with law and property in their engagement with PARK(ing) Day, the study uses in-depth, face-to-face interviews as well as site visits with

photo-ethnography and background research on participants and contexts. This fine-grained, qualitative approach is crucial in gathering the detail and nuance necessary to understand how law and property are enacted in the world. My goal is to understand how participants themselves understand and engage with the theories and discourses of property and, in turn, how those understandings shape and are shaped by engagement with property in the world.

In line with calls from George Marcus and others for a multi-sited imaginary to enable examination of the circulation of always fluid cultural meanings, objects and identities,<sup>ix</sup> my research spanned multiple cities and countries: San Francisco, where PARK(ing) Day began in 2006; Sydney, a city that PARK(ing) Day reached relatively early but where the event remains quite small; and Montréal, a city where PARK(ing) Day was not taken up until late, but quickly grew to become home to the world's largest PARK(ing) Day. In considering examples of PARK(ing) Day from different times and places, my aim was not to undertake comparative research. These are not full case studies for detailed comparison, but rather a selection of different sites to reveal a range of attitudes and opinions so as to enable reflection on the ways in which ownership matters in contemporary cities.

I spent PARK(ing) Day in 2014 in Sydney, visiting two parks (the only two I was aware of). In Montréal I visited several sites suggested by participants (community gardens, parklets, pop-up villages, festivals, public art, local and state government offices, eco-quartiers, green laneways) between July and September 2015, and on PARK(ing) Day visited 14 parks around the city. Research in San Francisco was conducted between August and December 2016, and again included visits to several sites recommended by participants (particularly parklets and the Market Street Prototyping Festival). On PARK(ing) Day in 2016, I visited 11 parks around San Francisco. In 2017, I participated in PARK(ing) Day by building my own park, back in Sydney.

I conducted semi-structured interviews with 83 people involved in PARK(ing) Day and related activities. Participants were identified through the [parkingday.org](http://parkingday.org) and [montrealparkingday.org](http://montrealparkingday.org) websites and the Sydney Parking Day Facebook page, as well as blogs, social media and online searches. Invitations were sent to participants from a range of different professions and organisations, and among these people who had engaged at differing times: some who had participated multiple times, some just once, some recently, some earlier. A snowball referral method and ongoing investigation yielded additional potential participants. I interviewed more people in Montréal (38) than Sydney (24, including one based in Melbourne) or San Francisco (22, including two based in New York), the higher interest among participants in Montréal perhaps reflecting the popularity of the event at the time.

Recognising the risk of bias in this kind of recruitment, I made selections between potential participants so as to maximise diversity. Interview participants included: built environment professionals, computer scientists, small business owners, school and university students, teachers, community workers, engagement professionals, journalists, and officials from state and local government. Subjects were generally professionals, but included a range of ages (from tertiary students to adults approaching retirement) and of ethnic and socio-economic backgrounds. While participants varied in socio-economic status, all of the people I interviewed had jobs or were studying, all lived in a house they either owned or were renting. Participants were not asked about their ethnicity, but during our conversations some did note that they or their parents were born elsewhere – including South East Asia, the Indian subcontinent, Latin America, Africa, the Middle East and both Eastern and Western Europe. I interviewed more men (51) than women (33).

Efforts to maximise diversity were of course constrained by the relative homogeneity of the kinds of people who participate in PARK(ing) Day. My research was not designed to gather or to interrogate the demographics of participants, and the fact that PARK(ing) Day is not a coordinated event or movement makes it difficult to work out who is involved (or how to contact a more diverse range of people). Anecdotal evidence and studies of other kinds of DIY urbanism suggests that participants are more likely to be white, able-bodied and relatively privileged, and often male.

The interview design was informed by previous studies of legal consciousness and legal geography.<sup>lxi</sup> Participants were asked about how they came across PARK(ing) Day, what they thought about it, why they decided to get involved, what they did and how they thought it went. Open-ended questions were used to start, with participants asked to “tell the story” of what happened. These were followed by more questions about a wide range of details: the advice and resources available and used in the event, coordination with other PARK(ing) Day events, site selection, responses from others, social media and publicity, the experience of being on the street, impacts of the event after the day, dealings with police and other officials, the laws applicable to the event, and hopes and plans for the future. Law, property and ownership were not targeted until late in the interviews, allowing themes to emerge from more open questions.

Interviews were structured around a loosely consistent set of questions. The questions were tailored prior to each interview based on the interviewee’s particular background and context. For example, some participants had already discussed their interventions online or in the media, so questions responded to those discussions. Questions were also varied during the interview, with some added or skipped according to participants’ responses. The questions were reviewed after each interview, and this in turn informed future refinements to the sequencing and wording of questions.

Interviews were intended to provide an insider perspective that was open-ended, flexible and, at least initially, non-judgmental. The research was inductive, iterative and reflective, following the patterns and relationships revealed by participants. Data collection was refined through progressive focusing, with adjustments to examine concepts or relationships that emerged through the research process.<sup>lxii</sup> For example, questions about participants’ opinions on the planning system were dropped during later interviews, while new questions were added about social media and connections to parks in other countries.

The interviews lasted between 30 minutes and 2.5 hours. Most ran for a little over an hour. In some cases I interviewed two or three people together; those interviews tended to be longer (they were also lots of fun, with a strong atmosphere of excitement and celebration as participants shared memories of the event). Venues for interviews varied. Most commonly, I interviewed people in their workplaces. Sometimes we met at a café or bar, and a few participants took me to places they wanted to talk about – I conducted two interviews in the *Jardins Gamelin* in Montréal, for example. Some interviews were conducted by phone or video conference. In a few cases I met participants at their homes, or they came to mine. This often meant interviews were punctuated by children, families or flatmates, and those interruptions were frequently productive, leading to discussions about priorities, possibilities and personal values.

Transcripts were coded thematically using nVivo software. Coding and analysis approximated the grounded theory approach set out by Kathy Charmaz, but with attention given to the potential for the refinement of existing theories as well as theoretical discovery.<sup>lxiii</sup> The data

and the field were revisited as certain theories emerged as particularly relevant, with the four year duration of research enabling the tailoring of later interviews to evolving theoretical refinements.

