

## **STREET VENDING AND PUBLIC POLICY: A GLOBAL REVIEW<sup>1</sup>**

by Ray Bromley, Department of Geography and Planning, State University of New York at Albany

Street vending is an ancient and important occupation found in virtually every country and major city around the world. Street vendors<sup>2</sup> add vitality to the streetscape and contribute to economic activity and service provision, but many observers also associate them with congestion, health and safety risks, tax evasion and the sale of shoddy merchandise. Numerous national laws, local laws and municipal ordinances apply to street vending or are specifically targeted at street vendors, and most countries have a long history of regulating their activity.

This paper is a general contemporary overview of street vending around the world — focusing on the major issues underlying its permanence as a phenomenon, and the ambivalent attitudes displayed toward it by governments and off-street business communities. The prime sources are over 25 years of research, reading and observation by the author in a wide range of different countries and contexts. Bibliographic references are kept to a minimum because this is both a personal and a global overview — an attempt to synthesize and generalize in a field of academic endeavor dominated by local case studies.<sup>3</sup>

A key feature of this paper is that it focuses directly on street vendors as an occupational group, rather than treating them as an example of some larger aggregate group such as the informal sector, petty commodity production, underemployment, micro-enterprises, retailing, the service sector, or the underground economy. Street vending is simply the retail or wholesale trading of goods and services in streets and other related public axes such as alleyways, avenues and boulevards. No attempt is made to judge whether street vending should be placed in a larger category, and if so, in what category it should be placed. Each of the larger categories mentioned carries a considerable weight of intellectual and ideological baggage, and its use may obscure

rather than highlight the special and peculiar characteristics of street vending as an occupation and economic activity. Street vending is viewed as a worldwide phenomenon, found in all countries, and distinctions between first, second and third worlds – or developed, transitional and developing economies – are not emphasized. Nevertheless, it is important to recognize that street vendors are most numerous in poorer countries, and that they are usually concentrated in urban areas.

Over the centuries and across the world, street vending has been practiced in many different ways. Most vendors sell goods, but some sell services, and some sell a mixture of the two. Some vendors are fixed in one location, using a kiosk or a heavy stall which remains in the same location for months or even years and is locked up and left under the supervision of a watchman when not in use. Others use heavy mobile stalls which are pushed from a storehouse into the sales position at the beginning of the working day, and pushed back at the end. Still others are fixed in location, but simply lay their merchandise out on the ground or on a sheet of cloth or plastic. Truly mobile vendors may push stalls on wheels, carry their merchandise on their persons, or operate a stall off a cart, a tricycle, or a motor vehicle. Some mobile vendors sell to passers-by, some do door-to-door delivery, and still others hawk from building to building.

Street vending may be practiced full-time, part-time, seasonally or occasionally. It can be fixed, occasionally mobile, or almost continuously mobile, and it can go on at any or all times of the day and night. The firms involved can range from one-person micro-enterprises, through numerous forms of partnership and family business, up to franchisees, pieceworkers and wagedworkers of larger off-street businesses. Some street vendors are branch operations of off-street stores, sometimes right outside the store, at other times some distance away. Other street vendors create their own branch operations, dividing their merchandise and sending some of it with a relative, partner or employee to sell at another location.

Street vending can be anything from a survival strategy — a desperate search for a subsistence income — through to petty capitalism, or the diversification of big business to boost demand and achieve a higher turnover. Most street operations are much smaller in scale than fixed stores or supermarkets in off-street locations, but a few are quite substantial, ranging from truck-borne mobile stores, to big fixed stalls and kiosks in strategic high-demand locations. The income distribution of street vendors is highly skewed, with a few making quite high incomes, comparable to those of successful storekeepers and career professionals, and most making relatively low incomes, comparable to those of unskilled manual laborers.

Just as street vending varies greatly in scale, timing, location and remuneration, it varies in terms of workforce, and types of goods and services. The significance of women, men, girls and boys as street vendors varies considerably from country to country. Goods may be narrowly focused in a few lines, for example tourist souvenirs, newspapers and candy in many North American and European cities, or spread across the whole gamut from cooked foods, groceries and hardware through to clothing and electrical appliances. Shoe-shining, hair-cutting, document typing, and the repair of shoes, clothes, bicycles, motorcycles and cars, are all common street services. In addition, goods or services may be advertised and negotiated on street, but delivered off-street: for example, “guides” seeking to entice visitors to hotels, clubs, bars and restaurants and taking a commission for each one they bring in; ambulatory gardeners and knife-grinders going round the upper-income residential neighborhoods of Latin American and Southeast Asian cities; and, streetwalking prostitution in red-light districts, along known drags, and outside sleazy hotels, bars and clubs.

Outside the category of street vending, but closely cognate with it, are such services as public transport through taxis and buses, garbage collection, street cleaning and maintenance, and the numerous activities of security guards, janitors and night-watchmen. Also outside

are scavenging, begging and on-street or door-to-door buying of commodities, for example waste paper and bottles for future recycling.

When street vendors are heavily concentrated in a given street, that street acquires many of the characteristics of a marketplace, and it may be called a “street market.” Nevertheless, most market trading takes place off-street, in public or privately-owned market buildings or marketplaces, or in parking lots and other open off-street areas temporarily used for artisan fairs, flea markets, swap meets, farmers’ markets and other commercial gatherings. Marketplace trading has a much more extensive literature than street trading (e.g. Dewar and Watson 1990; Goodwin 1929; Smith 1978; Spitzer and Baum 1995), and though the two subject areas have considerable overlap this paper will attempt to reduce the inequalities a little by focusing directly on street trading.

