



**In the Name of History: (De)Legitimizing Street Vendors in
New York and Rome**

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Abstract

Policy makers across the global North tend to remove poor and non-white vendors as inappropriate users of public space. Scholars have amply demonstrated that such removals reflect dominant aspirations of the present and future image of the city. But how do ideas about a city's past help shape these aspirations? We compare how heritage, the socially constructed meanings through which people experience history, help forge consensus over the legitimacy of vendors in Rome and New York. Vending has long allowed oppressed people to survive in both cities. These similar histories translate today into diverging attitudes. In Rome, a city branded as a site of (white) glory, authorities banish both long-standing Jewish vendors and newly arrived immigrants. In New York, mythicized as a place of success for immigrants, policy makers cannot always displace vendors who claim historical legitimacy. We explain these different conditions through a *regimes of heritage* framework. Using archival and ethnographic data, we examine whose voices count more in constructing each city's past, what stories are told, and how these stories imbricate with existing political structures. Regimes of heritage, we find, help spatialize neoliberalism, differentiated citizenship, and authenticity. These dynamics highlight heritage as a critical, if underexplored agent of urban oppression and resistance.

Key Words

Heritage, Street Vending, New York, Rome, Governing Regimes

Introduction

Street vending is a contested practice in cities across the globe. Almost everywhere they ply their trade, vendors face policies meant to exclude them from public space. Vendor exclusion is usually justified in a variety of ways, including the need to protect public health and safety, limit “unfair” competition, and/or reduce congestion (Graaf and Ha, 2015; Roever and Skinner 2016). Behind these allegedly objective justifications are often subjective stances that posit street vendors as out of place: as people who are incompatible with the image of an ordered, well-functioning, modern city (Yatmo, 2008; Crossa, 2009). Much has been written about how top-down ideas of who belongs in space are mobilized to exclude vendors from central areas of the city, and about how vendors and their advocates attempt to contest these representations (Kim, 2015; Huang et al. 2019). These important studies highlight how discourses about a city’s present conditions and desired futures are used to exclude vendors.

In this paper, we seek to answer another important, yet underexplored question: how do constructions of a city’s *past* get deployed in present-day battles over vending, and what effects do they have in structuring the legitimacy of vendors in public space? We build on the assumption that heritage, or the socially constructed meanings through which people understand, experience, and fabricate the past (Smith, 2006), is a critical, but overlooked agent of urban governance. Comparing New York and Rome helps us examine how diverse actors mobilize heritage to construct or contest vendors’ legitimacy. Rome and New York have remarkably similar *histories* of street vending, with oppressed groups long being forced to eke out a living by selling goods in public space. Yet, the socially constructed *meanings* of these histories are activated differently in the two metropolises. In the historic center of Rome, local politicians and residents construct a heritage that emphasizes a static purity of the city. Such purity gets inflected through implicitly

(and sometimes explicitly) racist policies which reluctantly accommodate the *artisti*, Jewish Roman vendors who can trace their presence back for centuries, but systematically exclude new immigrant traders from South Asia or Africa. Meanwhile, in central, tourist heavy areas of New York, modern day immigrant vendors and their advocates rhetorically weave their practice into a notion of local heritage that positions New York as a longstanding place of immigrant advancement through entrepreneurship. Vendors and their allies emphasize this history to support the legitimacy of their claims to public space.

In both New York and Rome, policy makers, residents, advocates, and vendors themselves legitimize or delegitimize street trade by drawing on mainstream interpretations of the city's past. It is not these interpretations alone that explain differences among the two cities, but rather how they become enmeshed within existing political structures and debates. In urban studies, the concept of regime refers to a relatively stable set of political arrangements, practices, and discourses that help set and maintain policy agendas (Stone 1989). Our study demonstrates that heritage plays a key role in informing street vending policy regimes in both of our sites. Indeed, we propose *regimes of heritage* as a productive framework that can help understand how ideas of the past get imbricated into political discourses of the present, getting mobilized to make claims about entitlements to public space.

We illustrate our argument as follows. In the next section we show how scholarship on street vending and scholarship on heritage have tended to overlook one another. We propose *regimes of heritage* as a conceptual framework that can help elucidate interlinkages between the spatial politics of vending and public consensus over a city's past. We then explain our comparative methodology which seeks to place Rome and New York into dialogue. After tracing the history of vending in both cities we present our empirical data from present-day Rome and New York. We

compare *who* gets to speak about—and capitalize upon—the past, *what* historical narratives are popularized, and *how* these stories weave together with governance, affecting the production and management of space. We find that regimes of heritage intertwine with, and help solidify discourses of urban neoliberalism, differentiated citizenship, and authenticity. These discourses take the form of policies affecting space and its users, policies that emerge, in part, out of normalized narratives about the past of each city. The cases of Rome and New York demonstrate the work that heritage does to structure space in the present. We conclude that more systematic inquiries should look into how heritage intersects with other political forces, helping shape arguments over urban space.

