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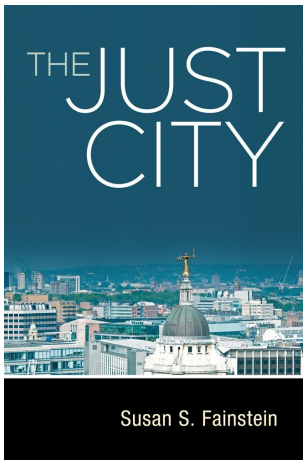
A starting point for a practical and methodological discussion



Susan S. Fainstein
The Just City
Cornell University Press, Ithaca NY and London, 2010
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As early as 1973 geographer David Harvey published a book on *Social Justice and the City*, and in those same years in France Henry Lefebvre was publishing some pioneering works on cities, books like *The Right to the City*, *The Urban Revolution* and *The Production of Space*. The Seventies also witnessed the rise of theories of justice as the main concern of English speaking political philosophers. Yet in spite of these premises, a theory of urban justice did not emerge and it is only in recent years that city planners have manifested a new interest for the topic and a significant body of literature is beginning to emerge. Perhaps the most explicit and ambitious attempt in this direction is Susan Fainstein's book *The Just City*[9].

Fainstein is professor of urban planning at Harvard and a leading scholar in the field. Her book however spans beyond the concerns and writings of planners and

[9] Other recent significant examples includes: Soja, Edward W., *Seeking Spatial Justice*, Univesrsity of Minnesota Press, Minneapolis and London, 2010; Marcuse, Peter et alii (eds.), *Searching for the Just City*: *Debates in Urban Theory and Practice*, Routledge, Abingdon UK and New York NY, 2009; Brenner, Neil, Marcuse, Peter and Mayer, Margit (eds.), *Cities for People, Not for Profit: Critical Urban Theory and the Right to the City*, Routledge, Abingdon UK and New York NY, 2012; and the online journal *Justice Spatiale/Spatial Justice*, www.jssj.org.

in particular makes a sustained effort to engage with philosophical literature on justice, democracy and difference. This does not make the book an attempt to simply adapt some existing theory of social justice to the special case of urban justice. The author is well aware that there is a fundamental difference between justice in the modern nation-state and justice in the city: the former is not only a broader social unit, but more fundamentally is a very different political entity, one that is the endowed with sovereign power[10]. In principle then the state has a much greater power to implement or enforce a preferred view of social justice and to effect deep changes in the social and economic structure[11]. Cities typically do not have such power and hence a theory of justice for cities needs to be less ambitious and to take account of the limited power and opportunities of urban political action.

Background and aims of the book

The above premise is necessary to understand the 'intermediate' or applied character of Fainstein's theory. It is not an ideal theory, but a theory of the feasible goals that can be pursued in the context of the existing economic and political structures. In practice this means that it is a theory that applies not at the level of designing just political institutions, but at the level of the policy process in existing liberal-democratic societies. That is why Fainstein sets clear limits to the scope and ambitions of her proposal. First of all, there is an acknowledgement that changes do not follow from theoretical truths, but depend on how ideas and ideals can reorient existing trends and social forces. This demands attention to historical tendencies and local circumstances. Hence the author does not offer a universal and timeless theory of the just city, but a set of recommendations for contemporary cities in developed and democratic countries.

Second, in terms of ambitions, having excluded the possibility of enacting radical structural changes at the level of city politics, Fainstein adopts what André Gorz called 'nonreformist reform', namely a strategy not aimed at radical and structural changes, but capable of moving towards a situation in which deeper social change may eventually become possible. Here the position of the author is an obvious response to the Marxist position, very influential in the literature on cities, according to which within capitalism justice is impossible and therefore only radical structural change can remove existing injustices. Fainstein sees this position

[10] Fainstein herself does not talk about sovereignty, but I think it is useful and enlightening to put the issue in terms of sovereign power.

