

Copyright
by
Jacinto Cuvi
2017

**The Dissertation Committee for Jacinto Cuvi Certifies that this is the approved
version of the following dissertation:**

**Selling the City: Trade, Planning, and Politics on the Streets of São
Paulo**

Committee:

Javier Auyero, Supervisor

Ari Adut

Nadya Guimarães

Bryan Roberts

Michael Young

**Selling the City: Trade, Planning, and Politics on the Streets of São
Paulo**

by

Jacinto Cuvi, M.A.

Dissertation

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

Doctor of Philosophy

The University of Texas at Austin

May 2017

Acknowledgements

To all those who supported me in this years-long journey, and without whose support I would never have reached the finish line, thank you. My advisor, Javier Auyero, is the reason I came to the University of Texas at Austin and the reason I stayed. Choosing him as an advisor was the best decision I made during my years in academia.

Ari's humor, insights, and friendship made the graduate experience bearable, and his feedback was key to achieve publication on more than one occasion. Bryan has been a source of comfort and inspiration since I moved to Austin. I hope that my work does justice to his teachings in urban sociology and the political economy of Latin America. Nadya made it possible for me to do my research. She helped me navigate the bureaucratic-academic complex and obtain the resources I needed—financially, intellectually, and otherwise. I have fond memories of the debates at the Workshop on Labor and Economic Sociology she organized at the University of São Paulo.

Phil sponsored my visit to McGill, which lasted over a year and allowed me to finish my dissertation. I am grateful to him as well as to Manuel and Erik. All of them gave me precious feedback on how to present my work.

I am also grateful to my friends and family. My mother spent over a month taking care of all aspects of practical life while providing much-needed emotional support so I could carry on with my work following a disgraceful basketball accident. The Denis family welcomed me in Austin the day I first landed and supported me throughout the journey.

The research presented below was supported by a grant from the National Science Foundation, the Foundation for Urban and Regional Studies, the Swiss National Science Foundation, and the University of Texas at Austin.

Selling the City: Trade, Planning, and Politics on the Streets of São Paulo

Jacinto Cui, Ph.D.

The University of Texas at Austin, 2017

Supervisor: Javier Auyero

This study examines the political economy of street vending in São Paulo. It casts street vending as a field with its set of norms and its social structure. It analyzes how the boundary between licensed and unlicensed vendors was built over time through major political disruptions. It also examines how the structure of street vending shaped responses to a mass-eviction campaign carried out by the mayor of São Paulo between 2006 and 2012. And it teases out the impact of the World Cup, when unlicensed vendors used “subversive” tactics to take advantage of the event. Finally, this study dissects the attitudes of the Workers’ Party during negotiations with street vendors to reinstate licenses revoked by a previous administration. Overall, this dissertation offers a critique of policy proposals that advocate extending the rights of informal workers without taking into account the systems of unequal social relations in which informal economies are embedded.

Table of Contents

List of Figures	viii
Chapter 1: Introduction	1
A city of traders	7
Street vendors in São Paulo	12
Data collection	15
Chapter 2: The making of social order	19
Inequality as a product of social closure	22
The outcome of reform	24
The History of Licensed Street Vending in São Paulo	26
Expanding Boundaries (1989-1993)	29
The aftermaths	34
Closing remarks	39
Chapter 3: The politics of field destruction	41
Fields, Links, and Street Vending	44
Street markets as fields	45
Informal distinctions	48
Resistance in street vending	49
The Destruction of Street Markets in São Paulo	51
Resisting extinction	53
The judicial battle	57
The politicization of the judiciary field	59
Conclusions	61
Chapter 4: Mrs. FIFA comes to town	68
Markets, the Law, and the Mega-Events Industry	70
Street vendors and mega events	75
The setting	76
Market 1: The beer market in the Fan Fest and its exclusion zone	79

Unlicensed peddling.....	80
Inside the Fan Fest	81
Registered peddling	83
Market 2: Soccer paraphernalia across the city	85
Licensed peddling	86
Unlicensed peddling.....	87
Conclusions	91
Chapter 5: The Party and the peddlers	94
The Setting	96
The participants.....	97
The routine	98
The stakes.....	99
Engaging Pariahs	99
The Negotiations	101
Blatant inaction	101
Futile outrage	105
Conflicts of interest.....	109
The aftermaths	113
Conclusions	115
Conclusion	117
APPENDICES	122
Appendix A : Preliminary Survey Questionnaire	122
Appendix B : Large Survey Questionnaire	123
Appendix C: The Fan Fest Exclusion Zone	131
References	133

List of Figures

Figure 1:	Licensed street vendor's stall.....	14
Figure 2:	The distribution of licensed spots by vendor characteristic on 25 de março and adjacent streets	20
Figure 3:	The political economy of street vending.....	46
Figure 4:	The 25 de Março before and after the deployment of the Military Police	54
Figure 5:	The making and breaking of links across fields.....	63
Figure 6:	Licensed street vendors in downtown São Paulo.....	79
Figure 7:	Unlicensed peddlers at work during the world cup	Error! Bookmark not defined.

Chapter 1: Introduction

Like firms, workers, and products, cities now compete on a global market. Flows of people and money destroy (or regenerate) entire towns. Urban centers must sell themselves: they hold mega-events, cut taxes, build infrastructure, and craft their landscapes. The model of the world-class city that inspires planners from Beijing to Johannesburg combines the stereotypical marks of midtown Manhattan—glimmering glass-and-steel skyscrapers, fashion boutiques, etc.—with the folkloric charm of London pubs or Art Deco subway entrances in Paris. The underlying thread is a quest for clean, safe, welcoming urban spaces.

This trend poses a threat to the survival of the urban poor. The streets are the economic hunting grounds of the unemployed (and the unemployable) who etch out a living as day laborers, peddlers, prostitutes, etc. They create informal economies, that is, economies whose participants routinely violate regulations with the tacit consent of authorities.¹ According to the International Labor Organization, more than two thirds of employment is informal in countries such as India, Bolivia, or Viet Nam (ILO 2013). Despite enjoying a degree of tolerance from the state, workers in the informal economy work off-the-books, without social protection, and without legal recourse in case of abuse by police or competitors. Moreover, they face the continuous threat of authorities enforcing previously neglected norms. And their precarious legal status facilitates large-scale eviction campaigns inspired by urbanistic utopias.

A crackdown on informal workers occupying public spaces is underway in cities across the globe, and the consequences are grim (Bromley 2000, Donovan 2008, Roy

¹ In contrast to the criminal economy, which also roams the streets, the goods and services offered in informal markets are licit, but the conditions in which they are produced or distributed infringe on legal norms (Castells and Portes 1989).

2004). Eric Garner, the Black man killed by police during an arrest gone awry in Staten Island, was selling loose cigarettes on the sidewalk. His death galvanized the Black Lives Matter movement. But thousands of anonymous street workers die every year in the hands of law-enforcement officials, especially in the Global South, where the pursuit of glamorous urban landscapes clashes with the social realities of widespread poverty and limited employment opportunities.

This study takes a close look at one informal economy impacted by the current trends in urbanism: street vending. Street vending is the default occupation for the urban poor trying to make ends meet. It requires very little start-up capital and no formal training. Moreover, peddlers enjoy more independence than domestic workers, construction workers, or even factory employees. Hence, many turn to peddling as a full-time job while others use the trade as a secondary source of income—or a substitute to welfare in times of crisis. At the same time, the pressures faced by peddlers are especially strong. Their presence on the sidewalks not only offends the taste of urban designers and white-collar workers—it threatens the interests of storeowners (and real estate managers) represented by chambers of commerce and local business associations. Their lobbying is a key driver behind eviction campaigns.

But repression is not new, and peddlers are not helpless. Students of street vending have teased out various means of resistance used by hawkers. Unlawful peddlers resort to what Bayat (1997) calls “passive networking,” that is, the exchange of information and mutual help among small groups of vendors who do not necessarily know each other. Hawkers also pay bribes to police officers (Bhowmik 2010). Sometimes they form associations to demand official recognition—or at least tolerance—from authorities (Cross 1998). Organized or not, vendors also preserve their trade with their votes, either by rewarding elected officials who show forbearance or, in more traditional clientelistic

fashion, by campaigning for and helping elect a political patron who looks after their interests when things get tough (Cross 1998; Holland 2014). The constant need to escape or negotiate enforcement suggests that, contrary to popular belief, street vending, like other informal trades, exists in the shadow of the state rather than beyond its reach. But the means of resistance lose effectiveness in the face of large-scale, well-coordinated eviction campaigns (Cross 1998), and the problem of survival arises with more acuteness in this context.

The current scope of repression brings the question of informal workers' rights to the forefront. This question was not central when scholarship on informality flourished in the 1970s after anthropologist Keith Hart coined the term "informal sector" based on research in Ghana (Hart 1973). At the time, the conventional wisdom was that informal labor constituted a residual—if massive—expression of lagging economic development. As poor countries industrialized, petty entrepreneurs and undeclared workers would be absorbed into the corporate manufacturing sector or high-value-added service firms. In the meantime, leading experts advocated assistance to informal workers and entrepreneurs in the form of technical training or micro-credit to ensure informal businesses kept growing—and perhaps, in some cases, transitioned into the formal sector on their own (Tokman 1992). By the late 1980s, however, it became clear that these expectations were flawed. Despite a rate of industrial expansion averaging more than 5 percent in Latin America between 1950 and 1980, the share of the informal workforce decreased only marginally (Castells and Portes 1989). More manufacturing activity also meant increased demand for informal sector inputs, from meals for factory workers to underground seaming and tailoring services.

Because structural change did not happen on the scale needed to absorb the informal labor force—and whatever change took place did not have the expected effect—scholars

began looking for answers elsewhere. By definition, informal economies routinely violate certain legal norms. Hence, relaxing the regulatory framework while legalizing assets held or produced informally is—in theory, at least—another way to incorporate workers into the formal economy. No author in this vein was more influential (and controversial) than Hernando De Soto.

The problem, De Soto (1989) states, is that informal entrepreneurs cannot evolve into fully fledged capitalists because they lack the legal guarantees needed to invest in and expand their business. More specifically, they lack enforceable property rights, not only to their goods and capital—which can be taken away from them anytime by competitors or regulators—but also to other aspects of the conduct business, from work location to long-term contracts, all of which are marked by a fundamental uncertainty. And yet, De Soto notes, informal entrepreneurs choose to remain informal because the costs of compliance with the law are too high in a world dominated by an overreaching bureaucratic state. A core tenet of De Soto's proposal consists of formalizing the *de facto* ownership of assets by granting property titles to squatters, peddlers, and other informal asset holders, thereby enabling their participation in a predictable, dynamic, and therefore more efficient market.

De Soto's stance is pregnant with an ideological devotion to free-market economics. Like all market utopians, De Soto forgets or refuses to see that transactions are embedded in networks of unequal social relations. Most institutionalists who, like De Soto, emphasize property rights, recognize at the same time that the rules of the game are shaped by a contentious political economy where vested interests oppose or manipulate the extension of such rights (Carruthers 1999; North 1990). In fact, policy experiments inspired by De Soto have been derailed by groups who control (or influence) the titling process, either inside or outside government, and use their position to their own advantage. In other

words, informality is not an individual problem facing abstract, maximizing entrepreneurs; it is a system of social relations that can best be understood as a social field.

A field is a structured arena of contention over resources (Fligstein and McAdam 2012). Virtually any sphere of social action where a specific type of goods is in contention can be treated as a field from an analytic standpoint, even though Pierre Bourdieu, the intellectual father of field theory, used the concept more restrictively, referring to large, institutionalized, and widely recognized sectors of social life such as the political field, the economic field, or the literary field (e.g., Bourdieu 1984, 1990). In this study, the field under scrutiny is the field of street vending, where agents compete to maximize sales on public spaces.

All fields have a history and a resulting structure. The structure is at once socially defined in terms of bounded groups with unequal access to resources and institutionally sustained by the norms, formal and informal, that regulate the field.² The institutional framework of the field tends to favor the interests of groups at the top of its social structure, either explicitly, by allocating resources unevenly across groups or classes, or implicitly, by making resources available evenly without regard to underlying disparities of access (Bourdieu and Passeron 1979).

The illusion that altering the institutional framework will reshape the social structure in the ways intended by reformers has long been debunked in the social sciences. As institutionalist have shown, institutional change is path-dependent, both in its making (what rules are adopted) and its impact (what new rules do). It follows that, contrary to De Soto's fantasy, a formalizing spirit cannot descend on the streets of Bangkok or Harare and deliver to each vendor a bundle of enforceable rights, which they will exercise in neutral

² For the sake of analytic clarity, we focus in what follows on the "codified rules of the game" (Pierson 2004), that is, on formal norms.

fashion, without creating trouble in the local political game. On the other hand, any attempt to extend these rights by a bureaucratic agent embedded in the field or by an outsider unfamiliar with it will lead to outcomes far removed from the original project. This is especially true of an informal field where, by definition, norms are never applied to the letter. Understanding the impact of repressive (and protective) policy interventions therefore requires teasing out the structure of the field under study—its origins, its rules, its hierarchies.

This study takes on the task by focusing on the short- and long-term consequences of licensing among peddlers in Brazil's economic capital, São Paulo. In street vending, licensing is an institutional mechanism of stratification. It shapes the rights, income levels, enforcement expectations, and work routines of vendors. License holders can own fixed-spot stalls whereas unlicensed vendors must be constantly on the move, ready to run from police officers to avoid confiscation. Although street vending permits are found in most cities, in some places they amount to little more than a piece of paper while in others, like the one studied here, they carry some legal weight. Even then, however, licensed vendors are considered informal because they routinely violate other norms—concerning rules such as the volume or type of merchandise they offer—with the tacit consent of authorities.

Licensing is not, of course, the only factor structuring the street vending field, but it is the most relevant when it comes to understanding the potential of state action. Moreover, even though both licensed and unlicensed peddlers are at risk of eviction in the current urban policy environment, the strategies used by peddlers to survive—and, when possible, increase their gains—vary sharply by status.³

³ In fairness to De Soto, he also considers street vending licenses, but criticizes them for not granting definitive rights. The criticism is well-founded. However, it is impossible to assess the potential of any alternative policy without considering first the structural legacy of licenses, as the analysis below shows.

The next section lays out the historical context. It describes São Paulo's rise to financial, industrial, and commercial capital of Brazil, as well as the evolution of street trade in the city. The following section offers an overview of street vending in contemporary São Paulo. It is followed by a description of data collection strategies. Chapter 2 retraces the history of licensed street vending. It shows how the criteria initially used to allocate licenses empowered a specific group, the disabled, who subsequently shaped licensing regulations in the long run. Against this background, Chapter 3 discusses the impacts of and responses to a recent mass-eviction campaign, focusing on the access to courts for people with limited rights. Chapter 4 examines the impact of the World Cup, when the structural logic of the field was partially subverted. Chapter 5 dissects the negotiations between the street vendors and the Workers' Party to restore licenses revoked under the previous administration. A final chapter draws some conclusions for the study of informality and the survival prospects of the urban poor.

A CITY OF TRADERS

In the early XIX century São Paulo was a forlorn country town of less than 20,000 whose isolated economy revolved around agricultural production in the surrounding area. Sitting on a hilltop flanked by two rivers, the town was a cluster of rammed-earth houses that were compact, dark, and frugal (Morse 1974: 35). In 1820, São Paulo counted roughly 20 stores. Its dust streets were mostly empty, save for the scattered vendors described by Richard Morse, among whom the first signs of specialization and spatial segregation appeared:

Perishables might be sold through the streets on the trays of Black women or on countrymen's mules that came from nearby and from outlying nuclei. Or they might be found piled along the *Rua da Quitanda* in front of squatting Negresses. Nonperishables were sold in dark, smoky stalls along the *Rua das Casinhas*. (Morse 1974: 27)

The Black women were usually slaves owned by ladies of the local gentry who sought a source of income independent from their husbands—or emancipated slaves working own-account (Borrego 2010).

By mid-century, São Paulo's population was still less than 25,000, but change was brewing. World demand for coffee was expanding rapidly, and Brazil already produced more than half of global supply. Traditional coffee-producing regions, however, faced the limits imposed by topology, the erosion of soils, and economic institutions. Along the banks of the Paraíba River, plantations whose output transitioned via Rio de Janeiro—then the federal capital—were dependent on slave labor since colonial times, before the British-imposed maritime ban on slave trade. By contrast, the São Paulo hinterland offered thousands of hectares of fertile land, and the timing of the coffee boom, which succeeded the ban, incentivized the—more expandable—use of wage labor (Dean [1969] 2014). A shortage of hands coupled with the Europhile attitudes of local elites encouraged the import of workers, especially Italians, through government-sponsored programs. Thousands more came of their own initiative.

In 1867, a railway starting from the port city of Santos and running through São Paulo was finalized. As the rail network expanded across the state, the city of São Paulo became a hub where coffee stocks were centralized prior to their shipment to Santos. As such, São Paulo attracted capital, people, and trade. Enriched plantation owners abandoned their rustic lifestyles and moved to the city, reshaping its landscape. Boutiques with colored awnings modeled after imagery of Paris flourished in the city center, offering European delicacies delivered by train to the incipient bourgeoisie. As successive waves of immigrants from Portugal, Germany, Italy, the Near East, and Japan settled in, the bulging local wealth and weak interregional linkages spurred an incipient industrialization centered on consumer goods (Dean 2014; Morse 1974).

The year 1867 also marked the completion of the first enclosed municipal market, which dealt mostly in groceries. In 1890, another marketplace was built, offering local authorities the impetus to evict the stalls of the *Rua das Casinhas*, which had faced strong opposition from the City Council. But other forms of unofficial trade developed nonetheless. For Italian immigrants seeking an alternative to poorly paid plantation labor, trade was a means of social mobility. “Laden with cheap staples and gimcracks of the city (or, if more prosperous, leading a mule or two), the peddler made his rounds of the *fazendas* [large estates in the countryside], selling and bartering” (Morse 1974: 175). Others practiced door-to-door retailing, carrying brooms, soap, and the like. In fact, the Portuguese word for street vendor (i.e., *ambulante*) comes from the Latin *ambulātōri-us*, which means “of or pertaining to a walker”.⁴ It applies mostly to itinerant hawkers, but also to door-to-door vendors, and, by extension, to any precarious vendor on public spaces, whether or not he perambulates. As with many street vendors in the present, the main aspiration of the Italian peddler in the XIX century was to build enough capital to set up his store.

Italians, however, were displaced another immigrant group hailing from Syria (which at the time encompassed present-day Lebanon) that left an imprint on the commercial landscape of the city. Usually referred to as “Syrian-Lebanese” in the literature, this group is also known in folk parlance as “Turks” because Syria was at the time under Ottoman occupation and its denizens travelled with Ottoman passports. The Syrian-Lebanese specialized in textiles and related goods such as haberdashery. Some families made colossal fortunes and came to be known as “the patricians.” As their wealth grew, they set up shop, especially along a downtown street called 25 de Março—now the main commercial street in São Paulo—where much of my fieldwork took place.

⁴ See “ambulatory, adj.” OED Online. Oxford University Press, September 2016. Web. 20 November 2016.

Descriptions of their influence on the physiognomy of the area point to the bazaar-like appearance of store fronts along with the exotic foods and languages that pervaded the street (Truzzi 1992). Orientalism aside, the Syrian-Lebanese also brought, according to Truzzi (1992), new commercial practices still observable among fixed-spot peddlers in the area, such as trade credit, and created a vast network of salesmen based on kin.⁵

The growth spell that propelled São Paulo to the status of Latin America's industrial powerhouse—the “Chicago of South America”—occurred in the aftermaths of World War II. It was accompanied by massive internal migration, especially from the *Nordeste*, a draught-stricken land with a majority of Afro-Brazilian descendants. In the mid-1950s, São Paulo was the fastest growing city in the world. Between 1950 and 1980, the population of the metropolitan area grew by an annual average rate of 5.3 percent (Townroe 1983). Migrants were drawn to manufacturing as well as construction and domestic services. They were also poorly paid. As many as 93 percent of migrants working in personal services—that is, mostly domestic workers—in 1970 were paid below the minimum wage (Schaefer 1976: 58). For teenage girls consigned as maids, nannies, or cooks in family homes (*casas de família*), street trade was a way out at their coming of age.

At the same time, the economic structure of the city evolved. Between 1960 and 1970, the rate of population growth (7%) outstripped the rate of job creation (5.4%) in metropolitan São Paulo. By 1970, the manufacturing sector accounted for 47 percent of the city's total output, down from 53 percent in 1950. By the end of the decade, the city had 8.1 million inhabitants, more than half of whom were not born in São Paulo, and firms began to experience diseconomies of agglomeration. Congestion, taxes, land costs, and

⁵ Another term, more common than “*ambulante*,” was used for these traveling merchants and also came to designate street vendors. It is the word “*mascate*,” which comes from the name of Muscat, a city in Oman and an important trading port between the East and the West.

organized labor stimulated a gradual relocation of manufacturing concerns, first to the outskirts, then to smaller towns in the state of São Paulo.

In contrast to former industrial centers turned rust belt icons in the U.S., deindustrializing São Paulo did not become a ghost town, however. As the capital of its namesake state, the city of São Paulo hosted a vast number of government offices, especially in the downtown area, with well-paid civil servants. Besides, other forms of economic activity filled the void. Between 1950 and 1970, while the share of industrial activity in the urban economy declined, the share of commerce (of merchandise, real estate, stocks, etc.) rose from 20 percent to 26 percent (Townroe 1983: 21). Indeed, São Paulo is a commercial hub where retailers from across Brazil procure their merchandise. The city also forms a financial center hosting South America's largest stock exchange, the BOVESPA, as well as large-scale banking institutions and high-end service firms. The powerful *paulista* business elites are a key force behind efforts to revitalize downtown and—especially in the case of storeowners' associations—evict peddlers.

The urban geography of trade is not uniform, however. Historically, the downtown district of Sé, where 25 de Março is located, has been the commercial heart of São Paulo. In the early 2000s, the rising income of working-class households in the eastern outskirts of the city (*zona leste*) coupled with infrastructural development led to a decentralization of retailing. The peripheral district of São Miguel Paulista, for example, has a vibrant commercial street and street market. Other neighborhoods closer to downtown, such as Brás, also boast high volumes of street-level commerce. But downtown retains, to this day, a key role in the city's distribution system. The 25 de Março—where Middle-Eastern patricians still own stores they have parceled out and rent to Korean or Chinese merchants who trade in smuggled goods—attracts over a million customers on big business days. According to Rezkalla Tuma (2003, 153), in 2003 the street had 300 street-level stores and

almost three thousand shops counting indoor units. Since the late 1990s, trade has been shifting from wholesale to retailing, but wholesale is still practiced on a significant scale, and the total value of sales in 2003 was estimated between 100 to 120 million reais per month. The local storeowners' association placed the annual sales figure at 17 billion reais in 2013. It is the most expensive square feet in São Paulo.

STREET VENDORS IN SÃO PAULO

These economic developments, along with the political events described in more detail below, shaped the street vending economy. In times of economic crisis such as the “lost decade” of the 1980s, structural pressures for alternative income-making options intensified. The transition to democracy in the late 1980s, which reduced state capacity and disposition for repression, allowed those pressures to express themselves in, among other ways, a mass of street peddlers (see Chapter 2). Later, when repression increased, peddlers took refuge inside the warehouses left behind by relocating industrial concerns, which became underground shopping malls beyond the purview of authorities.

Through these years, the size of the street vending population fluctuated. As with all things informal, the number of street vendors is difficult to estimate. Peddlers are a marginal group not always covered by household surveys. They are also less likely to report street vending as their occupation if they engage in it part-time or intermittently. These issues notwithstanding, recent estimates place their number between 100,000 and 158,000 (CGGDDH 2012, Pamplona 2013). According to Pamplona (2013), two thirds of them are male, almost half did not complete elementary school (versus one fourth of the workforce), and about 40 percent were born in the *Nordeste*. The historical prevalence of *Nordestinos* and their offspring in the trade has fueled negative stereotypes among local elites who see peddlers as dark-skinned intruders. Following Brazil's economic boom in the early 2000s

and the influx of international migrants, a substantial number of street vendors also come from Africa and Latin America. They are seen as intruders by their Brazilian counterparts.

Peddlers sell anything from bags, plastic jewels, and clothing items to cheap electronics, hardware, and packaged foods. They carry these items in backpacks, tarps, or plastic bags. Loose specialization patterns are observable. Africans sell headphones as well as wristwatches and inexpensive jewelry that they carry in suitcases while Peruvians and Bolivians specialize in garment. The vast majority of peddlers are unlicensed. As a result, they work on the move, constantly shifting sidewalks, streets, and street corners to elude law-enforcement agents. They are spread across the city but tend to concentrate in bustling commercial areas, and sometimes form small collaborative networks at specific locations to avoid confiscations.

Where policing is less intense, vendors sometimes set up improvised stalls made of cardboards or metal grates, or push wheelbarrows with fruit, popcorn, and other foodstuffs.⁶ When they are caught by the police, hawkers must surrender their wares without resistance. The confiscated merchandise and equipment are normally registered by an inspector (*fiscal*), and peddlers receive a ticket that allows them to retrieve their wares after paying a fine—which is seldom worth it. They face no criminal charges.

A small fraction of street vendors are legally entitled to work. In 2004, before an elimination campaign that lasted several years, roughly 5,500 street vendors had a license. In May 2012, then-mayor Gilberto Kassab revoked all standing licenses, triggering a lawsuit that led to a court order by virtue of which about 1,500 licensed vendors were allowed to go back to work (see Chapter 3 for details). The court order was still in force—pending a final judgement—at the end of my fieldwork in August 2014.

⁶ A municipal bill legalizing the street trade of non-packaged foods was adopted after the World Cup.

Licensed street vendors have roofed stalls of roughly 1 by 1.5 meters, set up at fixed spots designated by the city on the license. Most licensed spots are clustered on squares or along a thoroughfare, but some isolated stalls can also be found in different parts of the city. Some stalls have wheels and can be stored away at night. Licensed vendors with disabilities, which make up a sizeable portion of the licensed street vendors population (see Chapter 2), are allowed to have one or two registered aids working at their stall. Albeit illegal, some license holders lease their stall to other vendors, sometimes registered as aids, and obtain a rent. There is also a number of stalls with fake—or “cold”—licenses. Licensed vendors are represented by a union, the Union of the Licensed (hereafter the Union), an association of disabled vendors (hereafter DVA), and other district-based associations.⁷



Figure 1: Licensed street vendor's stall

⁷ Most names are fictitious.

DATA COLLECTION

Fieldwork took place over the course of four research trips to Brazil, including two preliminary summer field trips, a year-long research stay between August 2013 and August 2014, and a one-month follow-up trip in June 2015. On the first trip I visited São Paulo along with three other cities. Subsequent fieldwork centered on São Paulo alone.

My main entry point was an NGO—the Center for Informal Workers (CIW)—that specialized in human rights writ large, especially access to housing, and was working with street vendors thanks to a project grant from foreign donors. An employee in charge of the project, which included organizing fortnightly meetings with peddlers, invited me to their forum, the Street Vendors’ Assembly (hereafter the Assembly). The NGO had been involved in a lawsuit against the city following a mass-eviction campaign shortly before my first arrival to São Paulo. Its success at obtaining a court order to protect licensed peddlers increased attendance at the Assembly meetings, which reached 30 or 40 on some days, even though turnout subsequently dwindled as the judicial process dragged on.

At the Assembly gatherings I met leaders of street vendors’ associations, city officials, other NGO workers, and an array of licensed and unlicensed street vendors. After each encounter I requested contact information or set up an interview at the person’s office or stall. Subjects were usually friendly and well-disposed. Their favorable attitudes stemmed in part from my being introduced by the aforementioned NGO employee, Helena, whom most attendants perceived as a benefactor. However, it was also at these meetings that I established contact with the leaders of the Union and the DVA, who saw the NGO as a rival.

I expanded my sample beyond Assembly attendees by asking for referrals from each person I met with. Interviewees also offered to take me to events such as political rallies, policy meetings, or demonstrations, where I met new informants. Aside from the

Assembly meetings, which I attended regularly over the course of my entire year on the field, I went to 15 policy meetings between city officials and representatives of street vendors, 6 meetings of street vendors associations, and 3 demonstrations.