### **Arguments for Street Vending**

Eleven major arguments are frequently used to justify the continuation and proliferation of street vending. The significance of the different arguments varies considerably from country to country, from city to city, and in accordance with the specific characteristics of the vendor, merchandise and neighborhood.

- F1. Through their transactions, street vendors contribute directly to the overall level of economic activity, and to the provision of goods and services. They are an integral part of the economy, and their elimination would reduce competition and economic activity. All businesses which sell or rent to street vendors and their dependents would suffer if street vendors could no longer make a livelihood.
- F2. In many countries, citizens have constitutional rights to choose their occupations and to engage in entrepreneurial activities. Street vending is one such option, and its suppression reduces the range of alternatives available to citizens. Even if such rights are not formally guaranteed, it can be argued that they are basic human rights under “natural law” (Paine 1792, 159).

- F3. Street vending is an actual or potential source of government tax revenues through licensing fees, through sales and value-added taxes charged by vendors and subsequently paid to the government, and through any taxes levied on the consumption, incomes or property of the street vendors and their dependents.
- F4. Through their work, street vendors contribute to sustaining themselves and their dependents. If they could not sell on the streets, some street vendors would be unemployed, many street vendors and their dependents would be destitute, and some might turn to crime, rioting or revolution. Thus, street vending serves as a social safety-net — much cheaper for government than establishing a comprehensive welfare system or substantially expanding the police, courts and prison system.
- F5. Street vending is a laboratory for entrepreneurship, family business and social interaction, linking vendors and clients into the broader economic and social system. Many crucial entrepreneurial skills are learned and demonstrated out on the street.
- F6. Street vending provides entrepreneurial opportunities to people who cannot afford to buy or rent fixed premises. It is a vital bottom rung in the ladder of upward economic mobility, and some street vendors go on to build successful off-street businesses.
- F7. Street vendors greatly expand the range of places and times where goods and services can be provided, and sometimes they also offer goods and services which are not available in off-street locations. As a result, they save effort for consumers, satisfy demands which might otherwise go unsatisfied, and stimulate economic activity which might otherwise not exist. By increasing competition they help to reduce consumer prices.
- F8. Street vendors bring life to dull streets. They serve as living signs to show where economic activity — on-street and off-street — is concentrated. Furthermore, of course, they can witness and report

crimes, they can provide information to passers-by seeking directions, they can provide “atmosphere” with colorful stalls, costumes and merchandise, and they can enhance tourist vistas and photographs.

- F9. Because of its low capital requirements and its potential mobility, street vending is a very effective way to cater for seasonal, sporadic and special demands like Independence Day flags, umbrellas during a torrential downpour, or hot-dogs after a major-league sports game. There could never be sufficient, prolonged demand to sustain comparable fixed, off-street businesses. Similarly, street vending can test out new markets at low cost, offering goods or services which have never previously been offered.
- F10. Street vending offers its workers considerable flexibility in hours and levels of activity, and it provides some choices of work locations and of ways to handle child care obligations. It can be practiced as an extra job increasing gross income. Office workers, for example, can make some extra money in the evenings or at weekends, and teachers and students can make extra money in school vacations.
- F11. Street vending is a remarkable example of self-help and grass-roots initiative. Hernando de Soto (1989), the main exponent of this argument, describes street vendors as the most visible manifestations of a peaceful, informal revolution by hard-working poor people against an obstructive, “mercantilist” system — a dysfunctional regulatory state controlled by the vested interests of career bureaucrats and big business.

### **Arguments Against Street Vending**

Sixteen major arguments against street vending are listed below (A1-A16). Though this number is larger than the list in favor of street vending (F1-F11), the arguments against are often more specific and trivial than those in favor. The citizen’s constitutional right to freedom of trade and entrepreneurship, for example (F2), seems a much more

weighty consideration than the fact that other citizens may be disturbed or irritated by street vendors' commercial solicitations (A14).

- A1. Street vendors are not evenly spread across the city. They concentrate very heavily in a few locations, and those locations are typically the points with the highest levels of pedestrian and vehicular congestion. Pedestrians passing through street markets and people sitting in stationary or slow-moving vehicles are constantly exposed to the sight of goods and services on sale on the streets, and they will often make impulse purchases. Additional street vendors gravitate towards the congestion, because that is where available demand is concentrated. As a result, through a process of circular and cumulative causation, both street sales and levels of congestion are further increased.
- A2. By contributing to vehicular and pedestrian congestion, street vendors may cause traffic accidents, increase the levels of vehicle-generated air pollution, and impede the flow of police, fire, ambulance and other emergency vehicles. Crowded sidewalks, vendors in the roadway, and pedestrians displaced onto the roadway may block motorists' sight-lines at intersections, and the lively activity of street sales may distract motorists from their driving.
- A3. Pedestrianizing streets creates additional space for street vendors and pedestrians, and it may be very effective in reducing street noise and pollution levels, but it reduces the number of routes available to motor vehicles, it impedes door-to-door deliveries and collections, and it may create access problems for emergency vehicles.
- A4. Street vendors may block the routes of egress from crowded buildings like theaters, stadiums and department stores, increasing the scale of the tragedy in the event of a major fire, explosion, toxic gas escape or mass hysteria.
- A5. Street vendors can and often do "forestall" off-street businesses, attracting potential purchasers as they walk into a concentration

of on- and off-street business activity. Thus, as the newspaper buyer walks to the newsagent's store, a street vendor's stall may catch her attention and she may buy there and never get to the off-street newsagent.

