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## The sidewalk: between traffic and other uses, the challenges of a hybrid urban order

**ABSTRACT:** Through a case study of the sidewalk in the Mexico City metropolitan area, we use the notion of hybrid order to understand the variable place that mobility and public space occupy in the ongoing logics of the material, social and cultural production of different sidewalks. This proposal contributes to a critique of European-centric conceptions of public spaces and underlying dichotomies. The production and governance of sidewalks are inscribed within a culture of informality common in Latin American, but the concept of hybrid order can be extended to other objects and other contexts. We conclude that the interest in walking and the sidewalk can lead to a disruption of the conventional hierarchy that places at the bottom end of governance the management of uses, by integrating it upstream in the decision-making, planning and design processes.

**KEYWORDS:** Urban space; urban traffic; urban planning; Mexico.

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## La banqueta (acera): entre circulación y otros usos, los retos de un orden urbano híbrido<sup>1</sup>

**RESUMEN:** A partir del caso de estudio de las aceras en la zona metropolitana de la Ciudad de México, utilizamos la noción de orden híbrido para entender el lugar variable que ocupan la movilidad y el espacio público en las lógicas que operan en la producción social y material de las diferentes banquetas. Esta propuesta contribuye a una crítica de las concepciones eurocéntricas de los espacios públicos. La producción y gobernanza de las banquetas se inscriben dentro de una cultura de la informalidad común en ciudades latinoamericanas, pero el concepto de orden híbrido puede extenderse a otros objetos y contextos. Concluimos que el interés de caminar y por la banqueta puede conducir a una ruptura de la jerarquía convencional que sitúa en el extremo inferior de la gobernanza la gestión de los usos, al integrarla en el extremo superior de los procesos de decisión, planificación y diseño.

**PALABRAS CLAVE:** Espacio urbano; circulación urbana; planificación urbana; México.

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## Introduction

The original European conception of sidewalks makes them a part of the public domain characterized by public uses, which is a matter of public order and whose development and management belong to the public authorities (Gehl, 2010). Within this monopoly, the sidewalk may appear to transport and mobility specialists as an element of the infrastructure for pedestrian circulation and as a support for urban furniture that serves this circulation as well as that of vehicles on the roadway. However, this functionality often seems to be limited or even disrupted by many other uses, especially in cities of the Global South, where the formal order of transit, which dominates the design of streets, competes in particular with the alternative or even informal practices of staying in public space to work, shop, consume, play or rest.

We are moving away from the literature on sidewalks that puts the highlight on defaults of accessibility, on walkability and urban design (Boils, 2019, 2022; Ingram *et al.*, 2017; Guío, 2008) and pedestrian mobility (Fernández-Garza & Hernández-Vega, 2019; Tanikawa & Paz, 2022) and are following Loukaitou-Sideris & Ehrenfeucht's (2009) and Kim's (2015) works on conflicts, although with some differences. This situation of heterogeneity of the uses of sidewalks has been studied in Ho Chi Minh City, Vietnam by Kim (2015), who recommends managing the conflicts arising from it by going beyond property rights focused on the public/private dichotomy and considering other types of basic rights, particularly the right to subsistence. Extending Kim's proposal, we suggest here that the sidewalk has to be seen as the product of a negotiated order in which informality plays an important role and that allows for the coexistence of a variety of often conflicting uses, while at the same time creating an ambivalent place for traffic.

Understanding the production of the negotiated order of the sidewalk means going beyond the dichotomy between public and private space. For this reason, we do not adopt Kim's notion of "mixed-use public space", which implies that the sidewalk is administered by public authority. Instead, we follow the hypothesis that it is not only the physical space but also the order that regulates the sidewalk that is hybrid, as it integrates and articulates multiple dichotomies: public vs. private, formal vs. informal, residence vs. work, and

especially mobility vs. immobility. The notion of hybrid order that we develop here for the study and interpretation of the sidewalk has theoretical and methodological implications that could be extended to other socio-spatial objects, whether related to mobility or not.

The perspective opened by the notion of hybrid order allows us to analyze how pedestrian mobility practices that use the sidewalk as a travel infrastructure, are inserted into the production of this order in interaction with the other uses of the sidewalk. Our proposal is part of an evolution in urban planning that integrates the plurality of uses by replacing the vocabulary and culture of the roadway with those of the public space. What kind of order then emerges from the hybridization at work?