More than once I contacted informants directly, without referral, by approaching them at events or in the streets, visiting their office, or sending an email. I introduced myself as a researcher from a university in the U.S. doing research on street trade. In total, I interviewed 10 high- and mid-ranking city officials, 9 leaders of street vendors associations, 6 NGO workers (three of whom were lawyers), 4 police officers of various ranks, 3 current or former city councilmen as well as 3 aides, 2 leaders of storeowners associations, 2 storeowners, 2 lawyers, and a judge. Several interviewees played key roles in the processes considered below, so the size of the sample does not fully reflect the value of the data. Whenever possible, interviews were tape-recorded.

In addition, I interviewed around 70 street vendors and a collaborator, with whom I shared part of the data, interviewed another 15 vendors or so. In some cases, these were standard interviews that lasted between 10 minutes and several hours. In other cases, interviews took the form of conversations in which I inquired about issues of interest to my research. Interviews took place at the vendor's stall, at a bar or restaurant, or in a house—the subject's or mine. I took notes either during or after the interview, on the same day, depending on the subject's preference. Except for 34 street vendors interviewed towards the end of fieldwork, subjects did not receive compensation.

I developed personal ties with several street vendors who brought me to their church, took me out for lunch, invited me to their homes, or came to mine. I also visited repeatedly the stalls of several vendors—even when I did not develop a personal relationship beyond their workplace. In total, I spent over 500 hours in the streets, mostly in the downtown area, chatting with vendors and observing them. The data thus collected

are used as context rather than evidence—except for Chapter 5, where I describe in detail the on-the-ground practices of peddlers. Even so, the time spent on the streets enabled me to build rapport and thus obtain deeper insights during the interviews.

In addition, I examined an array of official and personal documents. These documents include pictures, newspaper articles, legal texts, handouts, letters, and so on. They also include the text (and attachments) of the lawsuit filed against the city. Though it is difficult to provide an exact figure, I examined around 300 documents. With the exception of municipal legislation on street vending with regard to which I gathered and reviewed 180 files (including bill, hearings, vote tallies, author justification, etc.) in the digitalized archives of the City Council, the search for documents was not based on a forethought plan but, rather, on finds and offers made during fieldwork. The analysis of documents relied on careful reading and interpretation, sometimes informed by inquiries with the people concerned, but did not involve software or special coding methods.

The final months of fieldwork coincided with the World Cup. To assess its impact on the street vending economy and capture the responses used by peddlers, I built on the data collection strategies described above and gathered, in addition, original survey data. In the run-up to the event, I interviewed state officials (including World Cup organizers), attended informational and policymaking meetings, conducted ethnographic observation of street vendors, inquired about their plans, hopes, and fears for the World Cup, and collected documentary material, including a list of legally authorized downtown vendors and World Cup manuals and legislation. One month before kick-off, I conducted a small, nonrandom survey of licensed and unlicensed vendors at three strategic locations. The questionnaire has been included as Appendix A.

During the World Cup, I visited the Fan Fest (i.e., the official broadcasting site) on major game days and conducted walking surveys of its “exclusion zone”—that is, the area

of commercial restriction (ACR) surrounding the site—and recorded my observations and insights from conversations with street vendors on the same day. The other days, I carried out fieldwork at various sites, especially 25 de Março and the subway station by the stadium.

With the help of a collaborator, I conducted a more extensive survey of legally authorized street vendors in the immediate aftermaths of the event. In total, we approached 761 vendors and obtained responses from 241 subjects. Though the sample was nonrandom, it covered roughly half the population (counting nonrespondents) in three districts—i.e., Sé, Lapa, and São Miguel Paulista—roughly representing the range of demographic characteristics across districts with licensed vendors.

In the downtown district of Sé, which contained almost one third of the estimated 1,500 licensed street vendors population, a list of each license holder with the address of her stall was publicly available on the city's website. We conducted a census-type survey of the district based on that document. We also contacted all other districts, a majority of which informed us that they had no licensed vendors or no record available. However, employees in the district of Lapa agreed to provide their list and an employee in São Miguel Paulista confirmed that all licensed vendors had their stalls along one single street known as the *calçada*. We conducted a survey of those districts as well. Given the limitations of the data, I use the results descriptively in conjunction with qualitative data. The survey questionnaire is included as Appendix B. Finally, my collaborator and I interviewed 34 unlicensed street vendors after the tournament in semi-structured interviews aimed at obtaining a better picture of their income-making strategies during the event. These interviewees were compensated 25 reais (\$11 USD).

Chapter 2: The making of social order

In street vending, a license is an institutional source of inequality. To hold a license is to comply with a legal norm and, consequently, to belong to the distinct institutional category of “license holder” (*permissionário*). As noted earlier, peddlers in this category set up stalls at fixed locations, from which they can only be removed through an administrative procedure of revocation or relocation. Aside from granting holders the privilege of stability and, thereby, enhancing their profit margins, a license offers a set of psychological rewards such as comfort and tranquility in the conduct of business as well as a very relative but genuinely experienced amount of prestige. License-holders and state authorities commonly refer to unlicensed peddlers as “the irregulars,” “the clandestine,” or “the illegals.” The latter are always at risk of confiscation, which often wipes out their stock, they endure continuous psychological pressure, and they are unable to carry valuable goods or accumulate merchandise. In normal times, therefore, a license shields its holder from the material requirements of economic survival.

Licenses are issued by district administrators based on guidelines (and sometimes quotas) defined by a central office. Applicants need to comply with a range of residential, health, and seniority requisites—and sometimes have personal connections or pay a bribe—in order to obtain a license. Since the mid-2000s, the city has frozen the issuing of new licenses. And in May 2012, all standing licenses were revoked by the mayor. At the time, the district of Sé, where commercial activity is concentrated, had only 116 licensed street vendors left. Of these 116 street vendors, 94% were classified as disabled. At the end of my fieldwork, in August 2014, the number of licensed street vendors authorized to work in the district had gone up to 479 thanks to an interim court order that stayed the execution of the ban. Of these 479 peddlers, 66% were either disabled or elderly. According to the

latest census, only 34 percent of the city’s population fall within either or both of these categories.

A closer look at the within-district distribution of licensed locations or pitches—known as “*pontos*” (i.e., spots) in Portuguese—confirms the relative advantage enjoyed by disabled vendors. By all accounts, big business downtown is concentrated in the street 25 de Março—the “sweetheart of all peddlers,” as one of them called it. Around 95% of the licensed spots on this street are occupied by disabled and elderly peddlers.

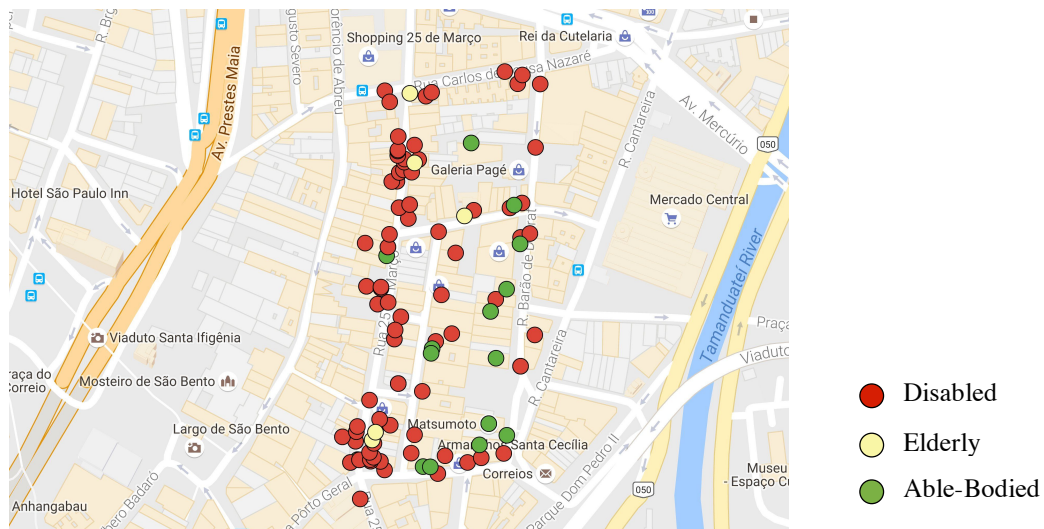


Figure 2: The distribution of licensed spots by vendor characteristic on 25 de março and adjacent streets

As a bonus perk enjoyed by disabled and elderly street vendors in the district of Sé and in this district alone, they are allowed to leave their stalls by 1pm while letting their assistants look after the business.

Brazil only made real progress in the protection of disability rights—especially labor market rights—during the last decade or so, and street vending is not an area where one would expect these rights to be advanced. In São Paulo, however, a municipal

ordinance from 1991 reserves two thirds of street vending licenses to the disabled and the elderly (priority is given to the former). In fact, the granting of preferential rights to the disabled and the elderly dates back to the 1950s, before a military dictatorship that lasted twenty years (1964-1985) and before a self-proclaimed revolutionary city administration that, in the words of a former administrator, “freed the streets for everyone.”⁸ How did a disadvantaged group like the disabled and the elderly retain its edge in street vending for several decades despite dramatic regime and policy changes?

This chapter combines the concept of social closure with historical institutionalism to account for this peculiar development. Social closure refers broadly to the endowment of a specific group with an exclusive right to access or control certain goods (Weber 1978). In 1960, the disabled received the exclusive right to a street vending license downtown. I argue that the stability brought about by the military dictatorship (1964-1985) ensured the path-dependent, self-reinforcing evolution of social closure. The privileged access to the benefits of licensed peddling in the downtown area thus evolved into a decades-long monopoly. And, during this time, the disabled and the elderly were able to accumulate intangible assets on top of the official rewards to which they were formally entitled—that is, the licenses.

When the rules of the game were rewritten in the wake of Brazil’s transition to democracy and, as a result, the able-bodied gained access to licensed peddling downtown, the disabled and elderly peddlers mobilized their intangible assets to ensure that certain old norms were transferred and others were redrawn in accordance with their interests. The result was a partial opening that preserved their relative advantage. Finally, when the category of licensed street vendor was abolished during an aggressive campaign to

⁸ Author interview in São Paulo, Feb. 2014.

eliminate street trade, disabled and elderly peddlers mobilized similar assets to stall the enforcement of adverse measures.

INEQUALITY AS A PRODUCT OF SOCIAL CLOSURE

Structural theories of inequality emphasize unequal access to resources among bounded groups or classes. While the Marxist scholarship focuses on exploitation, which entails the appropriation of resources inherent to the labor of others (Wright 1997), the Weberian approach revolves around the concept of “social closure.” In this view, members of privileged groups capture a disproportionate amount of societal wealth because they bar others from opportunities to produce and/or obtain certain resources (Collins 1979, Murphy 1984, Roscigno et al. 2007). In economic terms, the privileged access to resources achieved through social closure generates a rent, that is, a level of revenue above expected revenue under conditions of perfect (market) competition (Sørensen 2000, Weeden 2002).

As conceptualized by Weber (1978: 43-6, 339-48), social closure has two mutually reinforcing dimensions. These can be analytically distinguished as symbolic and institutional closure. To legitimize (and thus secure) their socioeconomic prerogatives, elites and other privileged groups make claims to a distinctive symbolic status. The concept of “aristocracy” epitomizes such assertion of a difference of essence hinged on virtue and blood. Such symbolic construction is facilitated, moreover, by the presence of widely recognized physical and/or phenotypical differences between groups—e.g., sexual or racial differences. However, because the boundaries thus asserted are neither clear-cut nor definitive, they require “work” and “maintenance” to be sustained over time (Lamont and Fournier 1992). In fact, stabilizing these boundaries—that is, transforming symbolic boundaries into social boundaries (Lamont and Molnár 2002)—is a foremost concern of the privileged groups, and various mechanisms are employed to this end (Bail 2008; Wen

2005). Much of the recent literature on symbolic boundaries has focused on cognitive and discursive mechanisms of symbolic closure such as stereotyping and stigmatization. In doing so, however, this literature has moved away from the institutional mechanisms of closure epitomized in Weber's emphasis on the *legal* monopolization of economic opportunities.

Yet institutional barriers erected by legal and other institutional norms offer additional safeguards on the holdings of privileged groups. In effect, legal norms define sets of ranked institutional categories (e.g., citizen, resident, visitor, and illegal immigrant) and stipulate the conditions of access to, as well as the rights and obligations associated with membership in, each of these categories. As such, the institutional framework regulates the allocation of resources and constitutes a key dimension of the stratification system. As Tilly (1998) points out, moreover, the matching of unequally endowed institutional categories with symbolically defined social categories is a key mechanism in the production of durable inequality. The pervasive effects of such "matching" on long-term intergroup inequality are observable, for example, in the experience and aftermaths of apartheid South Africa or the Jim Crow South. In Weberian terms, the matching of symbolically defined social groups with institutional categories is a way of formalizing closure.

Yet neither Weber, nor Tilly, nor neo-Weberian scholars committed to closure theory have paid much attention to the impacts of changes in the institutional framework enacting closure. While suggesting that "organizational innovations" are an effective way to combat durable inequality, Tilly (1998: 36) falls silent on the mechanics of such innovations and the unfolding of their effects on the distribution of resources. On the other hand, scholars like Parkin (1974) and Murphy (1988) posit closure as a sociological given whose institutional forms (e.g., estates, credentialism, etc.) vary according to the economic

system in place. Yet the process of transformation remains unexamined, along with its potential redistributive effects.

By contrast, the over-time allocative effects of institutions and institutional change is a foremost concern of the new institutionalist literature, especially (but not only) in its historical variant. The “codified rules of the game,” as Pierson (2004) puts it, define property rights and thus allocate resources (North 1990). Moreover, institutional norms are self-reinforcing by virtue of an array of mechanisms including increasing returns, irretrievable investments, cognitive sunk costs, and so on (Mahoney 2000, Pierson 2004, Thelen and Steinmo 1992). It follows that a social group embedded in a privileged institutional category will see its advantages increase or at least consolidate over time in the absence of exogenous shocks or internal disruptions. Alongside the material rewards provided by the institutional framework, the cumulative nature of privilege implies that other, less tangible resources will flow (Bourdieu 1984). These include nonmaterial forms of capital such as social networks, political influence, information, and so on. And the stability of institutionalized privilege also pays symbolic dividends: it reaffirms the belief among insiders (and outsiders) that things are the way they should be or could not be otherwise.

The outcome of reform

This chapter seeks to explain the distributive outcome of reforms that put an end to social closure. More specifically, it seeks to understand why redistribution in such instances is partial at best. By definition, reforms are top-down modifications of formal norms undertaken by power-wielding agents. As such, reforms have the potential “open up” a group theretofore protected by closure. Two types of reforms, in particular, threaten the holdings of privileged groups: (1) reforms that relax conditions of access to privileged

institutional categories (e.g., the marketization of nobility titles), and (2) reforms that abolish privileged institutional categories (e.g., the instauration of a republic of citizens). The empirical analysis below focuses on the former, embodied in the “revolutionary” administration (1989-1993) that extended license rights to new constituencies. However, subsequent developments, which account for the continued dominance exercised by the disabled and elderly after the street vending ban and judicial process are also considered.

As institutionalists point out, reforms are only effective if they occur during critical junctures, that is, moments of increased uncertainty usually brought about by exogenous shocks (Capoccia and Kelemen 2007, Mahoney 2000). The outcome of critical junctures is by definition not predictable. Even then, however, contingency is not total. While some structural constraints are relaxed, others are not. And the remaining constraints limit the options available for reform and restrict the scope of change (Hacker 1998). It would therefore be misleading to depict path dependence as a matter of pure institutional inertia. In fact, the stickiness of previous arrangements during reform periods is often obtained through the efforts of power-holders with a vested interest in the status quo. Veto players who have the legal or practical ability to disrupt or shape the reform process (e.g., unions) are likely to exercise their power if the changes do not favor them (Immergut 1992).

This chapter builds on the above scholarship and supports the thesis of continuity. I argue that opening processes—when the laws enforcing closure are reformed—are moments of active opportunity hoarding through a struggle for the definition of the institutional framework (Thelen and Steinmo 1992). That struggle, however, is biased in favor of formerly privileged groups who accumulate “soft assets”—including symbolic, political, and informational capital—during stable times. They then rely on these assets to secure advantageous institutional outcomes as well as, by implication, high material returns. This process can be described as the construction of the legacy. Finally, when

privileged actors lose control over the redefinition of institutional norms, soft assets can also be used to stall enforcement.

THE HISTORY OF LICENSED STREET VENDING IN SÃO PAULO

Upon his inauguration as mayor of São Paulo in 1953, Jânio Quadros set out to regulate street vending following a period of relative neglect (Bertolli 1989). Quadros's initiative was at least partially motivated by pressures from storeowners, who have traditionally regarded peddlers as disloyal competitors and an urban nuisance (Bromley 2000). During his first year in office, Quadros issued six Municipal Decrees (MD) on street vending. The first of these decrees, MD 2201, banned street vending from the downtown area, the commercial heart of São Paulo. By the same token, MD 2201 established the rules for the allocation of spots beyond the central region. The disabled were given preference, followed by the elderly, "those with a large offspring," married people, and finally bachelors staying with host families. Yet any adult person had the right to apply for a spot. Probably in response to supply problems resulting from the downtown ban, subsequent decrees created exceptions, first for sellers of lottery tickets, then for mobile fruit vendors (Bertolli 1989). A later municipal decree subdivided the city into sectors (some of which impinged on the foreclosed downtown area) and established a system of rotation among licensed vendors, limiting the occupation of each spot to two weeks in an effort to spread the benefits of centrality more evenly. The last of the six decrees exempted the disabled and the elderly from the rotation system, thus guaranteeing them a stable hold on their spots. Albeit real, the advantages thus achieved by the disabled and the elderly were relative insofar as other social groups could also hold a license and/or trade downtown. Moreover, they were precarious: MDs are lower-order regulatory instruments that can be

easily overturned by other MDs at the discretion of subsequent mayors or overridden by Municipal Laws (ML, *Lei Municipal*).

In fact, under Quadros's successor, pressures from storeowners against street vendors intensified. Using their political influence inside the city council – which, in Brazil, has legislative powers – storeowners' associations pushed for a ban on street vending for *all* social groups. Although the bill did not delimit a specific area, it targeted mostly the downtown area and was approved by the council in 1957. That same year, however, the city council passed a new Municipal Law (ML 5440) which was put forth by the mayor himself. Claiming it would be “inhumane” and “contrary to Christian values” to remove the disabled and the elderly from the downtown spots which they already occupied, the bill called for an exception for these groups while granting them tax exemptions. Given the precedence of MLs over MDs, this law became the overarching norm for policymaking in street vending for more than three decades thereafter.

In 1964, a military *coup* placed Brazil under a military dictatorship. Draconian law-and-order legislation was adopted across the country restricting freedom of movement and outlawing the “unproductive” occupation of public spaces as “loafing” (*vadiagem*). In state capital cities like São Paulo, the mayors were appointed by the military regime itself. Policy towards street vending followed a top-down logic, alternating between the cancelation of all licenses and efforts at sharpening and tightening regulations. On the whole, however, the framework established by ML 5440 prevailed, guaranteeing a monopoly over licensed peddling to disabled and elderly street vendors located in the downtown area. Although licenses had to be periodically renewed, another MD (MD 14396) dating from 1977 introduced a *seniority rule* by which street vendors with the most time on the streets had priority in the selection of their spot during renewals.

The rights granted to the disabled and the elderly led to their organizing into an association, the ABRADEF, which later branched out into another association, the UNADEF. When a working group was established by mayor Mario Covas in 1983 with the task of designing a lasting policy for street vendors, representatives of disabled and elderly peddlers were invited to the table. Not surprisingly, the decrees that came out of the working group reserved fixed spots in the central district to “seriously disabled” street vendors while authorizing spots beyond that area for other disabled and elderly peddlers. The able-bodied were only allowed to circulate in the outskirts with so-called “human-propelled carts.” Despite a continued tug-of-war between the city and the peddlers, this arrangement held under the second administration of Janio Quadros, between 1986 and 1989, following Brazil’s return to democratic rule in 1985.

On the whole, the 35-year-long period that began with Quadros’s first mayoral administration before the 1964 *coup* and ended with his second administration after the return to democracy was not unusual in the oscillation between repression and concession that characterizes policy toward street vending across the Global South (Bromley 2000, Cross 1998). Two interacting factors, however, made it a defining period in the structuring of the field. First, this period opened with a concession of special rights to specific social groups, thus setting a policy precedent and incentivizing the organizing of these groups. Second, almost two thirds of that period unfolded under a repressive military regime. As a result, during all those years, the political system was impervious to potential demands by other constituencies, especially the able-bodied, who were compelled to work in the outskirts of the city or in the shadows, running from law-enforcement. This situation was to change dramatically following the election of Luiza Erundina, the Workers’ Party candidate for mayor of São Paulo, in 1988.

Expanding Boundaries (1989-1993)

As a national industrial hub, the city of São Paulo has received a massive inflow of rural migrants from the poor, predominantly Black northeastern region of Brazil known as the *Nordeste*. For long, street vending was a niche for *nordestinos* who could not find or gave up on factory work. As predominantly dark-skinned outsiders in a marginal trade, these migrants faced hostility from the notoriously conservative local elites. In this context, the unexpected coming to power of Erundina, a social worker from the Northeast belonging to the leftist Workers' Party (PT), gave rise to two diverging interpretations among the public.⁹ For the socioeconomic elites, it meant chaos. For the working classes, especially for those who had migrated from the Northeast, it meant freedom. And so, in a climate of nationwide expansion of civil liberties coupled with high unemployment rates and economic depression, the streets “exploded” with peddlers.

As recounted by Aldaiza Sposati, the top public official in charge of street vending policy at the time, the PT leadership was worried about potential attempts by conservative sectors to sabotage the government and brand it as incompetent. The two strategic areas where a boycott was expected were trash collection and street vending. In both sectors, city officials were aware of the need to impose order and show results. At the same time, it did not take long before demands from groups of able-bodied peddlers theretofore working without licenses in the outskirts of the city made themselves heard, and these demands found echoes among radicalized groups within the ruling coalition.

The challenge faced by city administrators was compounded, moreover, by the absence of an established framework of urban governance. A new national constitution had been adopted a year earlier, in 1988, and the division of tasks and attributions among the different levels of government had yet to be defined and implemented. In fact, the so-called

⁹ Interview with party member and city official, February 2014.

General Law of the City (*Lei Geral das Cidades*), which establishes the legal prerogatives and duties of city governments, was not passed until 1990. As one district administrator put it, “the rules of the game were in the making.” And so, at the local level, the norms of urban governance had to be “invented” in a context marked by improvisation and fire-fighting.

The first step taken by the new administration to stem the rising flow of street vendors was to distribute tickets to all peddlers found on the streets on the fourth day following Erundina’s inauguration. Ticket-holders were then registered with the city and allowed to apply for a license. As it turned out, the distribution of tickets occurred during a holiday period when many longtime peddlers had gone back to their homeland in the Northeast. Their complaints prompted the city to issue a new call by which licensed *and* unlicensed vendors who could produce proof of their longtime involvement in street trade (i.e., notices of confiscation, testimony from reliable witnesses, etc.) would be added to the database.

Tickets did not amount to licenses. The purpose of distributing tickets was to take stock of the growing population of peddlers. After this information was collected, legislation still needed to be crafted to determine who could sell legally, when, and where. Various stakeholders were invited to the table, including representatives from the longstanding organizations of disabled and elderly peddlers as well as informal leaders of able-bodied peddlers who emerged more or less spontaneously at the time to voice their demands. Negotiations carried on for six months through a series of heated meetings. An attendant recalls one of the meetings:

One of the able-bodied would say: ‘We are all equal. We all have the right to work.’ A furious disabled man would reply: ‘Oh yeah, you think we are equal? Why don’t you

come here, let me poke out your eye, let me break your arm... Let's see how equal we are.' (...). That meeting ended at the police station.¹⁰

In the account offered by one of the longstanding leaders, the leadership of the disabled and elderly peddlers understood that things had to change. The question was how big a share of the (licensed) market they would have to surrender. As it happened, this was also a matter of heated debate within party ranks. The chief negotiator on behalf of the mayor at the time, who was also a social worker, saw the streets as the “worst place” for the disabled and the elderly to be, given pollution, traffic, and related health hazards. And yet, as she points out, “they [the disabled and the elderly] had been there for a long time. They had that right, and they saw themselves as entitled to that right.” Following a month of negotiations and internal debates, state officials settled on an arrangement encapsulated in MD 27660, issued on February 22, 1989. According to the decree, two thirds of the spots would be given to the disabled and the elderly while one third went to the able-bodied. The disabled and elderly were also given priority in the selection of spots, and the seniority rule was maintained. Finally, a consultative body called CPA, which was composed of a host of actors representing the state, street vendors, business interests, and other sectors of civil society, was established by that decree with the function of deliberating on decisions affecting street vendors at the local level.

The struggle pitting the disabled and the elderly against the able-bodied during this reform period was, at first, a struggle for the definition of the broad institutional framework. After that framework was defined, the focus of the struggle shifted to the implementation. Despite the quotas for licenses established in the decree and the consultative role granted to the CPAs, the power of issuing and canceling licenses was left in the hands of district

¹⁰ Interview with Aldaiza Sposati, January 2014.

administrators who delegated such tasks to their subordinates. In the downtown district of Sé, where the most profitable spots were located, the struggle to define “the who, the when, and the where” of street vending was particularly intense. The limited staff could hardly cope with the mass of unlicensed peddlers and many inspectors hired under previous administrations were suspected of corruption.¹¹

Access to officials with decision-making powers thus became a key asset for street vendors. For their part, city officials were looking for civil society partners to help them police the streets. As Cross (1998) notes, resource-wanting state authorities tend to rely on leaders of street vendors’ organizations to implement their policies. In the recollections of a city employee, the larger the number of street vendors that a given leader could mobilize, the more the city would be willing to engage in negotiations with her. Many associations of street vendors flourished in this context, some of which had but a handful of followers. Once again, in this landscape, longstanding organizations of disabled and elderly peddlers had an edge. As legitimate interlocutors with a large and established following, leaders of these organizations briefed local officials on attempts by other groups to “take over” the streets. “In order to evict the newcomers, we had to ally ourselves with the established ones,” a district administrator explained in an interview.¹²

In the midst of this urban drama, storeowners did not sit idly by. Having lost their influence over the executive branch, they resorted to the city council. In 1989, councilman Bruno Feder, whose party, the PL, represented the interests of local commercial elites, put forth a bill aimed at setting limits to what Feder describes as “urbanistic terrorism” (i.e., the uncontrollable spread of street vendors across the city).¹³ While drawing largely on the

¹¹ Interview Rubens Possati, chief regulator of street vending in Sé, November 2013.

¹² Interview with the author, February 2013.

¹³ Interview with Bruno Feder, November 2013.

decree issued by the Erundina administration, the bill introduced a two-year expiration date for licenses and established the mandatory requirement of having lived in São Paulo for 7 years to be eligible to hold a license. The bill, which prompted mass protests by street vendors, was vetoed by the mayor but eventually approved by the city council with the absolute majority needed to override the veto. Organized street vendors' leaders, however, drew on their political influence to pressure Feder into submitting another bill "correcting the previous one." The second bill, which was also approved by the council, reestablished the seniority rule and rescinded the requirement of 7 years of residence in São Paulo.

At the end of Erundina's administration, the able-bodied had gained access to the category of licensed street vendors, crossing the threshold of both stability and centrality.¹⁴ But the disabled and the elderly had secured their relative advantage on both counts. They still enjoyed the privilege of stability through quotas on licenses, and they preserved the privilege of centrality through priority rights in the selection of spots coupled with the maintenance of the seniority rule. Finally, the practical challenges of policy implementation gave them an additional edge: they developed ties to party and state officials, thereby building up political capital.