- A6. Street vendors often fail to give receipts and keep accounts, to pay taxes on their earnings, and to charge sales or value added taxes to their customers. They are constantly accused of presenting "unfair competition" to tax-paying off-street businesses, undercutting their off-street competitors because they pay less overheads and no taxes.
- A7. Because they can leave or relocate their businesses more easily, street vendors have greater opportunity to swindle their customers and avoid official regulation than vendors in fixed retail establishments. Off-street retailers frequently accuse street vendors of using inaccurate scales to give short weight, and of not posting prices so as to charge extra when they suspect the purchaser doesn't know how much he should be paying. Some street vendors are also accused of selling contraband, fake or contaminated merchandise, disappearing or simply changing location before they can be located by angry clients or the police.
- A8. Street vendors of food and drink pose major public health problems because their merchandise may be more exposed to the sun, to air pollution, and to contamination by passers-by, because few have electricity and sophisticated cooking and refrigeration equipment, and because they can leave or relocate more easily if an outbreak of food poisoning begins.
- A9. Street vendors may be less professional, committed and responsible than off-street vendors, refusing to give meaningful guarantees or to exchange defective merchandise, not offering repair services, and disappearing more easily if there is a spate of problems and complaints.
- A10. Street vendors often include substantial numbers of minors, contravening labor legislation, and exposing young people to



pollution, noise, road accidents, and threats of violence, vice, or abduction.

- A11. A small minority of street vendors engage in such highly disreputable and often illegal trades as ticket-touting, pimping, prostitution, and the retailing of narcotics.
- A12. Street vendors contribute to the underground economy of undocumented cash transactions, not only through their sales, but also through the bribes they are often required to pay to police and municipal inspectors. A substantial underground economy undermines the capacity of the state to fund its ongoing activities and new capital investments through taxation, and to effectively monitor and manage the economy. Underground economic activity may support and encourage crime and tax evasion, gradually undermining the fabric of civil society.
- A13. Through the activity and congestion that they generate, street vendors provide opportunities for pickpocketing, snatch thefts and armed assaults. Street vending can also provide a cover, enabling ambulant potential burglars to eyeball the properties along a street, and enabling lookouts and informants to be placed on the streets by criminals so as to provide information on building users and security services.
- A14. Some pedestrians and many motorists are disturbed, irritated and even frightened by street vendors' solicitations. They would prefer to walk or drive without being bombarded with sales pitches.
- A15. Street vendors are often considered unsightly, they may generate a lot of noise with their announcements, and they and their customers often leave garbage on the streets. Street vendors are often viewed by urban elites as prominent elements of "disorder" — one of numerous interacting factors which encourage blight, vandalism and crime (Skogan 1989).
- A16. In orthodox Marxist visions, street vendors are viewed as the epitome of surplus labor and underemployment, inserting

additional middlemen into marketing chains, promoting superfluous consumption, and supporting a petty capitalist, competitive ethic. The proliferation of street vendors is considered dysfunctional to the economy as a whole, pulling labor away from the places and economic activities which need to grow, and devoting it to fundamentally useless activities. Manpower planning and training should redirect street vendors to jobs in such fields as construction, manufacturing, agriculture, education and health care.

### **So, Whose Side Are You On?**

In most African, Asian and Latin American countries, urban authorities and elites have long complained that street vending is a major problem in their cities. Street vendors are described like locusts, coming in “plagues,” “droves,” and “deluges,” and the city is depicted as being both invaded and asphyxiated. Numerous media commentaries assert that street vending is growing at a tremendous rate, and that this reflects some structural change or defect in the economy as a whole. The supposed rapid increase in street vending is attributed to such causes as “the economic crisis,” “mass underemployment,” “excessive migration from rural areas,” and “the growth of the informal sector.” These assertions are made repeatedly, even though little historical information is available on how many street vendors there were in earlier periods, and very few censuses of street vendors have been completed anywhere in the world. In reality, we have little idea in most countries whether the number of street vendors is growing faster than the urban population as a whole, or whether their numbers grow faster in periods of economic boom or crisis.

Both the arguments for street vending and the arguments against it have considerable validity. There is no clear, simple and absolute way of determining which set of arguments is correct. Both sets are correct to some degree, and it is possible to mix the two sets, arguing that some types and locations of street vending are desirable while others are undesirable. The accuracy of specific arguments varies enormously ac-

ording to time, location, type of vending activity, type and degree of official control, and the backgrounds and aspirations of the individuals involved.

The arguments for and against street vending have obvious class and ideological dimensions. Those who adopt a strong libertarian perspective, whether from the right or the left, are likely to argue strongly on behalf of the freedom to sell in the streets. Street vending can be portrayed as a vivid example of grass-roots entrepreneurship, individualism and the exercise of civil liberties, and attempts to suppress, regulate or control street vending may be viewed as authoritarianism, statism, censorship, or the protection of oligopolies established by off-street traders. Similarly, those who adopt a populist, democratic socialist perspective focusing heavily on the needs, rights and potentials of ordinary people, tend to advocate for street vending because of the income opportunities it provides. Many of the arguments against street vending are then dismissed as “blaming the victim” – criticizing the poor when the socioeconomic system is characterized by gross inequality and exploitation (Ryan 1972). At a more demagogic and opportunistic level, many politicians have pressed for street vendors’ rights because they see the vendors’ voting potential, because they have business interests in street vending, or because organized vendor groups have funded their campaigns.

The arguments against street vending come mainly from urban elites and big business, who see it as an unsightly nuisance, a source of disorder, congestion and crime, and a threat to larger-scale off-street commerce. Additional voices often come from NIMBY (Not in my backyard) forces: neighborhood residents, and local off-street businesses who argue that street vending is fine in principle, but not desirable or convenient in *their* neighborhood. NIMBY interests usually seek to push street vending to poorer or more peripheral neighborhoods, or to relocate it to off-street markets.