[11] Of course this power of a sovereign body to realize a given conception of justice is in practice radically more limited than in principle. Yet, although contemporary political philosophers writing on justice have paid very little attention to the concept of sovereignty, they have often written as if the philosophical issue was simply to single out the correct theory of justice, thus suggesting that there was an implicit assumption that state power was an effective and already existing mean to realize a philosophically sound normative theory of justice. This assumption is clearly questionable. But this is not the point here. What is important to notice is that while such fictional assumption could be seen as an excusable idealization at the level of state politics (i.e. the level commonly adopted in political philosophy/political theory) it becomes immediately untenable when the discussion takes as its subject larger or smaller political units, i.e. entities whose power is subordinated to or derived from a partial transfer of sovereignty by the state.

as disheartening from the point of view of planners and policy-makers, thence she wants to show that some meaningful advance in promoting justice is possible even accepting capitalism as the given structural framework. This acceptance is clearly a necessary concession to political realism and does not involve a wholehearted endorsement of *laissez-faire* ideology. In fact quite the opposite is true: Fainstein reminds the reader that the existence of the market does not exclude other types of organization and of economic management. Hence she advocates the opportunity for the state and for local governments to take a more proactive and hands-on role in trying to remove urban problems and injustices and to devise the institutional solutions that would correct some of the problems produced by the working of unregulated markets. Both a direct engagement (for instance in the housing market, since she considers housing the more urgent urban problem) and supporting and offering partnership to the nonprofit sector should be considered. So even if she accepts the market economy as the socio-economic reality to be assumed as given, she advocates a progressive attitude, which is pro-active and incremental, ready to seize «opportunities as they arise and constantly pushing for a more just distribution» (p. 176).

Within the boundaries just explained, political theory and philosophy are to provide the specification and justification of the goals towards which policy makers should aim. In other words, they should provide a conception of justice which is both attractive and practical. Fainstein adopts Nussbaum's version of capability theory as the most suitable for her purposes. This is probably not a great surprise since capability theory offers more determinate criteria than most other philosophical doctrines, thus I will not discuss this choice. Rather, I think it is more profitable to discuss other aspects of Fainstein's approach, aspects that are more closely related to the applied nature of her theory and that raise quite interesting political and philosophical issues that deserve attention.

The key features of Fainstein's proposal can be better understood and assessed by looking at the author's target audience. While the book aims at affecting the purposes of urban policy, it is addressed to city planners, not to, say, local politicians, entrepreneurs or communities. It is a book addressed to individuals who participate in the policy process as technical experts and this must be kept in mind. Moreover, the book attempts to change the prevailing trends in the field of city planning. In order to do so, the author offers an interpretation of the present situation and mainstream currents in planning. So let us begin the analysis of Fainstein's proposal by understanding the positions and views that she criticizes and she attempts to go be beyond.

The book has two main polemical targets:
1. Planning as technical expertise in the service of the imperatives of economic growth, efficiency and attracting private investments.
2. Collaborative (or Communicative) Planning, which is basically the attempt to involve and give voice to local communities, an attempt inspired by Habermas's theory of communicative action and by the ideal of Deliberative Democracy.

Fainsten's main aim in the book is to put social justice in the planning agenda, which in the last decades has been dominated by the imperative of growth and of attracting funds and investments: «Justifications for projects in terms of enhancing

competitiveness dominate the discourse of city planning» (p. 1); «the desirability of growth is usually assumed, while the consequences for social equity are rarely mentioned» (p. 2).

Planners, according to Fainstein should aim at making the city more just by trying to promote equity: justice should rank high in their agenda, as «the first evaluative criterion» (p. 6). So her aim is to replace the economic imperative (promoting growth, improving efficiency and competitiveness, attracting capitals and investments etc.) with an ethical commitment to social justice and equitable distribution of resources within cities. Just like Rawls famously claimed that justice is the first and fundamental virtue of political institutions, Fainstein claims that justice should be the first concern in urban policy-making[12].

Coming to Fainstein's second polemical target, it should be noted that she broadly sympathizes with the ethical and political aspirations of Collaborative Planning, and she acknowledges that it was a healthy reaction against a top-down approach to planning. Nonetheless she is disillusioned about the prospects of collaborative planning and of theories of justice that relies exclusively on procedures and democratic participation and discussion. She does not accept the proceduralist view according to which correct procedures are all that is needed to achieve just outcomes. Furthermore she objects against the idealist and power-blind attitude of communicative planning: it pays too little attention to differences of power between conflicting interests, to structural inequalities and their ideological consequences, to the need of backing words and decisions with mobilizing forces that can turn them into action («words will not prevail if unsupported by a social force carrying with it the threat of disruption» p. 33). Through its insufficient attention to structural inequalities and imbalances of power, communicative planning and deliberative democracy (its politico-theoretical counter-part) fail to deliver all that they promised. «In its reliance on good will, communicative planning theory typically passes over structural conflicts of interest and shrinks from analyzing the social context that blocks consensus building» (p. 28).