The above narrative accounts for the resilience of intergroup inequality through a major reform that challenged social closure. The boundaries of the institutional category enforcing closure (i.e., the category of licensed street vendors) were revised to include members of social groups hitherto left aside—i.e., the able-bodied. The result was a partial opening through which the disabled and the elderly maintained their relative advantage. They did so by ensuring that certain norms contributing to social closure were transferred (i.e., the seniority rule) or redrawn in favorable terms (i.e., a legal monopoly

¹⁴ Some able-bodied had managed to obtain licenses downtown through informal relations with city officials.

became a system of quotas). And they obtained this outcome because the social categories who benefit from social closure accumulate intangible assets—beyond the goods being monopolized by law (e.g., street vending licenses)—that allow them to shape the course of transitions. In this regard, the dictatorship had a “lock-in” effect: it locked a pre-existing path of policy development that protected the disabled and the elderly, thereby enabling the accumulation of certain assets such as legitimacy, organization, and political capital. These assets can be called “soft” or “hidden” assets to the extent that they are not explicitly allocated to them by prevailing institutional norms but, rather, derive from the situation of privilege associated with closure.

The aftermaths

For two decades after the end of the Erundina administration, the field of street vending did not undergo major overhauls. The institutional framework in place, which favored the disabled and the elderly in both direct and indirect ways, was worked on by the established leadership of street vendors to accrue marginal benefits. Some elite blending also took place. In the mid-1990s, the association representing the disabled peddlers allied itself with a group of licensed, able-bodied street vendors from downtown and founded the Union of the Licensed. The Union achieved legal recognition and became the official representative of licensed street vendors in the city.

The established leadership was far from hegemonic, however. Unlicensed peddlers had proliferated under the Erundina administration and some had coalesced into associations or gangs that exerted *de facto* control over specific areas. Two investigations carried out by two city council investigatory committees (*Comissão Parlamentar de Inquérito* or CPI in Portuguese) in the mid- and late 1990s disclosed a large network of bribe-taking and extortion involving state agents ranging from street-level inspectors to a

state congressman. Street vendors were among both the victims and the accomplices. As described in the committee's reports and testimonial evidence, city officials collected weekly bribes from peddlers to allow them to work at particular spots, printed and sold false licenses, embezzled wares apprehended from peddlers, and charged unlawful fees to return merchandise to its owner, among a wide array of other crimes. At the head of these giant extortion system known as the bribes' mafia or the inspectors' mafia – which also extended to established formal businesses – were, according to official reports, powerful politicians who controlled specific “districts” where they appointed administrators loyal to them. Part of the money collected served to finance electoral campaigns. Although the scandal made waves and led to retaliatory action by the mayor, who threatened to relocate all peddlers inside enclosed markets, the benefits enjoyed by the disabled were never in question. As the wife of a longtime disabled peddler explains: “The law belonged to the disabled.”¹⁵

Far from ushering a new opening, return of the Worker's Party to power in 2001 strengthened the hand of the established licensed street vendors' leadership. Although policing was relaxed and many unlicensed peddlers took to the streets, only a fraction of new applicants were granted a license. The same official who, in the past, had been at the frontline of tough negotiations with street vendors' leaders was appointed as coordinator of street vending policy across the city. By then, he had endorsed the “conservative” agenda of the established leadership of the Union of the Licensed, with whom he had developed personal ties. Through access to the deliberative bodies called CPAs, established leaders allied themselves with representatives of storeowners to obtain the eviction of some of their peers and competitors. In the words of a storeowners' representative who played an active role in the negotiations, only the “upper crust” (*a crema*) of licensed peddlers remained on

¹⁵ Interview with the author, February 2014.

the streets. Former affiliates complained in interviews about how, by sitting at the CPAs and having access to city officials, the “aristocracy of the disabled” was able to punish non-affiliates or dissenters and benefit the ruling clique. At the end of 2004, there was an estimated 5,500 valid street vending licenses.

The next chapter takes a close look at the massive eviction campaign that ensued, including the revocation of all street vending licenses over the course of six years. It considers licensed street vendors as a whole, regardless of their disability status, and focuses on their struggle to thwart evictions through judicial action. The overarching policy at the time was marked by the imperviousness of the city to the pleas made by vendors, the Union, and the DVA. However, the statistics presented at the beginning of this chapter suggest that the disabled were spared, relative to other groups, both before the court order and in its aftermaths.¹⁶ This outcome can be explained, in part, by the fact that the city’s policy to eliminate licensed street trade was not rooted in the rescinding or even the amendment of the municipal ordinance establishing the quotas for the disabled and the elderly (ML 11039). The law remained unchanged and in force, laying the foundations for the lawsuit and the court order against the ban.

But another dynamic seems to have played a role as well. For all the complaints that city administrators “did not listen,” or the claims that the disabled were spared until the end “for social reasons,” insights gathered during fieldwork suggest that there were exchanges of favors between city officials and street vendors’ representatives backed by their political patron. The effect was to protect disproportionately members of the old

¹⁶ As noted earlier, of the 116 downtown street vendors who still had a valid license in March 2012, 94% were classified as disabled. At the end of my fieldwork, in August 2014, the number of licensed street vendors authorized to work in the district had gone up to 479 thanks to an interim court order that stayed the execution of the ban. Of these 479 peddlers, 66% were either disabled or elderly.

guard, most of whom are disabled. Of course, exchanges of favors are difficult to document, but the following events support this hypothesis.

In the run-up to May 19, 2012, when all standing licenses were revoked in a series of decrees and administrative acts, the DVA and Union, which relied on their political patron, a PT councilman, resorted to “informal politics” (Cross 1998) to lobby the city government for restraint. In fact, the administrator of the downtown district, despite being at the forefront of the campaign against peddlers, developed personal ties with the licensed peddlers’ political patron and the president of the Union, whom he obliged with numerous concessions on the enforcement of sanctions against vendors.¹⁷ Whether these concessions targeted disabled vendors more than other vendors is hard to establish. But observations conducted at the councilman’s rallies evince that the constituency for whom he claims to “fight” are indeed the disabled. And the DVA is highly influential within the Union, to the point that many believe the DVA leadership to be the actual powerholders.

Following a lawsuit filed by an NGO and a public defender in the wake of the May 2012 ban, a judge issued an injunction staying the eviction of licensed street vendors whose licenses had been canceled or revoked in 2012. Other street vendors with licenses revoked before 2012—that is, almost three quarter of them—had to wait until the final ruling, which was still pending three years later. By then, the Union had abandoned its lobbying strategy and began organizing protests. At one protest, 7 disabled peddlers chained themselves to posts in front of the Justice Tribunal.

It is noteworthy that the actors who filed the lawsuits and obtained the court order that, as everybody now agrees, ensured the survival of licensed street vendors as a professional group (“*salvou a categoria*”), were committed to broad ideals of expanding

¹⁷ Interview with district administrator, March 2014.

the “right to the city” and promoting decent work for all marginalized categories, licensed and unlicensed, disabled and able-bodied alike. The NGO workers, moreover, were involved in a political struggle with the organization representing the disabled and elderly vendors. In sum, the plaintiffs’ goal was not, by any means, to protect the interests of licensed peddlers alone, and even less to preserve the market dominance exercised by organized disabled and elderly peddlers.

And yet the (provisional) outcome of the judicial battle was to uphold the majority of disabled and elderly street traders peddling legally. Although the decision by the judge to set the cut-off line at 2012 was independent from the interplay of political forces in the field, the fact that the disabled and the elderly were among the last survivors of the campaign to eliminate street vending, especially in the downtown area, was not random. The meetings described earlier between city officials and the leadership of disabled street vendors supported by the council man, while ineffective at curbing the broader agenda of “extermination,” meant that disabled and elderly vendors were more likely to stay in business until 2012, and thus benefit from the court order. As noted above, the support these peddlers enjoyed from the council man rested on longstanding clientistic ties to the Workers’ Party and some of its members.

In short, the latter period witnessed an attempt at extinguishing street trade by abolishing the institutional category of licensed street vendor. As a city official put it, from the standpoint of the city, “peddlers no longer exist.” As legal peddling came to the brink of extinction, so did, by implication, the majority share held by disabled and elderly peddlers. The disabled and the elderly had lost the struggle for the definition of the institutional framework. Yet the links forged between them and a local politician provided them with another asset, political influence, which they could mobilize punctually to ensure

their survival as a dominant minority in the group. The long and hidden arm of closure was at work.

CLOSING REMARKS

Like any other concept, closure is susceptible to semantic appropriations that alter or dilute its meaning. In some studies, closure is conceived broadly as the construction of bonds among members of a specific organization or the discrimination against a particular group, irrespective of formal membership criteria (Roscigno et al. 2007, Weeden and Grusky 2005). The definition put forth in this study is more restrictive. It entails a mechanism that formally restricts eligibility as well as a symbolic categorization of insiders as, in this case, “disabled” or “elderly.” The institutional mechanism of closure – namely, the issuing of street vending licenses – is analogous to licensing devices used by the professions and other groups (Abbott 2014, Collins 1979, Kalleberg, Wallace and Althauser 1981). As closure theorist recognize, moreover, such institutional devices adapt to changes in the environment in order to perpetuate privilege (Parkin 1974). But who exactly they protect and how effective they are at doing so is uncertain in the absence of a demographic specification of the privileged group. By selecting a case in which symbolic and institutional boundaries initially overlapped – in line with the original Weberian concept of closure – this study shows that closure is instrumental for insiders in the long run, beyond its institutional lifetime.

To be sure, not *all* members of privileged social groups benefit from social closure. As noted above, some disabled and elderly street vendors were manipulated (if not exploited) by others. Second, in spite of the resilience observed in opening processes, some members of the incorporated social groups did gain access to better opportunities than other members of the “old guard.” These empirical complexities follow, in part, from the

existence of within-group disparities among the disabled and the able-bodied. Although the limited scope of this study prevents us from discussing how such inequalities played out, it is conceivable that skilled able-bodied street vendors would achieve higher rewards than low-status disabled peddlers after the first opening process (and even before then). But such variation does not invalidate the theoretical argument.

Focusing on marginalized groups such as the disabled and the elderly yields another theoretical benefit. The tendency to treat social closure broadly as the secluding homophily of social elites who control prestige and power (Khan 2012) makes it difficult to isolate the specific effect of closure from the more general effects of social domination. In moments of social change, dominant groups use their power to safeguard their perks – and their power. But this study shows that social groups need not be dominant in the first place to benefit from closure through reforms. Closure contains the seeds of its own reproduction.

Despite the myth of a democratizing global society in which explicitly exclusionary norms are dying out, understanding the institutional mechanics of social closure is still relevant today. For one, societies and social settings with explicit rules of exclusion against women, ethnic groups, religious groups, and other collectivities abound. Moreover, even in the Western world, the legacies of social closure continue to shape patterns of inequality in the present. The analysis above offers some hints at the causes. It encourages us to look beyond the familiar faces of privilege (e.g., gender or race) into the specific institutional systems that support it and, beyond that, into the hidden payoffs accumulated by advantaged groups and the ways in which such payoffs served historically to sustain patterns of resource allocation.

Chapter 3: The politics of field destruction¹⁸

Informal entrepreneurs are resourceful actors. Hardworking, risk-taking, they either escape the state—as in the case of most unlicensed vendors—or engage it to secure their livelihood. Engaging the state means negotiating, offering money, votes, or sweat (at political rallies), all of which are meant to persuade authorities to let them work. From a theoretical perspective, these transactions point to links between fields, especially civil society fields like street vending and state fields that control key assets such as the means of enforcement and coercion.

Field analyses tend to center on a specific field. However, actors continuously exchange resources across fields and do so on unequal footing. Indeed, fields generate different types and amounts of resources, display varying degrees of legitimacy and institutionalization, and are therefore unequally dependent on resources provided or withheld by actors in other fields (Fligstein and McAdam 2012). In the case of street vending, the resources flowing towards key players in state fields, such as policemen and civil servants, are meant to obtain tolerance or recognition in return. However, as John Cross (1998) points out, the effectiveness of such counteracting tactics depends on the willingness of city authorities to engage in informal transactions. When such cross-field links are broken and high-ranking officials are intent on eliminating street trade, licensed street vendors experience a survival crisis.¹⁹

This was the case in São Paulo. In early 2005, the inauguration of José Serra, a right-leaning politician with close ties to the *paulista* business elite, marked a shift in urban

¹⁸ This chapter is based on an article previously published as: Cuvi, Jacinto. "The Politics of Field Destruction and the Survival of São Paulo's Street Vendors." *Social Problems* 63.3 (2016): 395-412.

¹⁹ So do unlicensed peddlers if enforcement is ratcheted up, as happened in the case at hand. However, because they have less structural connections to state fields, their survival strategies are different, as discussed below.

policy towards a more repressive, law-and-order approach that consolidated after Serra stepped down in 2006 to run for state governor and was replaced by his vice-mayor Gilberto Kassab. In 2009, the Kassab administration signed an agreement with the chief commanding officer of the Military Police (MP), a police corps under the helm of the state government. Under the terms of the agreement known as *Operação Delegada*, which was renewed for three years in 2011, 3,900 uniformed MP agents were to patrol irregular street vending activities during their off-duty time. Until then, street vending was the preserve of the *Guarda Civil Metropolitana* (GCM), a police force denounced as brutal, venal, and unprofessional by peddlers in interviews. In the words of one leader of an association of street vendors, by signing the agreement, Kassab “broke the bribery system” that had up to that point allowed for the proliferation of unlicensed street vendors.²⁰ The professional training and corporate ethos of the Military Police also made it harder for peddlers to negotiate enforcement at an interpersonal level.

Alongside the implementation of the *Operação Delegada*, Kassab centralized decision-making and secured obedience by subordinate officials. The strategy adopted to this end was described by an interviewee as “militarizing” the city administration.⁵ Indeed, the mayor appointed retired *coroneis* (i.e., the highest ranking officers in the Military Police) to the head of all but one of the 31 district administrations (*subprefeituras*). Another retired MP officer was placed at the head of the administrative unit in charge of coordinating policy implementation—including the regulation of street vending—across the 31 districts. And a number of lower-rank MP officers filled mid-level positions within district administrations across the city. Through these appointments, the informal links between the bureaucratic field and the political field at the municipal level were effectively

²⁰ Author interview with Ricardo, the leader of a street vendors’ association, São Paulo, July 2012.

broken. Political influence, especially from the left-leaning Workers' Party that traditionally supported street vendors, no longer had currency inside the city administration. Finally, on May 19, 2012, the campaign against street vendors reached its peak when Kassab revoked all standing licenses by municipal decree. Every street vending zone was concurrently forbidden and licensed street vendors across the city were given 30 days to clear out.

In this context, survival became a primary concern for licensed and unlicensed peddlers alike. Because they had less ties to the state in the daily conduct of business, the unlicensed resorted to independent strategies, and thousands quit street trade. Licensed vendors, however, depend on the state. They were only able to obtain tolerance from state authorities thanks to the intervention of another field that does not usually play a role in street vending or the informal economy more broadly, that is, the judiciary.

Indeed, despite an emphasis on rights in the literature on informality (Brown 2006, ILO 2002), references to the judiciary are few and far between in the street vending literature—and for good reason. The informal condition of street vendors makes it difficult for them to resort to the courts to uphold their rights, which are not always set in law (Cross 1998, De Soto 1989, Setšabi 2006). This chapter examines the conditions under which the judicial field can be activated as a field of resistance for street vendors facing eviction and teases out the unequal impacts of this process, which only benefited a minority of licensed peddlers in São Paulo. I argue that mobilizing the legal capital vested in the license requires the intervention of a third-party—an NGO—with networks and expertise that straddle both the street vending and the judicial field.

FIELDS, LINKS, AND STREET VENDING

A standard analytic approach in field theory consists of teasing out the principles that govern recursive processes of resource and/or agent allocation across categories within a particular field, which amounts to (re)constructing the field's structural logic (Benson 2013, Bourdieu and Passeron 1979, Bourdieu and Wacquant 1992, Martin 2003). Intensive focus on a field yields key insights into its social mechanics, the principles of which can otherwise be lost on external observers and field participants alike (Bourdieu 1984, Ferguson 1998). Yet fields do not operate in a vacuum. In fact, it is often the interplay between fields and/or actors in different fields that shapes relevant social outcomes, including key developments like the emergence of new fields (Bourdieu 1996, Ferguson 1998, Medvetz 2012).

Relations between fields, however, constitute a less predictable, less theorized area of field theory (Bourdieu and Wacquant 1992, Eyal 2013). In a recent volume, Fligstein and McAdam (2012:58) regret that “virtually all analyses of fields... suffer from... [a] ‘fieldcentric’ bias.” Despite emphasizing dependence between fields and specifying forms of inter-field connections, however, the latter fall silent on how links are constructed, especially by actors in marginal fields who control scarce assets or whose assets are not immediately “convertible” into accepted currency or influence over actors in other fields. In these cases, I argue that the intervention of an external actor with cross-field networks and expertise is required to mobilize the assets of the marginal group and activate a new field in which these assets can be brought to bear. I call this process linkage.

Understanding developments in a field thus requires understanding the stakes and contests in surrounding fields. While most agents in all fields seek to maximize monetary income, the rules and stakes of contention vary from one field to the other. Public officials in the bureaucratic field vie for administrative positions according to the hierarchical norms

governing state bureaucracies (Weber 1978). Politicians, for their part, try to access or remain in positions of power by obtaining and securing votes. In the judicial field, lawyers seek to win cases through legal advocacy supported by evidence. The judge, on the other hand, stands out as a peculiar figure whose official role is to ensure compliance with formal rules in other fields of society. Hence her formal independence from the rewards and payoffs offered by these fields, which by withdrawing the judge from the logic of contention that is the norm of field participation, is purported to guarantee an impartial viewpoint. While all fields are susceptible to perversion and corruption, some fields enjoy higher degrees of autonomy than others as a result of specific institutional provisions and historical circumstances (Bourdieu 1996).

Street markets as fields

Street vending is a precarious, subordinate field. Indeed, street vendors operate in that grey zone known as the informal sector – a realm of economic activity where legal norms are vague and erratically enforced by state authorities (Castells and Portes 1989, Fernández-Kelly and Shefner 2006, Telles and Hirata 2007, Tokman 1992). It follows that the everyday operation of street vending depends, to a large extent, on the benevolence or self-interested restraint of city authorities.

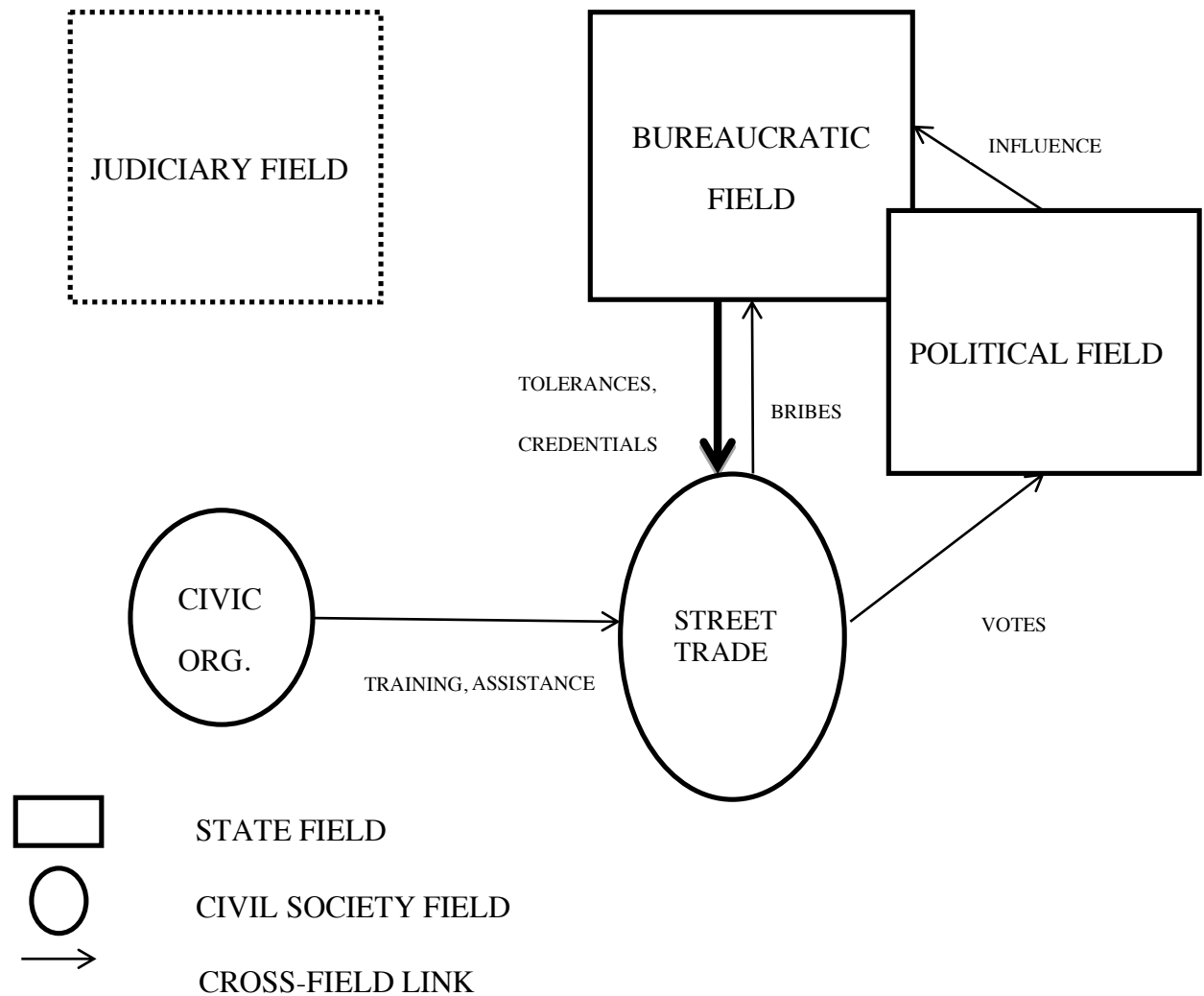


Figure 3: The political economy of street vending

To obtain “tolerances” (Cross 1998) or “forbearance” (2015), street vendors sometimes pay bribes to street-level officials as well as to certain mid-ranking administrators (Bhowmik 2010, Cross and Peña 2006). Because bribes are both illegal and

costly, however, street vendors also resort to supporting local candidates with votes and mobilization during electoral campaigns (Auyero 2000, Holland 2015). These politicians become their political patrons and intervene at different levels of the city bureaucracy to ensure a level of tolerance for street traders (Cross 1998, Misse 1997). In normal times, the field of civic organizations—which includes NGOs, self-help organizations, and activist groups, among others—plays a subsidiary role. NGOs channel resources from national or international donors to underserved categories like street vendors in the form of training projects as well as technical or legal assistance. But these assets are not meant to sustain the field, only to supplement resources obtained from the state and the market. Last but not least, the judicial field is represented as external to the circuit of street vending given the scarcity of formal rights street vendors are endowed with, the legal precariousness of street vending licenses, and the attendant difficulties of resorting to the courts.²¹

A variety of factors—ranging from administrative reforms to the election of a new government to a broader institutional crisis—can disrupt the transfer of assets across fields, thereby altering the incentives for state officials to refrain from evicting peddlers. In a study of street trade in downtown Mexico City, Cross (1998) argues that a key factor predicting the outcome of eviction policies lies in the internal organization of the state apparatus. Indeed, at the top of the city administration, the standard policy attitude toward street vending is hostile and predicated on eviction. But state officials operating at lower echelons of government—e.g., local administrators, inspectors, or policemen—do not always have an interest in enforcing the commands of their higher-ups. Among the reasons for noncompliance are the perks they receive from peddlers in the form of bribes or votes. Cross calls “state integration” the variable reflecting the degree to which the interests of

²¹ It can happen that an especially large and powerful organization of informal workers possesses the resources to hire lawyers and engage in judicial action on a regular basis. This was the case at some point for the Union of the Licensed referenced below, but it is certainly not the norm across space and time.

mid-ranking and street-level state officials are aligned with the interests of top policymakers. When levels of state integration are high—i.e., when the interests of state officials at all levels are aligned—repression against street vendors is effectively implemented and street markets are expected to shrink or vanish.

Informal distinctions

When repression increases, as it does under such circumstances, looking inside the field helps us refine the analysis of the impacts and responses. Indeed, a key insight from the anthropological literature on street vending posits that the street vending field is socially differentiated. However, the categorical distinctions that structure street vending vary from context to context. Different authors thus emphasize different criteria, including gender (Clark 1994, Seligmann 2004), ethnicity (Little 2013), place of origin (Turner 2013), or type of merchandise (Seligmann 2013). As Lindell (2010:10) puts it: “Contemporary informal economies are heterogeneous and highly differentiated. They are traversed by hierarchies, divisions and inequalities often structured along lines of income level, gender, age, ethnicity and race, whose specific contours are time- and place-specific.” In the case of Hanoi studied by Sarah Turner (2013:145), “the most pronounced demarcation regarding motivations to vend and the infrapolitics of street trading is by vendor type.” Such “type” refers to the difference between fixed-stall (or stationary) and itinerant (or ambulatory) vendors. A similar distinction can be found in Crossa (2009), Holland (2015), and Bhowmik (2005), among others. Oftentimes, the distinction between types coincides with the distinction between licensed and unlicensed peddlers since the latter are forced to keep moving in order to escape law enforcement.

Licensed street vendors are tied to the state. Indeed, street vending licenses are better understood as tokens of official recognition—a *potential* asset that can be mobilized

in specific circumstances. In field-theoretic terms, licenses contain varying amounts of legal capital, the value of which depends less on established rules than on shifting sociopolitical junctures. This case study examines the conditions under which such capital can be mobilized and become consequential, not only in routine interactions with authorities, but also in struggles for collective survival.

Resistance in street vending

Litigation—the chief resistance strategy involving legal capital—is not common among street vendors fighting evictions, but other forms of resistance are well documented. Some authors interpret the presence of hawkers in the streets as an act of resistance *per se* (Bayat 1997, Cross and Morales 2007). However, when repression increases, more active, conscious forms of resistance are needed. One avenue is to become involved in local politics, which usually requires some level of organization (Hansen, Little, and Milgram 2013; Lindell 2010). At the same time, peddlers' organizations have limited influence (Brown, Lyons and Dankoco 2010). Moreover, negotiations with the state require some permeability of the state fields in charge of regulating and policing street vending. And the defining characteristic of an effective eviction strategy is precisely the closing off of state fields to demands and pressures from street vendors.

Other resistance strategies unfold more or less independently from the state. Increased physical and/or geographical mobility is one way in which peddlers respond to tougher policing (Crossa 2009, Rosales 2013). Thus, in the case of relocation policies that remove peddlers from the streets and place them in enclosed and/or peripheral markets, a sizeable portion of the relocatees desert the designated venues and either finds new spaces (e.g., courtyards) to occupy in central areas of the city or goes back to trading on the sidewalks under harsher conditions (Bromley and Mackie 2009, Donovan 2008, Hansen,

Little and Milgram 2013). In the street markets of downtown Mexico City studied by Verónica Crossa (2009), hawkers who used to sell at fixed-spot stalls became “bullfighters” (*toreros*), pushing carts all day long to elude law-enforcement agents. Another strategy used by street vendors consists of tapping social networks, either at home or at their workplace, to secure emergency loans, information about raids, and other favors that allow them to stay in business (Seligmann 2004:39). Thus, like the legal capital vested in the licenses, mobility and networks are assets allowing peddlers to counter eviction policies. Moreover, as Turner (2013) showed in the case of Hanoi, resistance strategies tend to vary by category of vendor. In this sense, litigation is more likely among licensed street vendors who, by virtue of their status, possess a modicum of legal capital. But litigation occurs only in a small number of cases and, even then, courts tend to rule against vendors (Setšabi 2006). Because a detailed analysis of episodes in which courts have sided with the peddlers – as in Colombia (Donovan 2008) or India (Bhowmik 2010) – is still missing, neither the circumstances leading to litigation nor the impacts of court rulings on street vendors are well known.

I argue that mobilizing the legal capital vested in street vending licenses requires the intervention of an external actor having access to, and holding assets in, multiple fields—including the judicial field, where legal capital is of value. Given the structural disconnect between street vending and the justice system, the role played by this actor can be interpreted as a *linkage process* that activates the judicial field and brings the legal capital of the licenses to bear on the struggle against eviction. Yet linkage only protects those who possess the asset being mobilized in the first place, that is, licensed street vendors. The structure of the street vending field, with its division between licensed and unlicensed, thus determines not only who has access to linkage as a resistance strategy but

also who benefits from it. Unlicensed street vendors in São Paulo had to resort to other strategies and assets, such as mobility and social networks, or exit the field.

