

# **POLITICS OF PARKING**

Rights, Identity, and Property



**SARAH MARUSEK**

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Rights, Identity, and Property

SARAH MARUSEK

*University of Hawaii at Hilo, Hawaii, USA*



ASHGATE

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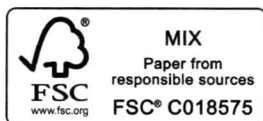
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## Preface and Acknowledgments

This is a book about law. More specifically, this is a book about how law works in our everyday lives here in the United States. More generally, this is a book about parking. Parking is one of those aspects of everyday life that we do every time we drive a car. Law is also one of those things that we do in our everyday lives, from driving to parking to even riding a bicycle. When I say that we ‘do’ law, I mean that we make law happen. However, when we make law happen, we also have an idea of what law is and how it works. Through something as banal as parking, we can understand what law is and how we make law work because of how we ‘do’ it.

The seeds for the project were generously planted by John Brigham at the University of Massachusetts Amherst while I was a student in his 2004 Seminar “Street Level and Sovereignty.” With an idea for a final paper that began with “Why do I think that people who park in handicapped parking spaces without a handicapped parking permit are such assholes?” Professor Brigham worked to channel my self-righteous hostility into an innovative project and exciting academic career in Political Science exploring the constitutive approach to law. With much affection, I thank him with my heart and soul for everything he has given me, including my present and my future.

My ideas on parking have been shaped by many people and places. I have presented aspects of this project at the International Roundtable for the Semiotics of Law in Montreal and in Bolougne-sur-Mer, France, the Law and Society Association Meeting in Montreal, the New England Political Science Association Meeting in Portsmouth, NH, the Association of American Geographers Meeting in Boston, the Association for the Study of Law, Culture, and Humanities Meeting in Boston, the Western Political Science Association Meetings in Vancouver and San Francisco, as well as public talks at the University of Massachusetts Amherst Political Science and Legal Studies Departments and at the University of Hawaii Hilo. For the 2007–2008 year, I was a Research Associate at the Five College Women’s Studies Research Center at Mount Holyoke College where I attempted to balance scholarship with a new baby. Thank you, Elizabeth Cahn and E.B. Lehman for making this possible and expanding my opportunities as well as my horizons. I would like to express my appreciation to Charlyn Puza, Director of Parking at Mount Holyoke College and to the members of the Parking Ticket Appeals Committee. I would also like to thank Dr. Eugenio Marciano, GIS Specialist in the Department of Geology and Geography at Mount Holyoke College for helping me to map out my ideas. Additionally, I would like to thank all those involved with these conference venues who advanced my thinking through the presentation and critique of my work.

Portions of the project have been published elsewhere. Parts of Chapter 4 previously published in *Law Text Culture* 9: 177–88 have been reprinted with permission of the LTC 9 Managing Editor, Desmond Manderson. Parts of Chapter 5 have been published in *International Journal for the Semiotics of Law* 20(3), 251–61 with permission from Springer. Parts of Chapter 9 have been reprinted by permission of the Publishers from “Legality beyond the scope of policy,” in *Diversity and Tolerance in Socio-Legal Contexts*, ed. Anne Wagner and Vijay K. Bhatia (Farnham: Ashgate, 2009), pp. 137–47 (Copyright © 2009). I would like to express my appreciation for these permissions.

Scholarship is truly a collaborative conversation involving a variety of perspectives and experiences, lots of laughter, and an abundant supply of good food and hot beverages. There are so many people who shared their encouragement, offered their critique, and guided me throughout the writing of this book. In particular, I wish to offer a special thanks to Desmond Manderson, Anne Wagner, and Renee Ann Cramer for their extensive support throughout the project. While by no means an exhaustive list that is in no particular order, I would also like to thank Mariana Valverde, Rebecca Johnson, Alan Gaitenby, Elizabeth Markovits, Iza Hussin, Christine Harrington, Diane Curtis, Britt Halvorson, Kathryn Besio, Marilyn Brown, Lauren Rosenberg, Diana Yoon, Todd Belt, Marcia Curtis, Sheldon Goldman, Eduardo Guardiola, Rick Castberg, Enbao Wang, Max Page, Aaron Lorenz, Jenner Bestor, Penny Gill, Pamela Brandwein, Chris Pyle, Fiona McCormack, Chris Freuh, Amy Gregg, Phil Taylor, Kate Longley, Zeynep Inann, Dan Kirsch, Paul Ominsky, and Elvira Guardiola for their creative insights and personal warmth. Thank you also to Biff, Anna, Matt, Helen, and Paul for their endless love and support as well to Babci for lots of babysitting! And lastly, thanks to Jon for being there simply all the time, wherever and whenever, with lots of love and a continual willingness to ‘get riled up’ about parking.