Street Vending and Heritage: A Neglected Link

The practice of vending is often seen by city leaders as an anathema to the modern city (Roever and Skinner, 2016). Vendors are usually deemed out of place by virtue of their perceived incompatibility with visions of development, particularly in the global South (Sun, 2021; Tafti, 2020; Turner and Schoenberger, 2012), but also in cities of the global North (Astor, 2019; Clough-Marinaro, 2019). A robust scholarship has analyzed neoliberalism as a driving force of exclusion, and how neoliberalism works in and through already-existing lines of inequality to structure ideas of belonging (and non-belonging) in urban space (Hunt, 2009; Devlin, 2011; Ehrenfeucht, 2016). Race and ethnicity play a key role in making some vendors less welcome than others (Dawes, 2020; Muñoz, 2018).

This literature demonstrates that the oppression of vendors goes hand in hand with attempts to normalize ideas of who the “worthy” residents of a city are. Scholars have also demonstrated that the exclusion of vendors is particularly harsh in those historic or central areas that supposedly epitomize the identity of a nation and its citizens (Crossa, 2009). But while there is a consensus

that vendors are deemed undesirable especially where highly symbolic—and economic—values are at stake, not much attention has been given to how narratives of the past are deployed to construct (or contest) such values.

The concept of heritage comes in handy to investigate intersections of history, power, and spatial legitimacy. Heritage is an ambiguous concept that imbricates ideas of the past with notions of identity, legitimacy, and agency. More than anything, heritage is about power: the power to construct and narrate history, and the power to keep it opaque (Harvey, 2001). Researchers have long highlighted how intellectual and political elites promote sets of values that elevate the histories of some people over those of others (Hobsbawm and Ranger, 1983). People do not uncritically accept these constructions, but rather negotiate their own sense of the past by experiencing objects and places (Byrne, 2014).

There is no such thing as a single, objective heritage of a place. It is *the uses of heritage* that can both amplify inequities and help empower marginalized subjects to resist exclusion (Smith, 2006). Urban scholars have long deployed a critical lens of heritage to examine how historic built forms intensify the exclusion of disadvantaged groups (Hayden, 1995). Preservation practices in North America, for example, have been found to erase the histories of Black communities by reifying racist canons of belonging (Roberts and Kelly, 2019). International heritage frameworks are operationalized locally to reproduce injustices (Hayes, 2020). Post-traumatic reconstructions of historic neighborhoods tend to spatialize idealized pasts that attract tourists while displacing low-income residents (Rico, 2016). And beautifications of historic landscapes facilitate the banishment of immigrant groups (Dines, 2016).

Heritage, however, can equally enable practices of resistance. Scholars have shown that disadvantaged people assert their right to the city by appropriating, producing, and transforming

historical landscapes (Herzfeld, 2015). This occurs, for example, when underprivileged residents deploy dominant heritage discourses to preserve sites that matter to their community (Novoa, 2018); when, in commodified reconstructions of historical landscapes, people re-signify spaces through meanings that may shift or contrast with official historical narratives (Su, 2015); or when migrant groups resist forced movement by emplacing alternative, if fragile, relations of belonging that enact historical landscapes (Hamilakis, 2018).

On the one hand, then, urban scholars have acknowledged that people's ideas about a city's past greatly impact policies and public attitudes over vending, but have not systematically looked into these dynamics. And, on the other hand, scholars of heritage have demonstrated that social constructions of history affect urban patterns of oppression and resistance, but have not given much attention to how such constructions influence street vending.

We posit *regimes of heritage* as a framework that can help bridge this gap, tracing how ideas of the past affect the governance and management of vending. In urban studies, the concept of regime refers to a set of governing arrangements, arrived at relatively informally (i.e. not through written frameworks or agreements), that help set and maintain local policy approaches (Mossberger 2011). Regimes cross boundaries between public and private realms. They can unite elected officials, public administrators, private business, and citizen organizations together in a shared understanding of a desirable urban present and future (Logan and Molotch 1987). One of the things that holds these (sometimes unstable) coalitions together is a shared discourse: mutually intelligible understandings that help calibrate policy parameters. Building on the concept of urban regimes, we highlight heritage as a critical, yet underexplored agent of governance. The framework of regimes of heritage, we suggest, can help trace how notions of the past reinforce, and are reinforced by, existing political environments, influencing attitudes towards the appropriateness

of urban practices such as vending. But how does this interplay translate into policy and space? We seek to answer to this question by comparing both the histories and heritages of vending in Rome and New York.

Methods

This comparison draws from broader research about street vending practices in New York and Rome undertaken by both authors. Each author conducted research separately combining archival and ethnographic methods. Carried out between 2016 and 2019, archival research in Rome involved analyses of city documents, police reports, and correspondence of Roman Jewish vendors from 1870 to the postwar period. This research combined with ethnographic fieldwork in the historic center of Rome, where Piazzoni carried out participant observation and interviewed vendors, tourists, residents, police officers and policy makers (Piazzoni, 2020; 2022). In New York, archival research included analysis of city records, press archives, minutes of council meetings, and agency correspondence. This was supplemented by interviews with street vendors, activists, business leaders and politicians, as well as participant observation with vendors. Archival research in New York took place between 2007 and 2009. Interviews and ethnographic work include data from 2007-2009 and 2018-2021.