We have chosen the concept of hybridization, following García (1997) in his analysis of the evolution of contemporary cultures, where he wants to mark a double distance: on the one hand, from the concept of miscegenation ("mestizaje"), associated with the question of the mixing of races, and on the other, from that of syncretism, used to evoke the fusion of religious influences. However, the notion of "métissage" has been extended in France to dimensions other than biological and has been used in Latin America to conceive the "mestizo thought" (Gruzinski, 1999). Baby-Collin (2000) has spoken of "mestizo urbanity" to show how the inhabitants of the precarious neighborhoods of El Alto (Bolivia) and Caracas (Venezuela) produce their urbanity and citizenship in a back-and-forth between formality and informality, center and periphery, integration and exclusion. Recently, Runnels (2019) has studied the "mestizo aesthetic" expressed in real estate development and speculation in El Alto by entrepreneurs of Aymara origin.

It is in this sense of "mestizaje" that we place our choice of the notion of hybridization to qualify the realities we have studied through the sidewalks of the Mexico City area. We follow García (*op. cit.*) when he draws attention to hybridization as an ongoing process rather than a fixed state. Understanding this process means looking at developments on different time scales and establishing the genealogy of the material and social production of sidewalks as typical of successive or different generations of urban planning and design. For example, the first "European-style" sidewalks were imported to Mexico City by Viceroy Revillagigedo between 1789 and 1794, marking a turning point in

the imposition of public authority over residents (Sánchez de Tagle, 2007). This process of public legitimation is consistent with what has been observed elsewhere (Loukaitou-Sideris & Ehrenfeucht, 2007).

Another well-documented example of hybridization is provided by the sidewalks of popular self-built neighborhoods. The origin of these sidewalks is neither planning nor engineering, but vernacular know-how. In some cases, the order of spatial separation between the sidewalk and the roadway is created by farmers who have informally subdivided their land in order to sell it, while the residents' associations then create the physical sidewalk with the means at hand and according to their own logic of use. In other cases, the land has been occupied by force and the invaders carry out a basic distribution of plots, on which the layout of the streets and (possibly) the location of the sidewalks will be made later. For these different reasons, due to culture of informality common in Mexico City and its surroundings, but also in other Mexican and Latin American cities, the sidewalk appears as a hybrid property, because if the residents recognize that it is public, at the same time they also feel that it belongs to them, which explains why they can ensure the daily cleaning in front of their house as we will see later. All this shows us the illusion of making the street a "public space par excellence", especially if it implies that this space is undifferentiated, homogeneous, and monopolized by the State.

The focus on sidewalks, in a genealogical perspective of the production of urban space, and thus attentive to the different historical forms of production of urban space in different contexts, allows us to highlight the intrinsic heterogeneity of the different places that make up public space. In the street network, formally dominated by the order of traffic, where public rules are nevertheless hybridized with social norms, sidewalks appear as spaces of overlapping public and private logics, where different normative regimes are superimposed, often incoherent with each other. The concept of a hybrid order proves useful in explaining this social and cultural complexity of regulations, practices, and perceptions that fundamentally impact mobility.

This proposal is the result of empirical research developed in 2017-2022 in the metropolitan area of Mexico City and based on systematic observations, interviews with

governmental, associative, or economic actors, questionnaires with users, video recordings and mapping of sidewalks at different scales. Our objective was to consider the different modes of social and spatial production of this fundamental urban space, as well as the complexity of the phenomenology associated with it, and the relationships with the different “settlement types” (Connolly, 2005) and “urban orders” (Duhau & Giglia, 2008) existing in the metropolitan area.

For this purpose, we selected a series of test sites that corresponded to some of these types:

- two sidewalks in traditional central areas, one located in the downtown historical district (Alameda central), the other in a secondary historic and touristic area (Coyoacán), corresponding to the “city of contested space” order in Duhau and Giglia’s typology;

- a sidewalk of the “island city” type corresponding to a recent residential and business development linked to financial capitalism (Santa Fe);

- three sidewalks in the popular residential areas of the “city of negotiated space”, one corresponding to a “consolidated” self-constructed neighborhood (Santo Domingo), another in a precarious area in the process of urbanization (Nezahualcóyotl-Chimalhuacán border), and the last one in a space in transition, where the sidewalks have been rebuilt by the developers of two new shopping centers (Gustavo Madero);