If property owners are persuaded that prospective buyers of local real estate will withdraw their interest or lower the prices they are willing to

pay because of the presence of street vendors, they will argue that street vendors should be banned or moved elsewhere. Motorists' and motor industry advocates further reinforce the anti-street-vending lobby, arguing that vendors impede traffic flows, and that reducing congestion is the single most important concern for urban government. Environmentalists may also object to street vendors because of the extra air pollution generated by vehicles on congested streets and because of the garbage that is often left on the street at the end of the day.

Negative perceptions of street vending are reinforced by the widespread, though often misguided, perception that street vendors do not operate in elite neighborhoods or in the world's richest countries. Right- and left-wing statist, modernists and authoritarians often describe street vending as a manifestation of both poverty and underdevelopment, so that its disappearance is viewed as progress toward the brave new developed world of universal prosperity. This argument is often reinforced by the "fixing broken windows" theory of law and order (Wilson and Kelling 1982; Kelling and Coles 1996), which contends that small, highly-visible forms of urban disorder quickly lead to breakdowns in community standards and to the rapid proliferation of blight, vandalism and crime. "Zero tolerance" becomes the maxim, with crackdowns on any visible signs of "disorder." Street vendors are usually among the first targets of this approach, the most famous example being Mayor Rudolph Giuliani's January 1994 order for a crackdown on "squeegee men" in New York City – men who wash car windshields out on the street in traffic jams and at traffic signals. In many cities and countries police and municipal inspectors have threatened, chased, arrested and occasionally beaten street vendors, and their goods have often been confiscated. Aggressive policing is particularly notable just before major public and tourist events, on the assumption that orderly streets improve the image of the city to visitors. In some Third World countries such policies have been carried to vicious extremes, when police, soldiers or para-military forces have confiscated street vendors' identity papers, physically expelled vendors from the city, and even tortured or killed a few vendors.

Street vendors had no place in visions of the emerging communist city. In the Soviet Union before the Second World War, and then from the late 1940's till the late 1980's in the whole COMECON block, street vendors were officially considered as deviants, lumpenproletarians, parasitic middlemen, petty capitalists, or poor people humiliating themselves to survive. They were targeted for repression, re-education and alternative employment, and street vending was viewed as the epitome of the bygone era — a symbol of poverty, oppression and exploitation. Ironically, with the fall of communism, Russia and the other nations of the former Soviet Union and Eastern Europe have not attained prosperity, but street vendors have proliferated.

Anyone who uses a simple left-right political polarization will find street vendor controversies almost incomprehensible. Most communists and big-business capitalists hold equally negative views. Because of their elite and corporate ownership and their reliance on advertising revenues, the media also tend to project a negative view of street vendors. In contrast, libertarians and populists are usually very favorable to street vendors, as are many social democrats and democratic socialists. Most scholars who do research on street vending end up as advocates, developing strong links with their subjects and tending to identify with them. Advocates for immigrants and minorities may also be particularly supportive, arguing that street vending offers alternative channels of upward social mobility for groups which have traditionally been excluded from the corridors of wealth and power.

### **Vendors Against Vendors**

Opposition to street vendors and calls for official controls and prohibitions often come from off-street businesses, because the vendors obstruct the view of their stores and the entry and exit from those stores, because they sell similar merchandise and pose “unfair competition,” or because they detract from the up-market image of the shopping center. In most cities, the Chamber of Commerce viewpoint on street vendors is overwhelmingly negative, with constant calls for prohibitions and controls. Nevertheless, a few big businesses do make substantial use of street vendors as retail outlets, and some issue franchises for street operations, send employees out to sell on the street,

or promote street sales through “disguised wage-working” arrangements — paying a commission to nominally-independent entrepreneurs who distribute their products (Bromley 1978; Dasgupta 1992b). Newspaper and magazine publishers make particularly heavy use of street vendors as distributors, advancing a pile of papers with fixed retail prices marked on them, accepting a certain percentage of the advance as unsold returns, and requiring payment of a wholesale price for the papers and magazines that the street vendors manage to sell. Some manufacturers or off-street retailers of ice-cream, hot dogs and other fast foods acquire a small fleet of street sales kiosks or carts, and then place employees out on the streets to sell, or lease the kiosks and carts to disguised wage-workers who sell the company’s products and take a commission for each item sold.

Even within the population of street vendors, there is no unanimity on the desirability of more street vendors. Sometimes street vendors will band together, most notably in the face of police brutality, new draconian official regulations, or a media blitz against street vending. More often, however, street vendors split into separate interest groups, and established or licensed groups will often oppose the entry of new or unlicensed vendors. Individual street vendors will fight to defend their pitch at a specific location, and sometimes neighboring established traders will form associations to defend their pitches and to pay night-watchmen to keep an eye on their stalls. Occasionally a system of extortion emerges on the streets, with groups of traders paying local thugs or corrupt police and municipal inspectors to protect their businesses from violence and theft, and to use threats and violence against potential competitors.

Street vendors’ associations typically represent older, established and licensed traders, and they often pressurize politicians and government officials for additional licenses and freedom from persecution for their members. In pressing their own group interests, they may also seek the removal of new competitors and businesses which they view as undesirable. Organized adult male shoe-shiners, for example, may petition for the prohibition of boys performing the same work and undercutting adult workers. Similarly, established food or

durable goods vendors may petition the authorities to remove beggars, prostitutes or narcotics sellers from their area, on the grounds that they undermine the reputation of the area, raise the risk of violent incidents, and deter legitimate customers from coming in. The vendor associations function more-or-less like guilds, for the mutual aid and protection of their members against outside threats and competition. In the event of official persecution, the organized traders' groups may lead protests and sometimes even mass invasions of alternative sites, and they may negotiate with the authorities on behalf of their members.