Our comparative study emerged from conversations about the similarities and differences of vending in both cities. By placing Rome and New York in comparison, we do not mean to suggest that differences in heritage discourse in the two cities is a determinative variable, accounting for all difference in outcomes for vendors. Our goal, rather, is to put places into productive conversation with one another (Robinson 2011) to build grounded theory about how heritage coalesces with politics in complex ways in different places. In doing so, we are able to build a

richer understanding of the ways in which heritage can be deployed and operationalized to help structure public space.

Histories of Vending

During the late 19th and early 20th centuries, street vending served as an important livelihood strategy for those designated as outsiders, like Jews in Rome, and immigrants from Southern and Eastern Europe in New York. In both places, vending was problematized by urban administrators and was targeted for elimination.

Historic Vending in Rome

Dominant constructions of “historic Rome” have long influenced vending regulations. In 1870, shortly after Rome became the capital of Italy, authorities imposed dress codes on vendors and outlawed trade near historic monuments in an attempt to construct the city center as a symbol of national glory).¹ These measures hit Jewish vendors particularly hard. Roman Jews had long resorted to vending to survive (San Juan, 2001). Some specialized in selling rosaries and religious souvenirs to pilgrims, merchandise that was considered inappropriate for Catholic vendors. Strolling near churches and historic landmarks, these vendors caught clients’ attention by gently bumping them with their display trays. This gesture led Jewish souvenir vendors to become known as the *urtisti*, or “those who bump.”

During the late 19th and early 20th centuries, migrants arrived to the new capital from all over Italy and started selling on the streets. While affluent residents, administrators, and police

¹ Comune di Roma. Assemblea Consiglio Municipale. Proposta di Regolamento di Polizia Urbana. [Assembly of the City Council, Proposal for the new Police Regulations] June, 27, 1871. Roma: Archivio Capitolino; Comune di Roma. Regolamento Edilizio e di Pubblico Ornato. [Regulations of Buildings and Public Ornamentation] 1886, Roma: Archivio Capitolino.

blamed all vendors for disrespecting Rome's historic sites, Jewish traders were the target of particular acrimony, being accused of disgracing the city by acting "as if they owned" ancient monuments.² At the same time, the presence of even more recent newcomers enabled the *artisti* to obtain recognition. In 1901, they founded the "League of Street Vendors of Postcards, Souvenirs, and Mosaics," demanding authorities distinguish between the *artisti*, Rome's "real" vendors, and other, "improvised strangers."³ This was the first of a series of formalizations that continued into the early years of the fascist era.⁴ (Governatorato di Roma, 1936).

But institutional celebrations of the *artisti* soon ended, and in the worst of ways. In 1938, the passage of racial laws forced Jews to quit their jobs. Many newly unemployed Jewish Romans joined the ranks of the 53 registered *artisti* (Colzi and Procaccia, 2007). Then, in March 1940, the Ministry of Internal Affairs made it illegal for Jews to trade on the streets.⁵ On October 16th, 1943, Nazi troops deported over one thousand Jews on a single day. Roughly 800 more people were deported in the following months. Many were caught as they sought to survive selling on the street. After the war, in 1946, the city offered to give Jewish vendors back their licenses. Only one former vendor among the 95 Roman survivors of Auschwitz accepted the offer (Rossi Coen, 2004).

Historic Vending in New York

² Letter of Police Chief (Pantheon area) against Jewish boys in Piazza Colonna and Monte Citorio [Lettera del Capo Regione II (Pantheon) Contro Fanciulli Ebrei in Piazza Colonna e Piazza Monte Citorio] June, 2, 1878. Roma: Archivio Capitolino.

³ Letter by the representatives of the new "Society of vendors of postcards and mosaics" to the Chief Police [Lettera al Questore dei rappresentanti della nuova società dei venditori ambulanti di mosaici e cartoline], 30 Aprile, 1902. Roma" Archivio Capitolino

⁴ Regulations over fees and occupation of public spaces, and over rights and government's permissions [Regolamento per la tassa di occupazione di spazi ed aree pubbliche e per i diritti sulle concessioni governatoriali. Governatorato di Roma] (1936). Deliberazione n. 7641. Roma: Archivio Capitolino.

⁵ Notice on Illegal Jewish Street Vendors [circolare – Vendita Ambulante Abusiva da Parte di Rivenditori Ebrei], 22 April, 1941. Roma: Archivio Capitolino.

“I found you pushcart peddlers . . . I have made you MERCHANTS!” Thus proclaimed New York Mayor Fiorello LaGuardia at the opening of the Essex Street Market in 1940 (Wasserman 1998, 334). Essex Market, in the heart of the Jewish Lower East Side, was the crown jewel of the mayor’s nearly decade long initiative to move street vendors off the sidewalks and into indoor facilities⁶. Thus, during the same years that saw Rome’s Jewish vendors excised from the body politic, in New York, city leaders were celebrating a purported triumph of immigrant incorporation.