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## Chapter 1

# Parking and Power: Law in the Everyday

“In my tribe, when it comes to parking, a man takes charge. A man finds spots” (Raskin 2007). In a comedic article about parking, writer Andy Raskin discusses his own inherited talent for hunting down parking spaces on the streets of New York City in order to impress his date. He equates the ability to find a spot with being able to provide for one’s family, for as his father always said, “a parking space was not some gift from the gods, [and] not in any way dependent on personal good luck (i.e. parking karma). Rather, finding it was the direct result of hard work, carefully honed skills, and yes, raw talent” (Raskin 2007). In this case, the fundamental skill of finding and claiming a parking space can be attributed to the level of basic survival in contemporary vehicular society where parking spots become prey to voracious drivers.

However, we do not live in prehistoric times, and parking, as Raskin tells us, is a vital, yet mundane, aspect of our contemporary lives. Because it is so ubiquitous and banal, parking is a unique site of law with everyday qualities. These qualities speak to the fundamental redefinition of what law can be considered to be by those who create it. Here, law happens on the street and not in courtrooms or law offices. Here, law happens by actors who have no formalized legal training and who interact with signage and symbolism lacking formalized legal jargon. Therefore, the type of law generated by parking can be termed ‘law in the everyday’ in which formal legal authority is often absent and nonlegal actors (i.e. regular people) make and enforce the rules and boundaries of justice in a variety of ways. Precisely because parking is so quotidian and, as such, a fact of our everyday lives, parking enlivens this phenomenon of law in the everyday in ways that everyday people in everyday places produce legality through the contest over rights, identities, and property.

Nonetheless, parking and the fight for survival are not that distantly linked. For example, 19-year-old Boris Albinder was killed over a parking space in front of a nightclub near Golden Gate Park, San Francisco, California. On September 16, 2006, a friend of Albinder’s was standing in the middle of a parking space in order to reserve it for Albinder who was on his way to park. While he was waiting, a van pulled up and struck Albinder’s friend with the van in order to make him leave the space. Upon arriving, Albinder and his friend engaged in a struggle with those in the van. Albinder was stabbed to death (McKinley 2007; Van Derbeken 2006). Such violent rage was the result of a pedestrian’s claim to property typically reserved for automobiles. Here, the right to occupy this particular parking space pitted vehicle against person in the struggle for the recognized legitimate identity of ownership



As ordinary as it is, parking invokes rage as a response to the dimensions of power found in parking. Such levels pertain to different demonstrations of authority, whether informal as the previous example attests, or more formal, as the following example illustrates. In Kirkwood, Missouri, Charles Lee ‘Cookie’ Thornton, irate over thousands of dollars in parking tickets and citations which had amassed against him, gunned down five people at a city council meeting ([www.mercurynews.com/crime/ci\\_8215790?nclink\\_check=1](http://www.mercurynews.com/crime/ci_8215790?nclink_check=1)). Thornton’s response characterizes a challenge to the formalized authority found in parking law, namely the parking enforcement personnel that administer parking tickets and fines. Additionally, Thornton’s actions convey a misguided version of renegade justice involving the individualized violent response to legal authority.

Whether on the street or at a public meeting, the ordinariness of parking engenders it as a sociolegal discourse in which the hierarchy of law is reframed to include non-traditional actors. In this way, parking spaces show us how law in the everyday happens in cultural, economic, and political arenas. Parking engenders and sustains a notion of law, or as John Brigham (2009: 381) asserts, “Law is in society.” Brigham describes the constitutive approach to law in which law and society are mutually interactive, or as a way “to ‘see’ law in society without necessarily relying on the traditional markers. It seeks to bring law to the forefront of our visual field too so that we actually observe social phenomenon as law” (Brigham 2009: 382). Sally Engle Merry (1995) also contributes to this relationship between law and society in her study of the cultural power of law. She reminds us that “the constitutive power of law and a broad definition of its cultural effectivity and representational power suggest the importance of research on the cultural meanings produced by law in the habitual, possibly resistant, practices of everyday life as well as through major social movements” (Merry 1995: 26). Using these two frameworks of law, parking produces legality as law in the everyday as the habitual practices we culturally, socially, and legally engage in. This approach to law, known as constitutive legal theory, involves the relationship between law and society that happens on an individual as well as community level. This book examines parking according to constitutive legal theory. With that being said, the culture of parking is a social as well as legal culture. Likewise, the resistance to parking is a social as well as legal resistance. Discursive realms of parking include places and signs that constitutively frame what law is and show us how the law in the everyday that parking fosters is a contest over power. In parking, the contest over power is the power to exert and to challenge legal as well as social notions of rights, presentations of identity, and claims of ownership to sites of property.