Fainstein points the attention also to the fact that there have been important examples of beneficial social programmes that have been designed and implemented by bureaucratic administrations without any involvement of citizens: «we cannot deny out of hand that insulated decision making may produce more just outcomes than public participation» (p. 32). So democracy alone cannot secure justice: democracy and participation cannot ignore how they are affected by the inequalities in power, wealth and resources, by the fundamental role of conflict in politics and by the role of emotions, rhetoric and demagoguery in public discourse and social movements. So Fainstein concludes that «there is no necessary link between greater inclusiveness and a commitment to a more just society» (p. 49).

[12] Rawls famously opened his highly influential book on justice by stating that «Justice is the first virtue of social institutions». And shortly after explained that «laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust» (Rawls, 1971, p. 3). Fainstein points out the analogy with Rawls in her "Spatial Justice and Planning", *Justice Spatiale / Spatial Justice*, n. 1, 2009, p. 1. http://www.jssj.org/wp-content/uploads/2012/12/JSSJ1-5en1.pdf

To sum up, Fainstein's intention is

«to formulate and defend a set of principles that constitute the core of just urban policies that can be developed at the local level. For the moment the key point is that making justice the first principle by which to evaluate urban planning and policy is essential and *is not met without attributing to it a substantive content*» (p. 12-3).
«It is my hope to shift the conversation within discussion of planning and public policy toward the character of urban areas, lessen the focus on process that has become dominant within planning theory, and redirect practitioners from their obsession with economic development to a concern with social equity» (p. 19).

The core ideas

After having established that the emphasis has to be on outcomes rather than on processes, the favoured conception of justice is presented. The author's view presents a three-dimensional account of justice «as encompassing equity, democracy and diversity» (p. 5)[13]. Equity is understood as a concern for the situation and well-being of those who are the least well off in society. It is a commitment to give priority to the interests and needs of those who are economically or otherwise disadvantaged. Fainstein explains that while the goal is not equality, the aspiration towards reducing the gap comes from the egalitarian tradition. Here it would have been useful to make explicit whether the conception of equity adopted simply requires a commitment to help those who do not reach a certain threshold of resources or well-being, or whether equity entails a more fundamental commitment to equality. Recent philosophical discussion has pointed out some important differences between a commitment to equality and a more modest commitment to sufficiency, i.e. to the achievement of a level of resources and opportunities that is enough to secure either the satisfaction of basic needs, or the achievement of a satisfying life, or the development of one's fundamental capabilities[14]. From the point of view of sufficiency what is important is absolute deprivation, not relative inequality. However, even if she is not explicit on this point, my guess is that given her endorsement of the capabilities approach and her incrementalist strategy that does not aspire to radical structural reform, Fainstein commitment is probably to a sufficiency approach, whose threshold level is expressed in terms of capabilities.

Diversity is less easy to pin down, but fundamentally the key point is that diversity should never be the occasion or excuse for discrimination: cities should be open and welcoming to diversity of culture, religion, ethnicity, colour, sexual orientation etc[15]. Whether social diversity is in itself a good and desirable thing that should

[13] This three-dimensional conception of justice bears some resemblance with Nancy Fraser's recent works, in which she identifies three fundamental questions of justice: questions of redistribution, or recognition and of representation. (Fraser 2008).

[14] For a clear and authoritative analysis of the difference between equality and sufficiency see Derek Parfit, "Equality and Priority", *Ratio* 1997, 10, pp. 202-221.

[15] As Fainstein reminds her readers, in the context of planning we can distinguish diversity in land use and social diversity. Diversity in land use has been advocated on account of the fact that it produces more lively and vibrant neighborhoods, but it has also been advocated as a driver of economic productivity and growth. In this respect it is not so

actually be promoted is much less clear. Fainstein seems to take the modest position that diversity is nowadays inescapable at city level, but that actively promoting it may be problematic both in terms of liberty, democracy and community cohesion. Diversity brings with it both opportunities and challenges. Furthermore diversity does not seem the kind of result that is best achieved through public intervention.