Since the middle of the 19th century, street vendors crowded the streets and sidewalks of New York’s immigrant districts. They existed in a complicated relationship with the city. Most city administrators during the Progressive Era saw immigrant peddlers as problems. The reforming zeal of sanitation and health officials was well documented by the local press which regularly published first-hand accounts of crackdowns: a ton of chicken and a quarter ton of fish confiscated in the city’s “Hebrew Quarter”⁷; a coordinated raid on vendors in Little Italy that led to “a good deal of excitement and indignant protest” leaving Italian peddlers “loud with supplications.”⁸

Urban administrators fought regular battles to keep streets clear of vendors but were not able to define peddlers as completely out of place. For one, vending played too important a role in the economic life of the city. By the 1920s, 15% of the city’s produce was sold from pushcarts.⁹ New York vendors had the support of farmers from as far away as California, where fruit growers were concerned about the impact of vending bans. As one telegram from Sacramento, CA sent by a fruit growers cooperative warned ahead of a planned crackdown, “WE AS CALIFORNIA

⁶ Street vendors were known as “pushcart peddlers” in late nineteenth and early twentieth century New York.

⁷ *The New York Times*. 1889 “Seized by Sanitary Officers.” 25 November.

⁸ *The New York Times*. 1893 “Hester Street Enjoys a Bath: Mulberry Bend also Cleaned, and Both will be Kept in Order.” 15 August.

⁹ New York City Department of Markets Annual Report, 1927. *LaGuardia Papers*. New York City Municipal Archives.

PERISHABLE SHIPPERS VERY MUCH ALARMED OVER YOUR REPORTED INTENTION ABOLISH PEDDLING.”¹⁰

Local elected officials also defied city administrators. Eager to win political support in immigrant districts, alderman cultivated patron-client relationships with peddlers. For instance, in autumn of 1905, aldermen distributed 2,000 licenses during the Jewish High Holidays, in contravention of a plan by sanitation administrators to reduce the number of peddlers. Vendors also had advocates in the local immigrant press. Newspapers like *The Jewish Gazette* took the city to task when exclusionary policies were proposed, criticizing them as insensitive to the needs of immigrant New Yorkers.¹¹ In the end, incorporation, rather than exclusion was the only realistic option for city administrators.

Reforms that moved vendors into enclosed markets were undoubtedly steeped in a paternalism common to the day and driven by problematic ideals of assimilation—the boiling off of “undesirable” ethnic traits in the crucible of the “American melting pot”. Yet, the effort to move street vendors into public market buildings became part of a broader local mythology of immigrant upward mobility—a moment of incorporation rather than exclusion as was the case in Rome.

Regimes of Heritage and the Management of Street Vending

These histories translate today into different, if not divergent consequences for the vendors of Rome and New York. Using data from fieldwork in both sites, this section will illustrate how various actors, including politicians, business and real estate interests, neighborhood residents, and

¹⁰ Telegram from Robin Hood, President of National Cooperative Council, to Mayor Fiorello LaGuardia, July 15th, 1938. *LaGuardia Papers*. New York City Municipal Archives.

¹¹ *The New York Times* 1896 “Market Has Been a Nuisance, He Says: Col. Waring’s Letter Respecting the Pedlers [sic] in Hester Street.” 3 March.

vendors themselves invoke history to make arguments about the legitimacy of street trade. The *regimes of heritage* framework helps us structure our investigation through three questions, each exploring links between governance and the uses of history. First, who has the power to speak about—and capitalize upon—history and heritage? Second, how does heritage get deployed? Finally, how do heritage discourses intersect with other streams of power, coalescing into regimes of heritage? And what effects do these have on space? In answering these questions, we work to build a theory, through grounded research, of the role of history in conflicts over urban space.

Who has the power to speak about history?

To understand how heritage impacts, and is impacted by, regimes of governance in Rome and New York, it is important to explore whose voices count in creating widely shared interpretations of the past in each city. While in Rome it is the voices of affluent residents and tourists that carry the most weight in regulating activities in the city center, in New York vendors and their allies manage to popularize historical imaginaries that make street traders quintessential city characters.

The center of Rome has been the epicenter of neoliberal restructurings since the 1990s, when regulations, land use zoning, and design governance aimed to make the historic core of the city a pristine playground for tourists and elites. Just as in the past, however, Rome's iconic piazzas and streets continue to serve as an arena of survival for the urban poor. Immigrants started selling alongside the *urtisti* beginning in the early 1990s, when incoming transnational flows increased in Italy, and vendors started selling cheaper merchandise. The so called "migration crisis" brought new people to the streets; mostly of Bangladeshi origin, but also from West Africa, China, and

Eastern Europe. Almost all immigrant vendors lack licenses, and often lack regular immigration status.

In this context, the voices of wealthy Romans who can afford to live—and vote—in the center, and those of visitors who feed the tourist industry carry a particular weight in shaping heritage-inflected discourses about spatial legitimacy. Affluent residents tend to see street commerce as a direct threat to Rome's "authenticity." Eliminating vendors from the streets of historic Rome is indeed a key objective of the numerous residents' associations that have grown over the past few decades. Usually well educated, over 60, and homeowners, members of these associations tend to construct vendors as a symptom of the city's "decay." Field interviews displayed a shared understanding among residents that Rome, a once powerful and glorious imperial city, should do better to protect the markers of its history. This history is constructed as one of power, classic beauty, and (racial) purity, and therefore vendors, despite their own historic presence in the city, are portrayed as an ignominious stain upon the landscape. "It's a shame. Beautiful historic sites are ruined by trashy stalls" said an association's president, while her friend added: "Everyone in the world envies our history, and we [Romans] aren't able to respect it...instead, you see stalls selling trash in the very sites where Rome's glory was made."

