Sidewalks: Conflict and Negotiation over Public Space
Anastasia Loukaitou-Sideris and Renia Ehrenfeucht
Reviewed by Krista Holub

Walking is regaining significance as a form of physical activity in this health-conscious nation, as a tenant of design in New Urbanist communities, and as a partial solution to environmental concerns caused by our society’s dependence on the automobile. This renewed interest in pedestrian activity underscores the importance of sidewalks, which are often taken for granted in the urban context. In their timely book Sidewalks: Conflict and Negotiation over Public Space, Anastasia Loukaitou-Sideris and Renia Ehrenfeucht examine the competing uses of and rights to urban sidewalks. The authors discuss how restrictive municipal regulations and ordinances have emptied sidewalks of the people that once made them vibrant public spaces. They encourage a more inclusive approach to regulating our public spaces in the future.

In similar fashion to other scholarly pieces that lament the privatization and increasing sterilization of semi-public spaces, this book introduces the reader to the complexity and “messiness” of sidewalks. The authors call upon the seminal works of Jane Jacobs and William Whyte to recount the importance of sidewalks in providing opportunities to encounter diversity and experience conflicting interests. The authors’ analysis brings to light the fact that the process of negotiating competing functional, social, political, commercial, and environmental uses of sidewalks in recent years has been a “limiting process rather than an expansive one.” In other words, regulations are based on exclusion of groups and uses, rather than on inclusion of all people.

The book details the long history of exclusionary planning (and of purposeful planning for target users) of street vending using both historic and contemporary examples. In the name of “public health,” “aesthetics,” or “social order,” twentieth century reformers called for the prohibition of street vending in major downtown arteries. Such regulations slowed the streets’ economic vitality, and the effects often fell disproportionately on low-income immigrant proprietors. Today’s Business Improvement Districts (BIDs) often restrict street vendors from sidewalks to allow for an uncongested environment for permanent businesses. The actual day-to-day enforcement – or over-enforcement – of many of these restrictions is difficult to detail, but nevertheless can dramatically impact sidewalks use.

To illustrate common municipal responses and tools for addressing sidewalk issues, the authors use extensive case study research from five cities in the United States: Boston, Los Angeles, New York, Miami, and Seattle. The book also details historic and contemporary accounts of resistance to restrictive sidewalk norms or regulations, such as African-Americans’ refusal to cede the sidewalks as was the norm in the late nineteenth century. These types of actions continually challenge and redefine the “publicness” of such spaces. The examples reveal that while municipal sidewalk regulations are often intended to respond to concerns over issues such as homelessness, lack of economic opportunities, and perceived danger, such regulations often limit sidewalk usage without solving underlying problems.

To analyze the accounts of increased regulatory action, resistance and reaction, the authors offer a four-part framework: 1) the process of privatization, 2) individual rights (including the First Amendment right

Krista Holub is a 2011 graduate of DCRP specializing in housing and community development. Originally from Iowa, her interests include urban open space, affordable housing, community development, and brownfields.
of free assembly), 3) quality-of-life claims, and 4) safety and security. Unfortunately, the framework falls short of fully capturing or clarifying the inherent conflicts of user interests that have been negotiated since sidewalks first emerged. The categories are broad enough that they are apparent without this framework, and they leave the reader uncertain of how or why these distinctions are necessary since many cases overlap several categories.

In their conclusion, Loukaitou-Sideris and Ehrenfeucht challenge city officials and “urbanites” to take an inclusionary approach to creating public spaces. They encourage all city dwellers to accept the complexity and messiness of sidewalks instead of regulating them into underutilized and useless concrete spaces. This is a tall order for city officials who, in the nation’s heightened security environment, seek more control to create a safe and sterilized environment in which all scenarios are anticipated. While the authors’ position of advocating equal access for all is admirable by many planners’ estimations, it is also perhaps contradictory to their earlier admission that the use of and rights to urban sidewalks have always been fraught with competing interests.

Planners have much to gain from the five case studies that Loukaitou-Sideris and Ehrenfeucht detail in the book. Understanding the history of sidewalk regulation is a powerful tool that can help shape the future direction of such policies. Nevertheless, urban sidewalks will continue to be contested spaces. How we, as planners, respond to the conflict will ultimately determine the justice and vitality of our cities.