### **Spatial Segmentation of the City**

Street vending is a significant element in the overall ecology of the city, and the density and types of street vending activity vary enormously from street to street, and from neighborhood to neighborhood. "The problem", in a nutshell, is that because their style of economic activity is relatively mobile and flexible, street vendors tend to cluster towards areas with high levels of business opportunity. Agglomeration in a few locations usually increases turnover for three main reasons: first, because the concentrations of vendors become known and attract more customers; second, because more on-street business may forestall and block easy entry to nearby off-street businesses; and third, because more street vendors increases pedestrian and vehicular congestion, slowing everyone down and enabling them to spend more time looking at merchandise and receiving sales pitches. As motorists wait for the lights to change or the jams to clear at congested intersections, for example, they provide a potential market (some would say easy prey) for a cavalcade of hawkers offering such diverse goods and services as newspapers, cigarettes, ice-creams, car ornaments, and windshield wipes. "Agglomeration," which is usually viewed as a good thing, may swiftly become "hyper-agglomeration," with many on- and off-street vendors complaining that they are losing business because of excessive congestion and competition.

In every city, there are a few "conflict-zones" where many interest groups are concerned about the high density of street vendors, there are many areas where vendors are not very numerous or problematical and

few people care much about exactly how many there are, and there are a few exclusive and elite areas where street vendors are aggressively excluded. The “conflict-zones” make up less than five percent, and sometimes less than one percent of the urban area, but it is in these areas that most of the tension and conflict associated with street vending is acted out. Typically, the “conflict-zones” are the central business district, various neighborhood and suburban commercial centers, the transportation terminals, the major sports and entertainment centers, and all major tourist attractions. These are the areas of highest pedestrian and vehicular congestion, of highest total commercial activity, and usually also of highest land values, and they are the foci for tensions not only about street vending, but also about parking, begging, homelessness and numerous forms of street crime (Bluestone 1992; Bromley 1978). Special concerns are often raised about major ceremonial areas, monuments and historic sites – places which have a symbolic national significance and which have considerable potential for heritage tourism.

### **Roles for Government**

National, regional and urban governments, and the wide range of non-profits and neighborhood organizations receiving funding and orientation from government, are constantly confronted with the need to “do something about street vending.” Street vendors cannot be ignored because they are so visible, variable and concentrated in congested areas. The problems and potentials of street vending are all too obvious. Conflicting pressures come from local elites and the media, and from different political parties, special interest groups, and vendor associations. Public sympathies change significantly, with periods of tolerance and growing congestion leading to new pressures for control, and periods of repression generating outrage about brutality and victimization.

The various levels of government have responsibilities to limit congestion, road accidents and crime, and to protect consumers against fraud and public health hazards. It is also crucial that they collect taxes in order to finance public services, and that they try to bring the whole



population within the system of law enforcement, taxation and government support. More broadly, governments have a responsibility to promote economic opportunity, encouraging entrepreneurship, competition, and the widespread availability of goods and services. There is little disagreement across the political spectrum on these general responsibilities of government, but there are enormous differences on how they should be achieved. These differences are most extreme and most obvious at the bottom end of the economic spectrum, in dealing with the smallest, most mobile and most transient enterprises. At this micro-level, the governmental apparatus can seem big, clumsy and impersonal, or it can acquire personal dimensions associated with clientelism, paternalism, corruption or victimization.

Michael Lipsky's (1980) *Street-Level Bureaucracy* is a remarkable pioneering attempt to explore how government services function at the lowest level of outreach and delivery. He does not discuss street vendors, but many of his conclusions are echoed by Bromley (1978), Cross (1998, 119-159), Illy (1986), McGee and Yeung (1977), and Natrass (1987), in their field studies of how street vendors are regulated. The key point is that there is a wide gulf between the broad aims and directives of senior administrators and politicians, and the ways policies can actually be worked out on the street. Regulating street vendors, or offering promotion and support, requires interactions between dozens of local officials and literally thousands of vendors, with enormous potential for misunderstandings, avoidance and deception. The inspectors, police and extension workers who perform such functions are usually at the bottom of the administrative hierarchy, and regulating and promoting street vending is one of the lowest-status and most difficult tasks that they have to perform. There is no real theory or code of ethics associated with regulating or promoting street vendors, and there is little public or higher-level administrative concern. Street vendors are usually perceived as a problem and occasionally as a potential, but they are rarely high in the governmental list of priorities.

In attempting to regulate or promote street vending, inspectors, police and extension workers confront numerous problems. They have

little information about the numbers, locations, working regimes and other characteristics of the individuals and firms involved. Furthermore, of course, circumstances change rapidly over time. Weather and special events like department store sales, parades, festivals and sports championships have a major impact, and vendors of new novelty goods and services appear unexpectedly.

Vendors disappear when they think they may be subject to persecution, and they reappear when the inspectors and police have given up. When asked to move away from a congested spot, they often obey, and then shift back again in a short time. When persistently harassed in one location, they may organize to invade a new location. When required to fulfill a bureaucratic or public health requirement like getting a license or wearing a uniform, they usually do so when threatened with loss of livelihood, but they often give up on the requirement if enforcement is relaxed. Courtesy and deference on the part of inspectors and police may be interpreted as weakness, and vendors may vociferously protest initial attempts to persuade them to change location or commercial practices. Inspectors and police often choose authoritarian modes of behavior so as to get their way more quickly and easily, and sometimes their supervisors order them to “crackdown on street vendors” so as to respond to media criticism, reduce congestion and disorder, and clear the streets for a major event. Established inspectors and police who work the same beat over a long period are often accused of favoritism, paternalism or corruption, and so many supervisors rotate their personnel between streets and neighborhoods. The overall result is a climate of distrust between vendors, inspectors and police, with everyone feeling that the rules of the game and the players involved are constantly changing.