The difficulty of implementation affects also the influential concept of recognition[16], that offers a more positive characterization of diversity than the simple toleration and absence of discrimination. Yet translating the ideal of recognition in planning initiatives is far from easy. Apart form the creation of public spaces open and available to everybody and all groups, other initiatives are problematic, because they tend to generate tension with the values of community and belonging, and with freedom and democratic inclusion. So Fainstein's view is that «diversity is a lesser value than equity; however, in an era of massive spatial mobility [...] diversity at the metropolitan scale becomes a necessary virtue» (p. 68).

Fainstein's interpretation of democracy does not always seem consistent. Explicitly it seems to be centred on the ideal of having inclusive procedures of decision making that allow all voices and interests to be considered. However, at other times it seems to range from people's involvement in local decision, to respect for the preferences and decisions of the majority, and even to legitimation through the democratic process as specified by the constitutions of liberal-democratic states. But let us leave aside these variations in meaning, and focus on the emphasis on citizens participation in decision making. After the author's attack on procedures and collaborative planning it could not come as a surprise that democracy too is given less importance and value than equity.

«What we can say in general about institutionalized citizen participation is that it increases the information available to policy makers by providing local knowledge […]; it makes decision making more democratic and open but not necessarily more equitable» (p. 67)

In the end the three-dimensional account of justice offered by the author does not seem particularly convincing and consistent. The main problem is that while Fainstein claims that justice includes concern for democracy, diversity and equity it is this latter which is really at the core of her analysis and about which she clearly cares most. In a way this is obvious already from the choice of 'justice' as the comprehensive general concept, for the association of justice with equity is much stronger than its association with democracy and diversity. But there are also some clearly revealing remarks that show which value really ranks higher in Fainstein's agenda. Consider the following: «The intent is to specify programs that would

clear what is the relation between mixed land use and justice. However, here I focus on social diversity rather than mixed land use.

[16] The concept of recognition bears some important similarity with the concept of 'respect', but it differs in that 'respect', especially in its liberal understanding, tends to abstract from differences, while 'recognition' is a form of respect that acknowledges differences and pay attention to them and their implications, rather than passing over them.

benefit relatively disadvantaged social groups and to call on policy makers to make a kind of justice impact statement when choosing particular strategies» (p. 166).

It is quite clear that reducing inequalities through supporting the worst off and improving their situation is really at the core of Fainstein's concerns. Apart from the remarks already mentioned above, the higher status of equity becomes quite obvious looking at the list of principles that she offers as a guide for planning. The recommendations aiming at furthering equity are more numerous and better articulated than those concerning democracy and diversity. In addressing issues of diversity the principles suggested are really quite generic and definitely do not give the impression of being criteria that can have the same degree of urgency she associates with issues of equity. And it is rather revealing that the last point about diversity is really about equity, since it states that access to opportunities should be given to those groups that have historically suffered forms of disadvantage and discrimination.

Her recommendation in furtherance of democracy seems even weaker, only three criteria (those in furtherance of equity are seven), which seem to stress the democratic ambiguity of people's involvement more than the need for more participation. Indeed it is revealing that she remarks that «[t]he purpose of inclusion in decision making should be to have interests fairly represented, not to value participation in and of itself. If justice is the goal, the requirement of democracy is mainly instrumental» (p. 175). This is striking, because if she truly considers democracy one of the three components of her conception of justice, it does not seem consistent to consider democracy of instrumental value only: it should have intrinsic value as one of the constitutive components of justice. But probably this statement betrays the attitude which underlies the book and that gives priority to equitable distribution over citizens participation in decision making about planning. Therefore Fainstein's claim that her argument «presses for the maximisation of the three values of equity diversity and democracy» (p. 166) is either inconsistent or disingenuous. For she has explicitly, and correctly, argued «that in relation to the broad issue areas of urban policy, values of democracy, diversity and equity may pull in different ways» (p. 85). But if conflicts between these values are unavoidable and trade-offs need to be made, then maximising them does not look as always possible.

