

Volume 50, Issue 4 (Summer 2013)
The Voices at Work North American Workshop
Guest Editors: Sara Slinn & Eric Tucker

Article 10

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Book Review

Citation Information

Flynn, Alexandra. "Book Review: Everyday Law on the Street: City Governance in an Age of Diversity, by Mariana Valverde." *Osgoode Hall Law Journal* 50.4 (2013) : 1051-1053.
<http://digitalcommons.osgoode.yorku.ca/ohlj/vol50/iss4/10>

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Book Review

EVERYDAY LAW ON THE STREET: CITY GOVERNANCE IN AN AGE OF DIVERSITY, by Mariana Valverde¹

ALEXANDRA FLYNN²

MARIANA VALVERDE'S RECENTLY PUBLISHED BOOK on the intersections between municipal decision making and the representation of diverse communities in the City of Toronto is a spellbinding and innovative read for scholars and students engaged in socio-legal research. It sheds remarkable light on decision making within Canada's largest city—not in committee rooms, but by unseen political and staff practices and quasi-judicial bodies—and the corresponding absence of meaningful social inclusion and political participation of diverse groups.

Valverde offers compelling evidence that the City of Toronto must revisit and reject Jane Jacobs' "village life"³ ideal of community involvement in favour of deeper governance models that recognize the representative needs of complex cities. This book fills an important gap in municipal scholarship by examining how street-level decisions are made in the urban context and the implications for those who are disadvantaged by such processes. The book begs further examination of ways in which existing institutions of governance can be reformed and the *City of Toronto Act*⁴ can be better exercised to address the significant problems that Valverde identifies.

Everyday Law on the Street is divided into nine succinct chapters. The first two chapters introduce the book's scope, clarifying Valverde's relationship to theories of community decision making advocated by Jane Jacobs and others, and identifying Valverde's definition of diversity. The remaining chapters analyze specific case studies related to maintenance and permits, business regulation, and zoning to examine critically the implications of city decision making for diverse populations.

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1. (Chicago: The University of Chicago Press, 2012) 247 pages.
 2. LLB (Osgoode), LLM (Berkeley).
 3. Jane Jacobs, *The Death and Life of Great American Cities* (New York: Random House, 1961).
 4. *City of Toronto Act, 2006*, SO 2006, c 11.

In chapter 3, Valverde examines municipal maintenance and standards, and analyzes the ways that Western cultural tastes are maintained and advantaged through the aesthetic standards applied to front yards. She highlights the “dysfunctional dance of local governance”⁵ by local politicians and city staff who are more likely to validate complaints if they are received from well-connected local residents or groups. She highlights the negative implications for immigrants in particular:

A governance process that depends largely on receiving complaints by groups and individuals with the resources and the know-how to get attention (from either city staff or the city councillor or both) will be necessarily biased in favour of the largely white, well-educated, and mostly gray-haired folk who already feel a sense of civic entitlement.⁶

Chapters six and seven explore Toronto’s business regulatory mechanisms by examining street-food vending and the taxi industry. In these chapters, she confronts again the subjective forces of local politicians and staff whose deliberations do not reflect Toronto’s motto of “diversity is our strength.”⁷ This is true even where the stated policy is multiculturalism, as in the introduction of the city’s micro-managed (and ultimately abandoned) food cart program. Valverde connects the over-regulated environment of street vending to the “threat to the values and ideals of bourgeois urbanites.”⁸ Likewise, in her review of the taxi industry, Valverde suggests that the quasi-judicial system put in place to assess taxi licensing, which regulates a profession largely comprised of immigrants, maintains Eurocentric cultural dynamics.

Valverde’s examination of zoning and planning laws and their effects on diverse communities is the analytical heart of the book. In chapter five, Valverde discusses social inclusion within community consultations, and the tension between Jacobs’ work and the manipulation of consultation practices intended to exclude certain voices (mainly those of vulnerable persons) in introducing housing designed to assist disabled, homeless, and other marginalized persons. This chapter plays a profoundly important role in advancing her argument that community-level decision making, rather than centralized planning, will lead to further inequality within Toronto.

In chapter 8, through the examination of local planning laws and mosques, Valverde notes the international dimensions of the planning function and the role of politics in diversity. Returning to an early critique that the politics of

5. *Supra* note 1 at 82.

6. *Ibid* at 103.

7. *Ibid* at 10.

8. *Ibid* at 144.

diversity often favour neo-liberal world city ideals that are ultimately rooted in economics, Valverde condemns the administrative bodies responsible for local planning, which favour “self-appointed leaders, mainly around home-owning” and “systematically exclude renters, young people, and to some extent, racialized groups, especially those who are poor and/or live in rental housing.”⁹ She concludes the book by highlighting the “let’s make a deal planning”¹⁰ that characterizes existing practices. She recommends replacing it with practices that recognize the needs of the city as a whole. While she supports community-level planning for some projects, she posits that current practices ultimately “lose the war on social exclusion”¹¹ by allowing only certain interests and the private sector to determine Toronto’s landscape.

While Valverde’s conclusion is compelling in the context of planning decisions, which are particularly prone to “not in my backyard” pressures of local communities, its application to the examples given earlier in the book is less clear. For example, taxi and food licensing is done at the city council level, in the first instance in committees that are made up of councillors from across the city and that solicit input from community members. It would have been helpful to clarify what qualifies as a micro-level project in planning and to understand how other areas under the City of Toronto’s authority may alter Valverde’s conclusions related to city-wide or regional decision making. This could be an important area for future research. More broadly, Valverde’s study opens the door to further examination of how governance must be rethought to reflect the diverse and complex interests that are addressed by cities more truly, and how this reimagined governance would look alongside the world city scholarship of Roger Keil, Richard Florida, Saskia Sassen, and others.¹²

Everyday Law on the Street is both a meaningful contribution to municipal socio-legal scholarship and an important advancement of critical urban analysis in the Canadian context. It would be a beneficial inclusion in any course syllabus concerned with urban, administrative, or property law.

9. *Ibid* at 207.

10. *Ibid* at 214.

11. *Ibid* at 218.

12. See *e.g.* Roger Keil, “Globalization makes states: perspectives of local governance in the age of the world city” (1998) 5:4 *Rev of Int’l Pol Econ* 616; Richard Florida, *Who’s Your City?: How the Creative Economy is Making Where to Live the Most Important Decision of Your Life* (New York: Basic Books, 2009); Saskia Sassen, “Neither Global nor National: Novel Assemblages of Territory, Authority, and Rights” (2008) 1:1-2 *Ethics & Global Pol* 61.