Recognising my role as a producer – not merely an objective gatherer – of data, I sought to engage the subjects of my research through collaborative methods.<sup>lxiv</sup> I began and ended interviews by asking participants if they had any questions about me or the project. As a result, interviews were often followed by discussions about my findings and preliminary analysis; in a few cases the conversation continued, including sharing drafts of my research. This feedback was extremely helpful in increasing the accuracy, the subtlety and the depth of my findings.

Participants' understandings of PARK(ing) Day were the primary focus of my research, and their data was accordingly my primary focus. Other perspectives provided important insights to supplement this, particularly people from municipal authorities and state government agencies, and from local community organisations. Two groups with important perspectives on PARK(ing) Day were difficult to recruit: members of the public who saw and perhaps interacted with pop-up parks, and officials responsible for the regulation of parking spaces. As regards the first group, spending time in and around parks on PARK(ing) Day provided very valuable information about how the event is received by outsiders. By visiting parks on PARK(ing) Day, I was able to observe and sometimes talk to passers-by. Constraints of ethics approval meant I could not quote or directly reference these people, but the insights gained from these interactions were important to my analysis. Significantly, passers-by were more diverse than participants in formal interviews, with an evidently greater range in age, ethnicity and socio-economic status. The passers-by I spoke to and observed included children and elderly people, tourists and recent migrants, and people who were homeless and unemployed. Most of these were people who had stumbled upon a park, some were in the process of taking tours around the city to visit multiple parks. Most people knew nothing about PARK(ing) Day, some knew it well.

With respect to police, rangers and others responsible for the enforcement of laws on the street, I was unable to get even this kind of information. I saw a few officials during my observations on PARK(ing) Day, but I did not see any interact with participants in PARK(ing) Day, and I did not get to speak to any myself. My inability to interview police was largely a result of police policy, and despite me sending multiple emails, making numerous calls and completing lengthy request forms. For official perspectives, the research relied on secondary sources – interviews with other officials (planners, sustainability and community development officers), media and social media (including photos and video footage of interactions with police), and participants' accounts of their interactions with officials.

Collection of visual material was an important part of the research. PARK(ing) Day is a highly visual event; participants place a high priority on documenting and disseminating images of pop-up parks. Many participants sent me copies of photographs or video footage in preparation for our interview, even though I did not request or even suggest this. During interviews, photographs played an important role. When I met participants in their workplace they often took me to their computer to show me photographs and drawings of the event; when I met people elsewhere they often brought printed material or a laptop to enable us to go through their images. Some participants drew little sketches to explain things as we went. Like the photographs, these depicted both participants' own interventions and those by others. Several participants sent further material after we met: USB drives loaded with images, links to Dropbox and Flickr streams, blogs and articles discussing the event. Again, these were often unsolicited and unexpected. Images are central also for others who engage with PARK(ing) Day: much of the commentary centres on

photographs, often without much explanatory text. Understanding PARK(ing) Day necessitates engagement with its images.

The images should be read as more than illustrations or supporting evidence for the text, or for my authority and authenticity as a researcher. As Sarah Pink explains, photographs interact with, cross-reference and produce meaning in relation to other elements in the text.<sup>lxv</sup> Parks are often complex assemblages, drawing together (with various degrees of success) and dependent upon the parking meter, the footpath, the roadway, surrounding cars, trees and street furniture, the weather and the local atmosphere, planned and unplanned interactions within the space, passing pedestrians, cars and cyclists, plants, animals, games and much more. In providing images my aim is to invite you, the reader, to engage in the process of making sense of these elements and the interactions between them.

Interviews, site visits and photo-ethnography were supplemented by examination of scholarly texts, cases and legislation, reports and policy documents, print and online media. Online and social media were particularly important: given the relatively small scale and informal nature of PARK(ing) Day, the event has not attracted much academic commentary, yet there has been considerable discussion in various online fora, including websites, blogs, social media such as facebook and twitter, and comments posted onto reports by mainstream media. These sources provided important insights into the way in which people understand and interact with legality in PARK(ing) Day. As Eve Darian-Smith explains, “to rehumanize law we have to pay attention to the myriad of in-between legal spaces through which people create meaning, such as website chatrooms . . . , visual media in films and television, archival documentation [and] judicial rhetoric reinforcing particular codes of morality and ethics.”<sup>lxvi</sup>

Consistent with earlier studies of legal consciousness, I was struck by the richness of the data.<sup>lxvii</sup> While there were some overarching concerns (for example, a widespread unease about the privatisation of public space and the complicity of private property in such processes), attitudes did not coincide with categories such as age, gender, professional qualifications, institutional affiliation or level of involvement with PARK(ing) Day or related activities. The kinds of claims that people make about property cannot be explained simply by the kind of person making them. Participants understand property in diverse and even contradictory ways, reflecting the degree to which socio-cultural and legal understandings are always and already entangled.

The insights into understandings of property revealed through the study show that PARK(ing) Day – a playful, informal and in many ways everyday event – is richly informed by theories and discourses of property. Beyond procedural or rights-based theories, the ways in which participants discuss the event suggest that property draws strength by being embedded in social life and social action. Consistent with the claims made by Rose, Blomley and others, the discourse of PARK(ing) Day reflects social understandings of property. Yet it also goes further: PARK(ing) Day works performatively to constitute and legitimate a certain idea of property as immanent in social relations. In doing so, it sustains the relevance of that language across a much wider range of debates in and about contemporary cities.

## **Chapter organisation**

The book is divided into three parts. The first, chapters one and two, provides the history and context of PARK(ing) Day. This part is detailed and quite descriptive: readers interested primarily

in what PARK(ing) Day tells us about property, ownership and participation in contemporary cities may wish to skip to section two.

Chapter one traces PARK(ing) Day from its origins as a brief and playful installation in 2005 to its development into an international event that continues today, giving an overview of the event as a whole, as well as its particular trajectories in San Francisco, Sydney and Montréal. PARK(ing) Day has grown and evolved since its first iteration, incorporating a wide range of aims and achievements, complementing and connecting to many other networks and campaigns. Tens of thousands of people have participated, in San Francisco and comparable cities in Europe and North America, but also in cities not usually associated with urban activism – cities including Ahmedabad, Guangzhou, Budapest and Jakarta.