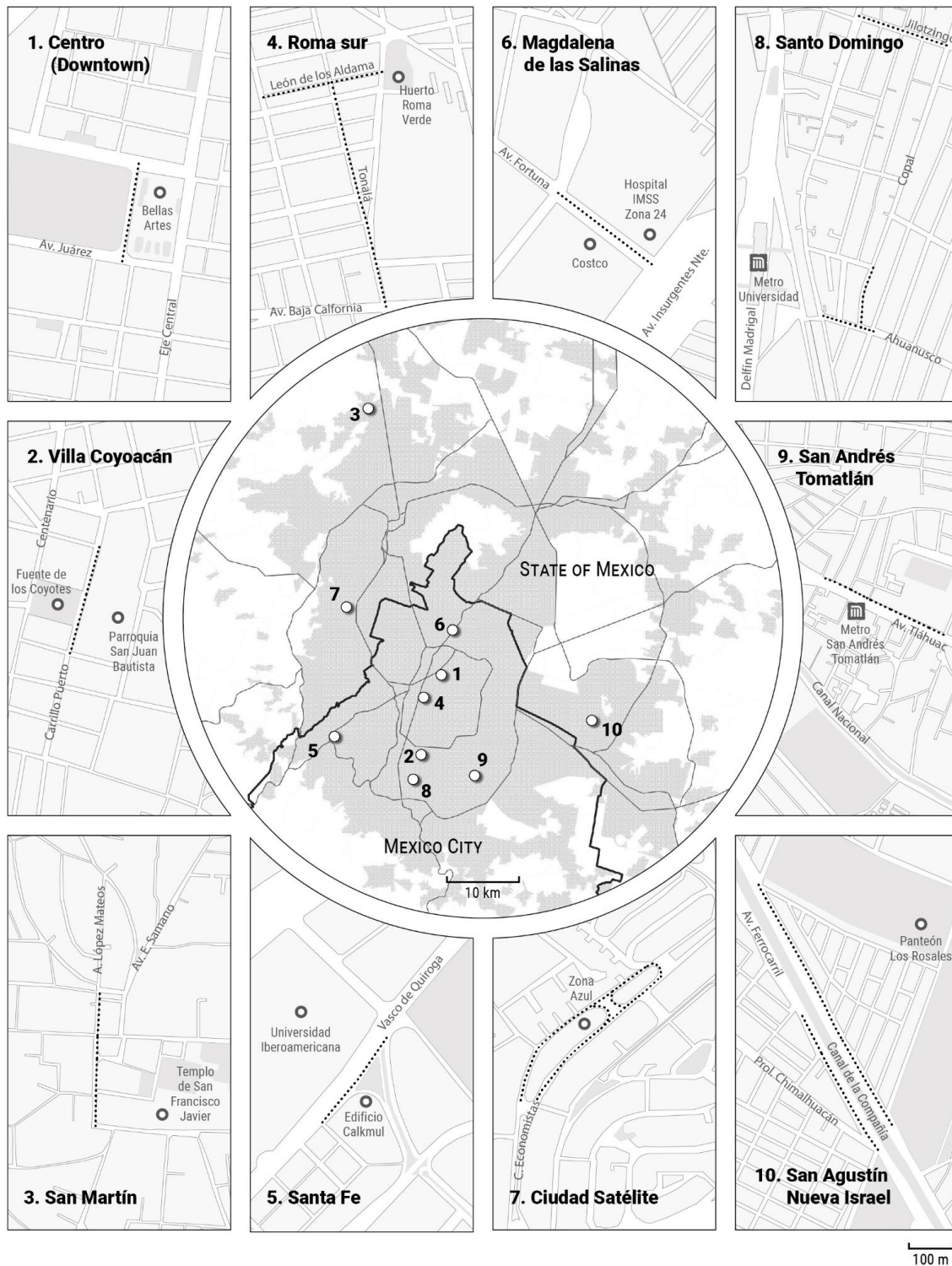
- two sidewalks in the “ancestral city” on the periphery of the metropolitan area, one in an old village incorporated into the urban space (Iztapalapa) and the other in the center of a suburban town labeled “magic village<sup>2</sup>” (Tepoztlán);

- a sidewalk in the “homogeneous city”, in a commercial area of a suburban development for the middle and upper middle classes planned in the 1960s and 1970s (Ciudad Satélite).

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<sup>2</sup> “Pueblo mágico” is a label of the federal government of Mexico (Secretary of Tourism) that allows a grant to be awarded to a village or town based on the landscape enhancement of historical and cultural heritage. This program, created in 2001, stopped receiving federal subsidies in 2019. See <https://www.gob.mx/sectur/articulos/pueblos-magicos-206528>

**Figure 1:** Location of neighborhoods studied, Mexico City agglomeration.



Created by: Jerónimo Díaz.



This paper is structured into five sections. Firstly, we present a typology of sidewalks as a hybrid order, highlighting the specific role of mobility in each type. Secondly, we describe the manifestations of the hybrid order in material space. Thirdly, we analyze the socio-political effects of hybridization. Fourthly, we examine how the hybrid order renews the strategy for analyzing public space. Lastly, we explore comparative uses of the concept of hybrid order.

### **The sidewalk as a hybrid order: an attempt at typology**

Our theoretical proposals and empirical results lead us to suggest the following typology of practical modes of operation based on the hybrid order concept, which encompasses mobility and other uses.