Now even if we concede that maximisation should not really be taken literally – for it is well known that exercises of maximisation present serious challenges when there is more than one value to be maximised – we are still left with a radical ambiguity about the relative status of the 3 values constituting justice. If diversity is a lesser value (p. 68) and democracy an instrumental value (p. 175), while equity is really the main value, they could by no means receive the same weight in policy making. Yet Fainstein does not explicitly give an absolute priority to equity, nor she proposes a lexical ordering of the three values. Instead it is suggested that the problem is rather a pragmatic one, for it is claimed that diversity and democracy tend to conflict with each other and with other values more than equity. Hence we can infer that there is a hierarchy among them, but a non-systematic, flexible one. In practice this means that it is a matter of judgment and context to decide whether a small increase in equity is worth more than a substantial loss in diversity,

or whether a significant broadening of democratic participation should be pursued even at the cost of a small loss in equity. Such a conclusion is not in itself objectionable (I for one tend to sympathize with it), but it raises a problem in the context of public policy, where the values of transparency, consistency and impartiality are important. The absence of systematic ordering or clear procedural rules, open the door to the suspicion that decisions may be influenced by the interests and preferences of the decision makers.

Furthermore, the impression is that Fainstein's proposal is an attempt to put equity at the centre of city planning and urban policy, while the inclusion of diversity and democracy in her conception of justice looks more like an acknowledgement of the good points made by those philosophers and political theorists who have pressed either the desirability of democratic inclusiveness and discourse-based consensus or the importance of identity, difference, exclusion and discrimination in relations between groups – for the sake of simplicity let us associate the first concern with critical theory and the second with postmodernism. Yet it is not clear how much Fainstein is prepared to subscribe to their points: in many places she is quite hard on the shortcomings of citizens participation and on the emphasis on democratic procedures. Similarly she often remarks on the shortcomings of the politics of difference, in particular in relation to the risk of condoning unfair and oppressive practices within minority groups. As a result, the reader is left to wonder how genuine is the inclusion of democracy and difference within Fainstein's conception of justice and whether including them was not an attempt to co-opt critical theorists and postmodernists to her cause, or to prevent criticism from their side.

A further question is whether Fainstein is right in limiting the scope of her discussion to the *just* city rather than tackling the more comprehensive question of the *good* city. While one may well accept the pragmatic consideration that the just city is a more limited issue and hence one that may be addressed and answered more easily, this argument is weakened when the concept of justice is stretched to include diversity and democracy. It may well seem that the complexity that follows from a multidimensional conception of justice has not been explored deeply enough to really be able to provide practical guidance. But if the pragmatic argument fails, then several important questions emerge.

According to Fainstein, the emphasis on justice is supported at least by two widespread approaches: the one that is grounded on consensus – according to which people agree on the urgency and priority of justice – and the Rawlsian. In both cases, «justice becomes a primary criterion for evaluating public policy» (p. 15). Yet this is far from a conclusive argument and it has been challenged by ethical pluralists, including authors like William Galston, whose work is both influenced by and addressed to the practice of policy making[17]. Indeed, it is not

[17] Against Rawls's claim quoted in note 4 above, Galston writes that «there is no 'first virtue of social institutions',but, rather, a range of public values the relative importance of which will depend on particular circumstances» (Galston, 2005, pp. 11-2). In fact Fainstein seems to come very close to this view when she states that «[t]here is no general solution to the tensions among and within the values of democracy, equity and diversity that I regard as the basic elements of justice» (p. 54) and, even more significantly, when she argues that «[d]efining each dispute [among diversity, democracy and equity] in terms

clear that justice is always necessarily the most important or desirable feature of cities, nor it is obvious that stretching the notion of justice to include everything that is worth striving for in cities helps clarity and conceptual precision. The strict priority of justice seems to face a dilemma of which both horns are problematic.

The first possibility is to broaden the notion of justice to include many values and desirable features of cities. But in this case how much should be brought under the umbrella of justice? Why should we consider diversity, but not, say, liberty or security or order as component of justice? But if we stretch the concept too much, it looses any analytical precision and it becomes simply a blanket term with a loose meaning and a strong rhetorical appeal. And this leads us to the second horn of the dilemma. Would it not be better to treat every basic value as a separate and independent one? After all 'importing' conflicts within an enlarged notion of justice does not help to solve the problem of making the necessary trade-offs. Rather it seems to give to policy makers the power to weigh according to their judgment (or, less optimistically, to their biases) conflicting claims and to present their decision as the solution required by justice. This dilemma puts the strong emphasis on justice in question. In my view a theory of the good city would help both to preserve conceptual precision and to see which other values can come into conflict with the aspiration to justice and how far are we prepared to subordinate them to the supposed primacy of justice.