Chapter one also puts PARK(ing) Day in context, setting out some of the many precursors for the event. From conceptual and performance art to TV shows, playful and spontaneous citizen interventions to political demonstrations by transportation and public space activists, the appropriation of streets for purposes other than car-parking has a long and rich history. PARK(ing) Day stands out among these in its scale and scope. No other example has been taken up by so many people, in so many places, over such long periods or to further such a wide range of causes.

What is interesting about PARK(ing) Day is not simply the geographic reach or temporal duration of the event, but the fact that these have been achieved almost accidentally. The first pop-up park was intended as a one-off installation that would last for just two hours. Far exceeding the hopes and even the imaginations of its instigators, that installation proved inspirational. PARK(ing) Day responded to that interest – with little expertise and even a degree of reluctance from Rebar – and an openness to impromptu collaboration remains a key feature of the event. Participants have dropped in and out over the years, Rebar itself has long stepped back from coordination, and since 2014 Rebar no longer even exists. Despite this, PARK(ing) Day continues, and continues to attract new participants.

Chapter two centres on definition. The large scale and scope of PARK(ing) Day have prompted commentators to describe it as a movement, yet this label fails to capture its loose and varied nature. PARK(ing) Day has no explicit agenda or message beyond creating a space for citizen engagement. The pop-up parks produced on the day are often intended to convey messages about sustainability and social justice (from reducing waste and recycling, to protecting biodiversity and local waterways, to promoting urban agriculture and food sharing, to finding non-commercial ways to socialise and connect with others, to expanding infrastructure for pedestrians, cyclists and car-sharers), but these are far from unifying themes.

Yet PARK(ing) Day is more than simply a series of ad hoc installations. If not a movement, then what is it? Connected to this, how can we explain why PARK(ing) Day has been so much bigger, wider reaching and longer lasting than its various precursors? PARK(ing) Day can be understood as what Gregor McLennan and Thomas Osborne define as a “vehicular idea”: a simple and yet malleable concept that works to set things in motion.<sup>lxviii</sup> PARK(ing) Day emerged from the right place (San Francisco, California), at the right time (when the place of cars in cities was increasingly subject to question, and when social media was just taking off), and it was effective in moving things forward. PARK(ing) Day was not the product of committed ideals or principled theory, but instead a tool that could be adopted and adapted to further a wide range of causes.

Law lies at the heart of this vehicularity: Rebar’s invocation of the lease engages and empowers a very wide range of participants. Significantly, it does so in a way that creates a disjunction or, in the language of Jacques Rancière, a *dissensus*: a new way of looking at things.<sup>lxix</sup> A

key part of what makes PARK(ing) Day so successful is its disruption of established interpretations. Rebar's claim that the meter creates a lease provides a basis for the event that is accessible and easily understandable, connecting to important contemporary issues but also offering a new perspective from which to approach them.

The second part, chapters three to six, examines the legality of PARK(ing) Day. Chapter three considers the role of law in general; chapters four, five and six focus specifically on property, the ways in which PARK(ing) Day draws on and is animated by a range of proprietary concepts.

I begin in chapter three by examining how PARK(ing) Day makes use of law. Many different legal analyses have been applied to the event: Rebar's initial interpretation of a niche or loophole, their more catchy presentation of a lease, and a range of efforts by officials and by participants to fit the event into various regulatory processes. While law has been important for many commentators in describing the event, this chapter provides the first effort to engage seriously with the statutory context of PARK(ing) Day.

PARK(ing) Day does not involve a lease, but the laws that do apply are difficult to describe with precision. Taking a plural and performative approach, and drawing particularly on the work of Hendrik Hartog, Lon Fuller and Robert Cover, I argue that the legality of PARK(ing) Day is best understood as a matter of excess, an example of what Cover calls the "too fertile forces of jurisgenesis".<sup>lx</sup> Amongst many possible interpretations of the law at stake, PARK(ing) Day depends on participants believing in their right to reclaim the parking space in this way, and on the lack or inability of people with differing views to challenge those installations. The successful installation of parks relies on legal claims that are constructed and enacted physically as well as discursively, and those enactments of law themselves help to bring purported legalities into being.

PARK(ing) Day highlights the multiplicity and the slipperiness of property, and I begin chapter four by setting out the multiple forms of property at play: the specific property right of the lease, the broader category of property, the not-quite-synonymous concept of ownership and, finally, an informal sense of ownership. I focus particularly on defining a sense of ownership, drawing on Davina Cooper's work on property practices to conceptualise this as an emergent form of property: a relationship of belonging that comes to be strengthened through various authoritative practices. A sense of ownership can be understood as more than belonging, but not (yet) property.

In the second part of chapter four I move to the work that these concepts do in PARK(ing) Day, beginning with the concept of property. Inspired by the work of conceptual artist Gordon Matta-Clark, a desire to push the boundaries of property was an important motivating idea for Rebar. Property was invoked explicitly as a device through which to rethink links between power, voice and agency in shaping the city. Property has been an enduring concern for subsequent participants, in line with growing interest in ideas of a right to the city. Connecting what might seem a frivolous activity with deeply felt human needs, and with heated contemporary debates about cities and the place of people within them, property is central to PARK(ing) Day.

In chapter five I argue that the property claims made in PARK(ing) Day are deeper social claims about ownership. This chapter centres on the understandings of those making property claims, and highlights the ways in which ownership claims and ideas about property are mutually constitutive. In the process of building a park, feelings of ownership are often strengthened. To explain this, participants draw on concepts that are well known in property scholarship: ideas about property arising from labour and rewarding effort, from the expression and development of personhood, and from relationships with others. This resonance between popular understandings

and property theory reveals a complex relationship between folk and more technical conceptions. PARK(ing) Day suggests that property theory is sustained by and deeply entangled with values and with feelings.

Consistent with Cover's claims about the fertility of jurisgenesis, participants describe other sources too: spatial and material factors, as well as play, pleasure and even love. In contrast to the imagined histories of labour-based appropriation, examination of the ways in which people construct ownership in PARK(ing) Day provides a thicker, richer story. As Cooper argues, property is developed and sustained through multiple practices. For participants in PARK(ing) Day, various descriptive and justificatory approaches do not compete, but work together to produce a sense of ownership.