Along with affluent residents, it is the expectations of tourists that count the most when it comes to spatializing historical imaginaries. Tourists are often disappointed to see vendors. In field interviews, almost half of respondents referred to "immigrant" vendors as a problem. "This is just not the right place for vendors...that's what you see in a poor country, not in Rome" said a 27 year old man visiting from Brazil. "I didn't expect all this shabbiness around. Buildings are poorly maintained, vendors on the street...I thought Rome was going to be historic and beautiful," said a 37-year-old woman from North America.

Regulations and enforcement solidify the expectations of residents and tourists, spatializing imaginaries of a pristine, street-vending-free Rome. This is in contrast to New York, where a much stronger political infrastructure exists to help amplify vendors' voices. Vendors and their local political allies put forth the argument that today's immigrant vendors are part of a long history of immigrant entrepreneurship stretching back centuries. As the Street Vendor Project (SVP), the city's largest vendor advocacy organizations states in their literature, "the primarily Jewish and Italian peddlers of yesteryear have today been replaced by Egyptians, Chinese, Mexicans, African-Americans and many others—but vendors continue to be a symbol of our city's ambition and cultural vibrancy."¹²

This sentiment is taken up by the local press, and circulated by users on social media, producing a self-reinforcing legitimacy. "Vendors are huge on TikTok! Everybody posts, 'protect street vendors' said Carina Kaufmann Gutiérrez, associate director of SVP. "I think part of it is...I don't know what the word is. It's almost like... nostalgia? Because a lot of people's parents were vendors, or, it's like, let's go back to the old New York." The head of a real estate consortium in Lower Manhattan echoed this sentiment when lamenting the inability of business and property interests to gain traction over vending discourse. "I mean, it's ingrained in our culture here in the city. Everybody knows a family who had a grandfather or a great grandfather who was a street vendor in New York," he said. "It's not like you go to Beverly Hills where if you have a street vendor on the street it's an aberration. Here you have, you know, 'oh my grandfather used to sell apples!'"¹³

¹² The Street Vendor Opportunity Bill: A Proposal to Increase Economic Development and Promote Small Business Growth by Revising NYC Laws on Street Vending. Available online at <http://www.streetvendor.org/media/pdfs/Vendor%20Opportunity%20Bill%20Memo.pdf>

¹³ Interview with the Director of Public Safety of a Manhattan Business Improvement District (January 2008).

While both New York and Rome have been swept up in neoliberal restructuring of space, the ability of New York's vendors to center themselves as stewards of a mythic history of immigrant self-reliance helps to counter efforts to sanitize space in the name of elite property development. Meanwhile in Rome, a historicized discourse that prioritizes a museum-like purity and imperial grandeur seems to override non-elite voices and foreclose more popular readings of belonging in public space.

How does heritage get deployed?

In order to gain traction, heritage discourses need to be organized into compelling narratives. These narratives confer legitimacy or delegitimacy to particular groups serving as ready-made justifications for policy approaches. Both Rome and New York hold a place in the global imagination as cosmopolitan cities with an energetic street life. Yet in Rome, the stories told about vendors are increasingly ones that paint vendors as outsiders, criminals, and out-of-place in the city.

One major trope about vendors in Rome involves the mafia, depicting vendors, and especially immigrant ones, as part of larger illicit trafficking networks. The mafia trope finds its foundation in the corrupt networks of police, vendors, and administrators that have indeed controlled street commerce for a long time (Marinero, 2019; Chiodelli, 2020). But residents deploy the mafia trope to justify the banishment of all vendors, including the *artisti* and immigrants who have often little to do with consolidated corruption networks. From interviews with residents of the city center it became clear that historical imaginaries feed popular beliefs that mob circles—and vendors who are assumed to be part of those circles—spoil the city's "original essence." "The

whole vending industry is a mafia...they take advantage of our history and bring in people who should not be here” said a resident of Piazza Navona.