The most obvious government policy on street vending, mixing regulation with promotion, is to move it to off-street locations, forming public or private markets. Most city governments have attempted to do this, and many new off-street markets have been established. Some have been very successful, but most have high desertion rates and many have failed altogether. Moving street vendors to the off-street locations is relatively easy, but moving their customers to those locations is much

more difficult. When customers fail to follow, the vendors have little choice but to return to the streets, even in the face of increased persecution. Even when all existing vendors are moved and stay in the off-street locations, their previous pitches are often grabbed by new vendors who move in to exploit the commercial opportunities associated with a major flow of pedestrians and vehicles. Successful off-street market foundations may do more to increase total commercial activity than to permanently reduce the problems associated with street vending.

Many governments have tried to pull selected street vendors into programs to promote entrepreneurship through business education, low-interest credit and public health training. Such support programs usually target vendors who sell primarily to tourists and middle- to upper-income groups. Sellers of handicrafts, souvenirs, refreshments, magazines and candy are particularly frequently chosen. In most cases, however, participation rates are low, and both extension workers and street vendors have numerous complaints. Most business professors, bankers and public health workers have little knowledge of street vending, and they offer irrelevant services and inappropriate advice. The extension workers who do most of the direct liaison with street vendors have little appropriate training, and they often complain of low enrollments and high desertion rates. Street vendors are intensely conscious of cashflow and worktime, and they do not want to give up peak business periods to receive what they perceive as irrelevant instruction. They can be persuaded to attend with promises of licenses, stalls and freedom from harassment, but they are usually sceptical that government will fulfill its promises.

Official regulations on street vending, commerce, health, traffic, employment and taxation are typically long and complex, and most on- and off-street businesses break at least some of the rules. On average, on-street enterprises are smaller, more temporary and more mobile than off-street enterprises, so it is probable that they obey less official regulations. Money and time can be saved by evading at least some of the rules, and many regulations are little-known and hardly ever enforced. Many street vendors are willing to limit the scale of their

business, to occasionally lose merchandise to thefts and confiscations, and to pay occasional fines and bribes, so as to avoid the costs of “legalization.” Such requirements as getting an official license and sanitary permit, giving receipts, charging sales taxes, and making business tax declarations are considered particularly onerous and difficult, requiring a lot of time, expense and contacts in the bureaucracy.

In many countries, elements of the commercial and health codes are several decades old, and in Europe and Latin America they sometimes date back several centuries. Regulation relating to street vending is overwhelmingly incremental, adding more and more rules without clearing up discrepancies with previous procedures. Reform would be difficult and time-consuming, and few powerful people even understand that such changes might be useful. At the street level in most Latin American, African and poor Asian countries, neither vendors nor inspectors and police have much detailed knowledge of the regulations, and so enforcement is often *ad hoc*. Long periods of tolerance are interspersed with short waves of persecution. In the occasional crackdowns, non-compliance with a great variety of obscure laws, codes and regulations can be invoked to justify displacement, confiscation or arrest. Those vendors who suffer feel victimized by the selective implementation of regulations which most vendors disobey with impunity.

### **Privatization and Revitalization**

Streets are the primary and most essential components of “the public realm” — areas where members of the public have the right to circulate, mix, and engage in a broad range of activities. The life and appearance of the public realm is a crucial measure of civilization (Kunstler 1996, 35-57), yet in many parts of the world these spaces are under assault. Elite groups have frequently sought to protect themselves from street vendors and others they view as undesirables by privatizing, and thus eliminating, the public realm. By petitioning for the creation of gated neighborhoods and enclosed commercial arcades, they can limit or totally exclude street vendors, beggars, the homeless, and all others

who are considered disreputable or unfamiliar. Security guards can watch over the privatized areas, and walls, gates and alarms can provide additional protection from undesirables.

It is ironic that the owners or managers of privatized commercial areas sometimes seek to introduce “virtual-reality street vendors” into their domains. In the new Main Streets — the climate-controlled, corporately-owned central walkways of shopping malls — authorized walkway stalls and pushcarts can play vital roles. U.S. mall managers, for example, often lease walkway spaces to selected vendors in periods of high demand, most notably just before such crucial consumer events as Christmas, St.Valentine’s Day, Easter, and Halloween (Feder 1995). These vendors increase overall turnover, provide an element of novelty, and add conviviality, congeniality and just a little congestion to the environment. Climate-control technologies eliminate seasons from the interior of the mall, so “simulated street vendors” help restore a sense of variety and seasonal change.

The crucial skills of a mall manager focus on maximizing total rental revenues, attracting a large clientele to the mall, and maximizing sales for the tenants so as to ensure a 100 per cent occupancy rate and a waiting list for any stores that come vacant (Kowinski 1985). Using “simulated street vendors,” occupancy rates can even be pushed beyond the 100 per cent mark, as parts of walkways and parking lots are added to the rentable floor area. Meanwhile, mall security guards keep a careful watch to make sure that no unauthorized vendors invade the private realm.

The American mall’s approach to street vending is partly replicated on the “themed” public streets in America’s most touristic downtown areas: such meccas as the New Orleans French Quarter, Colonial Williamsburg, or the Rousified “festival marketplaces” like the Faneuil Hall area in Boston, the South Street Seaport area in New York City, or the Baltimore Harborfront (Boyer 1992; Frieden and Sagalyn 1989, 107-117). Parisian-style open air cafeterias spread out into the street, flags and banners abound, open-air entertainers are encouraged, and street vendors are welcomed or even hired in, providing they conform

with the designated styles of the area. Vendors may be required to wear colonial costumes, to use pseudo-historic stalls, or to sell prescribed types of merchandise — all to help set the tone of the place, making it quaint and touristy.