In chapter six I argue that conceptual claims about ownership are themselves implicated in and built by their enactment in the world. Extending the conceptual work in the previous two chapters, I move here to performance, showing how various forms of property and legality work together to give effect to the claims about law made on PARK(ing) Day. Whether these claims are successful depends on their context. This is clearly apparent in the responses that parks generate among the wider public and, particularly, among officials. Examination of the cases in which participants interact with police and other officials suggests that ownership exerts a powerful influence on the legality of parking spaces. The high level of discretion involved in regulating the installation of parks in parking spaces – an activity that is not expressly prohibited, but to which many regulations could be applied by an unsympathetic official – means that legal actors must look beyond the text of relevant rules to determine how they should be applied. Performances of property in PARK(ing) Day depend upon social constructions of ownership for their success. Like property, those constructions are often tied to privilege: informal ownership may be more attainable than private property, but it is by no means open equally to all.

The final part, comprising chapter seven and a postscript, considers participants' own reflections on the event, examining what participants take away from PARK(ing) Day and how this might relate to other forms of city-making.

While PARK(ing) Day spans just one day each year, a belief or hope that it might have more lasting consequences is an important driver of engagement. In discussing their hopes in approaching the event, participants often emphasise physical and policy changes: traffic calming, city greening and amenity improvements, new and expanded forms of citizen engagement. On reflection afterwards, however, many find that the impacts that are most significant turn out to be more abstract and more affective.

Building a park on PARK(ing) Day can be a moving experience, prompting participants to rethink the city and their place within it. Participation in the event can be understood as a form of commoning, an effort to prioritise a sense of shared life and collective responsibility over the instrumental, individualised rationality of neoliberal governance.<sup>lxxi</sup> The parks built for PARK(ing) Day might be small in scale and short in duration, but they enable participants to materially test and demonstrate alternative possibilities. That process can be transformative, catalysing policy and physical changes – notably, the creation of more permanent “parklets” in San Francisco and many other places – as well as inspiring and empowering participants to contribute to the city in other ways. PARK(ing) Day has had important impacts in providing a new language with which to discuss public space in contemporary cities, in shifting perceptions about what might be possible and, perhaps most significantly, in shifting participants' understandings of their capacity to effect change in the city.

Chapter seven concludes by reflecting on participants' thoughts about the potential for less positive impacts to arise out of PARK(ing) Day. While the small scale and short duration of parks built for the event means they are generally seen as too small to make a difference, PARK(ing) Day has not escaped critique. Particularly when coupled with other forms of DIY urbanism, some were concerned that PARK(ing) Day might (unwittingly) contribute to processes of gentrification and displacement, enclosure and uneven development. Good intentions are not enough: there is a need for very careful engagement with context and potential consequences to understand how (and if) these kinds of interventions can contribute to more just kinds of cities.

In the postscript I reflect on my own experience building a park in 2017, and on the significance of the event. PARK(ing) Day goes well beyond Rebar's initial claims about the property rights obtainable by paying the parking meter. Through its performance over the years in cities far from San Francisco, PARK(ing) Day reveals a deeper contingency within property relations, and within law more generally. At a time when opportunities for protest are increasingly limited, PARK(ing) Day presents a form of intervention that is at once more open and more contained.

---

<sup>i</sup> "BIG Loves in a Tiny Space: PARK(ing) Day Wedding Vow Renewal Ceremonies," *Quelcy*, October 1, 2015, <http://quelcy.com/2015/10/01/big-loves-in-a-tiny-space-parking-day-wedding-vow-renewal-ceremonies/>.

<sup>ii</sup> Kenneth Lim, "Lots of Fun, Food and Art for PARK(ing) Day 2015," *Channel NewsAsia*, September 18, 2015, <https://www.channelnewsasia.com/news/singapore/lots-of-fun-food-and-art-for-park-ing-day-2015-8234902>.

<sup>iii</sup> "El Park(ing) Day de Los Coles STARS," *STARS Madrid*, September 30, 2015, <http://eustarsmadrid.blogspot.com.au/2015/09/el-parking-day-de-los-coles-stars.html>.

<sup>iv</sup> Mariya Sharova, "First Parking Day in Almaty: How Else Can One Use Parking Space?," *UNDP Kazakhstan*, October 5, 2015, <http://www.kz.undp.org/content/kazakhstan/en/home/ourperspective/-11.html>.

<sup>v</sup> Alex Bohmer, "How to Turn a Parking Bay into a Public Space?," *Future Cape Town*, October 1, 2015, <http://futurecapetown.com/2015/10/future-cape-town-parking-bays-are-not-only-meant-for-cars/>.

<sup>vi</sup> Peter Newman and Jeffrey R. Kenworthy, *Sustainability and Cities: Overcoming Automobile Dependence* (Washington, D.C: Island Press, 1999); Donald C. Shoup, *The High Cost of Free Parking* (Chicago: Planners Press, American Planning Association, 2004); Charles Montgomery, *Happy City: Transforming Our Lives through Urban Design* (New York: Farrar, Straus and Giroux, 2013); Zack Furness, *One Less Car: Bicycling and the Politics of Automobility* (Philadelphia: Temple University Press, 2010); Elly Blue, *Bikenomics: How Bicycling Can Save the Economy*, 2<sup>nd</sup> ed (Portland, OR: Microcosm Publishing, 2016); Jane Holtz Kay, *Asphalt Nation: How the Automobile Took over America, and How We Can Take It Back* (Berkeley: University of California Press, 1998); John Urry, "The 'System' of Automobility," *Theory, Culture & Society* 21, no. 4–5 (2004): 25–39; Steffen Böhm et al., eds., *Against Automobility* (Malden, MA: Blackwell, 2006); Peter D. Norton, *Fighting Traffic: The Dawn of the Motor Age in the American City*, Inside Technology (Cambridge, Mass. London: MIT Press, 2011); David Prytherch, *Law, Engineering, and the American Right-of-Way: Imagining a More Just Street* (Palgrave Macmillan, 2018); Nicole Folett and Jason Henderson, *Low Car(Bon) Communities: Inspiring Car-Free and Car-Lite Urban Futures*, 2016; Janette Sadik-Khan and Seth Solomonow, *Streetfight: Handbook for an Urban Revolution* (New York, New York: Penguin Books, 2017); Tim Cresswell and Peter Merriman, eds., *Geographies of Mobilities: Practices, Spaces, Subjects* (Farnham, Surrey; Burlington, VT: Ashgate, 2011); Margaret J. Douglas, Stephen J. Watkins, Dermot R. Gorman, and Martin Higgins, "Are Cars the New Tobacco?," *Journal of Public Health* 33, no. 2 (2011): 160–169.