THE DESTRUCTION OF STREET MARKETS IN SÃO PAULO

Between 2001 and 2005, the city of São Paulo was governed by the Workers' Party (PT from its initials in Portuguese), a left-leaning political party whose ideological inclinations encouraged a lax attitude toward street trade. At the end of the PT administration, the number of street vending licenses (called TPUs) was around 5,500, and an estimated 130,000 unlicensed peddlers populated the sidewalks (Pamplona 2013). In reaction to this state of affairs, a storeowners' association from the main commercial neighborhood in São Paulo filed a lawsuit against the city and obtained an interim court order enjoining the city government to crack down on unauthorized peddling.

Kassab was vice-president of São Paulo's main commercial association, the ACSP. Soon after his inauguration, he launched a program called Clean City which forbade advertising in public spaces. Although the removal of street vendors was not an item in the municipal bill that launched the program, pressures against peddlers intensified. In a city like São Paulo, where street vendors are often seen as outsiders and intruders, efforts to evict them met scarce resistance from the public. The Kassab administration took on both licensed and unlicensed peddlers through steps described above, which extended the presence of the Military Police both on the streets and inside the city government.

According to the municipal ordinance (*Lei Municipal*) 11,039 of 1991, street vending licenses can be terminated in two ways: revocation and cancelation. Revocation refers to the withdrawal of licenses from a group of street vendors set up in a particular locale; it can be unilaterally enacted by the city administration in the name of a loosely specified "public interest." On the other hand, a license-holder who incurs more than three

offenses is subject to the cancelation of her license. In both cases, the person loses the formal right to trade on the sidewalks. The Kassab administration set out to revoke various street vending concentrations – known as “*bolsões*” – while cancelations of individual licenses increased dramatically. By 2009, more than a third of the licenses had been revoked or canceled; another 1,930 licenses were revoked over the next two years. By all accounts, inspections intensified to an unprecedented degree. Inspectors would visit the same stall two to three times a day (up to six times in one account) and sanction minor infractions which had until then been tolerated, such as the hanging of products from the corner of the stall’s roof. A restrictive interpretation of the law was implemented making it compulsory for license-holders to remain at their stalls at all times during opening hours and to keep their stalls open throughout the day. Remembering those years, vendors allude to draconian policing practices such as the sanctioning of disabled stall-owners who had temporarily left their stall to use the restroom.

While revocations are hard to challenge on administrative and even legal grounds, licensed vendors can dispute the infractions leading to cancelations or plea for pardon from the district administrator. Oftentimes, however, street vendors only found out about the cancelation of their licenses after the deadline for administrative dispute had passed. On the other hand, those who launched administrative proceedings requesting a revision of the decision came up against the same authority who had sought the cancelation in the first place. In this regard, the appointment of former Military Police personnel to administrative offices ensure the enforcement of the mayor’s hard line. Insights into these administrative processes obtained through interviews and consultation of documents attest to an adamant posture on the part of administrators who systematically rejected pleas for revision by street vendors. The bureaucratic field was closed off to the peddlers.

After a request for the revision of a cancelation is rejected by the district administrator, the only way for a license-holder to recover his license is to file a lawsuit. Yet, as noted above, the legal condition of street vendors is precarious. Street vendors who are dispossessed of their licenses or wares or who suffer abuse by law-enforcement officers are often reluctant to hire a lawyer or go to court. When asked why they do not attempt to dispute the cancelation of their license in court or press charges against an abusive policeman, peddlers point out that “the outcome is predictable,” that “they know it’s not going to work,” that they lack the material means to do so, or that they fear retaliation. For those who did launch legal proceedings, the first step was to request a preliminary injunction (known in Portuguese as *liminar*) that stays the eviction by state authorities until the final judgment is pronounced. As a lawyer who represents street vendors pointed out, however: “It’s hard enough to obtain a *liminar*, let alone win a case. For every five *liminar* you get, you only win one case.”²² The same interviewee further noted that the judges’ refusal to grant preliminary injunctions, which increased over time, often did not address the plaintiff’s claims, but instead simply cited the legally embedded “precarious” character of the licenses and the right of the city government to unilaterally revoke them – a rationale questionably extended to instances of license cancelation.

Resisting extinction

The responses adopted by street vendors in the face of what many of them describe as a “massacre” varied significantly depending on whether they held a license or not. Lacking the modicum of legal capital and social legitimacy conferred by the license, unlicensed vendors are less prone to make claims on the state. They are also less organized, with only a handful of informal associations active at the neighborhood level. Although

²² Interview with the author, São Paulo, November 2013.

quantitative data on this population are scarce, testimonies collected in interviews suggest that the response of a sizeable portion of unlicensed peddlers was to “exit” the field (Hirschman 1970). Those who had the means to move into other trades or other areas did so, while others simply fell into begging and destitution. Where large concentrations of hawkers were present, as in the neighborhoods of Brás and the 25 de Março, scattered protests with the slogan “We want to work but Kassab won’t let us!” occurred, along with some violent clashes with the police. But the city held its ground and the crowds were eventually dispersed. Three shifts of more than a hundred policemen each were deployed in both neighborhoods to patrol street vending between 7am and 10pm.



Figure 4: The 25 de Março before and after the deployment of the Military Police

The 25 de março street before (left) and after (right) intervention by the military police in late october 2009. The picture on the left was taken on the october 20 and the picture on the right dates from november 11, 2009.

Figure 4 shows the 25 de Março street—arguably the most vibrant commercial street in the city—before and after the intervention of the Military Police in late 2009. Licensed street vendors can be identified by the blue tarp covering their stalls. Picture 1 shows five licensed stalls on the right-hand side, alongside three or four rows of unlicensed hawkers on both sides of the street. By contrast, in Picture 2, only licensed street vendors are visible; the three cars are police cars and a group of MP officers can be spotted at the bottom. According to city officials, by April 2011, 15,000 unlicensed peddlers of the estimated 100,000 in 2009 had deserted the streets.⁶ And those who continued peddling experienced a dramatic increase in the risk of confiscation coupled with an imperative of continuous motion and heightened vigilance. Observation conducted on 25 de Março after the Military Police was deployed suggests that resilient peddlers adapted by enhancing cooperation among themselves, leading to more intensive exchanges of information, heightened awareness, group tactics to conceal products, and short-term loans to allow disgraced co-workers to stay afloat. Official documents and interviews also suggest that some unlicensed peddlers migrated to less policed neighborhoods, modified their work hours, or started itinerant retail businesses in different towns.

Licensed street vendors, on the other hand, responded differently given the different type of assets at their disposal. At the time of the events, two closely allied, longstanding organizations monopolized the official representation of licensed street vendors: the Union of Licensed Street Vendors and the Association of the Disabled (hereafter the Union and

the Association).²³ In addition to these organizations, an NGO, the Center of Informal Workers (CIW), founded in 2010 an arena for debate and the empowerment of street vendors called the Street Vendors' Assembly. The CIW is a well-known local NGO involved in various social causes – especially access to housing for the urban poor – whose funders and partners include domestic charities, public agencies, and international donors. It employs lawyers, researchers, and social workers. The Street Vendors' Assembly set up by the NGO gathered peddlers and peddlers' leaders from different parts of the city, most of whom had become alienated with the leadership of the Union and the Association.

As pressures against peddlers intensified, the actors devised and implemented various resistance strategies. A march called by the Union in early 2012 was attended by participants of the Street Vendors' Assembly. A subsequent march called for by the Street Vendors' Assembly, however, was “boycotted” by the Union who, according to an NGO worker, “gave the order to its affiliates not to attend the event.” Part of the Union restraint stemmed from the more conservative approach taken by its leaders. Indeed, with the help of a city councilman described by one of them as their “eternal patron,” Union leaders arranged meetings with high-ranking city officials to plea for lenience. As it turned out, “the doors were shut.” Kassab did not receive them. District administrators sometimes agreed to meet “but did not listen.” One former assistant to the councilman described the meetings as follows: “We would arrive there, tell them what was going on [i.e. denounce the arbitrary cancelations of licenses], and they would tell us: ‘That’s not possible. There must be a mistake. We’ll look into this.’ Then, the next day, they did the same thing worse.”

²³ Names and initials are fictitious. Disabled street vendors form a sizeable minority among licensed street vendors following a municipal decree dating back to the 1950s.

²⁴ In short, the political game, as it had traditionally been played across the boundary between the bureaucratic and political fields, was at a dead end.

The judicial battle

As noted earlier, street vendors who challenged license cancelations in court faced very poor odds. In the words of an activist, “Kassab used the law against the peddlers.”²⁵ The activation of the judicial field was made possible, however, by the intervention of a public defender working in conjunction with the aforementioned NGO. In Brazil, the public defender’s office provides free legal assistance and litigation services to indigent citizens and “underprivileged” (*hiposuficientes*) social categories. Importantly, public defenders are entitled to file a class action on behalf of these groups, especially when the damages committed or foreseen are regarded as affecting the public interest. A class action filed on these grounds is called an *Ação Civil Pública*. In March 2012, public defender Bruno Miragaia filed a class action against the revocation of a street vendors’ concentration that hosted around 200 street vendors in a low-income, peripheral district of São Paulo called São Miguel Paulista. On May 25, the lower court judge assigned to the case, Judge Carmen Trejeiro, issued a temporary restraining order enjoining the city administration to withhold enforcement until the sentence was pronounced, based on a procedural flaw in the revocation process. Indeed, a consultative body composed of government officials and civil society members called the Permanent Commissions on Street Vendors, which according to the municipal ordinance regulating street trade must be heard on matters regarding the relocation of street vendors or the cancelation of their licenses, had not been convened prior to the revocation decision.

²⁴ Author interview with Rubens, former assistant to city councilman, São Paulo, September 2013.

²⁵ Author interview with employee at CIW, São Paulo, October 2013.

News of this process reached the CIW, which had been studying strategies to counteract the mayor's policy. The NGO had itself a link to the judicial field. As part of a separate project, the CIW hosted a legal services unit which had worked closely with other public defenders on issues of access to housing. Drawing on such expertise, CIW workers contacted various actors in the judiciary, including two public defenders, to attempt to dispute Kassab's evictions of peddlers. While neither of the two public defenders became involved, one of them pointed CIW workers to Bruno Miragaia, who had already filed the class action on behalf of the street vendors of São Miguel Paulista. As it happened, Miragaia had worked for another public defender with close ties to the CIW. According to one of the NGO workers involved in the process, this common acquaintance facilitated trust and cooperation. And so, after the aforementioned preliminary injunction was granted by the judge, Bruno Miragaia and the CIW began working together on a new class suit encompassing licensed street vendors in the entire city.

The second class action insisted on the "deliberate" and "systematic" policy to eliminate street vending across the city carried out by the Kassab administration, as well as on the absence of any urban planning criteria governing the process. By virtue of a provision to avoid contradictory jurisprudence, the lawsuit was assigned to the same judge, who granted the plaintiffs another preliminary injunction staying evictions citywide for street vendors dispossessed of their licenses in 2012. Echoing the claims of the lawsuit, the court order put forth a stepwise reasoning according to which: (1) the expediency, frequency, and scope of the revocations/cancelations denoted a general intent by the city administration to eliminate street vending, (2) such a project transcends administrative functions and impinges on the realm of urban planning, (3) by virtue of a set of constitutional provisions, urban planning must be carried out in a democratic and participatory manner, (4) the city administration failed to engage diverse social

constituencies forming the urban environment, including street vendors themselves, despite having at its disposal the institutional tools to do so (e.g., the Permanent Commissions on Street Vendors).

The class action thus shifted the judicial focus from the legality of individual revocations and cancelations, where street vendors were at a structural disadvantage, to a sphere of rights (*direito difuso*) attending a collective body: the city. The building of the case required, however, more than a sophisticated grasp of legal reasoning. Indeed, the claim of a systematic elimination policy against peddlers had to be supported by documentary evidence to be produced within a very short time frame. A team of workers from the NGO was set up to collect newspaper articles as well as announcements and reports from the city's newspaper of public record. In conjunction, street vendors' leaders were asked to submit paperwork, such as the fines and notices of license cancelation, attesting to the lack of proper administrative justification. According to a CIW worker involved in the process, "it was easy to obtain those documents thanks to the trust relations [with the street vendors' leaders] already established in our biweekly meetings [the meetings of the Street Vendors' Assembly]." ²⁶

The politicization of the judiciary field

The second court order unleashed an unprecedented sequence of moves and counter-moves by the contending parties – a "battle" in which the boundaries of judicial competences were considerably stretched. Using a legal prerogative inherited from pre-democratic times, the city government filed for a stay of execution (known as "*suspensão de liminar*") against the preliminary injunction issued by Judge Trejeiro. Such a request is automatically assigned to the president of the Justice Tribunal (JT) – the state's highest

²⁶ Author interview with employee at CIW, São Paulo, October 2013.

court – who ruled in favor of the city government, thus overturning the restraining order and clearing the way for the coercive removal of stalls by the initial June 19 deadline. The public defender and the CIW lawyer who authored the class action responded by filing an appeal against the decision by the president of the JT. The appeal was to be ruled by a special committee of 25 JT high magistrates (*desembargadores*) scheduled to convene on June 27. Alleging an “imminent risk” of “irreparable damage” were evictions to be carried out before the date of the vote, the plaintiffs also requested another preliminary injunction against the JT president’s stay-of-execution order. That injunction was granted by a high magistrate on June 21 and then, in turn, revoked by the president of the JT the following day. Finally, on June 27, the special committee members upheld the initial court order by 22 votes to 3.

Beyond the judicial parrying, securing a favorable ruling by the JT’s special committee required what the public defender referred to as extensive “fieldwork.”²⁷ During the week that preceded the vote, he and the CIW lawyer who co-signed the lawsuit requested meetings with all 25 high magistrates set to take part in the vote. Twenty-two of those magistrates agreed to meet with them. At those meetings, according to Miragaia, the duo tried to raise awareness of the needs and predicament of the peddlers. Street vendors, for their part, began to stage regular protests. When the possibility of large-scale evictions materialized, the Union and the Association abandoned their conservative stance. On June 18, seven Union affiliates, including six blind men, chained themselves in front of the city hall, asking for talks to be resumed. On June 20, another march took place, which was attended by members of the Street Vendors’ Assembly. Finally, on June 27, the day of the vote, more than 300 street vendors gathered in front of the JT and celebrated the decision.

²⁷ Author interview with public defender Bruno Miragaia, São Paulo, September 2013.

The upholding of the decision meant that the roughly 1,500 street vendors whose licenses had been revoked or canceled in 2012 were able to return to selling on the streets. The city administration later appealed the JT's ruling at a federal high court but the decision was upheld and remained in force until the election of a less conservative administration and its inauguration in January 2013. The Workers' Party administration that came to power after Kassab took a more lenient stance toward street vendors, and many unlicensed peddlers went back to trading on the sidewalks, alongside license-holders who had been stripped of their titles under Kassab.

CONCLUSIONS

This chapter traced the struggle over the eviction (or, alternatively, the survival) of street vendors in São Paulo through the different battlegrounds in which that struggle was waged following a blanket eviction campaign launched by the city government. It showed, first, that the making and unmaking of links between actors in different fields was crucial in both the implementation of the eviction policy and the struggle against it. The insulation of the city bureaucracy from both the political and street vending fields – what, in contraposition to linkage, can be described as a severance process – was a key step in the implementation of Kassab's agenda. On the other hand, the “team” formed by the public defender and the NGO workers had the effect of bridging the gap between the field of street vending and the judicial field. A particular feature of the institutional architecture of the judicial field – namely, the existence of an office with both the competence and the function of bringing class actions against the state on behalf of disenfranchised groups – was a necessary condition for the activation of the field. The relative independence of the judiciary in Brazil was also important. Indeed, as Power and Taylor put it, echoing Kapiszewski and Taylor (2008), “the Brazilian judiciary is one of a handful of Latin

American court systems considered truly independent” (Power and Taylor 2011: 20). And the disposition of the public defender to engage in what was seen by many of his peers as a forgone battle played a key role. Even more critical, however, was the confluence of legal expertise and judiciary competence with the information and documentary evidence drawn from the street vending field. Access to the latter was made possible through the networks that the NGO already possessed among street vendors. The linkage role performed by this agent is analogous, from a field-theoretic perspective, to what McAdam et al. (2001:26) call “brokerage” in collective action theory. As a form of agency, linkage also constitutes an alternative to challenge, where dominated actors directly confront the dominant group in their own field or in an expanded public arena (Duffy, Binder and Skrentny 2010; Turner 1975).

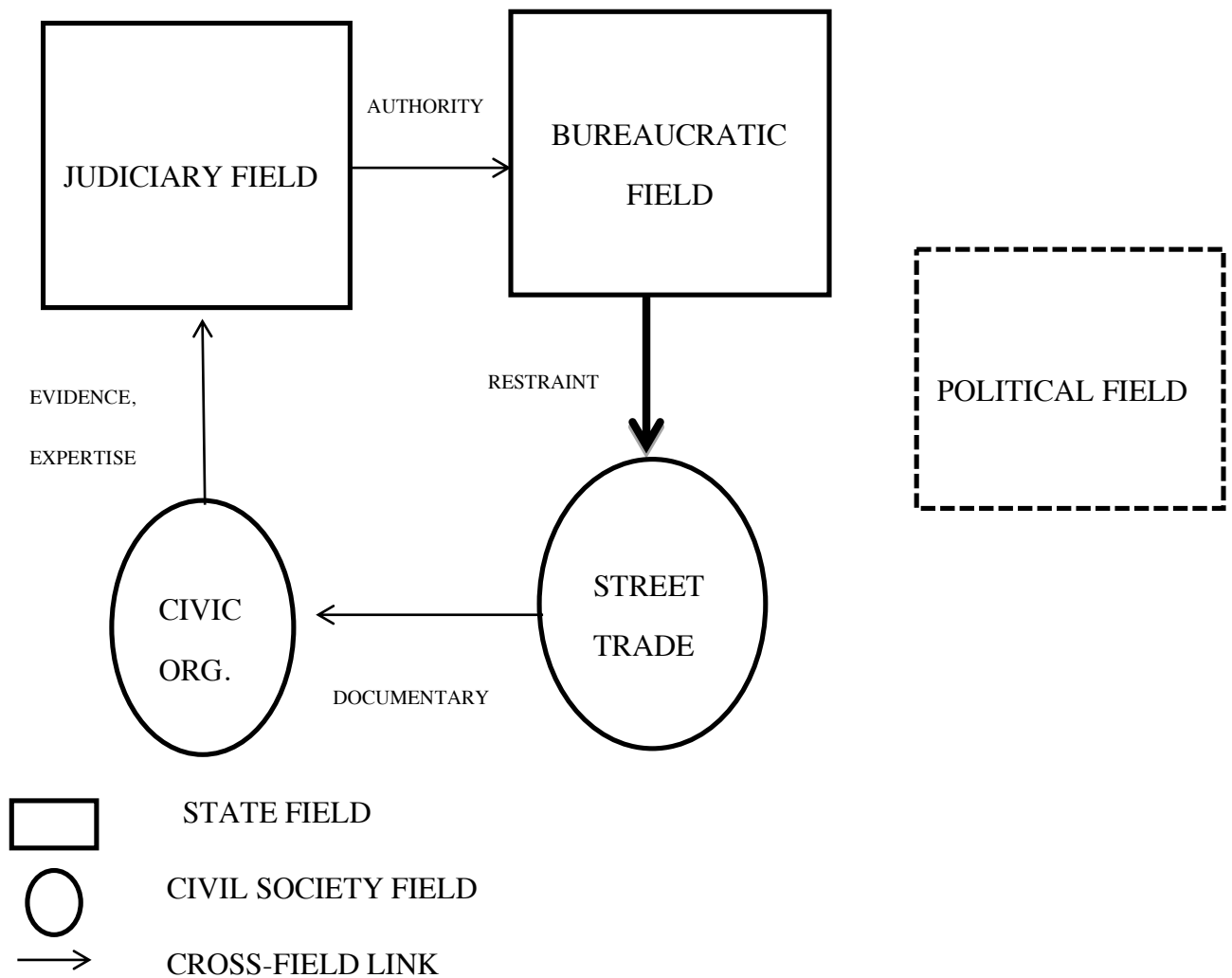


Figure 5: The making and breaking of links across fields

The diagram in Figure 5 schematizes the linkage process described above. In contrast to the normal circuit of street vending presented in Figure 1, the political field had been rendered inactive. The main asset controlled by local politicians – political influence – had become ineffective in the bureaucratic field following strategic appointments in the Kassab administration. However, licenses as well as other administrative documents and testimonial evidence – all of which had proved useless in countering the eviction policies

in the bureaucratic field – became effective legal capital in the judicial struggle through the connection with the NGO in the field of civic organizations. Thus, by treating the judiciary as a field among others in a multi-field process of resistance, a more comprehensive picture of the street vendors’ struggle emerges.

At the same time, the context-specific amount and potential of the legal capital vested in the licenses cautions against hasty generalizations on the role of such assets. In São Paulo, the levels of legal capital contained in the licenses were probably higher than in other places, despite the city government’s prerogative to revoke or cancel the titles, given some provisions of the licensing procedure, such as the publication in the newspaper of public record. Moreover, it is likely that the status of São Paulo as an extreme case of repression, both in scope and intensity, created the conditions for the activation of the judicial field. But that activation was by no means automatic, and the mechanics of linkage analyzed in this chapter contribute to explaining why and how it occurred.

There is hardly any novelty in the claim that the judicial field is or can be an arena of political contention (McCann 1994, Scheingold 2010). The experience of street vendors and other marginal groups confirms that access to justice is not universal and depends on assets and skills unequally distributed across fields and within fields (Gauri and Brinks 2008, Rosenberg 2008, Epp 1998). Moreover, socio-legal scholars have recognized the importance of well-informed and well-connected third parties – what Epp (1998) calls “support structures for legal mobilization” – in bringing cases in favor of disenfranchised groups, especially informal ones. Wilson’s (2011: 141) analysis of the judicial struggle of slum dwellers in Johannesburg thus emphasizes the role of a nonprofit that “was simply required to link slum dwellers up with competent legal assistance.”

On the other hand, awareness to the stratified nature of fields sheds light on the fact that the benefits of inter-field relations were not available to all categories inside the field.

Unlicensed street vendors who, given their status, lacked the minimal legal capital afforded by the license faced the alternative of “exit” (Hirschman 1970) or endurance at a high cost. For those who practiced peddling part-time or intermittently, the costs of transition were probably lower, but most of them paid a high price nonetheless. And, even though unlicensed street vendors controlled other assets such as social networks and mobility, only licensed street vendors had the possibility of shifting the norms and means by which the confrontation with the city government was to be waged by activating the judicial field.

The implications for the protection of marginal groups that can be drawn from the analysis of the experience of street vendors in São Paulo are somewhat tautological. It is clear that formalization policies like the issuing of licenses need to be accompanied by enforceable legal guarantees, lest they deepen the precariousness they are purported to address. More disturbing, however, is the fact that it was a *contingent* connection to the justice field, through an NGO and a committed public defender, that preserved licensed street vendors from extinction. The license was only a precondition for resistance in the judicial field. A general policy goal could thus be to multiply and, if possible, institutionalize links between informal actors and resourceful actors in other fields. The creation of the office of the public defender was, in fact, an attempt to institutionalize such ties, which proved vital in this case. On the other hand, the lack of ties to the judiciary as well as to other public and private fields of service provision is an inherent feature of the condition of marginality to which street vendors are subject. And the intervention of the NGO, however providential it proved for licensed street vendors, did not alter the overall standing of street vendors as participants in a precarious, subordinate field whose livelihoods can still be easily jeopardized by the actions of other, more powerful actors. Besides, the only beneficiaries were the licensed street vendors contemplated in the judicial

order. Those who lost their licenses before 2012 were not protected by the ruling, suggesting that other lines of division among licensed street vendors also played a role.²⁸

Finally, it is likely that, regardless of the lawsuit and its outcome, people will keep trading on the sidewalks. The structural roots of this phenomenon lie beyond the scope of targeted state interventions in the broader socioeconomic structures of the country and the region (Castells and Portes 1989, Moser 1980). In fact, a sizeable portion of the unlicensed street vendors went on peddling, along with some licensed vendors who lost their titles. In that sense, this study does not challenge or disprove the thesis of resilience through physical mobility or the potential of social networks as a resistance asset. But it adds two important caveats. First, by framing street vending as a stratified field with unequal categories of actors, it shows that increased mobility was the dominant response among one class of peddlers – unlicensed street vendors – who lacked the institutional and relational assets to resist eviction through other channels. Second, and crucially, research also revealed that the eviction policy took an incredible toll on the welfare of both those who continued peddling and those who quit or failed to cope. Various street vendors reported cases of colleagues who fell into depression or suffered stress-related health problems such as cardiac arrest or mental disorders. As a middle-aged Black woman who made her living selling steamed corn without a license on a sidewalk in front of a hospital put it: “Me?! Running from the police?! I can’t believe it! I never imagined this. I don’t know who I am anymore.”

By conceptualizing street vending as a field and examining the unsuccessful attempts at its destruction by the city of São Paulo, this chapter shed light on both the differential impacts that repressive policies have on a marginal group and on the diverging

²⁸ The impact of and responses to Kassab’s policy also varied among licensed street vendors. Explaining within-group variation for the latter falls beyond the scope of this chapter, but the unequal distribution of assets among license holders, especially the distribution of political capital, was clearly a discriminating factor.

responses offered by its members. In particular, it showed that licensed street vendors were able to mobilize the legal capital vested in their licenses – the asset that distinguishes them from the category of unlicensed peddlers – leading to the activation of the judicial field. At the same time, mobilizing this asset required a linkage process performed by an NGO with ties to both street vending and the judicial field.

Attention to the conditions for, and unequal impacts of, relations across fields can benefit other studies of political struggle or pro-poor litigation involving informal groups by inviting an analytic breakdown of the affected constituency into winners and losers even when judicial action is successful (see Wilson 2011). More broadly, the experience of street vendors in São Paulo serves as a reminder that, while social ties can be an asset (Granovetter 1973), the process of creating ties with actors in other fields is constrained by the availability of other, unequally distributed assets inside the field.

Chapter 4: Mrs. FIFA comes to town

In 2014, Brazil hosted the World Cup, the largest sports event in the world. The World Cup franchise is owned by the world soccer governing body, FIFA. With six games played in São Paulo, including the opening match pitting Brazil against Croatia and one semi-final, the city was a major stage. In the months leading to the event, the official storyline of a big opportunity to fast-track the country's economic development was undermined by mass protests against corruption, lavish spending for the World Cup, and the exclusion of vulnerable groups—including street vendors. Street vendors, for their part, did not know what to expect. Many expressed fear that they would not be able to work due to FIFA's strict regulations—which amount to a legal monopoly—let alone take advantage of the influx of foreigners and increased consumer spending on soccer-related goods.

Exogenous shocks like the World Cup alter the rules of the game and threaten to exclude participants from the field. They call into question everyone's survival (or accumulation) strategies. The issue has been addressed by studies of market exclusion. These studies usually draw on the social movements framework (Ingram and Rao 2004; King and Pearce 2010). From agricultural producers to low-power radio stations, researchers have examined how low-status market actors react to large-scale organizations accumulating market shares (Greve, Pozner and Rao 2006; Schneiberg, King and Smith 2008). The primary response consists of a legal challenge, which usually devolves into a legislative battle (Ingram and Rao 2004; Rao 2008). When avenues for judicial and/or legislative action are shut, small businesses use the protections afforded by existing laws—along with opportunities embedded in the market structure—to organize privately and carry on with their economic activity, thus preventing the advent of a full-fledged monopoly.

Either strategy assumes a minimum of leverage over the legislative process or, at least, legal status. The majority of street vendors work illegally, however, and even those with a license have a precarious status. In fact, at the time of the World Cup, street vendors legally entitled to work still had revoked licenses and were protected by the court order (in the interest of simplicity, they are referred to as “licensed vendors” in what follows). And their ties to a councilman did not give them any bearing on the legislative process, especially against a political juggernaut like FIFA. Unable to resort to legal challenge—or even private organization within the boundaries of the law—I argue that street vendors still managed to counter exclusion through *subversion*, that is, by violating legal restrictions and circumventing the security apparatus set up to enforce them. In this enterprise, unlicensed vendors were *more* competitive and more likely to take advantage of the economic opportunities generated by the event because they had less to lose by violating legal norms.