#### *Sidewalks where the legal order applied in a discretionary and non-linear way produces contradictions and mixtures*

In our study, this type of situation is exemplified by the sidewalk running along the Alameda Park, in the historic center of Mexico City. This park was created by the colonial authorities at the end of the 16th century. It continues to be popular among both residents and tourists, who frequent it the whole week and particularly on weekends. The sidewalk we studied is located at the interface between this park and a vehicular access road to the underground parking lot located under the square of the Palacio de Bellas Artes (Palace of Fine Arts, Mexico City Opera), itself an emblematic monument. The sidewalk serving the pedestrian street (Madero) that leads to the Zócalo (Main Square) of Mexico City, therefore, occupies a central place in pedestrian mobility between the landmarks of the historic center, while hosting street performances and many other uses. Formally, it is integrated into the management of the park, where the prevailing regulation is precise and very restrictive in the activities allowed, prohibiting a wide range of uses such as roller skating, walking dogs, or vending. In practice, a whole range of omissions, tolerances, compromises, and agreements emerge between enforcement officials and park users. Three situations may illustrate the hybrid order in place:

a) formal rules that are not applied (by omission: this is the case of children's games in the fountains which were intended to beautify the space, but became a playground for fun and refreshment, especially during the hot season);

b) formal rules that are applied arbitrarily or on a discretionary basis (users break the rule because they are not sure that it will be applied; this is the case of skateboarders who, despite bans, continue to practice until they are chased by the police);

c) informal rules (unrelated to the regulation) are enforced (*e. g.*, the police prohibit homeless people from sleeping on benches, implying that benches can only be used for sitting, while the regulation is not clear on this point, referring only to "the proper use of the furniture", *cf.* Giglia, 2016).

The enforcement of formal rules seems so uncertain that police officers sometimes appear among the spectators of (in principle prohibited) street performances. The discretionary nature of the application of both formal and informal rules corresponds to a political logic in which hidden agreements can be broken at any time.

#### *Sidewalks where two formal orders coexist and are in contradiction*

Laws themselves can create uncertainty by appearing "fuzzy" or "muddy" ("mud laws", *cf.* Kettles, 2014). An example of this uncertainty is the management of parking along sidewalks. Roadway space is nominally under public management, even in self-built neighborhoods where residents have often built the sidewalk in front of their homes. However, residents cite the lack of parking and, more importantly, the risk of having parts of their car or vehicle stolen, to occupy the pavement space in front of their homes. They place cans or other objects to reserve this space for themselves and prevent other cars from parking there, which can also be seen in other cities like Bucharest as a sign of privatism (Popescu, 2022); this privatization of the curb is congruent with their control and attention to the corresponding sidewalk, where they often decide on legitimate uses. Residents and drivers generally respect this regulation, which is not legal, but is consistent with the formal responsibility of residents to clean the sidewalk in front of their homes and take care of the vegetation on it (Law on Waste, *Residuos Sólidos*, art. 39).



Thus, there is an unspoken hybrid rule that says: “This is my parking lot between these points, and beyond that, others can park”. However, the municipal authorities sometimes carry out operations to remove the cans used to privatize the parking space, but the residents immediately replace them; more often, these authorities tolerate this use.

Generally speaking, the issue of parking blurs the formal order of division between the sidewalk as pedestrian space and the roadway as vehicle space. It is common for residents to park their vehicles across the sidewalk in the driveway to their garage, leaving pedestrians only a small passageway in front of the house or forcing them to walk on the roadway turning around the vehicle. This situation, which is also common in front of stores or other businesses to accommodate their customers’ vehicles, is also tolerated by the police. In a metropolitan area like Los Angeles, this social practice also gives rise to a hybrid order (Shoup, 2014).

In all these cases, a hybridization of multiple figures of legality emerges, leaving open the question of who decides between conflicting formal rules and offering the possibility of political play, negotiation, while introducing uncertainty.

#### *Sidewalks in a legal vacuum:*

##### *in the absence of a formal order, a hybridization regulated by informality*

This case is represented by the road that forms the municipal border between Nezahualcóyotl and Chimalhuacán, where each municipality claims jurisdiction, but neither exercises it. There is no maintenance, no investment by the government. The sidewalks here are built by the residents and are sometimes materially very precarious or in poor condition, or simply do not exist. The order of the motorized traffic is hardly present because very few vehicles pass there, which allows the pedestrians to walk preferably on the roadway. The division between the latter and the sidewalk is discontinuous and not a matter of formal order. This situation is reproduced in many suburbs: if frequent in popular self-built areas, it appears also in middle-class housing estates, where the sidewalks built by the developers have never been taken care of by the municipal authorities, who do not consider it as a priority.

### Manifestations of the hybrid order in space

We will use photographs taken during the research project to illustrate these manifestations identified during the in-situ observations.