### **The Complex Coexistence of Persecution, Regulation, Tolerance and Promotion**

Street vending is a remarkably persistent form of commercial activity, and yet it is highly diverse and flexible. Only the most authoritarian regimes have tried to eliminate it, and they have generally failed. The number of street vendors rises and falls according to times of the year, week and day, responding to patterns of consumer demand and labor supply, to the cycles and fluctuations of the economy, and to levels of traffic congestion and official control. By forming or joining commercial agglomerations and areas of pedestrian and vehicular congestion, street vendors directly influence consumer demand, economic activity and the conflicting pressures for persecution, regulation, tolerance and promotion.

Pressures on the authorities come from numerous different vendor groups, from a wide range of special interests, and from all sides of the political spectrum. Official responses are diverse, spasmodic, and often contradictory, and their effectiveness is severely constrained by the highly-visible and constantly fluctuating nature of the population involved, and by the operational limitations of a street-level bureaucracy. Policy interventions often have unforeseen consequences, and are rarely implemented consistently. Grand visions and linear causal models are inappropriate, and instead our understanding is likely to be enriched through consideration of interconnections, conflicts, complexity theory and system effects (Jervis 1997).

There is a permanent struggle over “how much street vending is enough,” and over the control of “conflict-zones” characterized by hyper-agglomeration and severe congestion. Different interest groups advocate widely different policies. Opinions vary enormously on which forms of vending and which vendor locations are to be

encouraged, on how much agglomeration of vendor activity is desirable, and on whether and how to mitigate congestion. The lack of consensus on how much is enough, the highly uneven distribution of street vending across the city, and the near-impossibility of accurately monitoring the distribution and quantity of street vending in a large urban area, leads governments to mix seemingly contradictory policies. Thus, in the same city, some areas may be intensely policed while others are largely ignored, and different official and non-governmental programs working with street vendors may embrace persecution, regulation, tolerance and promotion. The mix of policies and the degree to which they are implemented are frequently adjusted, with wide fluctuations in official perceptions of whether street vendors represent health, traffic, safety and aesthetic problems, or potentials for service provision, commercial revitalization and employment generation.

The overall result of the complex mix of persecution, tolerance, regulation and promotion is usually “containment.” Street vendors are kept out of elite and private areas, and their numbers are limited in the “conflict-zones” of maximum congestion. A few illegal vending activities are persecuted across the whole city, while support is given to selected vendor types and locations considered especially desirable. Meanwhile, scattered vendors in the poorer and less congested parts of the city are largely ignored. The predominance of negative policies in the public realm usually accompanies support for the gradual privatization of public space, primarily for big business, but also creating new spaces for small-scale vendors in off-street markets and malls. Overall, public policy serves to limit the profitability of street vending and to push it down the social scale, ensuring that it caters primarily to lower-income customers and to poorer neighborhoods.

**Endnotes**

1. A first draft of this paper was presented at “*Streets Ahead: International Conference on the Environmental, Human and Economic Aspects of Street Management and Design*”, held at the University of the West of England, Bristol, 20-22 April 1995, and published as pp.13-25 of the Conference Proceedings (Janet Rowe ed., July 1995). Thanks are due to Steve Balkin, Nandini Deb, John Gaber, Maureen Hays-Mitchell and Judith Marti for helpful comments on earlier drafts of this paper and for help in locating recent publications. Many of the ideas presented here were first formulated in discussions with Chris Birkbeck and Chris Gerry during our 1976-78 research on Colombian street vendors. The general thesis of this paper has been developed over many years of research, travel and reflection. By a fortunate coincidence, however, some of the same arguments are made in Marti’s (1994) paper on Porfirian Mexico.
2. Street vendors are considered synonymous with street traders, peddlers and hawkers, terms used interchangeably by most of the authors cited in this paper.
3. For examples of the ideas and issues involved, the reader might consult R. Bromley (1985, 1990, 1997), R. D. F. Bromley (1998), Bunster and Chaney (1989), Cohen (1974), Dasgupta (1992a), Gaber (1994), Garmendia (1981), Hays-Mitchell (1994), G. A. Jones and Varley (1994), Y. V. Jones (1988), Leeming (1977), Morales, Balkin and Persky (1995), Oliver-Smith et al. (1990), and Staudt (1996, 1998).



### References

- Bluestone, Daniel. 1992. "The Pushcart Evil." Pp. 287-312 in *The Landscape of Modernity*, edited by David Ward and Oliver Zunz. New York: Russell Sage Foundation.
- Boyer, M. Christine. 1992. "Cities for Sale: Merchandising History at South Street Seaport." Pp. 181-204 in *Variations on a Theme Park: The New American City and the End of Public Space*, edited by Michael Sorkin. New York: Hill and Wang, Noonday Press.
- Bromley, Ray. 1978. "Organization, Regulation and Exploitation in the So-called 'Urban Informal Sector': The Street Traders of Cali, Colombia." *World Development* 6:1161-71.
- \_\_\_\_\_. ed. 1985. *Planning for Small Enterprises in Third World Cities*. Oxford: Pergamon.
- \_\_\_\_\_. 1990. "A New Path to Development? The Significance and Impact of Hernando de Soto's Ideas on Underdevelopment, Production, and Reproduction." *Economic Geography* 66:328-48.
- \_\_\_\_\_. 1997. "Working in the Streets of Cali, Colombia: Survival Strategy, Necessity, or Unavoidable Evil?" Pp. 124-38 in *Cities in the Developing World: Issues, Theory, and Policy*, edited by Josef Gugler. **Oxford: Oxford University Press.**
- Bromley, Rosemary D. F. 1998. "Informal Commerce: Expansion and Exclusion in the Historic Centre of the Latin American City." *International Journal of Urban and Regional Research* 22:245-263.
- Bunster, Ximena, and Elsa M. Chaney. 1989. *Sellers and Servants: Working Women in Lima, Peru*. **Granby, MA: Bergin and Garvey.**
- Cohen, Dennis J. 1974. "The People Who Get in the Way: Poverty and Development in Jakarta." *Politics* 9:1-9 (reprinted in Bromley ed. 1985).
- Cross, John C. 1998. *Informal Politics: Street Vendors and the State in Mexico City*. Stanford: Stanford University Press.