<sup>vii</sup> Transport is the second biggest emitter, accounting for 23% of global emissions. Road vehicles are the primary source of transport emissions (72%). IPCC, "Climate Change 2014: Mitigation of Climate Change. Contribution of Working Group III to the Fifth Assessment Report of the IPCC," 2014, 603, 606.

<sup>viii</sup> Road accidents account for 1.35 million deaths each year worldwide, and are now the leading killer of people aged between five and 29. Injury and death rates are far higher among vulnerable groups (children, pedestrians, cyclists, and motorcyclists) and in low- and middle- income countries. World Health Organisation, "Global Status Report on Road Safety 2018" (WHO, 2019), [https://www.who.int/violence\\_injury\\_prevention/road\\_safety\\_status/2018/en/](https://www.who.int/violence_injury_prevention/road_safety_status/2018/en/).

<sup>ix</sup> Vehicle emissions are a major source of local air pollution, linked to asthma, heart disease, cancer, and other chronic diseases. In a review of recent literature, Frederica Perera concludes that pollution from fossil fuel combustion is the biggest threat to children's health and equity worldwide. Frederica Perera, "Pollution from Fossil- Fuel Combustion

---

is the Leading Environmental Threat to Global Pediatric Health and Equity: Solutions Exist,” *International Journal of Environmental Research and Public Health* 15, no. 1 (2017): 16–32. Reliance on cars instead of more active transport compounds those health impacts, contributing to a growing obesity epidemic, particularly among children. Dustin T Duncan and Ichirō Kawachi, eds., *Neighborhoods and Health*, second edition (Oxford: Oxford University Press, 2018); Mia A. Papas et al., “The Built Environment and Obesity,” *Epidemiologic Reviews* 29, no. 1 (2007): 129–43.

<sup>x</sup> The space required to accommodate cars is enormous, with roads and parking covering more than half the urban area of many cities. These paved expanses displace more productive, interactive and desirable uses, exacerbate biodiversity loss, water pollution and other environmental pressures, and add significantly to the cost of housing. Donald Shoup, *The High Cost of Free Parking* (Chicago: Planners Press, 2011); Donald Shoup, ed., *Parking and the City* (New York: Routledge, 2018); Todd Litman, “Transportation Cost and Benefit Analysis: Techniques, Estimates and Implications” (Victoria, Canada: Victoria Transportation Policy Institute, 2016). Lance Frazer, “Paving Paradise: The Peril of Impervious Surfaces,” *Environmental Health Perspectives* 113, no. 7 (2005); Amélie Y. Davis et al., “The Environmental and Economic Costs of Sprawling Parking Lots in the United States,” *Land Use Policy* 27, no. 2 (2010): 255–61; Michael Manville, “Parking Requirements and Housing Development: Regulation and Reform in Los Angeles,” *Journal of the American Planning Association* 79, no. 1 (2013): 49–66; Elizabeth J Taylor, “Who’s Been Parking on My Street? The Politics and Uneven Use of Residential Parking Space,” *Land Use Policy*, 2018.

<sup>xi</sup> These range from impacts associated with the manufacture (mining and production of steel, rubber, glass, plastics, paints; energy production and consumption), use (mining and burning of fossil fuels; pollution of air, water, and soils by brake dust, oil, and tire particles), and disposal (particularly of plastics and batteries) of cars, to the construction of roads and other infrastructure to support them, and the sprawling urban development that they enable (loss of agricultural land and greenspace; fragmentation and destruction of habitat; energy and water consumption; heat island effects; noise, air, and water pollution). Litman, “Transportation Cost and Benefit Analysis,” Artem Korzhenevych et al, *Update of the Handbook on External Costs of Transport*, Report for the European Commission DG Move no. Ricardo-AEA/R/ED57769, 2014. When the full range of externalities are considered, car use is subsidized to a far higher extent than public transport. Gary Glazebrook, “Taking the Con Out of Convenience: The True Cost of Transport Modes in Sydney,” *Urban Policy and Research* 27, no. 1 (2009): 5–24.

<sup>xii</sup> The young, the elderly, the poor, members of minority groups, and people with disabilities are more vulnerable to accidents and injuries, and more likely to suffer from community severance and displacement by road projects, from air, noise, and other pollution, from long commutes, and from social isolation and a lack of mobility because of an inability to drive, or to cover the cost of driving. Robert D. Bullard, Glenn S. Johnson, and Angel O. Torres, eds., *Highway Robbery: Transportation Racism and New Routes to Equity* (Cambridge, MA: South End Press, 2004); Gregg Culver, “Death and the Car: On (Auto)Mobility, Violence, and Injustice,” *ACME: An International Journal for Critical Geographies* 17, no. 1 (2018): 144–170; Stephen Zavestoski and Julian Agyeman, eds., *Incomplete Streets: Processes, Practices, and Possibilities* (Abingdon, UK: Routledge, 2015).

<sup>xiii</sup> Culver, “Death and the Car,” 145.

<sup>xiv</sup> A planning and development approach centred on walkable blocks and streets, housing and shopping in close proximity, and accessible public spaces. Peter Katz, *The New Urbanism: Toward an Architecture of Community* (New York: McGraw-Hill, 1994).

<sup>xv</sup> The creation of compact, pedestrian-oriented, mixed-use communities around high quality train systems. Hank Dittmar and Gloria Ohland, eds., *The New Transit Town: Best Practices in Transit-Oriented Development* (Washington, DC: Island Press, 2004).

<sup>xvi</sup> Streets designed to allow pedestrians, cyclists, motorists and transit users of all ages and abilities to share the space safely. Barbara McCann, *Completing Our Streets the Transition to Safe and Inclusive Transportation Networks* (Washington: Island Press, 2013).

<sup>xvii</sup> An international road safety initiative, originally from Sweden, which aims to eliminate deaths and serious injuries from traffic accidents. Matts-Åke Belin, Per Tillgren, and Evert Vedung, “Vision Zero – a Road Safety Policy Innovation,” *International Journal of Injury Control and Safety Promotion* 19, no. 2 (2012): 171–79.