Robert Dahl (2005) tells a story of politics by contrasting direct and indirect political influence in a New England city rife with wealth and influence disparities. By arguing that socioeconomic homogeneity is in fact, political homogeneity, Dahl discusses the social history of New Haven, Connecticut as a story of representation. By answering ‘who rules’ in a pluralist democracy, Dahl considers the political system to be a system of noncumulative equalities. These dispersed disparities contribute to exactly who is actually in charge. For example, rituals that

give legitimacy to a democratic creed are those rituals of citizen involvement and the process of political nominations that reflect the interests of the represented in re-election. Dahl's story of how politics work, namely as a function of influence and inequality in which the direct influence of small groups counters the indirect influence of the represented larger group and often wins out, speaks to the degrees of equality and social disparities that prevail in everyday life. Dahl's description of the struggle for power is particularly applicable when considering a place to park. Similar to Dahl's story, themes of equality pertaining to status, ability, wealth, race, and gender expand notions of governance and citizenship that depend not only upon formalized institutions of law, such as the parking attendant, parking signage, or the parking appeals process, but the social reactions and responses from one driver, passenger, or onlooker to another. Culturally, semiotically, and geographically, the parking space invokes law and politics through the contest for power found in direct rather than indirect influence.

Parking is messy and rife with the inequalities that Dahl speaks of regarding political power. This messiness is ironic as superficially, parking may seem to be the solution to chaos. With its presumed uniformity in lines and impartial enforcement of parking standards, parking might appear to be devoid of politics and power. However, as this book will detail, such uniformity and detachment are an illusion when looking deeper into how parking is a source of everyday law where people hunt and people die.

Stuart Scheingold (2004) examines a similar juxtaposition between theory and praxis in his examination of the myth of rights versus the politics of rights. He details the common perception of what rights are, i.e. the myth of rights, with the actuality of making those rights into a reality, i.e. the politics of rights. "At the core of the myth of rights is the legal paradigm – a social perspective which perceives and explains the human interaction largely in terms of rule and of the rights and obligations inherent in rules" (Scheingold 2004: 13). Therefore, the construction and contestation of rights are themselves the politics of law if law is the rules and rights are the social perspective on those rules. With parking, the rules are not always clear and are often determined on the spot by those who park. More often than not, the rights of parking are a socially determined practice that uphold, reject, or redefine the rules of parking. In this way, the rules of parking shape a practice of law that is based upon immediate perceptions and everyday enforcement between people who park. As a result, the formal rules that do exist in parking are often ignored or violently resisted.

Working with this structural paradigm, the story of governance as told through the localized politics of the parking space is a story of rules and regulations that, as formally understood law, only takes us so far. In the context of the parking space, law is much more expansive than just policy concerned with where and when to park cars. As sites of everyday law, parking spaces play host to social and legal contestation in which governance operates on many levels. Whether at the level of official parking enforcement or at the level of car versus car (driver versus driver), the parking space is a nexus of conflict in which the socio-legal intersection of

governance can range from the parking ticket to shouting to vehicular aggression, even murder over who is entitled to occupy that prime piece of property.