The ethos of planners and the political use of the power of experts

I have emphasized at the beginning that the book is addressed primarily to city planners as key participants in the urban policy-making process. Indeed one of the most interesting, and probably controversial, features of Fainstein's proposal is the kind of professional ethos that she implicitly advocates for planners. Her last recommendation in promoting equity demands: «Planners should take an active role in deliberative settings in pressing for egalitarian solutions and blocking ones that disproportionately benefit the already well-off» (p. 173). This seems to require an ethical commitment to redistribution on the part of planners and obviously raises the question whether planners are not allowed to have, say, libertarian or conservative beliefs and allegiances.

It is difficult to resist the impression that according to Fainstein the professional vocation of the planner is not only a scientific vocation, but a political vocation as well: planning is devoted to promote and further some specific values – among which an egalitarian understanding of equity takes pride of place and diversity and democracy play an ancillary role – and planners have to endorse them, almost as dogmas of their professional ethos. It is easy to imagine that as soon as this implications are clear, conflicting reactions are likely to emerge. It would be a good thing if a robust debate would ensue since it remains an open, but very urgent, question whether the task and mission of technical experts is to be derived from democratic decision or from public ethics principles that are above the democratic

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of what constitutes the most just solution means that the equity implications should always be spelled out and given priority, but depending on the context sometimes other values ought to prevail» (p. 82).

process or from some supposed scientific ethos that prescribes not to mix technical expertise and ethico-political principles.

The mildly technocratic position advocated by Fainstein should not be dismissed. Unpalatable as it is to many, it still has its merits. If one sympathisizes with her criticism of proceduralism and collaborative planning; if one takes seriously the limited control that democratic institutions and representatives exercise over the framing of policy issues; if one takes seriously Fainstein's pragmatic stance; if one considers the history of planning and other disciplines – like public health to name one – then prescribing a strong and definite ethos to experts is a proposal whose merits deserve to be weighed carefully.

City planning emerged as a reaction to the social problems generated by rapid urbanization that accompanied industrialization and hence it is not a profession that was born as a supposedly value-free scientific pursuit. How is this heritage of social engagement to be interpreted today? How far the values endorsed by the founding fathers of a profession can be considered constitutive of it?[18] Should professions like city planner aim at becoming less committed to controversial ethical and political values, or rather should they stimulate a rethinking of the supposed neutrality and *Wertfreiheit* of technical experts? Whether or not one agrees with Fainstein's view of the mission of city planning, it would be a very good thing if her proposal should promote debate and discussion around the above mentioned questions.

There is one more very interesting question which is raised by her remarks on the role of city planners. She stresses that as expert participating in the policy making process, planners have a not negligible amount of power: they can certainly exercise a significant influence through the selection and organization of the information presented to the political bodies who have to make or sanction the final decisions. She acknowledges that having a certain form and amount of power is different from this power being legitimated by democratic process or popular support, but nonetheless she takes the hard-line and claims that «regardless of authorization or not, justice is a goal to continually press for and to deploy when evaluating decisions» (p. 181).
The ultimate legitimation of the action and conduct of bureaucrats is ethical, not democratic (i.e. political) or legal (i.e. procedural). This is, of course, perfectly consistent with the priority given to just distributive outcomes over democratic procedures. «Discourse and outcome are surely connected, but it is the substantive

[18] It is worth nothing that any reference to a tradition and to founding fathers implies a historical interpretation of the origin and development of a profession. Such interpretations are always open to challenge for they may serve a certain agenda or ideology. When a tradition begins and who is included in its canon is neither self-evident, nor uncontentious, nor inconsequential in establishing the values and aspiration of a profession. For instance to see planning as a reaction to the problems of modern, industrial cities puts an emphasis on social problems that is not equally prominent in the planning attitudes of previous ages. Different commitments would emerge if the roots of the professional tradition are stretched further back in time to the Renaissance, the Middle Ages or Ancient times.

content of the discourse, not simply the process by which it is conducted, that matters if justice is to be the outcome» (p. 184).
Again, this view is bound to be very controversial and raise accusations of handing over too much power to experts and to provide them a charter to follow the values endorsed by their profession rather than to bound them to the pursuit of democratically chosen and legitimized social ends. Are experts accountable to the citizenry which is supposed to be their principal, or are they accountable to timeless ethical values as these are revealed to the leaders of their profession or to their conscience?