At the micro-scale of the ground, we observe material hybridizations. For example, in Santa Fe there is a play of continuities and discontinuities in the surface texture of the sidewalks. Photo 1 shows the texture of the sidewalk built by the company that built a tower (left) and the texture of the sidewalk built by the Delegation, the municipal authority (right). However, photos 2 (sidewalk of the Delegation) and 3 (sidewalk built by the company) show that on the one hand the “private” sidewalk reproduces the design of the public sidewalk, but on the other hand the first one uses materials of better quality than the second one.

**Photo 1.** Private sidewalk (left) and public sidewalk (right) in Santa Fe.



Credit: Ruth Pérez López.



**Photos 2 (top) and 3 (bottom).** Textures and materials of the public sidewalk (photo 2) and the private sidewalk (photo 3).



Credit: Ruth Pérez López.



Credit: Ruth Pérez López.



At the intermediate scale of the street, there is a hybridization between the production of the material space (by private or public actors) and the uses (public or private) that are made of it. For example, in a residential street in the Roma Sur neighborhood, a resident has built a bench that leans against the façade, in a style that matches that of the house (photo 4). This bench is primarily intended for his use, to sit and watch the animation of the street, but it is admitted that it also offers a service to passers-by. This private device built by an individual thus imitates the public bench device for both private and public use.

**Photo 4.** The resident's bench, a service to passers-by.



Credit: Guénola Capron.

Another situation is the support of street signs or cables, trees or bus stops. They are often used to hang advertisements or ropes, to install a kiosk, which often provides food services to people in transit (Monnet *et al.*, 2007). Another example is trees planted by municipal authorities to provide shade and make walking or passing more comfortable. Small and medium-sized trees are cut down by residents due to lack of maintenance by the local government, which tolerates it. Photo 5 shows the difference in treatment between trees maintained by residents and those abandoned by the Delegation (Roma Sur).

**Photo 5.** Trees pruned by residents (background on the left) and trees abandoned by the government (center).



Credit: Miguel Ángel Aguilar.

The space regulated by the hybrid order of sidewalk is thus the result of a negotiation between public and private actors, which is part of the inhabitants' and government's culture throughout the city. A very common case is that of street vending,

both in Mexico City and in Ho Chi Minh City (Kim, 2015) and Nanjing (Guan, 2015). One of our previous research studies showed the arrangements made between street vendors, establishments, and local authorities, in particular to allow stalls to follow each other throughout the day, creating a changing geography of the sidewalk (Monnet, Giglia, and Capron 2007).

### **The effects of hybridization: mobility, safety, livability, democracy, integration-exclusion**

The hybrid character of the order that reigns on the sidewalks and their uses implies a series of consequences for the mobility, security, habitability, integration and exclusion of the various actors that interact in these spaces.

Hybridization creates insecurity that threatens the proletarians, but their leaders manage to become part of the political order and allow the negotiation of tolerance for certain popular uses of space, in particular the informal trade on the sidewalks, which lives on the pedestrian traffic that provides it with its customers while often constituting an obstacle to it. In fact, pedestrians who are in a hurry but who have nothing to buy often have to walk on the roadway, at the risk of an accident.

The forms of appropriation of sidewalks that occur in working-class neighborhoods are also found in other types of cities/urban orders. Thus, in the “disputed city” which corresponds to the central city, as in the case of the Roma neighborhood, the coexistence of residential, service, and commercial uses generates numerous conflicts, for example over parking, as we have seen above. Our findings confirm previous research showing that the “negotiated” order is the dominant type in the agglomeration (see chapter “Los usos de las reglas” in: Duhau & Giglia, 2008).

The constant negotiation of rules and the resulting intrinsic uncertainty can be seen as the archetypal form of sidewalk governance in Mexico City. In this context, everyone tries to take charge of the sidewalk in their own way, either as a resident or as an occupier. In this context, the formal order struggles to impose itself.

Nevertheless, there is a hierarchy between uses that hybridizes “de jure” and “de facto” legitimations: while in law traffic imposes itself on socialization, which in turn imposes itself on commerce, in fact this hierarchy is sometimes exactly reversed. This could provide clues for the elaboration of a “well-made” legal order. The hierarchy could then answer several questions. Which order is more inclusive, the one that allows homeless people to stay at the expense of pedestrian traffic, the one where a kiosk at a crosswalk forces sidewalk users to walk on the road, or the one that excludes all subsistence or convivial uses to impose traffic? When one actor imposes itself on all the others, can the hybrid order be democratic and just? How the most legitimate uses are defined and by who? In the case of the sidewalks of Santa Fe and the Gustavo Madero Delegation, we observe the predominance of privatization by real estate actors who try to make it the legitimate order, limiting or repressing other uses that build on other legitimacies.