Socio-legal scholars Patricia Ewick and Susan Silbey (1998) recognize the territorial aspects of rights discourse and legal consciousness on the socially semiotic and culturally geographic levels. Pictured on the cover of their pivotal book, *The Common Place of Law: Stories from Everyday Life*, is a snowy city street with a lone wooden chair resting next to an overturned milk crate (Ewick and Silbey 1998). Both the chair and the crate are positioned in the middle of a shoveled out parking space in order to designate the shoveler's ownership of that space. On public streets, there are no 'owned' spaces; however, on this street, there are. Ewick and Silbey comment on this display of informal governance as illustrating a type of legal consciousness that is established according to a localized notion of property that mimics traditional notions of ownership. Here, rights associated with property and ownership are altered through the labor, time, and effort invested in the shoveling of the space. The message is clear to other parkers: find your own spot to shovel and claim as your own and leave my shoveled out space well enough alone! Here, notions of property and right are crucially linked to the idea of governance and citizenship as the people who shovel actively animate what law is. Likewise, those people who either respect or refute such designations of space also animate the counter to law, resistance. Through parking, law in the everyday transforms the physical exertion of the shovel into claims of property ownership and identity recognition.

Interestingly, in Boston, formal policy actually reflects social practice as those who shovel out parking spaces have 48 hours to save a parking space under city rules. Space savers may include milk crates, orange cones, lawn chairs, recycling bins, or any other bulky object ([www.boston.com/news/local/breaking\\_news/2008/02/as\\_snow\\_melts\\_i.html](http://www.boston.com/news/local/breaking_news/2008/02/as_snow_melts_i.html)). However, as of February 2008, in response to angry residents, the city of Boston began to crack down on space markers that violated this timeframe as the mayor's office ordered that these space savers be picked up as trash. Constitutively, we can see the law in the everyday of parking working through a variety of channels: the shoveling of parking spaces on the street as described by Ewick and Silbey, the city ordinance recognizing shoveled parking spaces within timed limits, and the response of the Boston mayor's office to resident complaints concerning the disregard of the timeframe.

Parking spaces produce legality. As the space is clearly defined by painted lines on the pavement and demarcating signs of intended usage, the construction of parking spaces develops further regulation and enforcement. The architecture and semiotic markers of the space yields a political text. As a political text, this space is one in which public and private notions of enforcement sometimes blend, but more often butt heads over jurisdictional claims predicated upon ownership and identity. The visibility of law through signs and markings engenders the visibility-based constructions of legitimacy. This legitimacy constructs a sense of belonging, in which the theme of community presents us with our place as citizens. Here, the social dimensions of parking are often tied to forms of legal consciousness

characterized as the marginalized fringes of legality, or vigilante justice, as the book's opening anecdotes show.

The generic quality of the parking space concerns the spatiality of law and the territoriality of rights. Parking spaces engender spatial reserve as ownership for the primary reason that cars have to be parked when not being driven. These parked-on spaces are marked as such in ways that tie the user to the usage. Examples of this include parking spaces reserved for visitors, handicapped parkers, customers with infants, expectant mothers, judges only, employees of the month, faculty and staff, city officials, store customers, physician only, 15 minute parking ... the list is quite extensive. One of the interesting problems that arises is what happens when the space isn't clearly designated or if it is inappropriately used. What happens when the parking space isn't used for parking in the first place?

Margaret Kohn (2004) expands the thinking about space and its usage in her book *Brave New Neighborhoods*. Kohn examines the increasing privatization of public space through the impact on First Amendment free speech abilities. She examines spatiality according to its politics and the laws that shape these places. She discusses the hierarchy imposed by private ownership onto the public's ability to communicate with each other politically as well as legally. Kohn's (2004: 2) reminder that "public life is undermined by the growing phenomenon of private government" is a way of considering disappearing public venues such as parks and community gathering places as dangerous to democracy. For Kohn (2004: 25), "public space is crucial because it is a stage on which groups can debate alternative views on policy and principle."

In drawing upon Kohn's insights into how power works in public spaces, we can view the parking space as a site of law in the everyday in which democracy flourishes. Here, we can address the relationship between parking and economic development as a relationship that Kohn alludes to in her own examples. We can also consider the centrality of parking to economic development, for the positioning of parking space is often a strategic and purposive statement of property and its intended usage. Furthermore, we can consider the parking space in terms of privatization, as Kohn frames, as privatized parking often infringes upon the public's right to expression, much less occupancy.

Throughout the book, I will consider the subject of parking spaces by rethinking the banal. Parking spaces are a necessary part of life that, despite their ubiquity in usage and presence, are woefully underexplored as a source and site of law. On the surface, laws pertaining to parking appear as routine parking policies culminating in the dreaded parking ticket; however, if we look more closely, these policies shape how we treat one another even when parking enforcement is not present. Through this process of rethinking the ordinary space where a car is parked, a provocative form of legal subjectivity emerges within the study of law and politics.