<sup>xviii</sup> Monthly events in which cyclists temporarily take over the streets by riding together. Chris Carlsson, ed., *Critical Mass: Bicycling’s Defiant Celebration* (Edinburgh, Scotland; AK Press, 2002).

<sup>xix</sup> Marches and events through which participants reclaim public spaces, often connected to other political causes, and sometimes resulting in the creation of Temporary Autonomous Zones. Amory Starr, *Global Revolt: A Guide to the Movements against Globalization* (London; New York: Zed Books, 2013).

<sup>xx</sup> The closure of streets to cars, usually on Sundays or holidays, to allow for cycling, play and performances. Ciclovía began in Bogotá, Colombia in 1974, and has inspired related events in many other cities, often referred to as Sunday Streets. Sergio Montero, “Worlding Bogotá’s Ciclovía: From Urban Experiment to International ‘Best Practice,’” *Latin American Perspectives* 44, no. 2 (2017): 111–31.

<sup>xxi</sup> Temporary projects aimed to demonstrate the benefits of interventions like bike lanes, cafe seating, trees, plants, pop-up businesses and lighting. Andrew Howard and Susan McLaughlin, “Interim Design/ Tactical Urbanism: A New Civic Engagement Approach in Action,” *ITE Journal* 85, no. 3 (March 2015): 12–16.

<sup>xxii</sup> Norton, *Fighting Traffic*; John A. Jakle and Keith A. Sculle, *Lots of Parking: Land Use in a Car Culture* (Charlottesville: University of Virginia Press, 2004).

- xxxiii Norton, *Fighting Traffic*; Ryan J. Westrom, Chris Shaheen, and Rebecca Schwartzman, “Parking Is for People: A History of Public Parking in Washington, D.C. (and Implications for Transportation Design Today),” *Transportation Research Record: Journal of the Transportation Research Board* 2672, no. 13 (2018): 50–59; Clay McShane, *Down the Asphalt Path: The Automobile and the American City* (New York: Columbia University Press, 1994); Graeme Davison, *Car Wars: How the Car Won our Hearts and Conquered our Cities* (Sydney: Allen and Unwin, 2004).
- xxxiv Norton, *Fighting Traffic*; Jakle and Sculle, *Lots of Parking*.
- xxxv Jakle and Sculle, *Lots of Parking*, 244.
- xxxvi Terry Schwarz et al., *Pop up City* (Cleveland, OH: Cleveland Urban Design Collaborative, College of Architecture and Environmental Design, Kent State University, 2009); Jeffrey Hou, ed., *Insurgent Public Space: Guerrilla Urbanism and the Remaking of Contemporary Cities* (New York: Routledge, 2010); Peter Bishop and Lesley Williams, *The Temporary City* (London; New York: Routledge, 2012); Philipp Oswalt, Klaus Overmeyer, and Philipp Misselwitz, eds., *Urban Catalyst: The Power of Temporary Use* (Berlin: DOM Publishers, 2013); Jeroen Beekmans and Joop de Boer, *Pop-up City: City-Making in a Fluid World* (Amsterdam, Netherlands: BIS, 2014); Jeffrey Hou et al., eds., *Now Urbanism: The Future City Is Here* (Abingdon, Oxon; New York: Routledge, 2015).
- xxxvii Jay Walljasper and Project for Public Spaces, *The Great Neighborhood Book: A Do-It-Yourself Guide to Placemaking* (Gabriola Island, B.C.: New Society Publishers, 2007); Mike Lydon and Anthony Garcia, *Tactical Urbanism* (Washington, DC: Island Press, 2015).
- xxxviii Michel de Certeau, *The Practice of Everyday Life*, second edition (Berkeley, Calif.: University of California Press, 2013); Henri Lefebvre, *Writings on Cities* (Cambridge, Mass, USA: Blackwell Publishers, 1996); James C. Scott, *Seeing like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998).
- xxxix Hou, *Insurgent Public Space*; Kurt Iveson, “Cities within the City: Do-It-Yourself Urbanism and the Right to the City,” *International Journal of Urban and Regional Research* 37, no. 3 (2013): 941–56.
- xxx Gordon C. C. Douglas, *The Help-Yourself City: Legitimacy and Inequality in DIY Urbanism* (New York, NY: Oxford University Press, 2018); Megan Heim LaFrombois, *Reframing the Reclaiming of Urban Space: A Feminist Exploration into Do-It-Yourself Urbanism in Chicago* (Lanham: Lexington Books, 2018).
- xxxii Ann Deslandes, “Exemplary Amateurism: Thoughts on DIY Urbanism,” *Cultural Studies Review* 19, no. 1 (2013): 216–27; Lee Stickells, “Beyond the Pop-Up: Art & Urban Regeneration,” *Christchurch Art Bulletin* 171 (2013): 48–51; Johannes Novy and Claire Colomb, “Struggling for the Right to the (Creative) City in Berlin and Hamburg: New Urban Social Movements, New ‘Spaces of Hope’?: Debates and Developments,” *International Journal of Urban and Regional Research* 37, no. 5 (2013): 1816–38.
- xxxiii Margit Mayer, “First World Urban Activism: Beyond Austerity Urbanism and Creative City Politics,” *City* 17, no. 1 (2013): 5–19; Fran Tonkiss, “Austerity Urbanism and the Makeshift City,” *City* 17, no. 3 (June 2013): 312–24; Claire Colomb, “Pushing the Urban Frontier: Temporary Uses of Space, City Marketing, and the Use of the Creative City Discourse in 2000s Berlin,” *Journal of Urban Affairs* 34, no. 2 (2012): 131–52.
- xxxiiii Patsy Healey, *Collaborative Planning: Shaping Places in Fragmented Societies* (Houndsmills, England: Macmillan, 1997); John Forester, *The Deliberative Practitioner: Encouraging Participatory Planning Processes* (Cambridge, Mass: MIT Press, 1999); Judith Innes, *Planning with Complexity: An Introduction to Collaborative Rationality for Public Policy* (Abingdon, UK: Routledge, 2010); Ruth Fincher and Kurt Iveson, *Planning and Diversity in the City: Redistribution, Recognition and Encounter* (Basingstoke, UK: Palgrave Macmillan, 2008); Susan S. Fainstein, *The Just City* (Ithaca: Cornell University Press, 2010); Ben Clifford and Mark Tewdwr-Jones, *The Collaborating Planner?: Practitioners in the Neoliberal Age* (Bristol, UK: Policy Press, 2013).
- xxxv Sue Brownill and Juliet Carpenter, “Increasing Participation in Planning: Emergent Experiences of the Reformed Planning System in England,” *Planning Practice and Research* 22, no. 4 (2007): 619–34; Andy Inch, “Creating ‘a Generation of NIMBYs’? Interpreting the Role of the State in Managing the Politics of Urban Development,” *Environment and Planning C: Government and Policy* 30, no. 3 (2012): 520–35; Susan E. Owens, *Land and Limits: Interpreting Sustainability in the Planning Process*, 2nd ed (Abingdon, UK: Routledge, 2011).
- xxxvi Clifford and Tewdwr-Jones, *The Collaborating Planner?*
- xxxvii When I asked if she had ever participated in any form of planning before, Elyse replied: “I’m not specialised. . . *ça prend des gens, des urbanistes. . . je sais pas à quel point je pourrait être. . .* involved in it. I would be interested to, to tell my idea, but I’m not qualified.”
- xxxviii M. J. Dear, *Not on Our Street: Community Attitudes to Mental Health Care* (London: Pion, 1982); Leonie Sandercock, “When Strangers Become Neighbours: Managing Cities of Difference,” *Planning Theory & Practice* 1, no. 1 (2000): 13–30; Brendan Gleeson, *Geographies of Disability* (London; New York: Routledge, 1999); Richard E. Foglesong, *Planning the Capitalist City: The Colonial Era to the 1920s* (Princeton, N.J: Princeton University Press, 1986); Susan S. Fainstein, *The City Builders: Property Development in New York and London, 1980-2000*, 2nd ed. (Lawrence: University Press of Kansas, 2001); Leonie Sandercock, *Cities for Sale: Property, Politics, and Urban Planning in Australia* (Carlton, Vic: Melbourne University Press, 1975); David Harvey, *Social Justice and the City* (Athens: University of Georgia Press, 2009); Neil Brenner, Peter Marcuse, and Margit Mayer, *Cities for People, Not for Profit: Critical Urban Theory and the Right to the City* (London; New York: Routledge, 2012).
- xxxix “Nous on s’est installé sur la plaza parce que on aimait déjà la plaza . . . it’s really a part of the Montréal story. Ouais ça fait partie de notre, de notre culture. . . C’est pour ça aussi qu’on veut la faire revivre . . . c’est comme sauver