The idea of subversion, which entails the defiance of institutional norms and the (temporary) upheaval of the social structure, is not common in field theory. A field-theoretic perspective lends itself more readily to the study of reproduction and, occasionally, to an analysis of transformation, often stemming from exogenous shocks. As a research theme, subversion is more akin to the scholarship on social movements. The downside of this division of intellectual labor, however, is that it casts the practice of subversion as a collective enterprise that requires some level of organization. In this study, we have focused on a field where subversion is the norm in the sense that the rules of the game are routinely violated by both licensed and unlicensed peddlers. Nevertheless, competition is structured, and having a license increases expected returns and job stability all other things being equal. This chapter shows how a crisis triggered by the temporary tightening of norms and enforcement—alongside an expansion of consumer markets for

soccer-related goods—creates new opportunities for the bottom strata (i.e., the unlicensed) because subversion carries less economic risk. The seizing on these opportunities, however, is a highly individualistic endeavor.

I analyze two markets: (1) the beer market at (and around) the official public broadcasting of games, and (2) the market for soccer paraphernalia across town. These two markets differ by strength of exclusion. The first is a spatialized legal monopoly while the second is a grey area characterized by regulatory uncertainty and fear of repression. Also two types of vendors, licensed and unlicensed. From a methodological perspective, the study of two categories of vendors in two different markets offers increased analytic leverage. This is not a classic small-n comparative set-up in that the two markets are not qualitatively different in terms of the focal variable, that is, exclusion. Instead, there is a difference of degree, one market being more exclusionary than the other. But that difference yields substantial insights into how the practice of subversion unfolds under conditions of stronger and weaker exclusion in the market. The analysis thus proceeds from a scenario that comes closer to the ideal-type—that is, a market in which the legal and material forces excluding vendors are at their highest—to variants in which some of these aspects are relaxed. Finally, by considering two categories of street vendors, this study also sheds light on who is best positioned to engage in subversion and why.

MARKETS, THE LAW, AND THE MEGA-EVENTS INDUSTRY

The law sets the framework wherein markets operate. Property rights and rules of exchange create the conditions for transactions to occur (Beckert 2009; Coase 2012; North 1990). At the same time, markets are contentious arenas whose participants are constantly trying to edge each other out (Carroll 1985; Fligstein 1996). As economic sociologists have shown, moreover, contention is not limited to price competition, that is, lowering prices by

minimizing costs (King and Pearce 2010; Swedberg 2010). Market participants also seek to reshape the rules of the game in order to enable certain forms of competition or legally exclude sets of competitors from the marketplace. In the absence of countervailing forces, the entry of a dominant player with rule-making powers therefore leads to increased concentration—the theoretical limit of which is a legal monopoly.

Despite a booming interest in markets, sociologists have paid relatively scarce attention to monopolies. One reason is that legally sanctioned sector-wide monopolies are rare in advanced industrialized nations while state monopolies seem to be on the wane in emerging economies (Nee 1991; Prasad 2005). But legally protected niches exist in a variety of industries, from public transports to food in stadiums. Moreover, government-enforced product monopolies abound in capitalist economies, justified by their presumed incentives to innovation (Boldrin and Levine 2009). And a number of successful business models are predicated on the leasing or exercise of exclusive commercial rights.

The centrality of the legal framework explains why economic actors invest a large amount of resources in trying to influence how the law is written and implemented (Schneiberg and Bartley 2001). Lobbying, campaign financing by private companies, and systematic litigation are all part of what Bartley (2007: 299) calls “the political construction of market institutions” (see also Campbell and Lindberg 1990). The notion that market actors would fight over the rules of the game echoes the institutionalist understanding of politics as a series of struggles, the outcomes of which can shape the political and economic game in the long run (Nee 1991; Pierson 2004; Steinmo and Thelen 1992).

The power to shape the rules is not equally distributed, however. The state being the ultimate rule-maker, it is also the foremost beneficiary of legal monopolies in mixed economies. But private players with sufficient resources can also disrupt established institutional arrangements, either by pushing for new rules or by innovating within the

existing framework in ways that put to test the traditional rules of the game (e.g., Uber). Either way, these events generate apprehension among small local players confronted with the prospect of being forced out of business by an emerging monopoly. In response, small businesses adopt various forms of resistance or adaptation, some of which are akin to social movements (see King and Pearce 2010 for a review). Indeed, challengers mobilize symbolic and discursive resources to delegitimize the agents and/or the process of concentration (Rao 2008; Schneiberg, King and Smith 2008). Ingram and Rao (2004) thus quote a retailers' journal denouncing "masses of Americans wholly at the mercy of the despotic power of a monopolistic class [i.e., chain store owners]." Likewise, anticorporate agricultural movements "articulated anti-monopoly frames that cast the heartland's woes in terms of 'trusts,' dependency, and tributes" exacted by powerful interests (Schneiberg, King and Smith 2008: 638).

Symbolic efforts notwithstanding, the primary strategy of small businesses consists of challenging the legality of the process. Hence, the Grange movement studied by Schneiberg, King and Smith (2008) fought for antitrust laws while "enabling legislation for cooperatives" (p. 638) after "[m]odernizers and corporate forces mobilized institutional support, including general incorporation laws, the recognition of the corporation as a legal person, [etc.]" (p. 637) to pursue combination and consolidation in various industries. Likewise, the "store wars" that pitted independent shopkeepers against store chains in the United States revolved around the "enactment and repeal of anti-chain-store legislation" (Ingram and Rao 2004). Independent store advocates "sought to establish laws designed to tax chain stores out of business" (p. 447). In response, chain store associations pushed for favorable legislation at the state and federal level, eventually winning their case in the Supreme Court. As Ingram and Rao (2004) sum up, "chain and anti-chain store factions pursued institutional change not in the arena of the market... but farther up the institutional

hierarchy, in the legislatures, courts, and courts of public opinion where the rules that determine market success are established” (p. 454). Finally, Greve, Pozner and Rao (2006) relate how low-power FM radio stations developed in reaction to a series of regulations issued by the Federal Communications Commission (FCC) which enabled corporate ownership of multiple stations, leading to a twofold increase in the rate of market concentration between 1995 and 2000 (p. 807). As a result, local radio advocates lobbied for some channels to be allocated by law. While the microradio movement “succeeded in extracting the right to broadcast from the FCC and Congress,” low-power FM stations were forced to operate within a restrictive “regulatory code of conduct” (p. 808).

What all the above cases of resistance to concentration have in common is the intent—and, to a lesser extent, the ability—of small business challengers to alter (or preserve) the law as a means to protect their place in the market. Yet small businesses do not necessarily have the resources needed to pursue legal challenge. Students of responses to market concentration/exclusion recognize this fact and consider alternative routes when legislative action fails or lies beyond the reach of those affected. Schneiberg et al. (2008) thus point out that “anticorporate movements can pursue economic organization as an alternative to using the state against corporations” (p. 639), as in the case of agricultural producers who “opt for economic self-organization as an alternative to politics [or] turn to cooperatives with particular force if political access is blocked” (p. 647). The spread of microbreweries in response to corporate control of the increasingly concentrated U.S. beer production market examined by Carroll and Swaminathan (2000) constitutes another case of “private strategies and organization” (Schneiberg et al. 2008, 640) aimed at gaining access to marginal resource pools rather than an attempt to reshape the rules of the game. In short, private organization offers an alternative route to legal challenge. Even when resistance unfolds outside the political arena and does not seek major legislative changes,

however, challengers rely on, and are protected by, the existing institutional framework. Institutionalized organizational forms such as the cooperative afford them legal means to oppose monopolization.

The case study below focuses on street vendors, a socially and politically marginal constituency without any leverage on the legislative process. In fact, a majority of peddlers operate illegally, without a license, constantly running from the police to avoid the confiscation of their wares. The World Cup hosted by Brazil in 2014 required the adoption of legislation by the federal government guaranteeing the exclusive commercial rights of World Cup sponsors as well as the deployment of massive law-enforcement and security forces (Boykoff 2011). By virtue of these provisions, authorized street vendors were legally excluded from the most profitable markets while unlicensed peddlers faced a dramatic increase in policing. Most licensed street vendors suffered losses associated with a downturn in sales while some unlicensed street vendors were driven out of business due to repressive measures at specific locations. Nevertheless, members of both groups managed to take advantage of the event. A minority of licensed vendors made profits, usually by selling World Cup paraphernalia at their stalls despite uncertainty (and fear) surrounding the norms regulating such trade. Unlicensed street vendors, on the other hand, sold World Cup paraphernalia across the city. Moreover, some of them penetrated heavily protected fan markets using bribery and coordination, at significant risk to their person, to sell alcoholic beverages. In contrast to legal challenge and economic resistance, I call this strategy “subversion.” Subversion does not benefit a class of businesses, as in the case of legal challenge, but rather the individual entrepreneurs who engage in it. In fact, a majority of small businesses may lose while some “subversive” players score gains. On the other hand, as we shall see below, monopolistic markets allow subversive actors to increase their own profit margins when successful.

Street vendors and mega events

Sports mega-events form a multimillion dollar industry whose business model relies heavily on intellectual property. In fact, the single largest source of profits for franchise-owners of sports mega-events is the sale of television broadcasting rights, and the multi-million dollar contracts with sponsors rest on the concession of exclusive commercial rights in virtual (e.g., television screens) and physical spaces associated with the event (Black and Van Der Westhuizen 2004; Whitson, Horne and Manzenreiter 2006). The physical spaces in question vary in scale from large geographical areas—i.e., the territory of the host country or city—to localized settings such as official fan gatherings. At the country level, commercial restrictions apply to trademarked symbols, names, or phrases that appear on fan gear. In this regard, the rules can be uncertain, even for organizers, and the novelty of the event means that locals do not know what to expect in terms of enforcement. Restrictions are far stricter at official event sites and their surrounding areas, known as areas of commercial restriction (ACRs) or “exclusion zones,” wherein official sponsors have legal monopolies. This chapter analyzes the dynamics of street trade at both levels.

The protection of intellectual property rights is enshrined in *ad hoc* legislation, which the Fédération Internationale de Football Association (FIFA) and the International Olympic Committee (IOC)—franchise owners of the World Cup and the Olympic Games, respectively—require the host country or city to enact. According to Lindell, Hedman and Verboomen (2013:197), “the FIFA by-laws, which targeted mainly [street] vendors, became the legal instrument to exclude them from income-generating opportunities related to the [2010 World Cup in South Africa].” The few studies available on the topic concur that the World Cup has a negative impact on the income of peddlers (Horn 2011; Lindell, Hedman and Verboomen 2013). This finding echoes other scholarship on the effects of

sports mega-events on disenfranchised groups, including low-income tenants, shantytown residents, and the homeless (Boykoff 2011; Cottle 2011; Lenskyj 2012). However, as the authors themselves deplore (e.g., Horn 2011), studies of street vendors suffer from a lack of data. And they fail to account for documented individual success stories among “street entrepreneurs” (Cross and Morales 2007) who challenge the rules (e.g., Wyatt 2010). The study of subversion is meant to fill that gap.

The setting

When Brazil was awarded the 2014 World Cup in 2007, at a time of strong economic growth, the news sparked widespread celebrations. On June 5, 2012, President Dilma Rousseff signed the General Law of the World Cup (*Lei Geral da Copa*) in compliance with FIFA hosting requirements. As a result, FIFA trademarks—including symbols, emblems, phrases, etc. either registered by FIFA or “notoriously recognized” as FIFA propriety—were protected by federal law, overriding previous legislation that forbid the trademarking of event names. Even though materials bearing the colors of national teams did not technically fall within the purview of this statute—so long as they did not display any World Cup symbol—the law was ambiguous enough to offer law enforcers substantial leeway, especially in an informal environment where norms are not always enforced to the letter and where most actors ignore the letter of the law.

The same law established the Areas of Commercial Restriction (ACRs) around official venues—that is, principally, the stadium and the Fan Fest—setting a maximum radius of 2 kilometers around each site, although the actual scope and contours were to be determined in negotiations between local authorities and FIFA representatives in each host city. Within ACRs, rules were stricter and more straightforward. The bill stated that the Federal government would cooperate with all other levels of government as well as other

competent authorities to secure for FIFA and its partners the exclusive right to conduct marketing activities and “street commerce.” Violators would be liable to civil and penal sanctions including prison terms of up to one year and fines.

In 2013, Brazil hosted the Confederations Cup, an international soccer tournament also organized by FIFA considered a test run for the World Cup. By then, however, the public mood had shifted. Corruption, lingering shortfalls in public services and World Cup expenditures widely perceived as excessive or unjustified sparked massive demonstrations in most Brazilian cities. In São Paulo, almost a million people took to the streets. The chants uttered by protesters asked for schools and hospitals that also “met FIFA standards.” While attendance fell sharply, demonstrations against the World Cup continued sporadically through the beginning of the tournament, with protesters denouncing the legal terms attached to hosting the event (including tax exemptions for FIFA and its sponsors), increased police repression, and the displacement of vulnerable social groups, among them street vendors.

In São Paulo, where a new stadium was built for the World Cup in the peripheral neighborhood of Itaquera (next to a namesake subway station), there were no licensed street vendors within the maximum scope of 2 kilometers set for the ACR. At the subway station, however, a group of about 30 unlicensed vendors used to set up stalls in the early morning and late at night, before and after the Military Police daily shifts. The Fan Fest, on the other hand, was located downtown, near the historic center of the city. The downtown area is the commercial heart of São Paulo, and its main streets are bustling with street vendors, licensed and unlicensed. An enclosed park of about 10,000 square meters containing a stage with a mega television screen and promotional kiosks set up by World Cup sponsors, the Fan Fest covered about half of the oblong pedestrian plaza on which it was located, between two subway stations (see Fig. 1). The high metal fences enclosing

the Fan Fest were guarded by private security personnel while Military Police officers monitored the two entrance gates (*Ibid.*). The intensity of both policing and street trade in this area made it a prime site to observe the dynamics of subversion.

Approximately 250 authorized street vendors had stalls within 2 kilometers of the Fan Fest (see Fig. 6), and rumors of potential evictions circulated ahead of the World Cup. On April 20, however, a map of the neighborhood specifying the dimensions of the Fan Fest and its ACR was published in the newspaper of public record. The ACR was far smaller than the maximum allowed for in the federal bill, encompassing only 8 streets around the plaza and 5 licensed stalls.

Nevertheless, police officers were deployed across the downtown area. Under the terms of an agreement passed between the city government and the state government in 2009, around 2,000 Military Police officers were deployed daily to hotspots of street vending at the beginning of 2014, alongside the regular body of officers on the beat. Three weeks before the June 12 kickoff, the government deployed an additional 4,265 Military Police officers at 40 strategic spots across the city, where tourists were expected (Tomaz 2014). Another police force, the Municipal Guard, also patrolled street vending around the Fan Fest during the World Cup. Both the Municipal Guard and the Military Police rely on city inspectors (*fiscais*) for the administrative procedure of apprehending wares.

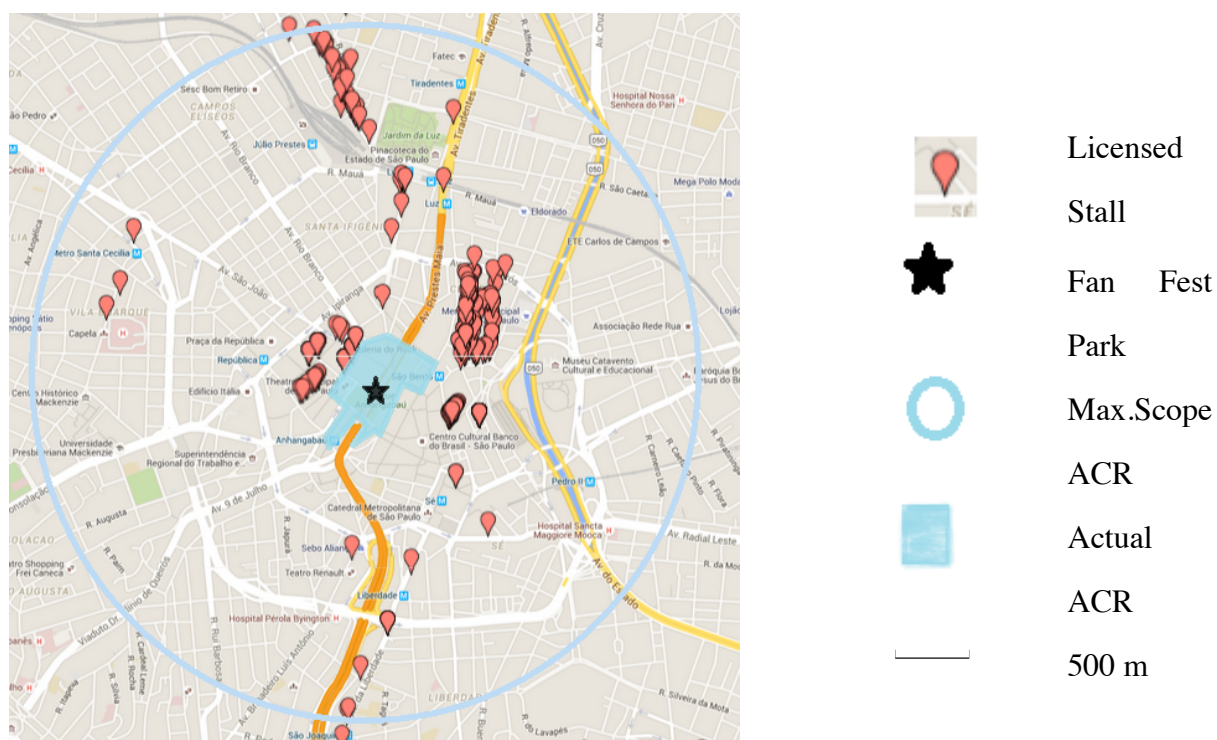


Figure 6: Licensed street vendors in downtown São Paulo

Note: Elaborated using Google Maps the and official list of licensed street vendors entitled to work retrieved on March 21, 2014, from the official website.

MARKET 1: THE BEER MARKET IN THE FAN FEST AND ITS EXCLUSION ZONE

Fan turnout at the Fan Fest varied sharply depending on what countries were playing. Peddlers only took a chance when the plaza was crowded, that is, during the games of the Brazilian national team and in the final rounds of the tournament. On the opening day of the World Cup, when Brazil faced Croatia in São Paulo, a strike by the association of street vending inspectors created a free-for-all situation in the ACR, which filled up with peddlers of all sorts. After that day, however, the strike ended and policing tightened dramatically. But peddling went on for both licensed and unlicensed peddlers.

Unlicensed peddling

On June 17, the day of the second game played by Brazil's national team, raids of street vendors carried out by the Municipal Guard began two hours before the game. Because the streets were cluttered, street vendors did not have to constantly run from law-enforcement as they do in their daily work routines. Instead, they blended in with the crowd while discretely offering merchandise to people around them. They carried the merchandise concealed in their backpacks, in large plastic bags, or, occasionally, in buckets or coolers.

An annotated map of the area with pictures of key spots is included as an appendix (Appendix C). On the margins of the ACR, near the exit of the northernmost subway station, a small cluster of peddlers formed but immediately disbanded when the police approached. A teenager who was selling manioc pancakes (*tapioca*) from a food cart did not run, however. He was caught, and his cart was confiscated. As it turned out, he had no previous experience peddling. He had been there on the opening day to hand out religious leaflets for his church and, seeing unlicensed peddlers work all around him, decided to try his hand on the next big game day.

Other unlicensed vendors stationed themselves at strategic spots where they had access to large flows of pedestrians with less exposure. Thus, on the stairs leading to a bridge between the main subway station and the entrance of the Fan Fest, a woman sold drinks from an open backpack. She was sitting on the stairs, about halfway up, leaning against the wall. The flow of fans going up and down the stairs protected her from view by police officers in the plaza. A lookout was stationed at the bottom of the stairs and another one at the top. If police approached by either end, the lookout would tip the seller who would then close the backpack, put it on, and exit the stairs by the opposite end (see Appendix C, Location 1 for setting details).

As the tournament advanced and policing increased, the number of unlicensed peddlers in the ACR declined. During a walking survey around the ACR conducted half an hour before Brazil's second game, I counted 44 unlicensed street vendors. On the day of Brazil's following game, with a crowd of similar proportions, I counted only 24 street vendors. Short interviews revealed that there were both longtime street vendors and opportunistic neophytes like the teenager mentioned above. Towards the end of the tournament, the police would cordon off an area containing the Fan Fest and some adjacent space, making it harder for peddlers to cater to fans on the waiting line.

Inside the Fan Fest

Big business lay *inside* the Fan Fest, however. There, the market was literally captive, as fans were checked at the entrance by security personnel and forbidden from bringing in any beverages. Prices reflected this state of affairs. Whereas in the ACR a can of beer from an unlicensed peddler went for 3 *reais* (1.33 USD),²⁹ inside the Fan Fest, where the official sponsor Anbev had a legal monopoly, the going price for the same can of beer was 6 *reais* (\$2.65 USD) and the volume of sales was much larger.

As noted earlier, the Fan Fest was enclosed by high metal fences and guarded by private security guards. Not only was *access* harder for peddlers as a result. Circulating with a backpack inside the Fan Fest made you an immediate suspect. And the expected sanctions were much heavier. As one peddler explained in an interview, "When you get caught in an open space, on the streets, that's fine. But in an enclosed space, it's different. You are way more vulnerable." Entering the beer market inside the Fan Fest thus required overcoming multiple barriers, not the least of which the psychological one.

²⁹ Conversions are based on the exchange rate at the time of the World Cup.

And yet a minority of unlicensed peddlers did sell beer inside the Fan Fest. In an interview conducted after the tournament, an experienced unlicensed peddler, young and male, explained how he proceeded. After filling up his backpack with cans of beer, he would pay a bribe to one of the security guards—50 *reais* (22 USD) per passage—to let him jump over the fence. A confederate (his girlfriend) stood on the line to enter as a regular fan (see Appendix C, Loc. 2). Once inside the park, they met at an agreed-upon location. She would then keep the backpack full of beer cans at her feet while pretending to watch the game. In the meantime, he would go around selling one can at a time. When the stock sold out, the cycle began anew: He exited normally, through the gates, with his empty backpack, filled it with beers, and jumped over the fence while she waited for him inside.

The experience of unlicensed street vendors with the market for beer in and around the Fan Fest constitutes the starkest form of both market exclusion and subversion. Exclusion was predicated on a legal monopoly. On the other hand, subversion was predicated on seriously deviant and dangerous behavior. Based on a limit-case scenario, the account of how unlicensed peddlers subverted the legal monopoly in the Fan Fest beer market throws into relief certain features of the subversion strategy that distinguish it from alternative responses. First, as a strategy premised on the breaking of norms rather than on shaping them, subversion carries risk. Second, it is an individualistic enterprise. Coordination within small groups of two or three individuals was observable (and profitable), but there was not a “movement” of solidarity among challengers, contrary to instance of legal opposition to concentration. In fact, as a result of the risk involved and the illegality of the actions, there was even less solidarity than I had observed in the daily practice of unlicensed peddling. Finally, the most successful individual cases of subversion suggest that the strategy was especially effective among those already immersed in the informal economy, with both the know-how and the disposition to take substantial risk.

The vendor who explained how he broke into the Fan Fest was a longtime unlicensed peddler while his girlfriend regularly helped him in the street, despite holding a formal job, and reported being thrilled by the risks she experienced. The scenarios considered below represent less radical instances of market exclusion. However, against the background of the experience considered above, they offer distinct insights that illuminate further the logic of subversion.

Registered peddling

Licensed street vendors are not, under any circumstances, allowed to sell alcoholic beverages. The municipal bill regulating street trade (DL 11,039) explicitly prohibits the sale of alcoholic beverages, which could lead to a revocation of the license. Despite witnessing multiple irregularities, I never saw a vendor offer a can of beer from a licensed stall in ten months of fieldwork prior to the World Cup. Moreover, only a handful of stalls were located close enough to the Fan Fest to take advantage of potential demand. And, with the exception of one stall belonging to a politically influential vendor which offered packaged foods near the Fan Fest, licensed stalls shut down during big games.

Another group of authorized street vendors sold beer in the ACR of the Fan Fest, however. Indeed, in an effort to quell public criticism about the exclusionary effects of the World Cup, organizers launched an initiative to enlist peddlers as commission sellers of sponsors' products in ACRs. The idea was to allow a group of peddlers to work legally during the World Cup even if they did not have a license. The making of this policy involved multiple meetings between city officials, an NGO working with street vendors, and representatives of unlicensed street vendors associated with the NGO. NGO employees eventually withdrew from the talks, but the street vendors they had brought remained at

the table. A final agreement between the latter and city officials was signed one month before the World Cup.

Despite initial claims that 1,000 street vendors would be able work at six different locations, the number was later reduced to 600 peddlers at only two locations: the Fan Fest (200 slots) and the stadium (400 slots). Participants in the program would work only in the ACRs—i.e., not inside the Fan Fest or stadium, where trade was controlled by FIFA. Moreover, vendors would sell at a fixed official price of 5 *reais* (\$2.25 USD) beer cans from a single brand sponsoring the World Cup and supplied to them by a designated provider while receiving 30% of the value of the sales.

Sales around the Fan Fest were low throughout the event. Even though the group never reached the projected number of 200 vendors, the roughly 90 vendors present on the first day were far too many considering the size of the ACR; they ended up selling within feet of one another. Poor logistics on the part of the contractor in charge delayed the operation. On the first day, moreover, vendors faced the competition of the unlicensed street vendors which sold beer by their side for lower prices while making bigger margins. Even after the crackdown that followed the free-for-all of the opening day, registered vendors still competed with the bars in the area, which were allowed to continue operating normally and offered a larger variety of beers at a better price. As a result, many participants deserted the program after the first day. Those who continued coming complained it was not worth it. Some days vendors sold only one or two drinks, some days they sold nothing; on a good day, an informant said she made about 50 *reais* (\$22 USD). The only vendor who acknowledged making a profit broke the rules by buying the merchandise underhandedly at a store instead of from the designated provider. Other registered vendors complained about the practice. In short, registered vendors were constrained by rules designed under heavy pressure from official market stakeholders and

faced lower expected returns than unlicensed peddlers as a result.³⁰ To take advantage of the scheme, some of them resorted to a subtle form of subversion.

MARKET 2: SOCCER PARAPHERNALIA ACROSS THE CITY

Whenever the Brazil national soccer team plays, demand for fan gear increases nationwide. Such gear includes flags, T-shirts, scarfs, vuvuzelas, rearview mirror covers, etc., bearing the green and yellow colors of Brazil. In line with local street vending parlance, we refer to this merchandise generically as World Cup merchandise (*mercadoria da Copa*). Street vendors are among main retailers of this type of goods in normal times. Yet the novelty of the World Cup, which Brazil had not hosted in over 60 years, created vast uncertainty as to the rules of the game and the scope of enforcement. Of course, FIFA did not have proprietary claims over Brazilian imagery, but some items, such as soccer jerseys, were sensitive; they were outright illegal if carrying the FIFA logo or the mascot, which fans looked for. Besides, licensed vendors are subject to sanctions if they sell other merchandise than what their license allows for. And, in the case of unlicensed peddlers—whose trade is by definition illicit—the massive buildup in law-enforcement forces made the threat of exclusion all too real, regardless of the actual regulations.

In the preliminary surveyed carried out one month before the World Cup, both licensed and unlicensed street vendors expressed doubts and fear.³¹ In the end, however, the crackdown on street trade was, on average, lower than expected. In fact, an overwhelming 72 percent of authorized vendors surveyed reported no perceived increase in repression. And yet not all peddlers were able to tap into demand for World Cup

³⁰ Inside the Fan Fest, workers received a much smaller share of the price for each item sold (about 12 percent according to one vendor). It is therefore understandable that sponsors would neglect business in the ACR, which could actually encroach on their revenues (i.e., fans who drink outside could consume less once they get in).