What is more, is Fainstein's position able to escape the criticism that planners themselves belong to a certain social class and hence pre-reflectively identify with the values, interests and aspirations of this class? But perhaps even more interesting is the question of how should the power of knowledge held by experts be used: should it be put to serve the business and political elites that require their services, or should it act in the service, as Fainstein suggests, of the groups whose voice and needs are less likely to be expressed, be heard and prevail? This is surely an important question and here the author's suggestion is undeniably appealing to many, including the present writer[19].

In relation to the question of the values and mission of planners, it is worth saying something about Fainstein's own value allegiances and political orientations. She is quite candid and upfront in manifesting her preferences and in adopting a progressive agenda. The impression is that she is addressing in particular the segment of the planning profession that endorses or leans towards Marxism and Critical Theory. This impression is based on two main considerations. First, Fainstein seems broadly to accept their analysis of the rise, consequences and downsides of neo-liberalism, in particular in terms of growing inequalities, erosion of justice and declining public initiative. Second, she seems particularly concerned to show to leftist city planners that their political beliefs and values do not condemn them to waiting for revolutionary changes and to distrust any engagement with policy making. As she says in the preface, leftist scholars have provided good critiques of growth-centred planning, but have been reluctant to develop an alternative and positive normative theory, and it is precisely this gap that she is now trying to fill.

«As a consequence this is a book that has a clear political stance and that is not trying to convert those of different political and ideological convictions, but to change the practical attitudes of colleagues who share a common ethical and political orientation. Indeed at some point it is assumed that even society shares a commitment to democratic-egalitarian principles and ideals» (p. 171).

The use of cases and the methodology of applied ethics

So far I have said nothing about the three case studies that occupy chapters 3-5 and make up nearly half of the book. Each of these chapter is dedicated to analyze

[19] For an articulate and subtle discussion of the use of power in planning see John Forester, "Planning in the Face of Power", *Journal of the American Planning Association*, 48 (1), 1982, pp. 67-80.

the changes and trends in the urban policy and planning of an important city: New York, London and Amsterdam. While the ultimate aim is to assess and compare how well these cities have done in terms of promoting justice, they also shed a lot of light on Fainstein's understanding of the historical context in which urban justice has to operate. Remember that the author is not offering a universal and timeless normative proposal, but one which is adapted and tailored for the historical and geographical context. That said, it is worth noting that in the case studies historical considerations completely outweigh geographical ones, indeed these latter are almost completely absent[20]. There is instead a background historical narrative that constitutes the common background to the city policies enacted in the three cities. The story starts with the consolidation of welfare states and Keynesian politics in the first postwar decades, it then highlights the turbulence of the late sixties and seventies, and finally stresses the fiscal crises (both at city and national level), the emergence of neoliberalism and the withdrawal of the public initiatives in favour of market solution and public-private partnerships (this sketch is given at the beginning of chapter 6).

The three case-studies show that under similar macro-economic circumstances, different cities have shown different levels of commitment to the goal of social justice and have adopted different strategies and instruments. Basically New York has done less and Amsterdam more (with London occupying an intermediate position) in order to promote justice. In particular the difference is greater in terms of equity (and Fainstein focuses especially on housing), and democratic participation, while all three cities have been fairly good on diversity.