In Ho Chi Minh City, Kim (*op. cit.*) also raised the question of the (de-)legitimization of the uses of the sidewalks and of the street shops. She studied the opposing discourses on the latter where their high social acceptability is evident, especially on the part of the residents, the police officers in charge of the daily regulation of the sidewalks as well as the civil servants who manage them. Examples of this kind can be found elsewhere (Blomley, 2011; Valverde, 2012), including in an authoritarian context such as China, where the hybrid order of sidewalks maintains the appearance of a hegemony of the formal order (Guan, 2015). In Mexico City, Ugalde (2016) showed the hybridization of different legitimacies in the management of a tree planted in front of the door of a particular building, whose growth prevented residents from getting their cars out of their garages and which they wanted to cut down.

In this city, if there is strong discrimination against street vending by the middle and upper classes, it is counterbalanced by the tolerance of the working classes, who are the main beneficiaries of these activities, both as workers and as customers. Thus, according to their own moral values, as Guan (*op. cit.*) also observed in Nanjing, but also because they belong to these social categories, public officials turn a blind eye to these activities, depending on the place and/or time.



In the case of Latin American cultures, according to García (1997), hybridization integrates more than it separates, especially in the case of indigenous tactics in the face of the dominant colonial culture. But hybridization creates a state of permanent uncertainty that makes the use of space precarious, diminishing its intelligibility and the exercise of certain rights, including the right to mobility. The democratic quality of the hybrid order thus depends on the situations and orders. The hybrid order is dynamic, because different uses prevail one after the other. Beyond the observation of the heterogeneity of uses, hybridity shows the importance of the interplay of actors interacting in the de facto and de jure management of sidewalks.

### **Renewing the strategy of analysis of public space**

#### *Critique of modern Western public space*

Urban public space has been the subject of much debate in the social sciences over the last three decades. The crisis of public space has been discussed with reference to its historical constitution in the large cities of the Western world. An ideal public space is supposed to have emerged in European and colonial cities in the modern era, before spreading around the world with the industrial city. Its ideal characteristics include free access for all, the primacy of individual circulation over immobility and static or collective use of the street, and the anonymity of users. Since the middle of the 20th century, this ideal corresponds to an urban project that claimed to guarantee universal access to a set of goods and services for all inhabitants, saw the emergence of a massive middle class, and offered conditions of full employment to the working class in the context of the “Glorious Thirty”, known in Mexico as the “Mexican Miracle” (Duhau & Giglia, 2008).

Public space is linked to the formation of a society with unprecedented characteristics, and is the result not only of processes of social inclusion, but also of new forms of regulation of urban life, which are emerging in response to the problems created by industrialization, urban expansion, the dispersion of working, living and shopping areas, and the diversification of forms of housing and consumption. This raises the question of urban order: *At the origin of urban public space, we find a question that remains central: the*

*question of order, i. e. the forms of regulation of the uses of the city. Public space, even if we like to think of it as an open and free space, is in fact marked in its essence not only by the question of the coexistence of heterogeneous subjects, but in particular by the question of common rules, and of the common acceptance of rules, be they explicit or implicit, formal or informal, rigid or flexible* (Duhau & Giglia, 2008, p. 51; emphasis in the original<sup>3</sup>).

We consider that insisting on urban hybrid order -understood as the entanglement of rules of different purposes and origins- allows us to go beyond the dichotomous vision typical of the modern Western order, which separated public space from private space, pedestrian traffic from automobile traffic (Monnet, 2010, 2016), and which prevailed in the planning of European cities, and even more so in the planning of colonial cities where informal urbanization was apart from formal urbanization. This statutory and physical separation implied that public space became the domain of local public authority.

In the current context of fragmented post-Fordist cities, where privatized and segmented spaces proliferate, the public-private dichotomy seems to be challenged by a wide range of actors. In France, the “residentialization” movement closes and fragments the common open spaces of large social housing complexes in the name of their safety. Around the world, gated communities and other secure residential areas have been created, with access and management under the responsibility of private co-owners (Capron *et al.*, 2018). Business Improvement Districts in many cities around the world have transferred the supervision, maintenance, and animation of public spaces to retail and business associations, while public-private partnerships have become common in building construction and open space design. Conversely, private uses of public spaces have been renewed and transformed by mobile information and communication technologies or with the rise of the sharing or platform economy (self-service vehicles, door-to-door food

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<sup>3</sup> Original quote: “En el origen del espacio público urbano encontramos una cuestión que sigue siendo central: la cuestión del *orden*, es decir de las formas de *reglamentación* de los usos de la ciudad. El espacio público, aunque nos guste pensarlo como un espacio *abierto y libre*, en efecto está marcado en su esencia no solo por la cuestión de la *convivencia* de sujetos heterogéneos, sino en particular por la cuestión de las *normas comunes*, y de la *común aceptación* de las normas, sean estas explícitas o implícitas, formales o informales, rígidas o flexibles”. (Duhau & Giglia, 2008, p. 51).

delivery, etc.). These changes have made the regulation of the use of public space extremely complex, involving a greater variety of public and private actors.