³¹ Unlicensed street vendors captured in this survey were located at the stadium subway station, so they had more reasons to worry. Most other unlicensed vendors were probably less apprehensive, if at all.

merchandise. Again, unlicensed peddlers were comparatively more effective at entering the market—even though they were also among the hardest hit.

Licensed peddling

As noted earlier, the city government announced ahead of the World Cup the decision not to remove or relocate any of the licensed street vendors' stalls. Even the five licensed stalls that fell within the ACR were not dislodged. On Brazil game days, most businesses shut down anyway, as did most licensed stalls. An interviewee complained that on one game day the only stall open around the Fan Fest belonged to a leader of the licensed street vendors' association, and that he was offering jerseys. Aside from these days, however, stalls operated normally.

And yet a majority of licensed vendors declared that their income dropped in the post-World Cup survey. As one leather belt vendor who lost money explained, "The only thing people cared about was soccer. Soccer, soccer, soccer." Echoing this view, a seller of wooden cooking utensils said he broke even, but only because the sale of World Cup merchandise compensated for the drop in sales of his usual wares.

Not everyone, however, sold World Cup merchandise. In fact, only half of respondents reported doing so. As one licensed peddler interviewed during the preliminary survey put it, "They say it's forbidden. They say you can even lose your license [if you do it]. I'm just going to shut down and leave for [his home state, during the World Cup]." In the aftermaths of the World Cup, other vendors complained that they did not sell World Cup merchandise because they were told it was illegal, but that their colleagues who did profited handsomely and were never sanctioned.

A range of different licensed vendors took a chance. Nevertheless, the decision by a vendor to enter the market was not completely random. Indeed, the same leader who was

reported to have an open stall with World Cup merchandise on a Brazil game day declared at the time of the preliminary survey—that is, one month before the tournament—that the sale of green-and-yellow paraphernalia without any official symbol (or replica thereof) would be tolerated, and he was right. But many rank-and-file vendors did not know or were unsure, even if some seem to have taken the risk. Qualitative data further suggest that economic status also played a role. The prime location for street vendors in São Paulo is a street called 25 de Março, where revenue per stall is said to be several times above average. On this street, all stalls offered World Cup merchandise. Yet, as one vendor explained, not everyone made a profit. Because the volume of sales is large, to make a profit you had to buy wholesale ahead of the event. By the time most vendors realized there would not be a crackdown, wholesale prices had risen and retail sales had slowed down.

The experience of licensed vendors with World Cup merchandise points to mediating factors in market exclusion when written rules are unclear or unknown. Status and access to information (especially about the likelihood of enforcement) benefited some challengers, even though not everyone who sold World Cup merchandise and profited from it met these conditions. Nevertheless, this experience reminds us that subversion—either of an actual or perceived monopolistic framework—is a risky, individualistic endeavor that benefits only a minority of the excluded population. As with beer trade at the Fan Fest, moreover, unlicensed peddlers had easier access to the market.

Unlicensed peddling

The full picture of what happened with unlicensed street vendors during the World Cup lies beyond the scope of this study. But observations of specific practices at different locations shed light on how peddlers dealt with World Cup merchandise. Not all unlicensed street vendors sold it—especially those working with food—but many incorporated it to

their stock. A destitute peddler selling cheap used plastic accessories on a sidewalk added a few green and yellow bracelets to the corner of the ragged tarp on which he showcased his wares. Mobility—a distinctive advantage of unlicensed vendors—played an important role, allowing them to sell on an array of sites, from pedestrian streets to squares, subways, traffic lights, and so on.

On the 25 de Marco, the sale of World Cup products was widespread among the unlicensed, too. The following notes from fieldwork describe some of the trends. On the morning of the first game, the 25 de Março was bustling as usual. For the last two weeks, virtually all licensed and unlicensed street vendors had been selling World Cup merchandise, especially green and yellow air horns which they sounded to attract customers, turning the place into a deafening mayhem. When I arrived, at around ten in the morning, I ran into Maria and Nora, a lesbian couple in their early twenties who had moved in together and supported themselves by selling children's toys on the streets without license. They were not working and looked concerned while chatting with other peddlers whom I did not know. They asked me if I had seen Bryan, a mutual friend, who also worked as a peddler in the area. Even though they were not working and were technically not subject to confiscations, we moved into a nearby shopping mall where they felt safer and, from there, reached Bryan by phone. He joined us at the mall carrying a huge Brazilian flag (at least one by one-and-a-half meters) for which he was asking 50 *reais* (22 USD). They chatted. He agreed that the place was “wet” (*molhado*), the slang term for tightly policed. For a while, the small group remained in silence. Then Bryan said, “Alright. I need to work. I can’t stay idle (*ficar parado*).” I asked the girls if they were also going. “In these conditions?” Nora told me, “We can’t.”

Despite the tense atmosphere of the opening day, post-World Cup interviews suggest there was no sustained spike in repression at the site. In fact, Maria herself said

that she did not think repression had increased significantly during the World Cup. And only a few peddlers did not trade their usual wares for World Cup merchandise. One of them was Blondine, a single mother in her forties who sold battery-powered massagers for anywhere between 8 and 20 USD apiece.³² When I asked her why, she replied that she felt repression was harsher on those selling World Cup products and that she was afraid. Besides, massagers sales had improved since there was less competition. Yet her friend Tina, another middle-aged woman proud of being an “independent mother” thanks her earnings from street vending, was not only selling World Cup merchandise but had brought her teenage son to help along. In short, I did not find any evidence of significant barriers preventing unlicensed peddlers from entering the World Cup merchandise market at the 25 de Março.

Sales of World Cup merchandise, which began in earnest about two weeks before the event, went on for one week after kickoff, then fell sharply. Factors explaining this trend include the disappointing performance of the Brazilian national team and the fact that, once acquired, fan items could be reused. The general mood of discontent with the event probably also contributed to dampening consumer spending. Still, several peddlers at 25 de Março reported that their income was higher than average thanks to the sale of World Cup merchandise. One of them said it increased by about 2,000 reais (800 USD), about a fifty percent bump at that location. On the other hand, another vendor whose earnings went up said he had worked longer hours, at various locations, to clear his stock of World Cup merchandise. At every World Cup, Brazil’s games are broadcast on public squares, with far less police presence and in an open space. Some of these same peddlers

³² As Geertz (1978) has shown, prices for the same item can vary widely in informal markets.

sell beverages and snacks own-account, without license, at these showings. Hence Bryan's pointed remark: "The World Cup is good for our business, so long as it is held abroad."

The 25 de Março is admittedly an outlier in terms of the volume of sales, peddling strategies, and the amount of money circulating. It is not possible to say, at the city level, what proportion of unlicensed vendors sold World Cup merchandise, nor the impact this had on their income. However, a comparison between the experience of unlicensed peddlers and the experience of authorized peddlers shows that the former enjoyed easier access to the market for World Cup merchandise. And yet unlicensed peddlers were also among the hardest hit. At "strategic points," where police deployment increased, longtime peddlers had a hard time. At the historic square of Santa Cecilia, two elderly vendors said patrols increased, as did the number of apprehensions, to the point where they barely worked during the World Cup. Perhaps the hardest hit of all were a group of about 30 street vendors at the subway station next to the new World Cup stadium—one of them "since the subway opened," almost thirty years ago. On the afternoon of Sunday, May 25, two policemen approached the peddlers to let them know police shifts would double and peddlers would no longer be able to work on that space. From then on, street vendors were only to set up shop after 10:30pm, including Sundays. By the end of the tournament, there were only 12 street vendors left. In a follow-up survey conducted one week after the end of the World Cup, there were only seven vendors, five of whom said that their income had significantly decreased during the tournament. Four of them estimated a drop of 50% or more. They also said that their absent colleagues had deserted the venue or the trade and conveyed stories of increased hardship.

CONCLUSIONS

Small businesses respond differently, depending on their legal status and political influence, to the threat of being forced out of the market by high-power players. Some challenge the legality of the process; others—or the same, after the first route fails—go on trading at the margins under new organizational forms. Street vendors during the World Cup had neither option. Instead, they used “subversive” tactics to participate in fan markets, which entailed breaking the law and evading the threat of enforcement.

At a general level, the analysis of subversion yields the following insights:

- 1) It is limited in scope, meaning only a few challengers can successfully engage in it. The only exception to this was unlicensed vendor participation in the World Cup merchandise market, which seemed to be widespread—in part because the marginal risk for vendors selling World Cup merchandise of an additional colleague doing so was relatively low. However, this was the least regulated market and participants were in an illicit situation to begin with, which decreased marginal risk.
- 2) It is based on individualistic planning and actions rather than large group coalitions or even cooperation, as in the cases of legal challenge and economic resistance. In turn, individual success (or failure) does not foster within-group solidarity.
- 3) It draws on preexisting expertise as well as other assets (e.g., status, information, risk-taking habits, etc.) developed by participants of an economy characterized by routine infringement of legal norms.

It is not surprising that the extent of subversion decreased with the strength of exclusion, as suggested by a comparison of the two markets. Far more peddlers defied the World Cup merchandise ban—or threat thereof—than penetrated the ACR, let alone the Fan Fest. It is also not surprising that the intensity of subversion increased with the strength of exclusion. Entering the Fan Fest beer market involved bribing guards and jumping over

fences, whereas selling World Cup merchandise in a residential neighborhood only required being cautious of police officers. But subversion as the defiance of market rules is not exclusive to those already outside the legal order. Registered vendors in the ACR bypassed the designated provider. And licensed peddlers sold World Cup merchandise, including merchandise bearing trademarked symbols, despite knowing (or thinking) it was illegal.

Beyond the sociology of markets and monopolies, this study adds a nuance to the analysis of urban informality. Subversion as described above is by no means foreign or new to students of informal economies. Informality entails, by definition, the routine violation of some legal norms (Portes, Castells and Benton 1989). Moreover, the clandestine tapping into regulated resource circuits from electricity to cable TV is part of the “informal way of life” (AlSayyad 2004) for marginalized groups who do not otherwise have access to such services. Bayat (1997) describes this practice as the “everyday encroachment of the ordinary.” And development scholars have come to see productive informal practices as socially and economically valuable (Rakowski 1994).

But scholars of informality also recognize the risks and hardships involved in making one’s living informally (Fernández-Kelly and Shefner 2006; Roy 2004). To remediate these hardships, policy prescriptions abound (Bromley 2000; De Soto 1990; Portes and Sassen-Koob 1987). Even if conflicts among them are sometimes irreconcilable—stemming as they do from competing ideological perspectives and/or social scientific paradigms (Rakowski 1994)—a degree of formalization such as enjoyed by licensed vendors is generally considered an asset. At the same time, a peddler with a license is a stakeholder in the legal and economic order that marginalizes her. That position sets boundaries on her ability to challenge the rules of protected markets. When exclusion intensifies, that is, when market rules are tightened, that peddler is less likely to engage in

subversion. Being outside the legal order—that is, more marginalized—unlicensed street vendors are freer to break the rules and challenge new measures of exclusion. But they are also more vulnerable. A majority of licensed peddlers saw their income decline during the tournament; however, the peddlers who lost their livelihood as a result of the World Cup were unlicensed.

Chapter 5: The Party and the peddlers

Previous chapters fleshed out the importance that the state can have in the lives and survival of peddlers. A license makes a big difference in normal times. State officials, however, are reluctant to hand out licenses. For one, urban designers committed to world-class city standards think that peddlers diminish the attractiveness and efficiency of urban centers (Hackworth 2007, Harvey 1989, Sassen 1991). Moreover, street vendors are an unpopular constituency. Social elites and the urban middle-classes see street vendors as a nuisance because they increase congestion, pollute the streets, and tarnish the urban landscape (Bromley 2000, De Soto 1989, Hansen, Little, and Milgram 2012). Given their frequent rural or foreign origins as immigrant members of the urban underclass (Friedmann and Wolff 1982), peddlers are also decried as “invaders” or “intruders.”

In short, peddlers are pariahs, not only in the eyes of the public, but from the policymaker’s standpoint as well. For right-wing parties, repression is the usual route. For left-wing parties, peddlers present more of a quandary. Members of the party can harbor sympathy for their plight, and peddlers’ votes are valuable in certain elections. Hence, politicians like PT councilman Tristan use them as an “electoral corral,” that is, a set of captive voters. Urban policymakers, however, have other interests in sight, including big business and the demands of the middle-classes. Because a sizeable fraction of peddlers are not citizens or not registered to vote in the city, supporting them through licenses or otherwise can have high electoral costs, even for left-leaning parties. It is therefore not surprising that leftist parties such as the communist party in Kolkata sometimes engage in large-scale repression (Roy 2004). More often, however, policymakers in left-leaning administrations simply avoid the issue. They let the lower echelons of government look after peddlers through the mix of enforcement and patronage encountered above. Caught

between repression and avoidance by high-ranking officials, street vendors are policy pariahs.

Exceptional circumstances can compel high-ranking civil servants to sit at the table with street vendors' representatives, however. In São Paulo, when the Workers' Party came to power in the wake of Kassab's mass-eviction campaign, they inherited a lawsuit against the city filed by an NGO and a public defender on behalf of street vendors (see Chapter 3). With approval from the judge, the parties in the lawsuit formed a working group to negotiate a settlement. The key issue at stake was the fate of the 5,500 or so street vendors whose licenses had been revoked by Kassab from 2006 onwards. Around 1,500 of them were working thanks to an interim court order that protected vendors with licenses revoked during Kassab's last year in power.

By 2012, the Workers' Party was not the same that led the large licensing program of the early 1990s (see Chapter 2). The PT had evolved from the teeming coalition of radicalized groups—leftist intellectuals, radical clergy inspired by liberation theology, and dissenting trade unionists—of its beginnings into an institutionalized political force. The views and values of its members (and followers) had veered toward the center. A concern with the holding of power replaced, by various accounts, the ideological fervor of the party's early days. As party ruling over a city of eleven million, moreover, the PT had no interest in catering to an unpopular group of 5,500 workers. The parties at the table thus faced a structural impasse. How did negotiations unfold?

I argue that the city resorted to blatant inaction, to which street vendors responded with futile outrage. In an ostensive stalling strategy, city officials eschewed decisive steps for months. Street vendors realized what was going on, denounced the ploy, threatened to abandon the talks, and remained at the negotiating table. As policy pariahs tied to the state by their license, their options were limited. Moreover, conflicts of interest among actors

representing street vendors facilitated the city's open subterfuge. A settlement was never reached and the judgment was still pending four years later. The protracted impasse translated into more precariousness and alienation among street vendors, the vast majority of whom were not even represented at the talks.

THE SETTING

The PT candidate Fernando Haddad won the municipal elections in late 2012 and was inaugurated in January 2013. His campaign was supported by various associations of licensed street vendors, including the Union and the DVA. Licensed street vendors hoped that a PT administration would put an end to the extreme harassment experienced under Kassab (see Chapter 3). In March 2013, Fernando Haddad met with the leaders of the Union and the DVA thanks to the intercession of Tristan. In April, he met with the NGO workers who filed the lawsuit and told them that “the only thing [he could] commit to was dialogue.” Then, in May, the NGO team and the head of the Office of District Coordination (ODC) agreed to seek a settlement. The ODC is the department in the city government that defines citywide guidelines on urban policy, including affairs related to street vending, and oversees the implementation of municipal policy by each district. The judge, who was hoping not to have to rule on the case given the pushback she had experienced after issuing a court order in favor of street vendors, sanctioned the settlement initiative. Talks began at the end of May.

Data for this chapter stems primarily from observation at the meetings of the working group set up to negotiate the settlement. Meetings took place in a large rectangular room on the thirtieth floor of a downtown skyscraper where the ODC is located. The group met every two weeks between the end of May and early November 2013. During the last month, meetings occurred weekly as time was running out. The working group convened

14 times in total; I attended the last 9 meetings. I also interviewed 11 participants separately. The group included representatives of the city, street vendors, and civil society.

The participants

- 1) *Representatives of the city.* The chief negotiator on behalf of the city, who also presided over the meetings, was Rigoberto, a mid-ranking ODC employee. According the working group's blueprint, representatives of nine other government bodies were listed as participants, including officials from the Department of Government (which coordinates relations between the mayor and the city council), the Department of Human Rights and Citizenship, the Department of Public Safety, as well as six districts with licensed street vendors. Officials representing departments seldom attended, however, and districts tended to send mid-ranking officials. Occasionally, other government employees such as a police chief or a former political broker showed up at the meetings.
- 2) *Representatives of street vendors.* Six representatives of street vendors were listed in the official blueprint, along with six substitutes. Four of the main representatives were attendants of the assembly set up by the NGO. The other two were the vice-presidents of both the Union and the DVA. They were said to be more influential than the presidents, who were listed as substitutes but also attended the meetings. Other street vendors who found out about the meetings sometimes showed up, along with the substitutes for the assembly attendants, some of whom had their own neighborhood-based associations.
- 3) *Representatives of civil society.* The representatives of civil society on the roster included Helena—the NGO employee who represented the plaintiffs in the lawsuit—as well as an academic, a trade unionist, a social activist, and a

representative of São Paulo's association of storeowners. The associations of storeowners declined to send a representative. Aside from Helena, who played a prominent role in the meetings, civil society representatives seldom attended or participated. The public defender who co-filed the lawsuit was also present at some meetings.

The routine

Rigoberto sat behind a desk at one end of the room. One or two other key negotiators on behalf of the city sometimes sat next to him. Facing them were all other participants—including representatives of other government agencies—sitting on several rows of foldable chairs split by an aisle. The leaders of the Union and the DVA (presidents and vice-presidents) were usually the first to arrive and sat in the front row on one side of the aisle as well as on a single row of chairs to the left of Rigoberto's desk. On the other side of the aisle, front-row seats were usually occupied by high- or mid-ranking city officials. Other attendants, including Helena and the public defender, filled the seats immediately behind them. Other leaders of neighborhood-based associations of licensed vendors as well as other street vendors, representatives of civil society, lower-ranking city officials, and a researcher from a U.S. university sat in the rows further back. Because attendance by some participants was irregular and because some stakeholders who were not on the roster (e.g., licensed street vendors wanting to “see for themselves”) showed up at certain meetings, turnout varied considerably. An average of 20 to 25 participants filled the room in each session.

At the beginning of each session, Rigoberto briefed the audience on decisions made by the city since the last meeting and laid out the order of the day. Attendants often interrupted him to ask questions. Eventually, a list of speakers was drawn, and those who

signed up would come forward in turns to ask a question or make a pitch. As a rule, speech did not follow a logical sequence from one speaker to the next (and sometimes within each pitch). Depending on the speaker and the point she was making, the background noise of cellphones and chatting grew or faded.

The stakes

The government's agenda transpired early on in the talks. The city wanted a settlement while reinstating the fewer possible licenses. In theory, representatives of street vendors advocated for the reinstatement of all licenses revoked by the Kassab administration. However, the leaders belonged to the fraction of licensed vendors protected by the interim court order, and they were also interested in other regulations that could be adopted within the working group, as part of the settlement. Finally, the agenda of Helena and the NGO she represented was to promote an inclusive, participatory policy that enhanced the rights of all informal workers. Her sheer lack of pragmatism, however, raised doubts about underlying conflicts of interest among other participants. Finally, the Union and the DVA saw the NGO as impinging on their turf of representing street vendors before the state but understood that, as a plaintiff in the lawsuit, the NGO was a key player that had to be dealt with.

ENGAGING PARIAHS

Even licensed peddlers are acutely aware of their marginal place in society. "Everybody uses peddlers," a street vendor said in an interview, "but nobody wants them in his street." Stronger words such as "nobodies," "trash," or "dogs" were used by some street vendors when describing how they were perceived and treated by the state or the public. Especially hostile authorities used terms like "drug addicts" and "criminals" (*bandido*). Although the blanket revocation of street vending licenses was stalled by a court

order, the leader of an association of street vendors explained that, had Gilberto Kassab gotten his way, the measure would probably have endured since none of his successors would have dared to “take such a controversial decision as bringing the trash (*sujeira*, referring to street vendors)... as they would put it, back to the streets.” In an interview, a former civil servant and longtime PT insider said “I’ve never seen anyone defend street vendors, except for street vendors themselves.”

The concept of policy pariahs seeks to capture the condition of marginalized social groups like street vendors whose interests policymakers have no reason to satisfy. Pariahs are usually minorities who have limited political rights and face hostile majorities (e.g., undocumented immigrants). In normal times, the political, financial, and organizational costs of implementing an inclusive policy are too high, and the returns too low, for government officials to seriously commit to such endeavor. When they directly impinge on the interests of other, more established social groups, pariahs are dealt with through force. As Margaret Somers (2008) suggests, the police is the face of the state for stateless people. Otherwise, ignoring pariahs is the best option for policymakers who, for political, social, or ideological reasons, are not inclined to repress them. Whatever inclusion happens usually takes the form of patronage, and continued precariousness serves the purpose of low-ranking state officials and politicians who can use the threat of eviction to extort or manipulate the disenfranchised (Roy 2004). As a result, endless pleading and waiting is the common experience of those who, being pariahs, depend on the state for their livelihood (Auyero 2012). However, policymakers do not fully control the policy agenda. External “streams” (Lindblom 1984) can bring an inconvenient issue to the forefront and force them to take a stance or—more dramatically—engage pariahs face-to-face. The dynamics of such interactions are not theorized. This chapter focuses on how they play out.

THE NEGOTIATIONS

The social dynamics at the meetings were characterized by two mirroring paradoxical attitudes. The city used delay tactics probably aimed at forcing their counterparts to accept a minimal offer at the end of the negotiations, under the pressure of time. Although buying time is not an uncommon strategy, the city's stance stood out as distinctively brazen. I call it blatant inaction. The response was outrage coupled with repeated threats to abandon the talks, which never materialized. Both attitudes easier to understand in light of street vendors' pariahs status, which precluded meaningful action on the part of the city while preventing the group's representatives from making good on their threat to leave. Other conflicts of interest also played a role.

Blatant inaction

The city's inaction took different forms. Perhaps the most consequential was its failure to take a stance on the number of licenses it was willing to reinstate until two weeks before the deadline. To keep the conversation going without making any commitment on the licenses, the city used various tactics. One of them was to bring up for discussion issues that street vendors cared about in the daily conduct of business.

Both the NGO and the Union saw the working group as an opportunity to make changes to the norms governing street trade beyond the reinstatement of licenses. The Union had submitted a proposal which consisted of a list specific changes to the municipal decree regulating licensed street vending. The NGO had submitted its own proposal on behalf of the Assembly, an ambitious step-by-step plan to define a citywide policy along six "axes" (e.g., policing, legislation, etc.), each of which contained itemized lines of action.

Rigoberto would print these documents and distribute them to attendants at the beginning of a meeting, then go over the items in each document one by one. Thus, even

though there was no agreed timeline for the reinstatement of revoked licenses, debate raged on about the number of assistants each vendor should be allowed to have or the right to transfer the license to the offspring after the death of the holder. The proposal to make the Union fee mandatory for all licensed street vendors spurred heated controversy, with most participants challenging the legality of such measure. Even the mores of vendors were discussed. The DVA vice-president suggested a statute requiring “good moral conduct” (*bons costumes*). “I’m sick of seeing vendors cuddling up at their stalls,” he said, causing an outcry. “You are giving the city more grounds to repress you,” the public defender pointed out.

The idleness of some of these issues was not lost on other participants. Once, after a speaker suggested that “morbid obesity” be added to the list of disabilities granting priority rights to a license, I heard a street vendor in the back comment: “They haven’t resolved the question of the revoked licenses and they are discussing obesity.” But the authors of each proposal, who were also the main spokespeople for street vendors, took each point of their respective programs to heart. And when, on one occasion, Helena pointed out that they were discussing “trifles,” she offended the vice-president of the DVA while failing to reorient the debate. Rigoberto sat silently as they squabbled.

Diversion had repeated payoffs. At the beginning of each meeting, Rigoberto would offer a recap of the previous session, pointing out the items on which there had been agreement and those on which there had not—thus sparring renewed debate. At a micro level, Rigoberto kept a steady tone and a poker face throughout the talks, even as he was being lambasted by other speakers (see below), and lost his calm only once. One time some street vendors representatives began to leave the room in protest and the situation seemed to be getting out of control. Without losing his temper, Rigoberto read a list of licensed vendors concentrations (*bolsões*) that had been revoked by Kassab. He spoke about the

need of an agreement on policing standards (*padrão de fiscalização*) because, he said, the Military Police would continue to patrol peddlers. Senior peddlers in the room showed some interest, which created confusion among those pushing for a walkout. A debate about *bolsões* ensued, then someone asked a question about the autonomy of district administration. Rigoberto answered with his usual phlegm.

The city used other, more sophisticated subterfuges as well. On August 9, without prior notice to participants in the working group, the city issued an ordinance calling for vendors with licenses revoked in 2012—that is, those protected by the court order—to submit to their respective district administrations proof of administrative or legal flaw in the revocation procedure for a review of the decision. Ordinance 38, as the edict was numbered, gave the interested parties a 30-day window to act. This move by the city put licensed street vendors and their leaders in a delicate position. If they attended the call, they legitimized the process and, in doing so, validated the city’s foreseeable claims that the licenses of those who did not attend the call had been lawfully revoked—and that those who attended the call but could not produce evidence of a flaw should be evicted. On the other hand, if the leaders tried to sabotage the process by telling members no to attend the call (as they did), they still ran the risk that a sizeable minority of licensed vendors would not listen to them, compromising both their strategy and their authority as leaders. Faced with a prisoner’s dilemma, the leaders’ best bet was to try to compel city officials to rescind the ordinance, which gave city officials additional leverage in the negotiations. By targeting exclusively revocations sanctioned in 2012, moreover, Ordinance 38 underscored the potential rift between the street vendors protected by the court order and those left out. The rescinding of Ordinance 38 became one of the street vendors’ main demands, along with the reinstatement of licenses. Rigoberto said he would discuss the demand with his

colleagues. At the following meeting, he stated that the ordinance had not been rescinded without offering any reason.

Two weeks before the end of the negotiations, the city finally took a stance on the revoked licenses. Claiming that a census of license holders was carried out in 2009, Rigoberto said the city was willing to reinstate licenses revoked in or after 2010, but that they would not go further back in time. Rigoberto was careful to place this announcement towards the end of the meeting, so it could not be debated in depth. Two participants raised questions about license holders whose licenses had been revoked before 2010, but the debate veered towards other issues and the meeting ended shortly thereafter.

On the last but one meeting of the working group, the city finally presented its proposal for settlement. In line with the announcement made at the previous meeting, the proposal was to reinstate, by June of the following year, licenses revoked since 2010. It also contemplated restoring the district-level deliberative bodies on street vending policy, improving the legislation, and setting new policing standards, but did not offer any specifics on any of these items. All the issues not resolved in the working group were to be tackled down the road by a Street Vendors' Council, the creation of which was proposed by the NGO. Helena insisted that the structure and competences of the Council be included in the settlement, but Rigoberto and Enrique (another high-ranking government employee) balked at the idea. "The Council does not exist yet. It has not been created. There is no point in regulating something that does not exist," one of them said.

Besides, Rigoberto's latest stance was that he could not make any decision himself; he would refer all decisions to the city's judicial services who, according to him, were to meet with their counterparts in the lawsuit on November 11. Helena said she did not know of any meeting. In fact, the meeting never took place, a settlement was not reached, and by the end of the PT administration, licensed street vendors were still in a legal limbo.

Futile outrage

Street vendors' representatives were not fooled by the city's strategy. They complained vociferously about it in their speeches. At the first meeting I attended, the first person to speak was the president of the Union. He cited "people enduring hunger" (i.e., street vendors with revoked licenses and unable to work), recalled the hopes placed on Fernando Haddad, and lamented how little street vendors were listened to. "This is like talking sex with angels," he said, sparking chuckles among the audience. "People [street vendors] are calling me, from all districts. They want an answer. They feel lots of frustration. We want you to restore the licenses [...] and devolve decision-making to district administrations. There's a lot of sadness in this situation. It's really bad. We don't know what the city wants. There's a lack of decision [on the part of the city]."

Then, a leader of a neighborhood-based association of licensed street vendors lashed out at Ordinance 38, calling it a "trap." He railed against a district administrator of the previous mayor, Gilberto Kassab, who, in a videoconference, was inquired by her bosses on the number of "heads she had cut," referring to the number of licenses revoked. He called the Secretary of the subsequent PT administration "the best lawyer for Kassab" and concluded by saying: "We want this administration to honor the ideology of the Workers' Party."