Depicting immigrant vendors as powerless victims of mafia is a popular way for residents to invoke their expulsion. Comments such as “vendors are just pawns of a larger game, they [the mafia] tell them where to go and what to sell” were frequent among residents. If exploitation cycles partially regulate street life, fieldwork did not reveal that immigrant vendors were directly managed by anyone. It is rather systemic racism and inadequate services that push and keep vendors on the streets. Failing to recognize their own role in informing exclusionary policies, residents construct an alternative narrative where an imagined vendor-exploiting mafia becomes the justification for banishing traders altogether. “I would consider accepting them if they weren’t all exploited you know?” said a 67 year old woman “but by letting them occupy famous sites we [Romans] offer a double shameful spectacle: we display immigrant exploitation, and we shame our history.” Public opposition to vendors takes on a harder edge when immigrants of color are being discussed. And historical imaginaries of Rome as a white city play a crucial role here. If most tourists said that they were only moderately bothered by the *urtisti* stalls, many reported being bothered by the “non-Italian” appearance of other vendors. A forty-two year old man from Morocco, for example, believed “non-white” vendors contrasted with Rome being the “original empire,” one that gave birth to “the original civilization.” Rome, he said, should not be “contaminated by strangers.” “There are too many brown people here...I expect that in London...not in Rome,” said a twenty-seven year old émigré to North America from India, while a fifty-two year old woman from North America added: “they [migrant vendors] are just visibly non-Italian and that’s disturbing...I expected this city to be more authentic.” Most residents justify their own racism with the fact that tourists dislike seeing immigrant vendors in the center of Rome.

“I don’t have anything against them [immigrants], but they cannot be here...what spectacle do we [Romans] offer the world?” “I am not a racist, but it’s a really bad scene we [Romans] give of our history,” said two residents.

More so than Rome, the history that people tell about New York is associated with openness and incorporation—at least for those newcomers willing to play by the rules of self-reliance and hard work. Vendors fit this archetype, and they and their advocates use the association to rhetorical advantage. “For people who might not know a lot about New York City, what are some of the things that people think of?” asked Rui Li, an organizer for SVP. “I think a lot of people would probably say, like, oh, the hot dog carts, or you know, the pretzel vendor,” she went on. “They are part of this city’s iconic history. From the pushcarts to now, street vendors have always been there.”

The pervasive place of street vending in the commercial history of New York makes it difficult for business and real estate interests to define vendors as out of place. For instance, a local supermarket chain, D’Agostino’s routinely advocates for crackdowns on street vendors. Though in one recent exchange on Twitter, the supermarket chain was reminded that D’Agostino’s itself was started by a street vendor. “Let’s not forget that @YourDAGNYC [D’Agostino’s] began as a street vendor during a time of extreme economic crisis, allowing the growth of their chain of supermarkets,” a vendor advocate tweeted. Business interests in New York who want to further restrict vending find themselves swimming against a discursive tide, and often end up taking hypocritical stances as they play up the humble immigrant origins of their corporate entities while at the same time seeking to squash incipient immigrant entrepreneurs of today. As a high-ranking local politician said in an interview about discursive strategies of vendors, “they make the

argument that the work they do is as valuable, as dignified, as much a part of New York as the restaurants or big businesses.”

How does heritage intersect with local power arrangements?

The formation of regimes of heritage in New York and Rome takes place as historical narratives get interpolated into political norms and end up justifying policy approaches. In Rome, rhetorical constructions of vendors as disrespectful to the city’s history connect readily with neoliberal, xenophobic policies. Mayors across Italy created anti-vending police task forces and made built environments hostile to traders since immigrations flows intensified in the 1990s. Administrators also issued regulations that prevented carrying “big bags” in historic areas, a prohibition that police enforce exclusively against immigrants of color (Bellinvia 2013). In Rome, mayor Gianni Alemanno issued the first “anti big bags” ordinance in 2009 as part of a broader “zero-tolerance package” against “indecent” behaviors (Comune di Roma 2011). Racialized politics of decorum continue to have devastating effects today. With national legislation encouraging mayors to remove “inappropriate” individuals from historic areas, mayor Raggi approved new *Urban Police Rules* in 2019 banishing unlicensed vendors from the city center.

In addition to helping set policy, historic imaginaries of white Rome also drive selective law enforcement. In interviews, a few police officers critiqued street commerce tout-court. “Rome cannot be an outdoor market [...] there are monuments here, this is our history,” said one. “It’s a matter of respect for what we [Romans] have been throughout the centuries,” added another. But most officers pointed specifically at immigrant vendors as *the* problem. Some self-identified as “anti-immigrant,” and believed vendors typified Italy’s inability to keep “outsiders” out. Others spoke of distinctions between vendors of different origins, using historical imaginaries to justify

discrimination. “Albanians and Romanians look Italian, they don’t seem like foreigners, they seem like they could have been here forever. Africans and Bangladeshis are different though. They look like they are new, like things are changing...people don’t like to see that.” Correcting his colleague, another patroller added: “well, Africans were here too, you know, with the [Roman] empire and all. But they were not the face of Rome in front of tourists like they are now ... These [Africans and Bangladeshis] are the first thing one sees when arriving at the Colosseum. There you go. A glory built in centuries gone in a second.”

Politicians in New York, many of whom are eager to appear immigrant friendly, are reticent to support legislation which is explicitly anti-vendor. To use the words of a retail industry lobbyist, “[local] politicians are afraid of fallout, the anti-immigrant, anti-small entrepreneur stuff. They’re all progressives you know, so they don’t see political capital in [placing more restrictions on vending].”¹⁴ A former councilmember reinforced this view when discussing political optics, “Everybody loves street vendors. How could you not support women, mothers, who are out trying to make a living and support their families? Those that didn’t seem increasingly out of touch.”