Dasgupta, Nandini. 1992a. *Petty Trading in the Third World: The Case of Calcutta*. London: Avebury, Ashgate Publishing.

\_\_\_\_\_. 1992b. "Linkage, Heterogeneity and Income Determinants in Petty Trading: The Case of Calcutta." *World Development* 20:1143-61.

de Soto, Hernando. 1989. *The Other Path: The Invisible Revolution in the Third World*. New York: Harper and Row.

Dewar, David, and Vanessa Watson. 1990. *Urban Markets: Developing Informal Retailing*. London: Routledge.

Feder, Barnaby J. 1995. "The Little Pushcarts that Could: Malls Find a Revenue Engine in Updated Peddler's Wagons." *New York Times*, May 13th:33-34.

Frieden, Bernard J. and Lynne B. Sagalyn. 1989. *Downtown Inc.: How America Rebuilds Cities*. Cambridge, MA: MIT Press.

Gaber, John. 1994. "Manhattan's 14th Street Vendors' Market: Informal Street Peddlers' Complementary Relationship with New York City's Economy." *Urban Anthropology* 23:373-408.

Garmendia, Alvaro (1981) *Los Mil y Un Oficios de los Desocupados de la Ciudad*. México D. F. : Editores Mexicanos Unidos.

Goodwin, Arthur E. 1929. *Markets: Public and Private*. Seattle: **Montgomery Printing company**

Hays-Mitchell, Maureen. 1994. "Streetvending in Peruvian Cities: The Spatio-temporal Behavior of Ambulantes." *Professional Geographer* 46:425-438.

Illy, Hans F. 1986. "Regulation and Evasion: Street-vendors in Manila." *Policy Sciences* 19:61-81.

Jervis, Robert. 1997. *System Effects: Complexity in Political and Social Life*. Princeton: Princeton University Press.

Jones, Gareth A., and Ann Varley. 1994. "The Contest for the City Centre: Street Traders Versus Buildings." *Bulletin of Latin American Research* 13:27-44.

- Jones, Yvonne V. 1988. "Street Peddlers as Entrepreneurs: Economic Adaptation to an Urban Area." *Urban Anthropology* 17:143-70.
- Kelling, George L., and Catherine M. Coles 1997. *Fixing Broken Windows*. New York: Free Press.
- Kowinski, William. 1985. *The Malling of America*. **New York: Morrow.**
- Kunstler, James Howard. 1996. *Home from Nowhere: Remaking our Everyday World for the 21st Century*. New York: Simon and Schuster.
- Leeming, Frank. 1977. *Street Studies in Hong Kong*. Hong Kong: Oxford University Press.
- Lipsky, Michael. 1980. *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services*. Russell Sage Foundation, New York.
- Marti, Judith E. 1994. "Subsistence and the State: The Case of Porfirian Mexico." Pp. 315-23 in *The Economic Anthropology of the State*, edited by Elizabeth M. Brumfiel. Lanham, MD: University Press of America.
- McGee, T. G. and Y. M. Yeung. 1977. *Hawkers in Southeast Asian Cities: Planning for the Bazaar Economy*. Ottawa: International Development Research Centre.
- Morales, Alfonso, Steven Balkin, and Joseph Persky. 1995. "The Value of a Public Street Market: The Case of Maxwell Street, Chicago." *Economic Development Quarterly* 9:304-20.
- Natras, Nicoli Jean. 1987 "Street Trading in Transkei — A Struggle Against Poverty, Persecution, and Prosecution." *World Development* 15:861-75.
- Oliver-Smith, Anthony et al. 1990. "Economic Crisis and the Informal Street Market System of Spain." Pp. 207-33 in *Perspectives on the Informal Economy*, edited by M. Estelle Smith. Lanham, MD: University Press of America.
- Paine, Thomas. 1792. *The Rights of Man*. (1915 edition) London: J. M. Dent.

Ryan, William. 1971. *Blaming the Victim*. New York: Random House.

Skogan, Wesley G. 1989. *Disorder and Decline: Crime and the Spiral of Decay in American Neighborhoods*. New York: Free Press.

Smith, Robert H. T. ed. 1978. *Market-place Trade: Periodic Markets, Hawkers, and Traders in Africa, Asia, and Latin America*. Vancouver: University of British Columbia, Centre for Transportation Studies.

Spitzer, Theodore M. and Hilary Baum. 1995. *Public Markets and Community Revitalization*. Washington DC and New York: Urban Land Institute and Project for Public Spaces.

Staudt, Kathleen. 1996. "Struggles in Urban Space: Street Vendors in El Paso and Ciudad Juárez." *Urban Affairs Review* 31:435-54.

Staudt, Kathleen. 1998. *Free Trade? Informal Economies at the U.S.-Mexico Border*. Philadelphia: Temple University Press.

Wilson, James Q. and Kelling, George L. (1982) "Broken Windows: The Police and Neighborhood Safety." *Atlantic Monthly*, 249, March:29-38.