In the tradition of legal pluralism, I adopt an interpretivist methodology to data and its meaning. I explore the nature of rights according to the spatiality and semiotics of law found in parking spaces. Here, the municipal regulation of parking policy struggles with the force of localized politics; as a result, competing notions

of legality are produced. My work adopts a constitutive approach to the study of law, where law is a social medium constructed and sustained through its very enactment and resistance in everyday instances of daily life. Because law and life mutually go hand in hand, constructing a relationship that examines the cultural, social, legal, and political contexts of our society and experience with legality is a vital one. Therefore, the intellectual inquiry involving the relationship between law and society extends far beyond the confines of quantitative measures of policy effect or discussions of the law itself to delve into the analysis and synthesis of happenings in order to best show us what really happens in everyday places where law occurs in local spaces we directly inhabit.

### **Legal Geography**

In February 1993, a vehicle filled with explosives was detonated in the underground parking garage of the World Trade Center complex. While experts suggest that “putting a bomb in a car is not sophisticated,” the placement of a bomb in such a garage would “multiply any explosive’s impact, preventing its energy from escaping except at the weakest point, either the walls or the ceiling” (Jehl 2007). Given the banal existence of parking garages as possible sites of terror, parking spaces take on new meaning as a place where politics, law, and culture collide. The built environment of parking places, whether spaces, garages, lots, driveways, or on the streets, provides a site of public tension through which local authority and social need jointly create a geographic discourse of power and legality. Chapters 2, 3, and 6 each develop the legal geography of parking that creates, sustains, and challenges notions of rights, contested identities, and ownership over disputed sites of property.

The jurisprudence of the parking space creates a type of governing that is locally contingent. In spaces where formal law is absent, social law becomes judge and jury. Right and its regulation are culturally dependent and politically malleable. The right to park is a special right, considered to be a presumption of expectation connected, literally, to the person driving the car. Jurisprudentially, this special right is enacted between individuals in everyday parking environments where social norm operates as ‘the law’ and formal law is distanced. Feeding the meter distances the threat of a ticket. The appeal of that ticket is the pronouncement of right. Yelling angrily at a driver who cuts you off and parks triumphantly in a coveted parking space is a more immediate regulation of right.

Parking is a socio-legal construction that reveals a political text in which the built environment produces legality. Through the meaning of property related to parking structures and usage, the legal consciousness adopts a sense of territoriality when pertaining to rights and who either has them or who doesn’t. Spatiality produces legal relations and a socialized sense of citizenship that reflects the occupancy of the space itself. This is particularly true in parking, as the 1993 World Trade Center bombing attests to. The legal geography of the parking garage

in this case is transformed from a place of vehicular belonging to one of political destruction.

Dvora Yanow (2005: 250) describes the “role of built space and its uses in communicating and shaping meaning.” She points to the “‘intertextuality’ operative in spatial meanings ... [in which] spatial elements develop meaning from other spatial elements” (Yanow 2005: 361). These two aspects of the built environment, built space and spatial elements, are instructive when thinking about how parking as a legal banality came about in the first place. In Chapter 2, the semiotics of parking involve the evolution of legal consciousness according to the built environment of parking and the public good. In its original inception, parkable space via designated parking spaces, parking meters, and municipal regulation supported a notion of the public good associated with a place to park when frequenting an urban commerce center. Here, the public good was construed as availability while shopping. In this way, the spatial element of timed vehicular turnover was first economically premised as a public good.

However, space availability as a public good has evolved into a politics of status, where certain vehicles and their owners command a specialized set of rights depending on the place where they are encouraged to park. Through a variety of types of parking space ranging from Resident Permitted Parking Only to Visitor Parking to Handicapped Parking, spatial elements of identity shape parkable space. The public good has shifted from general availability of parking spaces to specialized reserve in which the built environment is constructed according to a changing sense of how the law works and who it can and should work for. Parking is at the forefront of this shift.