Even more conservative local politicians have run up against the bulwark that historical discourse provides vendors. During an attempt to increase restrictions on vending by mayor Rudolph Giuliani in the 1990s, the *New York Times* defended vendors in an editorial claiming that “Cracking down on the vendors now, without knowing more about the validity and impact of restrictions, could be unnecessarily punitive to people who—like the grandfathers of some who now object to street peddlers—are just trying to make a buck in a tough town.”¹⁵

The election of Donald Trump to the White House in 2016 only made things more difficult for anti-vending interests in New York. The Trump Administration’s roll out of a racist anti-

¹⁴ Interview with lobbyist for business community

¹⁵ *The New York Times*. (1994) “Fair Food Vending in Midtown” Editorial. 22 April.

immigrant agenda at the Federal level compelled progressive local politicians to sharpen their own pro-immigrant rhetoric in response. This translated into policymaking that benefit immigrants in general and street vendors in particular. For instance, the city and state of New York have both taken steps to legitimize street vending and street vendors under the banner of immigrant rights. In June 2020, New York City took the enforcement of vending regulations out of the hands of the New York Police Department thereby reducing the chance that an arrested vendor may be targeted by federal immigration officials. And a new bill (Intro 1116) which expands the rights of immigrant street vendors by adding more permits for legal vending passed into law in January 2021.

The new law in particular, was championed as a victory for immigrant rights. Discourse employed by politicians in support of the law drew on local histories of vending and immigration in order to write new immigrants into the city's legacy. A tweet by city councilmember Carlos Menchaca, the son of Mexican immigrants, exemplifies this rhetorical strategy: "Whether it's a Chinatown fruit cart, or a Sunset Park taco truck, #streetvendors are deeply embedded in the history and cultural identity of NYC. Their work has never been easy. Our city has an opportunity to provide relief to them by passing #Intro1116. #VendorPowerNYC." Street vendors in New York face many difficulties, but their position as immigrant entrepreneurs in a city that celebrates its own history as a place of immigration and entrepreneurship, serves as a resource for vendors in their struggles for rights to public space.

The Work Heritage Does

Multiple factors combine to produce the realities faced by street vendors on the ground in Rome and New York. The circumstances discussed above demonstrate that heritage plays a critical

role in shaping these realities. Specifically, as we outline in this section, we suggest that heritage becomes the organizing force through which otherwise abstract ideas about neoliberalism, citizenship, and authenticity, get discussed, debated, and related to street vending.

Neoliberalisms.

While the turn to neoliberalism has reshaped cities across the globe, neoliberalism itself is not a unified force. Neoliberal ideas hit the ground differently in different places, and often get articulated through preexisting social, economic, and political structures (Peck and Tickell 2002). Therefore, one cannot speak of “a” neoliberalism, but rather, multiple neoliberalisms. In both Rome and New York, heritage operates through neoliberal ideas and values, but to surprisingly different effect. In Rome, a heritage that emphasizes museum-like purity links up well with a classically revanchist version of neoliberal urbanism, a version that was refined and “perfected” in 1990s New York City under mayor Rudolph Giuliani. This is an ideology of space driven by the broken windows theory which posits out-of-place bodies as harbingers of crime and disorder. In Rome, revanchist neoliberalism frames lower income and non-white vendors as interlopers, unwanted people who are detrimental to the city’s economic well-being. But, ironically, neoliberal ideology cuts very differently in today’s New York, where immigrant advancement through entrepreneurialism is a foundational myth of the city’s heritage. By drawing on this heritage, vendors have been able to differentiate themselves from other “disorderly” users of public space, bending neoliberal discourse to inclusive ends. Heritage, then, becomes intertwined with discourses of neoliberalism, thereby modulating the manifestations of neoliberalism on the ground for certain groups.

Differentiated Citizenship

Neoliberalism produces forms of citizenship. We argue here that a lens of heritage can help us understand why the contours of citizenship look so different for street vendors in Rome and New York. Vendors in both cities tend to be recent immigrants without formal rights of citizenship. But citizenship, following Holston and Appadurai (1999), can be conceptualized as being constituted of both formal and substantive rights. It is clear that street vendors in New York, while lacking formal citizenship rights like the right to vote, nevertheless are able to influence politics and exercise citizenship claims. A specific heritage discourse in New York, which is itself intertwined with neoliberal values, supports vendor demands for substantive rights. This is a heritage discourse that posits vendors in New York as citizens-in-the-making, owing in large part to the fact that they embody neoliberal values deeply rooted in the urban ethos.

Meanwhile in Rome, a heritage discourse that equates good citizens to those who look orderly enough to honor the city's past helps close the door on any attempts made by vendors to claim validity. Some vendors such as the *urtisti* possess formal citizens' rights, and indeed in many cases have inhabited Rome for centuries. Yet they remain seen as "out of place" users of public space, aliens to Rome's glory and therefore due to be expelled. Other vendors such as more recently arrived immigrants often lack a regular citizenship status and, unlike in New York, no heritage discourse facilitates ideas of a progressive citizenship to be earned through hard work.