This complexity is linked to the emergence, in the last twenty to thirty years of new trends in urban planning that promote the requalification of public space to improve the quality of urban life, according to a conception of conviviality that is often limited to attractiveness. Thus, the place making movement illustrates a set of trends that promote participation, tactical urbanism, and events, but mostly concern the development of consumption and leisure in selected places (Friedman, 2010; Peza, 2022). The analysis of these trends is not the purpose of this paper, but we can point out that their use and effects are far from being homogeneous and effective, and that they are subject to criticism, often in relation to their consequences in terms of gentrification<sup>4</sup>.

What we want to emphasize here, in relation to the issue of sidewalks and mobility, is the importance of analyzing in detail the concrete uses of these basic public spaces, in order to capture the social and cultural complexity of the practices, normative regimes and social representations associated with these places. In this way, serious research can contribute to the evaluation and possible critique or improvement of proposals such as place making.

### *The sidewalk as a hybrid order*

Why talk about order instead of hybrid space? The concepts of third space or third place, intermediate or hybrid space, have been used to qualify co-working spaces, at the intersection between housing, office and conviviality, but also for intermediate spaces between the rural and the urban (Bonerandi *et al.*, 2003). The co-working space “articulates the flexibility of self-employment with the social environment of organizations,” in a context characterized by a great diversity of interactional situations and by the efforts of co-workers to produce cooperation, between the defined and the undefined, between restriction and freedom (Trupia, 2016). Thus, the hybrid co-working space appears ambiguous, neither public nor private. The ability of the spatial device to produce or foster

<sup>4</sup> <https://m.elcolombiano.com/antioquia/paso-la-hora-del-urbanismo-tactico-en-medellin-HI12380788>

cooperation or innovation seems to depend on the self-fulfilling prophecy that its hybridity does not make it a workplace like any other.

The notion of Third Space is mobilized by Soja (1996) to evoke a space between the concrete and the imaginary. As far as we are concerned, hybridization goes beyond the observation of the heterogeneity and complexity of the uses and material forms of the sidewalks, to allow us to analyze the processes of production of orders, or in other words, of the ordinations that link and hierarchize this heterogeneity and complexity.

We therefore privilege the notion of order (Duhau & Giglia, 2008), rather than that of hybrid space, as the interpretive key to the governance of sidewalks as spaces for pedestrian (and micro-vehicles) circulation that coexist with other, more static uses. According to this perspective, the sidewalk appears as a *sui generis* space resulting from a hybrid order. This reflects changes in spatial organization based on the distribution of actors, their interactions, behaviors, interests, and appropriations, as well as the mobilization of different processes or formal and informal norms. As such, it is a performative reality that is both normative and practical, extending beyond and connecting the realms of formal and informal, mobile and stationary, and public and private.

How is all this “put in order”? Much of what happens between the legally and socially private space of the parcel on the one hand, and the roadway put in order by and for traffic on the other, does not correspond to what is theoretically expected of a public space. In this interval, the order is pragmatic and does not depend on the spatial dichotomy of public and private. The sidewalk appears neither as a pure public domain nor as a simple extension of the private into the public, but as a spatialized hybrid order, in which the power relations between different orders are expressed. It thus embodies a specific governance that regulates a variety of uses in which neither the order of traffic (hegemonic on the road) nor the order of intimacy (essential in private space) dominates.

García (1997) suggests that hybridization, in the context of conflicts between modernity and the traditional-modern dichotomies, should not be seen as an imposition but rather a creative process that takes place between desired modernity and tradition

(especially indigenous) that we do not want to lose. In Mexican cities, this is illustrated by the persistence of *tianguis* (open-air markets) and itinerant commerce, while “modern” forms of commerce have developed (department stores, shopping malls, and now online commerce). In the same vein, both Michel de Certeau (1990) and Gruzinski (1999) evoked the “tactics” of the dominated to adopt the legalism of the dominant and subvert it by integrating it into their different belief systems and customs, in a new register.

The tension between the durable and the ephemeral, the formal and the informal, among others, gives great instability to the hybrid order of sidewalk, for at any moment it can be challenged, revoked, or complicated.