Dvora Yanow’s focus on the intertextuality of spatial elements present in built space characterizes the ways that the public forum is contested in parking areas. Monies from parking revenue stand to either benefit or harm the public good depending on where and how these monies are collected and spent. In this way, the parking meter is a jurisdictional semiotic that symbolizes profit for the individual pocket or the public coffer. Related to the parking meter is the semiotic of the parking lot, as space used for labor activism, off-the-grid living, or criminal activity. There is even a globally recognized Parking Day, in which parking lots are transformed into a variety of settings including health clinics, church services, weddings, and farm markets (Kimmelman 2012). In parking lots, the relationship between the public good and physical space indicates that we should pay attention to the types of law that mesh in such a built environment, ranging from municipal regulation to privatized jurisdictional claims to violent acts of legal resistance, referred to as frontier law or vigilante justice. The intertextuality of parkable space as an everyday built environment shows us the ways that the laws of parking create spatially-based tension and discourse between legal consciousness and the evolving nature of the public good. Here, the vehicularization of society pits the public interests of community against the private interests of the individual.

However, this vehicularization of space also reveals a way to see the landscape of parking. In his discussion of urban property landscapes, Nicholas Blomley

(2001: 116) reminds us “Western property is not only mapped *in* space, it is caught up in particular mappings *of* space.” He suggests that “property and its landscapes can be a site of struggle” and cites Sarat and Kearns in which “Law plays a constitutive role in the world of the everyday, yet it is also available as a tool to people as they seek to maintain or alter their daily lives” (Blomley et al. 2001: 128). The mapping of parking space in terms of social and political rights and identities illustrates how law in the everyday works. Following from Yanow’s work on built space, parking reveals spaces in which socio-legal tensions develop as a form of legal pluralism. These mapped spaces are transformed into places where the public confronts the public and redefines what the public good is and who the public represents.

The mapping of space reveals local prerogative in channeling local authority over said space and its usage. Take for example the case of Richard Cronin of Springfield, Massachusetts (Johnson 2009). Cronin woke one morning to a \$50 ticket for parking on his own property with the violation specifically charging that he had “violated city ordinances by parking in the front yard, instead of in the driveway.” Spatially, what is relevant here is where exactly the Springfield city street ends and Cronin’s dirt driveway begins. The issuer of the ticket, Springfield Police Department’s Quality of Life – Ordinance Flex Squad, charged that despite the fact that Cronin, a long-term homeowner, had parked in the same place for the past 30 years, “if he parked on the lawn, that is a violation of city ordinances.” What happened in this case is the spatial determination of legality and the accompanying notion of a right through the property-based capacities of local homeowners in Springfield versus definitions by the city. Cronin’s ticket represents the problematic pretense of those within a local community to inhabit their private property in a publicly determined manner. This hybridization of rights, property, and identity illuminates a space of jurisprudence through parking in which these aspects of politics and law come together to form a foundation for examining parking-related discussions about law and society.

Local authority transforms the social needs of particular communities and individuals and is mapped by the competing geographies of social identities. Richard Ford (2001) describes such jurisdiction as “law’s territory” and the “territorialization of social relations” (Blomley et al. 2001: 201). He describes “territorial jurisdiction as a set of social practices, a code of etiquette” (Blomley et al. 2001: 202). Cronin’s front lawn parking place reveals a localized code of conduct that frowns upon such behavior, for as Ford reminds us “jurisdiction in fact defines a relationship between the government and individuals, mediated by space” (Blomley et al. 2001: 211). In Springfield, the space of the front lawn is not a place to park as the jurisdiction of the front lawn reminds us of the locally animated tension between citizenship and community in which the individual is often at odds with both.

In Chapter 3, “Citizenship and Community: Authority of the Local,” the notion of law in the everyday happens through the spatialized elements of community and citizenship in which jurisdiction is localized. Economic prosperity is a party to



this relationship as is a localized sense of place involving parking spaces, parking garages, parking permits. Here, the aesthetics of governance provide the ability of local communities to territorially determine who belongs and who doesn't. Tensions over parking in these communities reveal social codes of authority, knowledge, and citizenship. Legality is animated and actively produced in these local disputes and tensions that range from a movie theater parking lot to an underground parking garage to parking permits described as 'hunting licenses.' Locally, place is power.

Parking places are an example of cadastral mapping, where lines and boundaries are initially drawn to designate the mapping of parkable space. In his work on cadastral mapping, James C. Scott (1998) details the resistance that is locally reactive to these lines and boundaries. He describes the power of local response as the resistance to such mapping for "each undertaking also exemplified a pattern of relations between local knowledge and practices on one hand and state administrative routines on the other" (Scott 1998: 24). Mapped parking in Springfield was administratively determined to be on the street and not on one's front lawn; therefore Cronin's front lawn parking place defied the cadastral grid of parking. Geographically, law in the everyday is alive when considering spatial elements, the built environment, jurisdiction.