Authenticity

Authenticity, a concept associated with ideas of truthfulness and originality, remains a powerful branding tool in the experience economy. Scholars have shown how ideas over what—and who—is "authentic" can help facilitate the exclusion of underserved communities, but can

also assist their practices of insurgency (Piazzoni, 2018; Shieh and Chen, 2018). Our analysis shows that the politics of authenticity highly impact vending activities in Rome and New York.

In Rome, affluent residents and tourists interpret authenticity as an aesthetic framework that leaves no room for unordered, non-white users of public space. Residents legitimize their view by caricaturing all vendors as involved with the mafia, while tourists report street trade as insulting to the city's glory. Complaints intensify against vendors of color, whose very appearance is regarded as a wound to otherwise immaculate landscapes of classic beauty. These narratives translate into repressive regulations that police officers enforce following their own (frequently racialized) perceptions of authenticity. Only a few vendors manage to deploy authenticity to demand recognition, with the *artisti's* protests against removals explicitly recalling the 1938 racial laws as a demonstration of persistent institutional racism. Their protests, however, have been largely dismissed (and at times mocked) by authorities. Meanwhile, immigrant vendors have not even tried to advocate for their right. Lack of organization is mostly due to the vendors' extremely precarious conditions. But mainstream constructions of the authentic unequivocally portray vendors of color as outsiders of the "real" historic Rome, preemptively undermining any potential advocacies.

If in Rome ideas of authenticity engender the repression of illegitimate "others," the same ideas facilitate a more benign climate for vendors in New York. Here the voices of vendors and their political allies do carry weight in fabricating mainstream imaginaries of an authentic New York. These imaginaries put street trade at the heart of what the city is about, a place of opportunity for those (smart, brave, and able) who dare to pursue it. More than a framework that requires aesthetic fixtures, New York's authenticity takes up an intangible role. It is an authenticity of practice rather than aesthetics, prioritizing the ambitions and life trajectories of successful vendors

over their physical appearance or that of their products. As a result, vendors and their allies manage to portray street trade as an authentic activity that may have taken different forms in present-day New York, but it nonetheless remains a symbol of the city. To be sure, racist ideas of who is an authentic New Yorker very much impact law enforcements and interactions on the streets, facilitating the oppression of vendors of color in multiple ways. However, narratives that equate the authentic New York to the vibrancy of its streets leave room for advocacies that have no place in a city like Rome.

Conclusion

The ways in which a city's past is popularized—and spatialized—can perpetuate legacies of oppression, but can also empower deprived groups to counter exclusion. We have explored these dynamics by looking at street vending in Rome and New York. In both places, discourses about the history of the city influence vending policy and attitudes on the street: heritage mobilizes ideas of the past to structure present-day social and spatial arrangements. In doing so, it enables practices of legitimization and/or processes of illegalization.

Drawing on this point, we argue that urban scholars in general, and of street vending specifically, have much to gain from paying more attention to heritage as an agent of urban governance, one that can reproduce exclusion but may also facilitate inclusion. We propose *regimes of heritage* as a productive framework to investigate how (ideas of) history and existing political structures imbricate with one another. In particular, the regimes of heritage lens helped us trace the ways in which policies that are created, operationalized, or contested in the name of history help solidify otherwise abstract concepts such as neoliberalism, differentiated citizenship, and authenticity.

We want to reemphasize that the line from history to heritage, and from heritage to policy regime is not a straightforward, instrumental one. At each step, debates about meaning, struggles over emphasis, and the political climate of the moment shape the parameters of policy. So, for instance, during the revanchist 1990s in New York, former mayor Rudolph Giuliani, elected on a law-and-order platform, sought to deemphasize vending's historical role in the city and rhetorically lump vendors alongside other signs of disorder (Vitale 2008, Smith 1998). The Giuliani Administration had some success defining vendors as "broken windows." Yet it has been argued that even in this moment of revanchism, vendors used narratives of longstanding historical legitimacy to push back and set limits to the Republican mayor's policy offensives (Devlin 2018). Similarly in Rome, while vendors enjoyed some moments of acceptance, this acceptance was always inflected by an underlying assumption of otherness. We see this, for example, in the fact that through the centuries Jewish *urtisti* eked out a retail niche (the sale of religious items) that Catholic doctrine prevented other Romans from pursuing, and that their invitation back onto the streets in the immediate postwar was granted as a reparation for the fascist racial laws. Vendors in Rome, even when they were allowed to operate, were always othered through heritage claims of historical purity. In New York, even in moments of exclusion, vendors could rely on a heritage of immigration and inclusion to defend claims to space.

These dynamics show that, while most cities across the world may be buffeted by similar macro-level processes of neoliberalization, local intricacies like heritage still matter (Jacobs 2012, Derickson 2018). As Jane M. Jacobs argues, macro-level theories of urbanization "...tend to deactivate space by seeing the city as the uncontested imposition of imperial territorial arrangements." (Jacobs 1998 21). We show here that, while neither Rome or New York are immune to broader transnational processes, profoundly local discourses, anchored in particular

places and rooted in local histories, contribute to different outcomes for vendors in two world cities. For those concerned with conflicts over public space in the contemporary city, understanding the contested ways in which heritage gets mobilized is a critically important—and yet often overlooked—task.

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