The female leader of a neighborhood association of licensed street vendors spoke next. "I'm indignant!" she shouted. "All you need to do is issue an ordinance saying these people can go back to [work on] the streets. Why don't you do that?" As an association leader, she acted as a political broker during campaigns: "I've given my life to the PT! I gave everything to [the Secretary].³³ I even gave my granddaughters [as campaign

³³ He ran unsuccessfully for councilman in the election where Haddad was elected

volunteers]. I've helped their campaigns for more than 30 years. I've even made my granddaughters work for them. I'm indignant!"

Others complained that Gilberto Kassab was still in power, that the Workers' Party was living up to its reputation of "scheduling a meeting to schedule the next meeting," or called the whole process a "joke in poor taste."

"You are laughing in our face (*zoando na nossa cara*)," a street vendor told government officials. "What about Ordinance 38? You said it would be rescinded? Why hasn't that happened?"

After the city circulated its proposal for a settlement in which it suggested that all issues on which the working group had not reached an agreement be referred to a yet-to-be-established Street Vendors' Council, a representative of street vendors said: "We've understood what you [the city] are doing with this Council. You are just using it to put off all the decisions you don't want to make."

And when street vendors' representatives met with Helena to draft a common proposal, a street vendors' leader commented pointedly: "We are playing the role of fools in this process."

The fact is that pariahs have little leverage and few tools to force the hand of the state. One of the street vendors' recurring grievances was that the Secretary never attended the meetings of the working group nor agreed to meet participants separately. Referring to the city's proposal of only restoring the licenses revoked in the last two years of the Kassab administration, the president of the Union once lamented, "But we are talking about those who are already working. Doesn't the mayor have the possibility to..." Not finishing his sentence, he turns to Rigoberto, "You are our spokesman with the Secretary. It's easier for you to reach him than for me. Those who are not working don't come here because they

can't, and even if they did they wouldn't be listened to. Any government with good will could solve this problem in a second."

To cope with helplessness and the awareness of being played, street vendors' representatives uttered threats of protest. For example, the Union vice-president talked about the licensed vendors who "are now unemployed" (i.e., unable to work). He wanted the city to take a stance. "If nothing is done," he suggested, "everyone [i.e., every peddler with a revoked license] should set up their stall and force the city's hand."

In a dramatic moment, a young lawyer who was a relative of a street vendor's leader burst out: "Is this a working group or is this a therapy group? We are being fooled. Rigoberto is here in good faith but he is being used by the city. Let's walk out of here. Let's make our own proposal and lay it on the table of the Secretary, so he can tell us whether he agrees or not." The audience cheered.

Helena chimed in: "Let's demand an answer from the city and set a clear deadline. This has lasted for too long. Nothing has been done in 8 months [since Fernando Haddad's inauguration]. We've had enough. If they don't solve this, we..." A street vendors' leader jumped in: "If the city doesn't solve this, we'll fight them on the streets!" People applauded.

At this point, the Union vice-president stepped forward. Recalling the proposal made earlier that street vendors get together and craft their own list of demands, he said, "Let's do that, then give the city one week to respond. If they don't, we'll make every single worker whose license was revoked go back to his spot. Then the city will have to deal with it."

The meeting between Helena and other representatives of street vendors took place in a room made available to them by the ODC. They drafted a list of demands that were

mostly ignored by Rigoberto in subsequent meetings. On the other hand, the protests did not take place. As time ran out, pleas replaced threats.

“There are people enduring hunger,” the Union president reminded the audience virtually every time he spoke. At the end of one meeting, under pressure from the members, he demanded that “at least one ordinance be published, so as to show we are making progress. People are calling, asking for response. And I give them hope. I can’t tell them everything we’ve done so far has been in vain. This is a democratic, working-class government. But it’s shattering everything (*arreventando tudo*).” The vice-president echoed the sentiment: “This is not fair. Those people suffer from diabetes and they are unemployed. They are experiencing hardship.”

The most poignant appeal to state officials’ compassion came, however, from two female vendors whose licenses had been revoked before 2010 and who found out about the talks at the Assembly meetings.

After the 2010 cut-off date was announced, Maria complained: “What about those who were affected before [2010]? We should have the same rights. This is not fair. You forgot us.” An association leader told her: “From what I understand, that discussion will take place in the Council.”

“But we don’t have time for Council. The goal is to include everyone. It must be decided here, in this group,” Maria responded. As others rallied around her, she went on,

“It was the government who created this problem. I always made my living in the streets. I have much respect for the inspector, as much respect as he wants me to have. But my license was taken *from my bag* on December 22 of 2006, and then [the revocation] was published on January 17. That’s not even a month. I’ve work in the streets for 40 years, under all mayors. It won’t be [Fernando] Haddad who kicks me out. I can’t take this no more.”

Laura, another vendor in a similar situation, “The same thing happened to me. It was a civil servant who refused to renew my license [in 2006]. They kept tossing me around

from one spot to another. I need to work. The inspector asked me to take down my stall, and I will, but I need to work. I have diabetes.”

“If we were younger, we would go walk the sidewalks on the Rio Branco [a well-known red-light district street]. Now we can’t even do that,” Maria added.

The room fell silent. Commotion was palpable. A high-ranking official, visibly moved, told Laura to come talk to him at the end of the meeting and gave her his contact info—but then never responded to her attempts to reach out to him. This was the final meeting of the working group. No settlement was reached.

Conflicts of interest

The pariah status of street vendors explains much of what happened at the talks. The lack of expected electoral returns from helping pariahs, which is inherent to the concept, accounts for the city’s inaction. What allows the city to pursue this strategy so blatantly, on the other hand, is pariahs’ lack of leverage on the political system. Their political ties to the councilman as well as the other assets they had accumulated over time, which allowed them to shape the licensing criteria in the 1990s, proved insufficient to sway an administration opposed to peddlers. If threats of demonstration did not materialize, however, it was not because leaders did not have the authority to organize a protest. In fact, one-and-a-half year later, when plans to evict downtown peddlers protected by the court order surfaced, the Union and the DVA called a protest that reached its goal. But other factors undermined collective action by the city’s counterparts during the negotiations.

First, those representing licensed vendors were divided into different camps. The main cleavage separated the Union and the DVA, on one hand, and Helena and her NGO, on the other. The Union and the DVA saw Helena and the NGO’s claims to represent street vendors as illegitimate. Beyond the NGO’s key role in the lawsuit, which everyone was

forced to acknowledge, Helena stoke her claim to speak in the name of peddlers on the Street Vendors' Assembly set up by her NGO. Attendance at the Assembly meetings was erratic, however, and a few habitués monopolized speech. The Assembly's decisions, moreover, were heavily influenced by the NGO workers. One time that Helena cited the Assembly in her speech, the president of the Union challenged her, "But who is the Assembly? Who?" She could not reply. On the other hand, Helena and her NGO saw the established leaders of licensed street vendors as self-serving power brokers in a clientelistic political system that did not genuinely represent the interests of most peddlers.

Had both camps committed to fighting for the restoration of as many licenses as possible—the only goal of relevance realistically attainable in this setting—their qualms about each other might not have been so damaging. Yet both the NGO and the established leadership of street vendors seemed to have their own conflicts of interest, which compromised a push for the reinstatement of all licenses or the organization of protests.

Most street vendors' leaders, who were themselves street vendors, had their licenses revoked in 2012. (Vendors in this situation were sometimes referred to as the "2012 group"). They were protected by the court order. If faced with the tragic alternative, they preferred that the city reinstate their licenses than none at all. And, although the topic was never explicitly raised, fewer licensed vendors in the streets meant less competition.

Until the final week of negotiations, the vice-president of the DVA—a senior peddler considered "the boss" of downtown street trade—insisted that the 2012 group, to which he belonged, was distinct and should have its licenses restored right away. Tristan's chief-of-staff was present at the first meeting I attended, and he forcefully supported that view. "Restore the legality of the broken licenses! If you want to solve all problems at once you don't solve any problem. Let's go from the simple to the complex, let's follow a Cartesian method. Let's separate this matter in two, the 2012 crowd and the others," he

said, before leaving the room. The president of the Union, for his part, was inconsistent, oscillating between an appeal to include the vendors left out of the city's proposal to reinstate licenses revoked from 2010 onward and, at other times, seeming ready to settle for the city's plan provided that the names of the Union and the DVA figured more prominently.

At first sight, the problem with Helena's agenda was being too ambitious and too abstract. She seemed to care more about general principles of participatory urban planning than street vending licenses. She advocated a comprehensive approach. "We have presented a roadmap in three stages with six axes, which include transparent management, urban planning, participatory channels, and trade promotion. We also want the city to lay out the principles for the regulation of street vending..." she once said at a meeting. When the president of the Union interrupted her saying that if the problem of the revoked licenses was not solved, the other matters were pointless, she agreed, but asked that the other items also be included in the discussion.

Her reluctance to even ask for the reinstatement of all licenses, however, raised doubts about deeper conflicts of interest. At the meeting between the parties representing street vendors, where final list of demands to the city was drawn, the vice-president of the DVA favored focusing on the group of 2012. But other street vendors in attendance protested, claiming all revoked licenses should be included in the proposal. Helena, however, seemed reluctant to do so. "This is like asking your dad for a Ferrari," she said, implying that an excessive bid would undermine their bargaining position. The Union president replied that 5,000 thousand licenses in a city of 20 million was not a Ferrari. At Helena's behest, however, the group eventually agreed on a plan to reinstate licenses in phases, with revocations for each year prior to 2012 being discussed within district-based deliberative bodies (which also needed to be restored).

Helena had voiced the same demand for a gradual reinstatement of licenses earlier, at a meeting attended by the Secretary's chief-of-staff. Seeing the working group's confusion, the Secretary's chief-of-staff had noted: "If you are going for an administrative revision of the revocations, you run the risk that the revocation be upheld and then there is nothing you can do about it. I wouldn't take that path. Now, if what you want is for this administration to rescind every decision made under Kassab, all the cancelations and revocations, just say so. I can take that demand to the mayor." This was the first and only time that such an offer would be on the table. However, the room fell silent. Astonishingly, no one seemed willing to seize on it. After a while, Helena said: "You can do that for those [revoked in] 2012, and then we can set up a timeline for the others." Addressing her by her name, the Secretary's chief-of-staff replied: "But that means those people [i.e., those revoked before 2012] will have to wait. They will have to wait [meaning they would not be able to work until their cases have been reviewed]." She stayed silent.

Helena's attitude upset Maria, a street vendor whose license was revoked in 2006, and who felt Helena made a "terrible mistake" by not pushing for the reinstatement of all licenses revoked since 2005 when the opportunity arose. Echoing the complaint of other Assembly participants who had grown disillusioned with the CIW as well as criticism by leaders of the established peddlers' organizations, she implied that the CIW's priority was receiving income from abroad and satisfying donors. From this perspective, delaying the reinstatement of licenses strengthen the application for a renewal of the grant that had financed the Assembly and the NGO workers involved in it over the last three years. In an interview, Helena denied having opposed the reinstatement of licenses, though she admitted making many mistakes.

The aftermaths

After the failure of the working group, the judicial process was paralyzed during the Christmas break, and the city asked for various extensions thereafter, which were granted by the judge. In an interview, the judge had confided not wanting to rule on the case. Three years after the end of the working group meetings, the case had not been ruled or settled. The public defender who co-filed the lawsuit received a medal for his deed at a public ceremony sponsored by Tristan, the councilman, and then moved out of town, withdrawing from the lawsuit.

In an interview, the president of the Union lamented the lack of action by the city, but in a more subdued way. At the same time, he complained about the impatience of Union members who continued to call and ask for a response. “What [vendors] don’t understand,” he said, suggestively, “is that to make an omelet, you have to break the eggs.”

The precariousness of the situation was wearing not only on those vendors whose licenses had been revoked before 2012, but also on those protected by the court order who wanted a return to normality and the renewal of their (now expired) licenses.³⁴ As the political patron of many of these vendors and a member of the ruling party, the PT councilman Tristan was taking part of the blame. At a meeting with the councilman in May 2014, a longtime, well-known peddler protested that vendors were not being told the truth and that the city wanted to do away with them. “I don’t know who to vote for anymore,” he concluded, to a round of applause. Frustrated, the councilman told the crowd, “Very well, as far as I’m concerned, you are now free. You hear me? I set you free. You don’t have to vote for me anymore.”

³⁴ They were still able to work thanks to the court order, but the expiration date on their document had passed.

In June 2015, the rumor spread that the city was about to remove all peddlers, including those protected by the court order. The leaders of street vendors associations, including the Union and the DVA, organized a demonstration in front of city hall. The mayor eventually agreed to meet with them and called off the removal plans. These developments attest to the mobilization capacity of the street vendors' associations. Consequently, they raise questions about why such capacity was not used during the talks, despite the leaders repeated threats. In the absence of definitive data, two conjectures can be offered in this regard. First, staging a demonstration while the dialogue was ongoing could be regarded as a disruption by the judge, and strengthen the city's hand in case of ruling. Second, and more likely, representatives of street vendors were "trapped" between the interest of the constituency they represented, which encompassed all street vendors whose licenses were revoked under Kassab, and their own interests as a minority protected by the court order. When the rights of that minority came under threat, protests finally materialized.

The distinction between the 2012 group and other licensed vendors parallels another distinction between licensed vendors, revoked or not, and the vast majority of peddlers, who never held a license and were barely mentioned during the talks. On one occasion the academic who was in the working group as a representative of civil society protested that by focusing on the 5,000 or so whose licenses had been revoked, "what you are doing is making life more precarious for the other 150,000 vendors who don't have a license." Similar consideration came up at the Assembly meetings. But licensed vendors who were fighting to go back to the streets and work legally agonized when they heard these statements. "They [the city] don't want to give a license to 5,000 peddlers, and [someone else] is claiming there's 100,000 of us!"

CONCLUSIONS

The concept of policy pariah introduced at the beginning refers to a marginal group whose interest the state has no incentive to satisfy. This condition explains why state officials tergiversated for months in negotiations. The first corollary of being a policy pariah, therefore, is not being taken seriously by policymakers, as those representing street vendors in the working group experienced time and time again. Avoidance, which constitutes a standard response in government's dealings with pariahs, was replicated in this setting through, for example, the stubborn refusal by the Secretary to attend the working group meetings or meet with street vendors' leaders separately. The state shuns pariahs even as it engages them.

Another dimension inherent to the pariah condition is a sense of helplessness. Despite being wittingly played by the city, street vendors did not take action. The ambivalent tie to the state established by the license, which offers some security at the expense of heightened dependence, undermined a potential walkout strategy. It also increased the effectiveness of the city's stalling strategy, which consisted of bringing up technicalities for debate while the most important matters were left unresolved.

Other strategic concerns were also at play. Being marginal, pariahs are poorly represented before the state. Partial and skewed (if not self-defeating) representation of group interests before is not a preserve of policy pariahs, and cooptation of leaders by the state occurs across sociopolitical categories. But the lack of interest state officials have in engaging pariahs compounds the problem. Not only do leader selection processes lack third-party oversight, the feedback on the representativeness of selected or self-appointed leaders is either nonexistent or conveniently ignored by government officials. In the case of street vendors, leaders who had survived the Kassab onslaught thanks to their own political connections were "trapped" in a conflict of interest that prevented them from

calling large demonstrations until their own livelihoods were directly threatened. And other actors speaking for street vendors, such as the NGO worker or the public defender, also seemed to have conflicting interests. Pariahs thus felt let down or abandoned by them.

Finally, alienation from state institutions and independent strategies of survival—including migration—are inevitable in the lives of policy pariahs. On the other hand, material necessity creates a propensity for hope which, combined to dependence-inducing mechanisms such as the license, exacerbates stress and emotional attrition among pariahs. As Roy (2004) points out, the prospect, however remote or illusory, of obtaining a home in new housing developments ensures a measure of submissiveness among tenants evicted from informal settlements in Kolkata following the neoliberal turn in urban governance. As they navigate the space between repression and “nonpolicies,” some pariahs thus find it hard, despite awareness of their condition, to break away from the state. The developments discussed above offer an illustration of the trap in which pariahs fall when an opportunity for negotiations with state officials arises. They also provide cautionary tale against policy solutions to informality that assume straightforward action by the state.

Conclusion

The survival of poor people in urban settings has haunted generations of scholars. Nonmarket exchanges, political networks, and informal labor are all part of the “resources of poverty” (Gonzalez de La Rocha 1994) tapped by the urban poor to get by (Auyero 2000; Lomnitz [1977] 2014; Hart 1973). But the question demands nuance. We know that informal economies are not *only* a field of survival—they can also be a field of accumulation. Some members of the peddlers’ aristocracy make considerable money. Overlapping the distinction between accumulation and survival are shades of informality. Compared to their unlicensed counterparts, for instance, street vendors who hold a license are closer to a logic of (limited) accumulation rather than sheer survival, unless targeted for eviction by a top-ranking city official. The limited property rights vested in the license, which puts them one step closer to formality, ensure some level of stability—and hence the possibility of accumulation—in the everyday conduct of business.

However, the proposal to extend, increase, and solidify these rights put forth by Hernando De Soto runs into a host of sociological problems. The class-based, racial, and institutional structures that marginalize poor people notwithstanding, the type of legal reform proposed by De Soto, which rests on an idealized understanding of markets, ignores the unequal relations between informal market participants and state actors as well as the vested interests already at work in any informal economy. As described in Chapter 2, these factors shape the course (and scope) of policies with the potential to extend the rights of informal workers. The disabled thus ensured that two thirds of the licenses issued by the PT municipal government of the 1990s remained in the hands of disabled (and elderly) vendors.

At a time of heightened hostility towards street vendors, moreover, the protection of whatever rights are vested in licenses also depends on networks, especially networks straddling different social fields, as shown in Chapter 3. Without the intervention of an NGO that had ties to both street vendors and actors in the judicial field, the court order that spared around 1,500 licensed street vendors from imminent evictions would probably not have been issued.

This study points to another flaw in the De Soto approach—as well as in any other approach predicated on the formulation of rights meant to solve the challenges faced by informal workers. Informal workers are policy pariahs. The state, that is, the only agent with the capacity to recognize and enforce such rights, is inherently reluctant to do so. This resistance is captured in the negotiations analyzed in Chapter 5, where the same party that, twenty years earlier, granted licenses to thousands, eluded any meaningful commitment to reinstate licenses for months, then blocked the talks.

Finally, a focus on the pitfalls of licensing leaves out the mass of unlicensed hawkers who must meet the material requirements of survival on a daily basis. Like many license holders deprived of their titles during the mass-eviction campaign, numerous unlicensed vendors did not survive the Kassab onslaught, economically, mentally, and even physically. Reports of peddlers who die fleeing from the Military Police, which Kassab deployed against peddlers and the Workers' Party administration maintained on the mission, are recurrent. The precariousness of life—not just income—on the streets therefore guards from romanticizing the practice of street trade as a form of resistance or re-appropriation of the city's increasingly concentrated resources. That said, the experience of peddlers during the World Cup, discussed in Chapter 4, shows that marginality can become an asset when the legal exclusion to which informal workers are subject intensifies

to the point where specific goods are effectively monopolized. In these circumstances, unlicensed vendors have less to lose from challenging the legal monopoly.

The debate among development scholars who specialize in the informal economy revolved for a long time around the cleavage between those who emphasized structural constraints and those who put the emphasis on remediable “deficits,” such as shortages of capital, skills, or poor legislation (Castells and Portes 1989, Fernandez-Kelly and Shefner 2006, Perlman 1979). Policy-oriented researchers inspired by the latter envisioned the role of the state and civil society actors (especially NGOs) as filling these gaps through micro-credit, training, formalization or titling programs, and so on (De Soto 1989; Tokman 1992). But policies to enhance the rights of informal workers, especially property rights, have fallen short of their promise. This study did not seek to provide an alternative solution, but an informed critique. It offers a way of looking at things informal that recognizes their structure and historicity through field theory.

The structure of each field differs based on its history, stakes, prevailing rules, and other factors. In informal land markets, for example, where the initial acquisition of land occurs through a collective takeover, higher levels of solidarity and organization can be expected among first-generation settlers. As with licensing in street vending, however, the titling process is sometimes coopted by self-serving leaders who cut sweetheart deals with authorities or extort informal land claimants.

Even within street vending, the dynamics observed in São Paulo do not necessarily recur when, for example, street markets migrate indoors or onto private land. The informal market of La Salada, which lies in the impoverished outskirts of Buenos Aires, witnessed bloody beginnings as formerly itinerant peddlers fought for plots or control over trade niches. The land where the marketplace sits was collectively purchased by the peddlers and then parceled out through informal transfers. The fact that the land was private, however,

encouraged the private use of force because the likelihood of eviction or sanction by state authorities was lower. In addition, the management of the marketplace required more organization and coercion than the streets of São Paulo, which are public spaces accessible to anyone. In fact, the organizational structures that evolved under the helm of former street vendors to maintain order and levy taxes inside the marketplace came closer to resembling a state within a state than anything the São Paulo street vendors studied here experienced, especially unlicensed ones.

If parameters change, so do field dynamics. When theorizing about informal economies, therefore, identifying the relevant parameters—such as type of land ownership—is key. Nevertheless, as noted earlier, patterns emerge across specific cases. Of particular significance are the roles played by the state. Even in La Salada, extraction (or extortion) by local managers is justified on the need to bribe the police and counter any reason to shut down the marketplace—such as bribes paid by competitors. Political connections (and protection) also matter, and those at the top of the informal economic order can (and do) divert resources from state programs for their own benefit.

Had the concept of embeddedness not been extenuated by endless parsing over its actual or most adequate meaning, perhaps the larger lesson of this study would be that survival, too, is embedded in fields, and that the structure of each field is the key to the question(s) of survival: Who survives? How to survive? Who can afford to accumulate? And how does one group's strategies to accumulate (e.g., restricting licensing criteria) condition another group's survival chances? This applicable to formal economic phenomena as well, but it is especially important when it comes to informal economic activity given the popular tendency to see informal markets as unregulated, hence unstructured, hence essential and independent from the state. Even when a street vendor is fighting individually for her own survival, running from a cop or negotiating the only sale

of the day, she is navigating a social field that explains why, given her background, she does not have more comfortable options to cover the necessities of life.

Even though the purpose of the present study is not to put forth any policy recommendation, one general implication is worth stating: to anyone interested in extending the rights of informal workers, this study recommends thinking about how new rights can be grounded in the existing field—lest they become new tools for accumulation by dominant players—and to exercise skepticism regarding the disposition of state officials to carry out a policy agenda that benefits marginal groups even when they are not stakeholders in preexisting informal arrangements.

APPENDICES

Appendix A : Preliminary Survey Questionnaire

Q1 Do you believe the World Cup will change your economic situation?

- Yes, for the better. Why?
- Yes, for worse. Why?
- No (2)
- I don't know

Q1 (B) If the person believed she would not be able to work as a street vendors during the World Cup, how do you intend to pay the bills?

- Savings
- Help from friends or relatives
- Another job

Q2 Do you have any business plans to take advantage of the World Cup?

- Yes (1), which?
- No (2)
- Does not know

Q3 Do you have any plans to protect your business during the World Cup?

- Yes (1), which?
- No (2)
- Does not know

Q4 Beyond its economic impact, do you think the World Cup will have other impacts on your life?

- Yes (1). Which:
- No (2)

Q5 Do you think the World Cup will benefit Brazil as a whole?

- Yes (1)
- No (2)

Why ?:

Appendix B : Large Survey Questionnaire

Survey instrument

On 25 de Março, where peddlers are too busy to answer the full questionnaire, a shortened version was administered. Items used or recorded in the short version are marked with a (*).

Introductory script

Hello, my name is ____ and I'm from the University of Texas in the United States. A colleague and I are doing a survey of street vendors in Sao Paulo. The survey asks questions about your work and your experiences during the World Cup. It takes about 15-25 minutes. The survey is anonymous. We are independent researchers and we are not associated with any part of the government or any NGO. You can choose not to answer any question and you can stop the survey at any time. Would you like to take the survey? (If yes) Here is my card. Do you have any questions before we begin?

Q1 Did you work as a street vendor during the World Cup?

- Yes (1)
- No (2)
- NR (3)

Answer if "No" is selected for Q1:

Q2 Why did you not work as street vendor during the World Cup? (Do not read the options)

- There was too much police surveillance (1)
- Took vacations (2)
- Other (3) _____
- NR (4)

Answer if "No" is selected for Q1:

Q3 How did you do to make ends meet during the World Cup?

- Savings (1)
- Family help (2)
- Another job (3) / Which _____

- Other (4) _____
- NR (5)

Skip to Q18.

Q47 During the month of the World Cup, did you sell World Cup merchandise?

- Yes (1)
- No (2)
- NR (3)

Q7 During the month of the World Cup, you made ____ before the World Cup?*

- More money than (1)
- Less money than (2)
- The same amount of money as (3)
- NR (4)

Answer if “More money than” is selected for Q7:

Q8 By how much did your income increase during the World Cup?*

- 10% (1)
- A quarter (2)
- Half (3)
- More than half (4)
- NR (5)

Answer if “Less money than” is selected for Q7:

Q11 By how much did your income decrease during the World Cup?*

- 10% (1)
- A quarter (2)
- Half (3)
- More than half (4)
- NR (5)

Q18 During the World Cup, do you believe that police repression against street vendors:*

- Increased (1)
- Decreased (2)
- Or remained the same? (3)
- NR (4)

Q19 Has the police ever confiscated your merchandise?

- Yes (1)
- No (2)
- NR (3)

Answer if “Yes” is selected for Q19:

Q48 When was the last time that happened?

Q23 Have you ever received a fine for working as a street vendor or paid a fee to recover merchandise?

- Yes (1)
- No (2)
- NR (3)

Answer if “Yes” is selected for Q23:

Q49 When was the last time that happened?

Q28 For how long have you worked as a street vendor?

Q29 Before being a street vendor, did you have another job?

- Yes / Which (1) _____
- No (2)
- NR (3)

Answer if “Yes” is selected for Q29:

Q30 In this previous job, did you have a formal contract?

- Yes (1)

- No (2)

- NR (3)

Answer if “Yes” is selected for Q29:

Q31 In this previous job, were you part of a union?

- Yes (1)

- No (2)

- NR (3)

Q48 What is the highest level of education that you achieved?

- Did not complete elementary school (1)

- Elementary school (2)

- High-school (4)

- University (5)

- NR (6)

Q35 Do you think the government is intent on improving the situation of street vendors?

- Yes (1)

- No (2)

- NR (3)

Q49 What are the two most important things that the city did for street vendors in the past year?

1. _____ (1)

2. _____ (2)

3. NR, cannot think of anything (3)

4. Nothing (4)

Q61 Can you tell me if it affiliated with any of the following groups?

Yes (1) No (2) NR (3)

Neighborhood association

Club or sports association

Church

NGO

Other

Q43 You this affiliated to any association or union street?

- Yes (1)
- No (2)
- NR (3)

Answer if “Yes” is selected for Q43:

Q44 In what year did you enter this association / union?

Q37 Have you ever held a leadership position in any organization?

- Yes (1)
- No (2)
- NR (3)

Q41 In the last twelve months, did you participate in any demonstration or public protest?

- Yes (1)
- No (2)
- NR (3)

Q47 In the last twelve months, you requested help or send a request to any politician, official or unit of the City Hall?*

- Yes (1)
- No (2)
- NR (3)

Q48 In the last twelve months did you participate in any meeting or public hearing with the city or with some politician?

- Yes (1)
- No (2)
- NR (3)

Q52 Finally, to get an idea of the economic status of street vendors in general, could you tell me if you have/own any of the following items?

Yes (1) No (2) NR (3)

1. Cellphone
2. T.V.
3. More than one bathroom at home
4. Personal computer
5. Internet at home
6. Car
7. House

Q53 We have reached the end of the survey. Thank you for your participation. You can complete the survey now, or answer one last question. [If the subject agrees] If we were to write a letter to the city council about the problems that face the street vendors, what are the demands or suggestions that you would like us to put in the letter?