un vieux couple qui était déjà en amoureux et puis on essaye de retrouver les, les premières années? Ouais, c'est un peu ça aussi notre sens d'appartenance, c'est de faire revivre cet espèce de, cet artère commerciale.”

<sup>xxxix</sup> Sarah Wright, “More-than-Human, Emergent Belongings: A Weak Theory Approach,” *Progress in Human Geography* 39, no. 4 (2015): 391–411; Marco Antonsich, “Searching for Belonging - An Analytical Framework,” *Geography Compass* 4, no. 6 (2010): 644–59; Lynne Manzo and Patrick Devine-Wright, eds., *Place Attachment: Advances in Theory, Methods, and Applications* (London; New York: Routledge, 2014).

<sup>xl</sup> Ananya Roy and Nezar AlSayyad, eds., *Urban Informality: Transnational Perspectives from the Middle East, Latin America, and South Asia* (Lanham, MD: Lexington Books, 2004); Libby Porter et al., “Informality, the Commons and the Paradoxes for Planning: Concepts and Debates,” *Planning Theory & Practice* 12, no. 1 (2011): 115–53; Ryan Devlin, “‘An Area That Governs Itself’: Informality, Uncertainty and the Management of Street Vending in New York City,” *Planning Theory* 10, no. 1 (2011): 53–65; Annette M. Kim, “The Mixed-Use Sidewalk: Vending and Property Rights in Public Space,” *Journal of the American Planning Association* 78, no. 3 (2012): 225–38.

<sup>xli</sup> Kevin J. Gray and Susan Francis Gray, *Land Law*, 5th ed (Oxford; New York: Oxford University Press, 2007); Margaret Davies, *Property: Meanings, Histories and Theories* (Abingdon, Oxon, UK; New York: Routledge-Cavendish, 2007); Gregory S. Alexander and Eduardo M. Peñalver, *An Introduction to Property Theory* (Cambridge: Cambridge University Press, 2012).

<sup>xlii</sup> Carol Rose, *Property and Persuasion: Essays on the History, Theory, and Rhetoric of Ownership* (Boulder, CO: Westview Press, 1994); Davies, *Property: Meanings, Histories and Theories*; Kevin Gray and Susan Francis Gray, “The Idea of Property in Land,” *Land Law: Themes and Perspectives*, ed. Susan Bright and John Dewar (Oxford: Oxford University Press, 1998), 15–51; Nicholas Blomley, *Unsettling the City: Urban Land and the Politics of Property* (New York: Routledge, 2004).

<sup>xliii</sup> Gregory S. Alexander, Eduardo M. Pe.alver, Joseph William Singer, and Laura S. Underkuffler, “A Statement of Progressive Property,” *Cornell Law Review* 94 (2008): 743–744.”

<sup>xliiv</sup> Robert C. Ellickson, *Order without Law: How Neighbors Settle Disputes* (Cambridge, MA: Harvard University Press, 1991).

<sup>xli v</sup> Veronica Strang and Mark Busse, eds., *Ownership and Appropriation* (Oxford: Berg Publishers, 2011); Marilyn Strathern, *Property, Substance and Effect: Anthropological Essays on Persons and Things* (London: Athlone Press, 1999); Sarah Keenan, *Subversive Property: Law and the Production of Spaces of Belonging* (Abingdon, UK: Routledge, 2014); Kevin Gray, “Property in a Queue,” in *Property and Community*, ed. Gregory S. Alexander and Eduardo M. Peñalver (Oxford University Press, 2009), 165–96; Susan S Silbey, “J. Locke, Op. Cit.: Invocations of Law on Snowy Streets,” *Journal of Comparative Law* 5, no. 2 (2010): 66–91; Davina Cooper, “Opening up Ownership: Community Belonging, Belongings, and the Productive Life of Property,” *Law & Social Inquiry* 32, no. 3 (2007): 625–664.