### **The significance of the hybrid order for the comparison of urban spaces**

The concept of hybrid order has a theoretical-methodological importance because, beyond the need for an internal comparison of sidewalks in the metropolitan area of Mexico City, it allows a comparative analysis of different spatial management situations in different urban contexts, considering their complexity, while avoiding the confinement in dichotomies such as public-private, formal-informal, traffic-parking or residential-work, among others.

To illustrate this point, let us consider the case of cities where, in principle, the formal order seems to be more present and better respected, such as in France or Canada. The concept of hybrid order seems to contribute to a better understanding of the *de jure* and *de facto* management of sidewalks.

In Paris, the local government usually assumes responsibility for sweeping the streets from one facade to another. On the rare occasions when snow accumulates, an exceptional formal order is implemented, reserving the authority to clear the roadway for vehicles, while in principle the residents are responsible for removing the snow from the sidewalks. Two phenomena hybridize this formal rule: on the one hand, the technique used to clear the roadway causes the municipal services to push the snow back onto the sidewalks; on the other hand, the residents completely ignore their responsibility to clear

the sidewalks, following the habit of considering that cleaning is the responsibility of the municipal services.

In Canada, snow is commonplace and municipal decrees require residents to remove snow from sidewalks, a well-known and practiced rule. The regulation dictates that residents must ensure the continuous passage on sidewalks to avoid liability for any accidents caused to pedestrians. However, this responsibility can shift to the municipality in the absence of a decree or in streets where the authority uses machines adapted for snow removal on the sidewalks.

The cases of Canada and Paris thus allow us to hypothesize that, even in contexts in which all actors are convinced that the formal order is hegemonic, with a transparent and predictable application, there are circumstances in which a degree of hybridization of rules and practices appears that an in-depth study could reveal.

Beyond the archetypal public space of the street, the concept of hybrid order can also be applied to spaces whose "public" character is not always obvious, such as the internal pedestrian circulation spaces of large residential or office complexes of functionalist architecture. In what is known in France as "urbanisme de dalle" (Picon-Lefebvre, 2001), the level of pedestrian circulation "above the street" is the subject of many conflicts (between users and between managers) and poses major challenges. Similarly, the feet of social housing buildings, long used as public spaces when they were privately owned, are subject to contradictory trends to resolve conflicts of use: the strong trend is towards "residentialization" by fencing them off to make them private spaces, but there is also the opposite trend of transferring ownership, development and maintenance to the local government (Lelévrier & Guigou, 2005).

The range of hybrid orders is therefore very wide. In Mexico City, we could also cite the case of parks opened to the public by the local government on private land (example of Reforma Social Park) or of shopping centers that are public-private spaces (Capron, 1998).

## Conclusions

Each case deserves an in-depth study of the hybridization processes at work locally, but the theoretical-methodological dimension of the concept of hybrid order makes it possible to envisage robust comparisons by making visible uses other than pedestrian transit on sidewalks.

In the Mexico City metropolitan area, the accumulation of local micro-orders with varying degrees of hybridity makes the governance of sidewalks extremely complex and unstable. This seems a far cry from the situation in New York City studied by Jane Jacobs (1961, 1989) in the 1950s. In Mexico City, uncertainty dominates, making the sidewalk a flexible space, the product of a permanent negotiation between actors, in which users are a more active part than in other contexts.

This is probably due to the socio-cultural particularities of the urbanization process in Latin America. In this region, during times of deep urbanization, there was few planning and development regulations or they were not complied with (for example, lots were sold in places that did not have infrastructure or services), so that inhabitants were forced not only to build their own homes, but also to build facilities and infrastructure and manage urban services (Pérez, 2013). Unlike other highly regulated contexts, in the metropolitan area of Mexico City there is strong citizen participation (formal and informal) in the design, construction and modification/rehabilitation of sidewalks, as well as in their management. According to us, this informal urbanization, and above all, the place that informality occupies even in other urban contexts that are more formal, contribute to explain the processes of hybridization in the production and management of sidewalks. In other words, hybridization is closely linked to the informality present in urban planning and development processes.

The hybrid order leads to unstable processes of exclusion or inclusion, but also allows the city to continue to function. We therefore echo Kim's (2015) call for local governments to create "laboratories" that bring together actors (passersby, merchants, residents, police, activists, academics, etc.) to explore sidewalk governance that balances the need for stable and consistent legal protection with the flexibility of local functioning.



We have applied the concept of hybrid order to sidewalks, and it would be interesting for future research to explore its application to other objects, including real estate speculation, transportation management, and waste administration. Examples of such applications can be found in Boltvinik (2018) about garbage and they encompass the intersection of formal urbanism, technocracy, and social accommodation. Even in contexts as the European ones, where publicity and formality are higher, hybrid order can be a productive issue to analyze blurred situations between public and private or formal and informal.

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