Q54 Enumerator*

- 1 (1)
- 2 (2)

Q57 Sex*

- Women (1)
- Man (2)

Q27 Age (NR: estimated 20, 40, 60)*

- Less Than 20 (1)
- Between 21 and 30 (2)
- Between 31 and 40 (3)
- Between 41 and 50 (4)
- Between 51 and 60 (5)

- Over 60 (6)
- NR (7) _____

Q58 Race/ethnicity*

- White (1)
- Afro-Brazilian (2)
- Mestico (3)
- Indigena (4)
- Asian (5)
- Other (6) _____

Q59 National origins*

- Brazilian (1)
- South American (not Brazilian) (2)
- African (3)
- Other (4) _____

Q65 Any visible physical disability?*

- Yes (1)
- No (2)

Q60 Merchandise sold at the stall: *

- Fresh / homemade food (1)
- Packaged Food (2)
- Cigarettes / drinks (3)
- Electronicscessories (4)
- Clothing (including bags) (5)
- Clothing accessories (including shoes, watches, jewelry, belts, wallets) (6)

- Tools (7)
- Toys / gadgets (8)
- Other (9) _____
- Brazil / World Cup-branded items (10)

Appendix C: The Fan Fest Exclusion Zone



Background: Google Maps.

Scale: 1 _____ 50 meters



Pictures
(see
below)



Flows
of fans



Fan Fest
(FF)



Bridge
over FF



ACR
Boundaries



Subway
Exit



Entrance



Cluster of
unlicensed
vendors

LOCATION 1: STAIRS BETWEEN SUBWAY EXIT AND FAN PARK



Google Maps

Note: This picture was not taken during the WC. At that time, the flow of fans concealed the vendor from this viewpoint.

LOCATION 2: ENTRANCE TO THE FAN FEST

Picture protected by copyright.

LOCATION 3: FAN FEST SEEN FROM THE BRIDGE

Picture protected by copyright.

References

- Abbott, Andrew. 2014. *The System of Professions: An Essay on the Division of Expert Labor*. University of Chicago Press.
- AlSayyad, Nezar. 2004. "Urban informality as a "new" way of life " in *Urban informality: Transnational perspectives from the middle East, latin America, and south Asia*, edited by Ananya Roy and Nezar AlSayyad: Lexington Books.
- Auyero, Javier. 2000. *Poor People's Politics: Peronist Survival Networks and the Legacy of Evita*. Duke University Press.
- Auyero, Javier. 2012. *Patients of the state: the politics of waiting in Argentina*. Duke University Press.
- Babb, Florence E. 1987. "From the Field to the Cooking Pot: Economic Crisis and the Threat to Marketers in Peru." *Ethnology*:137-49.
- Bail, Christopher A. 2008. "The Configuration of Symbolic Boundaries against Immigrants in Europe." *American Sociological Review* 73(1):37-59.
- Bartley, Tim. 2007. "Institutional Emergence in an Era of Globalization: The Rise of Transnational Private Regulation of Labor and Environmental Conditions1." *American Journal of Sociology* 113(2):297-351.
- Bayat, Asef. 2000. "From Dangerous Classes' to Quiet Rebels' Politics of the Urban Subaltern in the Global South." *International sociology* 15(3): 533-557.
- Bayat, Asef. 1997. "Un-civil society: the politics of the 'informal people'." *Third World Quarterly* 18(1):53-72.
- Beckert, Jens. 2009. "The social order of markets." *Theory and society* 38(3):245-69.
- Benson, Rodney. 2013. *Shaping Immigration News: A French-American Comparison*. Cambridge University Press.
- Bertolli, Cláudio. 1989. "Os Trabalhadores Ambulantes Na Cidade De Sao Paulo: Aspectos Historicos." Pp. 83-125 in *Os Ambulantes E Seu Trabalho: Um Projeto De Institucionalização*, edited by S. d. A. Regionais. São Paulo, Brazil.
- Bhowmik, Sharit K. 2005. "Street vendors in Asia: a review." *Economic and Political Weekly*:2256-64.
- Bhowmik, Sharit, ed. 2010. *Street Vendors and the Global Urban Economy*: Routledge.
- Black, David, and Janis Van Der Westhuizen. 2004. "The allure of global games for 'semi-peripheral' polities and spaces: a research agenda." *Third World Quarterly* 25(7):1195-214.

- Boldrin, Michele, and David K Levine. 2009. "Does intellectual monopoly help innovation?" *Review of Law and Economics* 5(3):991-1024.
- Borrego, Maria Aparecida de Menezes. 2010. *A Teia Mercantil: Negócios e poderes em São Paulo colonial (1711-1765)*. Alameda.
- Bourdieu, Pierre. 1984. *Distinction: A Social Critique of the Judgement of Taste*. Harvard University Press.
- Bourdieu, Pierre. 1986. "The Forms of Capital." in *Handbook of Theory and Research for the Sociology of Education*, edited by J. G. Richardson. New York: Greenwood Press.
- Bourdieu, Pierre. 1996. *The Rules of Art: Genesis and Structure of the Literary Field*. Stanford University Press.
- Bourdieu, Pierre and Jean-Claude Passeron. 1979. *The Inheritors: French Students and Their Relation to Culture*. University of Chicago Press Chicago.
- Bourdieu, Pierre and Loïc Wacquant. 1992. *An Invitation to Reflexive Sociology*. University of Chicago Press.
- Boykoff, Jules. 2011. "The anti-olympics." *New Left Review* 67.
- Brady, Henry E. and David Collier. 2004. *Rethinking Social Inquiry : Diverse Tools, Shared Standards*. Lanham, Md.: Rowman & Littlefield.
- Bromley, Ray. 1978. "Organization, Regulation and Exploitation in the So-Called 'Urban Informal Sector': The Street Traders of Cali, Colombia." *World Development* 6(9):1161-71.
- Bromley, Ray. 2000. "Street vending and public policy: A global review." *International Journal of Sociology and Social Policy* 20(1/2):1-28.
- Bromley, R. D. F. and P. K. Mackie. 2009. "Displacement and the New Spaces for Informal Trade in the Latin American City Centre." *Urban Studies* 46(7):1485-506.
- Brown, Alison, ed. 2006. *Contested Space: Street Trading, Public Space, and Livelihoods in Developing Cities*. Intermediate Technology.
- Brown, Alison, Michal Lyons and Ibrahima Dankoco. 2010. "Street Traders and the Emerging Spaces for Urban Voice and Citizenship in African Cities." *Urban Studies* 47(3):666-83.
- Campbell, John L, and Leon N Lindberg. 1990. "Property rights and the organization of economic activity by the state." *American sociological review*:634-47.
- Capoccia, Giovanni and R Daniel Kelemen. 2007. "The Study of Critical Junctures: Theory, Narrative, and Counterfactuals in Historical Institutionalism." *World Politics* 59(03):341-69.

- Carroll, Glenn R, and Anand Swaminathan. 2000. "Why the Microbrewery Movement? Organizational Dynamics of Resource Partitioning in the US Brewing Industry1." *American Journal of Sociology* 106(3):715-62.
- Carroll, Glenn R. 1985. "Concentration and specialization: Dynamics of niche width in populations of organizations." *American Journal of Sociology*:1262-83.
- Carruthers, Bruce G. 1999. *City of capital: Politics and markets in the English financial revolution*: Princeton University Press.
- Castells, Manuel and Alejandro Portes. 1989. "World Underneath: The Origins, Dynamics, and Effects of the Informal Economy." Pp. 11-40 in *The Informal Economy : Studies in Advanced and Less Developed Countries*, edited by A. Portes, M. Castells and L. A. Benton. Baltimore, Md.: Johns Hopkins University Press.
- CGGDH, Centro Gaspar Garcia de Direitos Humanos -. 2012. "Trabalho Informal E Direito a Cidade." Vol. Sao Paulo.
- Clark, Gracia. 1988. *Traders Versus the State : Anthropological Approaches to Unofficial Economies*. Boulder: Westview Press.
- Clark, Gracia. 2010. *Onions are my husband: Survival and accumulation by West African market women*: University of Chicago Press.
- Clark, Gracia. 2013. "Twentieth-Century Government Attacks on Food Vendors in Kumasi, Ghana." Pp. 29-48 in *Street Economies in the Urban Global South* edited by K. T. Hansen, W. E. Little and L. Milgram. Santa Fe, New Mexico: SAR Press.
- Coase, Ronald Harry. 2012. *The firm, the market, and the law*: University of Chicago press.
- Collins, Randall. 1979. *The Credential Society: An Historical Sociology of Education and Stratification*: Academic Press New York.
- Cottle, Eddie. 2011. *South Africa's World Cup: A Legacy for Whom?:* University of KwaZulu-Natal Press Scottsville.
- Cross, John C. 1998. *Informal Politics: Street Vendors and the State in Mexico City*. Stanford, CA: Stanford University Press.
- Cross, John and Alfonso Morales. 2007. *Street Entrepreneurs: People, Place, & Politics in Local and Global Perspective*: Routledge.
- Cross, John C. and Sergio Peña. 2006. "Risk and Regulation in Informal and Illegal Markets." Pp. 49-80 in *Out of the Shadows : Political Action and the Informal Economy in Latin America* edited by Fernández-Kelly, Patricia and Jon Shefner. University Park, Pa.: Pennsylvania State University Press.
- Crossa, Verónica. 2009. "Resisting the entrepreneurial city: street vendors' struggle in Mexico City's historic center." *International Journal of Urban and Regional Research* 33(1):43-63.

- De Soto, Hernando. 1989. *The Other Path: The Invisible Revolution in the Third World*. New York: Harper & Row.
- Dean, Warren. [1969] 2014. *The Industrialization of São Paulo, 1800-1945*. University of Texas Press.
- Donovan, Michael G. 2008. "Informal Cities and the Contestation of Public Space: The Case of Bogotá's Street Vendors, 1988—2003." *Urban Studies* 45(1):29-51.
- Duffy, Meghan M., Amy J. Binder, and John D. Skrentny. "Elite status and social change: Using field analysis to explain policy formation and implementation." *Social Problems* 57.1 (2010): 49-73.
- Duneier, Mitchell. *Sidewalk*. Macmillan, 1999.
- Epp, Charles R. 1998. *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective*. Cambridge University Press.
- Eyal, Gil. 2013. "Spaces between Fields." in *Bourdieu and Historical Analysis*, edited by P. S. Gorski: Duke University Press.
- Ferguson, Priscilla Parkhurst. 1998. "A Cultural Field in the Making: Gastronomy in 19th-Century France." *American Journal of Sociology* 104(3):597-641.
- Fernández-Kelly, Patricia and Jon Shefner (eds.). 2006. *Out of the Shadows: Political Action and the Informal Economy in Latin America*. University Park, Pa.: Pennsylvania State University Press.
- Fligstein, Neil. 1996. "Markets as politics: A political-cultural approach to market institutions." *American sociological review*:656-73.
- Fligstein, Neil and Doug McAdam. 2012. *A Theory of Fields*. Oxford University Press.
- Friedmann, John, and Goetz Wolff. "World city formation: an agenda for research and action." *International Journal of Urban and Regional Research* 6.3 (1982): 309-344.
- Gauri, Varun and Daniel M Brinks. 2008. *Courting Social Justice*. Cambridge University Press.
- Geertz, Clifford. 1978. "The bazaar economy: Information and search in peasant marketing." *The American economic review* 68(2):28-32.
- Giddens, Anthony. 1984. *The Constitution of Society: Outline of the Theory of Structuration*. Univ of California Press.
- Gonzalez De La Rocha, Mercedes. 1994. *The resources of poverty: Women and survival in a Mexican city*. Oxford: Basil Blackwell.
- Granovetter, Mark S. 1973. "The strength of weak ties." *American Journal of Sociology* : 1360-1380.

- Granovetter, Mark. 1995. *Getting a Job: A Study of Contacts and Careers*: University of Chicago Press.
- Greve, Henrich R, Jo-Ellen Pozner, and Hayagreeva Rao. 2006. "Vox populi: Resource partitioning, organizational proliferation, and the cultural impact of the insurgent microradio movement1." *American Journal of Sociology* 112(3):802-37.
- Hacker, Jacob S. 1998. "The Historical Logic of National Health Insurance: Structure and Sequence in the Development of British, Canadian, and U.S. Medical Policy." *Studies in American Political Development* 12(01):57-130.
- Hackworth, Jason. *The neoliberal city: Governance, ideology, and development in American urbanism*. Cornell University Press, 2007.
- Hansen, K, Little, W. & Milgram L., eds. (2013). *Street Economies in the Urban Global South*. Santa Fe, New Mexico: SAR Press.
- Harvey, David. 1989. "From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism." *Geografiska Annaler* 71(1):3-17.
- Hirschman, Albert O. 1970. *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*: Harvard University Press.
- Holland, Alisha C. 2015. "The Distributive Politics of Enforcement." *American Journal of Political Science* 59(2):357–371.
- Horn, Pat. 2011. "Informal Traders and the Struggle to Trade." in *South Africa's World Cup: A Legacy for Whom?*, edited by Eddie Cottle. Scottsville, South Africa: University of KwaZulu-Natal Press Scottsville.
- Hunter, Wendy. *The Transformation of the Workers' Party in Brazil, 1989–2009*. Cambridge University Press, 2010.
- Immergut, Ellen M. 1992. "The Rules of the Game: The Logic of Health Policy-Making in France, Switzerland, and Sweden." *Structuring politics: Historical institutionalism in comparative analysis*:57-89.
- Ingram, Paul, and Hayagreeva Rao. 2004. "Store Wars: The Enactment and Repeal of Anti-Chain-Store Legislation in America1." *American Journal of Sociology* 110(2):446-87.
- International Labor Organization (ILO). 2002. "Decent Work and the Informal Economy." Report VI. International Labor Conference. Geneva.
- International Labor Organization (ILO). 2013. "Women and men in the informal economy: a statistical picture (second edition)" International Labor Conference. Geneva.
- Kalleberg, Arne L, Michael Wallace and Robert P Althausen. 1981. "Economic Segmentation, Worker Power, and Income Inequality." *American Journal of Sociology*:651-83.

- Kapiszewski, Diana, and Matthew M. Taylor. 2008. "Doing courts justice? Studying judicial politics in Latin America." *Perspectives on Politics* 6.04: 741-767.
- Kentor, Jeffrey, Adam Sobek, and Michael Timberlake. "Interlocking Corporate Directorates and the Global City Hierarchy." *American Sociological Association* 17.2 (2011): 498-514.
- Khan, Shamus. 2012. "The Sociology of Elites." *Annual Review of Sociology* 38:361-77.
- King, Brayden G, and Nicholas A Pearce. 2010. "The contentiousness of markets: Politics, social movements, and institutional change in markets." *Annual review of sociology* 36:249-67.
- Lamont, Michèle and Marcel Fournier. 1992. *Cultivating Differences: Symbolic Boundaries and the Making of Inequality*: University of Chicago Press.
- Lamont, Michèle and Virág Molnár. 2002. "The Study of Boundaries in the Social Sciences." *Annual Review of Sociology*:167-95.
- Ledeneva, Alena V. 2006. *How Russia Really Works : The Informal Practices That Shaped Post-Soviet Politics and Business*. Ithaca: Cornell University Press.
- Lenskyj, Helen Jefferson. 2012. *Best Olympics Ever?, The: Social Impacts of Sydney 2000*: SUNY Press.
- Lindell, Ilda (ed.). 2010. *Africa's informal workers: collective agency, alliances and transnational organizing in urban Africa*: Zed Books.
- Lindell, Ilda , Maria Hedman, and Kyle-Nathan Verboomen. 2013. "The World Cup 2010, "World Class Cities," and Street Vendors in South Africa." Pp. 179-200 in *Street economies in the urban Global South*, edited by Karen Tranberg Hansen, Walter E Little, and B Lynne Milgram.
- Lindell, Ilda. 2010. "Introduction: The Changing Politics of Informality - Collective Organizing, Alliances, and Scales of Engagement." in *Africa's Informal Workers: Collective Agency, Alliances and Transnational Organizing in Urban Africa* edited by I. Lindell: Zed Books.
- Lindblom, Charles E. 1984. *The Policy-Making Process*, 2nd edition, Englewood Cliffs, New Jersey: Prentice-Hall.
- Lipsky, Michael. [1980] 2010. *Street-Level Bureaucracy*: Russell Sage Foundation.
- Little, Walter E. 2013. "Maya Street Vendors' Political Alliances and Economic Strategies in the Tourism Spectacle of Antigua, Guatemala." Pp. 93-114 in *Street Economies in the Urban Global South*, edited by K. T. Hansen, W. E. Little and L. Milgram. Santa Fe, New Mexico: SAR Press.
- Lomnitz, Larissa Adler. 2014. *Networks and marginality: Life in a Mexican shantytown*. Academic Press.

- Mahoney, J. 2000. "Path Dependence in Historical Sociology." *Theory and society* 29(4):507-48.
- Martin, John Levi. 2003. "What Is Field Theory? ." *American Journal of Sociology* 109(1):1-49.
- Mauss, Marcel. [1916]. 1979. *Seasonal Variations of the Eskimo: A Study in Social Morphology* (in collaboration with Henri Beuchat). London and Boston: Routledge and Kegan Paul.
- McAdam, Doug, Sidney G. Tarrow and Charles Tilly. 2001. *Dynamics of Contention*. New York: Cambridge University Press.
- McCann, Michael W. 1994. *Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization*: University of Chicago Press.
- Medvetz, Thomas. 2012. *Think Tanks in America*: University of Chicago Press.
- Middleton, Alan. 2003. "Informal Traders and Planners in the Regeneration of Historic City Centres: The Case of Quito, Ecuador." *Progress in Planning* 59(2):71-123.
- Misse, Michel. 1997. "As Ligações Perigosas: Mercado Informal Ilegal, Narcotráfico E Violência No Rio." *Contemporaneidade e Educação* 2(1).
- Morse, Richard. 1974. *From community to metropolis: a biography of São Paulo, Brazil*. Octagon Press, Limited.
- Moser, Caroline. 1980. "Why the Poor Remain Poor: The Experience of Bogota Market Traders in the 1970s." *Journal of Interamerican Studies and World Affairs* 22(3):365-87.
- Moser, Caroline. 1980. "Why the Poor Remain Poor: The Experience of Bogotá Market Traders in the 1970s." *Journal of Interamerican Studies and World Affairs* 22(3):365-87.
- Murphy, Raymond. 1984. "The Structure of Closure: A Critique and Development of the Theories of Weber, Collins, and Parkin." *British Journal of Sociology*:547-67.
- Murphy, Raymond. 1988. *Social Closure: The Theory of Monopolization and Exclusion*. Clarendon Press Oxford.
- Nee, Victor. 1991. "Social inequalities in reforming state socialism: between redistribution and markets in China." *American sociological review*:267-82.
- North, Douglass C. 1990. *Institutions, institutional change and economic performance*: Cambridge university press.
- Pamplona, João Batista. 2013. "Mercado De Trabalho, Informalidade E Comércio Ambulante Em São Paulo." *Revista Brasileira de Estudos de População* 30(1):225-49.

- Pamplona, João Batista. 2013. "Mercado De Trabalho, Informalidade e Comércio Ambulante em São Paulo." *Revista Brasileira de Estudos de População* 30(1):225-49.
- Parkin, Frank. 1974. "Strategies of Social Closure in Class Formation." *The social analysis of class structure*:1-18.
- Perlman, Janice E. *The myth of marginality: Urban poverty and politics in Rio de Janeiro*. Univ of California Press, 1979.
- Pierson, Paul. 2004. *Politics in time: History, institutions, and social analysis*: Princeton University Press.
- Portes, Alejandro, and Saskia Sassen-Koob. 1987. "Making it underground: Comparative material on the informal sector in Western market economies." *American Journal of Sociology*:30-61.
- Portes, Alejandro, Manuel Castells, and Lauren Benton. 1989. *The informal economy: Studies in advanced and less developed countries*.
- Power, Timothy Joseph, and Matthew MacLeod Taylor, 2011. "Introduction" Pp. 1-28 in *Corruption and Democracy in Brazil: the Struggle for Accountability* edited by Timothy J. Power and Matthew MacLeod Taylor: University of Notre Dame Press.
- Prasad, Monica. 2005. "Why Is France So French? Culture, Institutions, and Neoliberalism, 1974–1981." *American Journal of Sociology* 111(2):357-407.
- Ragin, Charles. 2004. "Turning the Tables : How Case-Oriented Research Challenges Variable-Oriented Research." Pp. 123-38 in *Rethinking Social Inquiry* edited by Henry E. Brady and David Collier: Rowman and Littlefield.
- Rakowski, Cathy A. 1994. "Convergence and divergence in the informal sector debate: A focus on Latin America, 1984–92." *World Development* 22(4):501-16.
- Ramirez, Carlos. 2001. "Understanding Social Closure in Its Cultural Context: Accounting Practitioners in France (1920–1939)." *Accounting, Organizations and Society* 26(4):391-418.
- Rao, Hayagreeva. 2008. *Market rebels: How activists make or break radical innovations*: Princeton University Press.
- Roberts, Bryan R. 2005. "Globalization and Latin American cities." *International Journal of Urban and Regional Research* 29(1): 110-123.
- Rosales, Rocio. 2013. "Survival, economic mobility and community among Los Angeles fruit vendors." *Journal of Ethnic and Migration Studies* 39(5):697-717.
- Roscigno, Vincent J, Sherry Mong, Reginald Byron and Griff Tester. 2007. "Age Discrimination, Social Closure and Employment." *Social Forces* 86(1):313-34.

- Rosenberg, Gerald N. 2008. *The Hollow Hope: Can Courts Bring About Social Change?*: University of Chicago Press.
- Roy, Ananya. 2004. "Gentlemen's city : urban informality in the Calcutta of New Communism." in *Urban informality: Transnational perspectives from the middle East, Latin America, and South Asia*, edited by Ananya Roy and Nezar AlSayyad: Lexington Books.
- Sanderson, Matthew R., Ben Derudder, Michael Timberlake, and Frank Witlox "Are world cities also world immigrant cities? An international, cross-city analysis of global centrality and immigration." *International Journal of Comparative Sociology* (2015).
- Sassen, Saskia. 1991. *The Global City*. Princeton, NJ: Princeton University Press.
- Scheingold, Stuart A. 2010. *The Politics of Rights: Lawyers, Public Policy, and Political Change*: University of Michigan Press.
- Schneiberg, Marc, and Tim Bartley. 2001. "Regulating American Industries: Markets, Politics, and the Institutional Determinants of Fire Insurance Regulation1." *American Journal of Sociology* 107(1):101-46.
- Schneiberg, Marc, Marissa King, and Thomas Smith. 2008. "Social movements and organizational form: Cooperative alternatives to corporations in the American insurance, dairy, and grain industries." *American sociological review* 73(4):635-67.
- Seligmann, Linda J. 2004. *Peruvian Street Lives: Culture, Power and Economy among Market Women of Cuzco*: University of Illinois Press.
- Seligmann, Linda J. 2013. "The Politics of Urban Space among Street Vendors of Cuzco, Peru." Pp. 115-36 in *Street Economies in the Urban Global South* edited by K. T. Hansen, W. E. Little and L. Milgram. Santa Fe, New Mexico: SAR Press.
- Setšabi, Setšabi 2006. "Contest and Conflict: Governance and Street Livelihoods in Maseru, Lesotho." Pp. 131-52 in *Contested Space: Street Trading, Public Space, and Livelihoods in Developing Cities* edited by A. Brown: Intermediate Technology.
- Somers, Margaret R. 2008. *Genealogies of citizenship: Markets, Statelessness, and the Right to have Rights*: Cambridge University Press
- Sørensen, Aage B. 2000. "Toward a Sounder Basis for Class Analysis ". *American Journal of Sociology* 105(6):1523-58.
- Steinman, Erich. 2012. "Settler Colonial Power and the American Indian Sovereignty Movement: Forms of Domination, Strategies of Transformation." *American Journal of Sociology*, 117.4: 1073-1130.
- Steinmo, Sven, and Kathleen Thelen. 1992. *Structuring politics: historical institutionalism in comparative analysis*: Cambridge University Press.

- Street, Alex, Chris Zepeda-Millán, and Michael Jones-Correa. "Mass Deportations and the Future of Latino Partisanship." *Social Science Quarterly* 96.2 (2015): 540-552.
- Swedberg, Richard. 2010. "Markets in Society." Pp. 233-53 in *The Handbook of Economic Sociology*, edited by Neil J Smelser and Richard Swedberg: Princeton university press.
- Telles, Vera and Daniel Hirata. 2007. "Cidade E Práticas Urbanas: Nas Fronteiras Incertas Entre O Informal, O Ilegal, E O Ilícito." *Estudos Avançados* 21(61):19.
- Thelen, Kathleen Ann and Sven Steinmo. 1992. "Historical Institutionalism in Comparative Politics." Pp. 1-32 in *Structuring Politics : Historical Institutionalism in Comparative Analysis*, edited by S. Steinmo, K. A. Thelen and F. Longstreth. Cambridge England. New York: Cambridge University Press.
- Tilly, Charles. 1998. *Durable Inequality*: University of California Press.
- Tokman, Víctor E. 1992. *Beyond Regulation : The Informal Economy in Latin America*. Boulder, CO: Lynne Rienner.
- Tomaz, Kleber. 2014. "Policiamento Da Copa Começa a Atuar Nesta Terça, Diz PM." in *Jornal da Globo, G1*. Accessed Oct. 28, 2015 (<http://g1.globo.com/sao-paulo/noticia/2014/05/policiamento-da-copa-comeca-atuar-em-sao-paulo-nesta-terca-diz-pm.html>)
- Townroe, Peter M. 1983. "Location factors in the decentralization of industry: A survey of metropolitan Sao Paulo, Brazil." World Bank working papers n. 517. World Bank
- Truzzi, Oswaldo M. S. 1992. *De Mascates a Doutores: Sírios e Libaneses em São Paulo*. Instituto de Estudos Econômicos, Sociais e Políticos de São Paulo. São Paulo (SP): Sumaré.
- Turner, Sarah. 2013. "Appropriate Space? An Everyday Politics of Street Vendor Negotiations in Hanoi, Vietnam." Pp. 137-56 in *Street Economies in the Urban Global South* edited by K. T. Hansen, W. E. Little and L. Milgram. Santa Fe, New Mexico: SAR Press.
- Turner, Victor Witter. 1975. *Dramas, Fields, and Metaphors: Symbolic Action in Human Society*: Cornell University Press.
- Vallas, Steven and Emily Cummins. 2014. "Relational Models of Organizational Inequalities Emerging Approaches and Conceptual Dilemmas." *American Behavioral Scientist* 58(2):228-55.
- Venkatesh, Sudhir Alladi. 2006. *Off the Books : The Underground Economy of the Urban Poor*. Cambridge, Mass.: Harvard University Press.
- Weber, Max. 1978. *Economy and Society: An Outline of Interpretive Sociology*: University of California Press.

- Weeden, Kim A and David B Grusky. 2005. "The Case for a New Class Map1." *American Journal of Sociology* 111(1):141-212.
- Weeden, Kim A. 2002. "Why Do Some Occupations Pay More Than Others? Social Closure and Earnings Inequality in the United States1." *American Journal of Sociology* 108(1):55-101.
- Wen, Fang. 2005. "On the Symbolic Boundary of Groups: Social Psychological Processes and Mechanisms." *Sociological Research* 1:001.
- Whitson, David, John Horne, and W Manzenreiter. 2006. "Underestimated costs and overestimated benefits? Comparing the outcomes of sports mega-events in Canada and Japan." *Sociological Review* 54(Suppl. 2):71-89.
- Wilson, Stuart. 2011. "Litigating Housing Rights in Johannesburg's Inner City: 2004-2008." *South African Journal on Human Rights* 27(1):127-51.
- Wright, Erik Olin. 1997. *Class Counts: Comparative Studies in Class Analysis*. Cambridge University Press.
- Wyatt, Benn. 2010. "'The World Cup Has Excluded South African Traders... Fact or Fiction?'" in *CNN*. URL: <http://www.cnn.com/2010/SPORT/football/06/29/world.cup.traders.fifa/>. Accessed 8/8/2016.
- Yázigi, Eduardo. 2000. *O mundo das calçadas: por uma política democrática de espaços públicos*. Humanitas, FFLCH/USP.