<sup>xli vi</sup> Rose, *Property and Persuasion*.

<sup>xli vii</sup> Nicholas Blomley, “Flowers in the Bathtub: Boundary Crossings at the Public–Private Divide,” *Geoforum* 36, no. 3 (2005): 281–96; Nicholas Blomley, “Making Private Property: Enclosure, Common Right and the Work of Hedges,” *Rural History* 18, no. 1 (2007): 1–21; Nicholas Blomley, *Law, Space, and the Geographies of Power*, Mappings (New York: Guilford Press, 1994); Blomley, *Unsettling the City*.

<sup>xli viii</sup> Blomley, *Unsettling the City*, xvi.

<sup>xli ix</sup> Blomley, “Performing Property: Making the World,” *Canadian Journal of Law and Jurisprudence* 26, no. 1 (2013): 23–48.

<sup>l</sup> Cooper, “Opening up Ownership”; Davies, *Property: Meanings, Histories and Theories*; Keenan, *Subversive Property*; Davina Cooper, *Everyday Utopias: The Conceptual Life of Promising Spaces* (Durham: Duke University Press, 2014).

<sup>li</sup> Blomley, *Unsettling the City*; Peter Burdon, *Earth Jurisprudence: Private Property and the Environment*, Law, Justice and Ecology (Milton Park, Abingdon, Oxon; New York, NY: Routledge, 2015); Davies, *Property: Meanings, Histories and Theories*; Nicole Graham, *Landscape: Property, Environment, Law* (Abingdon, UK: Routledge, 2011).

<sup>lii</sup> Davies, *Property: Meanings, Histories and Theories*.

<sup>liii</sup> A. J. Van der Walt, *Property in the Margins* (Oxford: Hart Pub, 2009).

<sup>li v</sup> John Law and John Urry, “Enacting the Social,” *Economy and Society* 33, no. 3 (2004): 390–410.

<sup>li v i</sup> J. K. Gibson-Graham and Gerda Roelvink, “An Economic Ethics for the Anthropocene,” *Antipode* 41 (2010): 324.

<sup>li v i i</sup> J.K. Gibson-Graham, “Diverse Economies: Performative Practices for ‘Other Worlds’,” *Progress in Human Geography* 32, no. 5 (2008): 613–32; Kurt Iveson, “Some Critical Reflections on Being Critical: Reading for Deviance, Dominance or Difference?,” *City* 14, no. 4 (2010): 434–41; Blomley, “Performing Property.”

<sup>li v i i i</sup> Iveson, “Some Critical Reflections on Being Critical: Reading for Deviance, Dominance or Difference?,” 434.

<sup>li v i i v</sup> Gibson-Graham, “Diverse Economies,” 623.

<sup>li x</sup> Nicholas Blomley, “The Boundaries of Property: Complexity, Relationality, and Spatiality,” *Law & Society Review* 50, no. 1 (2016): 225.

<sup>li x i</sup> George E. Marcus, “Ethnography in/of the World System: The Emergence of Multi-Sited Ethnography,” *Annual Review of Anthropology*, 1995, 95–117; Eve Darian-Smith, “Ethnographies of Law,” in *The Blackwell Companion to Law and Society*, ed. Austin Sarat (Oxford, UK: Blackwell, 2004), 545–68.

<sup>li x i i</sup> Blomley, “Flowers in the Bathtub: Boundary Crossings at the Public–Private Divide”; Patricia Ewick and Susan S Silbey, *The Common Place of Law: Stories from Everyday Life* (Chicago: University of Chicago Press, 1998); Simon Halliday and Patrick D. Schmidt, *Conducting Law and Society Research: Reflections on Methods and Practices* (Cambridge: Cambridge University Press, 2009); Irus Braverman, “Who’s Afraid of Methodology? Advocating a Methodological Turn in Legal

---

Geography,” in *The Expanding Spaces of Law: A Timely Legal Geography*, ed. Irus Braverman et al. (Stanford: Stanford University Press, 2014), 120–42.

<sup>lxii</sup> Benjamin F. Crabtree and William L. Miller, eds., *Doing Qualitative Research*, 2nd ed (Thousand Oaks, CA: Sage, 1999); Malcolm Parlett and David Hamilton, “Evaluation as Illumination: A New Approach to the Study of Innovative Programs,” in *Beyond the Numbers Game: A Reader in Educational Evaluation*, ed. David Hamilton (Berkeley, CA: McCutchan, 1977), 6–22.

<sup>lxiii</sup> Kathy Charmaz, *Constructing Grounded Theory*, 2nd edition (Thousand Oaks, CA: Sage, 2014); David A. Snow, Calvin Morrill, and Leon Anderson, “Elaborating Analytic Ethnography Linking Fieldwork and Theory,” *Ethnography* 4, no. 2 (2003): 181–200.

<sup>lxiv</sup> Braverman, “Who’s Afraid of Methodology?”; Caroline Brettell, ed., *When They Read What We Write: The Politics of Ethnography* (Westport, CN: Bergin & Garvey, 1996).

<sup>lxv</sup> Sarah Pink, *Doing Visual Ethnography*, 3rd ed (Thousand Oaks, CA: Sage, 2013).

<sup>lxvi</sup> Darian-Smith, “Ethnographies of Law,” 552–53.

<sup>lxvii</sup> Blomley, “Flowers in the Bathtub”; Ewick and Silbey, *The Common Place of Law*.

<sup>lxviii</sup> Gregor McLennan and Thomas Osborne, “Contemporary ‘Vehicularity’ and ‘Romanticism’: Debating the Status of Ideas and Intellectuals,” *Critical Review of International Social and Political Philosophy* 6, no. 4 (2003): 51–66.

<sup>lxix</sup> Jacques Rancière, *Dissensus: On Politics and Aesthetics*, trans. Steve Corcoran (London: Continuum, 2010).

<sup>lxx</sup> Robert M. Cover, “The Supreme Court, 1982 Term—Foreword: Nomos and Narrative,” *Harvard Law Review* 97 (1983): 16.

<sup>lxxi</sup> Paul Chatterton, “Seeking the Urban Common: Furthering the Debate on Spatial Justice,” *City* 14, no. 6 (2010): 625–28; Martin Kornberger and Christian Borch, eds. *Urban Commons: Rethinking the City* (Abingdon, UK: Routledge, 2015).