The meaning of space encourages debate over the social need either fostered or inhibited through the accessibility that parking generates. Social need may be interpreted as political engagement as parking space perpetuates the deployment of that need or engagement. Kim Dovey (1999: 183) tells us "oppression and liberation are forms of social practice which are mediated by built form." Take for example the 1995 Oklahoma City bombing, which was the result of an explosive-filled truck strategically parked adjacent to the targeted building. The parking spot chosen by the bombers was key to carrying out the attack. As Jim Loftis, an architect who helped design the building noted, "I do know that finding a parking space in front of that building at nine in the morning is a tough, tough job" ([www.cnn.com/US/OKC/facts/Bombing/Terror5-4/index.html](http://www.cnn.com/US/OKC/facts/Bombing/Terror5-4/index.html)). Whether in a garage or in a loading zone, parking space can become instrumental in murderous political meaning. As a place reserved primarily for people driving cars who then leave those cars to go places elsewhere parking space is a borderland between action which should occur (peaceful parking) and that which may occur (violence, bombing).

In his work on the practices of power as they exist in the built form, Kim Dovey (1999: 193) states "the public interest does not exist pre-formed but is constructed in the design process." In Chapter 6, "Consumption and the Built Environment: Parking and Social Need," the practices of power are evident in the ways in which social need is created and constructed as economic interests and private forms of ownership abut communal interests. Furthermore, parking lots, as spaces of consumption, promote the gendered and racialized accessibility and accommodation of the public good. The built form of such lots reveals parking practices that shape our notions of what gender or race should look like in the



consumer environment. Additionally, parking lots control the access of the public whose presence may be entitled by law yet denied socially by corporate interest. Parking lots are a keen site of political identity contested through law in the everyday as legal subjectivity is dependent on the power that place engenders as a source of making law in everyday situations.

Parking is a political, social, and legal text that involves the hybridization of each of these elements: legal geography, legal semiotics, and constitutive legal theory. In this way, law in the everyday is social, discursive, and non-hierarchical. Laura Beth Neilson (2000) argues that “legal consciousness of ordinary citizens is not a unitary phenomenon, but must be situated in relation to particular types of laws, particular social hierarchies, and the experiences of different groups with the law.” Neilson’s (2000) statement, “my study of legal consciousness is situated doctrinally (the First Amendment), with reference to a particular social phenomenon (offensive public speech), and within a particular location (the public sphere)” reminds us that “legal consciousness is contingent” according to the axes one is exploring.

The examination of the locally political is a statement about power. Silbey and Ewick (2003) consider the manifestations of power that exist in relation to a subject. In thinking of the science laboratory as a place that is legally regulated, governance is less targeted on the individual and more on the institution as governmentality becomes a set of spatial practices that operate alongside the subject (of the law). They argue “it is the increasing invisibility of the laboratory in the epistemology and moral authority of science that has enabled law to govern science ‘at a distance’” while “dislodging truth from the laboratory has opened” within “the space of science” a “place for law” (Silbey and Ewick 2003: 104).

Other parts of Silbey and Ewick’s (2003) argument discuss the democratization of science through the accessibility of truth and the competing elite nature of contemporary science. Because there exists a danger of science (or more precisely, of the unknown), the need to regulate the unknown through laws involves the notion of placelessness. In this context, placelessness is the changing place inherent to the lab that pertains to the liberal subject and the liberal regime: “The dream of a free, but governable, subject is necessitated by the paradox of power to which we have already alluded and that lies at the heart of a liberal regime: that is, governments create zones of privacy and autonomy to which they, by their own authority, are denied access” (Silbey and Ewick 2003: 98). In this abstract type of regulation devoid of actual human contact/constraint, Silbey and Ewick (2003: 86) assert that university science labs are “legal creations” as “legally created property through publication, copyright.” Lastly, they conclude “through the governance of laboratory space, law plays a role in shaping contemporary science and contemporary scientists” (Silbey and Ewick 2003: 85).

Silbey and Ewick’s premise about placelessness is particularly useful in considering the arena of governance surrounding the parking space where the only immediate markings of law are painted markers on the pavement or signs designating who can park where and when. However, the space is difficult, if not