From a general methodological point of view, what is the weight and role of the case studies in Fainstein's argument? It is not easy to give a fully confident answer to this important question. Surely the case studies provide some interesting illustrations of city politics and planning, as well as filling the theoretical framework with real cases and their particularities and details. This is no doubt a good thing. Furthermore the provision of detailed case studies undeniably gives to the reader a sense of the author familiarity with the concrete nature and real life dimension of the problem on which she is theorizing. Once again, this definitely helps in establishing the authority of the author and a relationship of trust with the reader. Yet the three case studies do not seem to me to fully back the theoretical arguments put forward by the author. In part because they are not fully integrated in the theoretical discussion. Integrating cases and theory in a persuasive and smooth narrative is notoriously difficult, and I still welcome these attempts even when the integration is not perfect. But there are two other limits that are more

[20] Perhaps the most relevant exception is the remark about the unique geographical situation of Amsterdam as a city lying largely on land reclaimed from the see. «Since construction requires drainage and landfill, which must be conducted on a larger scale and a greater cost than is feasible for individual developers, the government has for much of the city's history carried out land preparation and thereby determined which areas would be developed» (140). Surely this unique situation must have had a major impact both on the capabilities and prestige of public institutions that have led such major engineering works and on the relation between public institutions on the one side and citizens and business enterprises on the other side. But such possible implications are not explored in any detail.

perplexing. From a substantive point of view, it is hard to resist the impression that the higher level of people's involvement and the tradition of democratic participation in Amsterdam has played an important role in that city's better achievements in terms of equity. But if this is true, then the author's polemical stance against the emphasis on participation seems to face more a counter-example than a corroboration in the case studies presented[21].

Perhaps the case studies are not meant to support the case against collaborative planning, but the argument in support of useful engagement in urban policy making. The case studies may show that, within a shared socio-economic context, city politics and urban policies can still make a difference in terms of urban justice, but here as well there is a problem. Despite her commitment to attention to context, Fainstein provides a broad brush historical account that is common for the three cities. To be sure, in the illustration of circumstances of each city analyzed she mentions particular features of their social, political and economic situation, but there is no discussion whatsoever on what is the impact of these particular differences in the comparative exercise. They are all leading cities belonging to capitalist, democratic, North Atlantic countries, but how much do the cultural, historical and geopolitical differences among them affect the comparative exercise? Do the chosen cities represent a relevantly similar 'control group' for each other? Let me illustrate the point with a very easy (and possibly glib) objection that can be raised, for instance by a critic of neo-liberalism. The objection would go as follows: 'no wonder Amsterdam turns out to be more just than New York and London, the Netherland have not had the like of a Reagan or a Thatcher. Hence it has not been shown that the different level of justice achieved in Amsterdam is to be explained through differences in urban policy: it is well possible, and indeed likely, that the difference depends on the diversity of their national politics, as Fainstein herself notes (p. 143), Amsterdam received much more money than New York and London from the central government'. Perhaps all such objections can be addressed, but Fainstein should have made a greater effort in showing that all variables except city politics and policies were relevantly similar in the three case studies. Without such a rigorous attempt to compare cities that differ mainly in their policy making orientations, one is vulnerable to the objection that the evidence provided by the case studies is either anecdotal, or that the cases have been selected to achieve the desired conclusion.

To be fair to Fainstein, she does not explicitly draw generalizations from the case studies nor she particularly emphasize their corroboration of her argument. Yet this brings back to the question of the role of the case studies within the 'economy' of the argument and their integration with the theoretical claims. If the case studies do not bear any weight in the process of justifying one's conclusions, what is then their proper role? Are they simply showing that the author is not a pure theoretician but someone aware of what goes on in the real world? Do not get me wrong, I am neither suggesting that this would be futile and pointless, nor am I trying to trash Fainstein's effort. My aim is rather to point the attention to some of the difficulties that are typical of doing applied philosophy – and even though Fainstein is not a philosopher by profession and training, I think that what she is

[21] The role of people's involvement in the favourably described case of the redevelopment of Coin Street in London may suggest the same conclusion.

doing here can correctly be described as applied philosophy. Urban justice is a relatively new field of applied philosophy and some problems and weaknesses in groundbreaking attempts should be judged with some leniency, but still they deserve to be discussed, so as to stimulate further work to explore solutions and alternative approaches, or even for the more modest, but still very important, purpose of understanding what are the challenges, trade offs and limits faced by a certain type of inquiry.

In conclusion, this seems to me an interesting work that addresses an important theme. I am not fully convinced by the position advocated by the author, but I think that it can be a useful starting point for a practical and methodological discussion of both the issue of justice in the city and for the professional ethos of experts who engage in public policy. If Fainstein's book will contribute to stimulate robust debates on these issues it will have done city planners and applied philosophers a good service. As a guide to action instead, I think it should be handled with prudent scepticism. [⇒indice]

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