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TEACHING SPATIAL JUSTICE: FOUR EXERCISES ON COMMUNICATIVE RATIONALITY & JUSTICE

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ABSTRACT

This chapter investigates why a focus on justice should be included in planning and design education. The central argument, based on the ideas of moral philosopher Alasdair McIntyre, is that justice is a 'internal and necessary good' for the successful practise of spatial planning, without which it is meaningless. It contends that spatial planning can be publicly justified only if it produces (perceived) just outcomes using (perceived) just procedures. It challenges the notion that justice is solely a subjective feeling, arguing that various justice claims must be resolved through public communicative exercises, of which spatial planning is but one manifestation. Although competing justice claims are frequently legitimate in and of themselves, they must be contrasted and evaluated against each other in context in order for justice claims to be appraised and some sort of agreed justice to be reached, albeit in imperfect ways, to ensure policy legitimacy, sustainability, and adherence. This chapter suggests four exercises to address communicative rationality and competing justice claims in the classroom, inviting students to argue their way through those claims from a variety of different perspectives.

SPATIAL JUSTICE, COMMUNICATIVE RATIONALITY, PUBLIC REASONING

1. PROLOGUE

Figure 1: A remote area on the border of Algeria and Mauritania, in the Western part of the Sahara desert. Map Google Earth© 2019, CNES/ Airbus, Landsat/Copernicus. Fair use. The use of this image complies with Google's terms of Service and rules of attribution.

Imagine. Imagine I own a plot of land in the heart of the Sahara Desert, distant from any towns, villages or oases, far from any caravan routes, and far from roads and airports. It is a neat piece of land, and it belongs to me alone. Due to the absence of rules and regulations, I am allowed to do whatever I choose in that plot and to build whatever my heart desires. My freedom is total (provide that I have the means to exercise that freedom). Surely, I will find a way to make some money off my investment, maybe by building a new city (for which I would need more land and maybe some generous bank loans). But would come live in my city then? Who would invest? Truth be told, the benefits I can derive from my small venture are rather limited at the moment. I have complete freedom, but what good does that serve?

Now imagine my plot has been magically teleported to London, to a neighbourhood called Camden. Now suddenly my plot is surrounded by both public and private 'goods.' Private goods are easy to envision. The buildings in the picture are, for the most part, private property, and so is the land. But there are also plenty of 'public goods.' In the economists' parlance, public goods are 'non-excludable' and 'non-rivalrous', that is, no one can be excluded from consuming them, and once they are consumed, their availability does not decrease to other consumers in that community. Public goods, such as parks, paved streets, safe sidewalks, sewerage systems, public lighting, and even air quality, are generated by public activity and are typically paid for with public funds raised through taxes. However, there are also intangible public goods that are harder to 'see' in the illustration, such as public safety, good access and mobility, history, attractiveness,

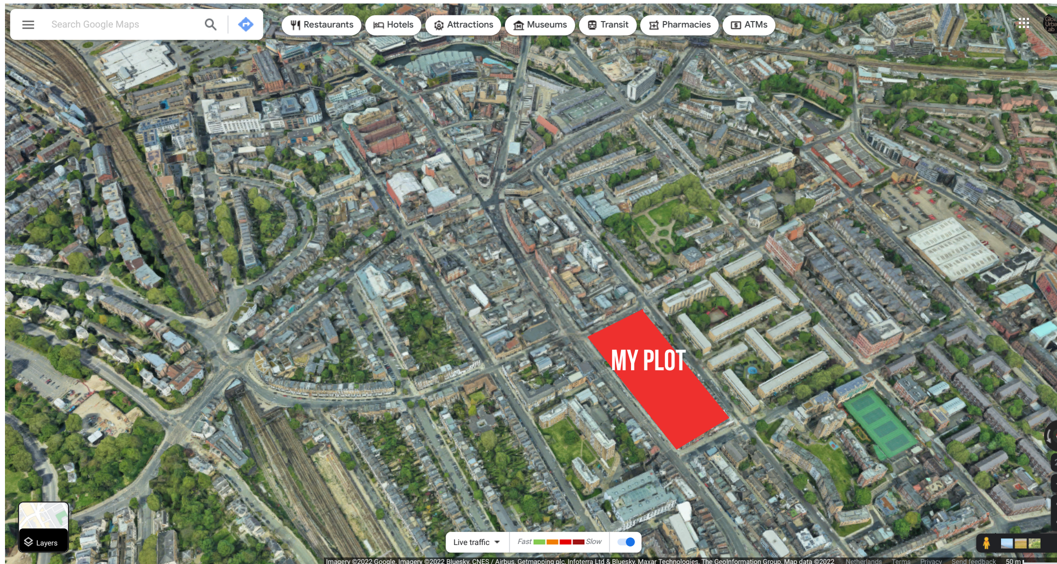

Figure 2: Camden Town, a distric in Northwest London. Photo by Google Earth© 2022, Bluesky, CNES/ Airbus, Getmapping plc, Infoterra Ltd. & Bluesky, Maxar Technologies, the Geo Information group, Map data ©2022 . Fair use. The use of this image complies with Google's terms of Service and rules of attribution.

and urban vibrancy. Residents of Camden can live full lives and have access to both public and private goods in this wonderfully active neighbourhood. Public goods do not come for free, but are the result of public coordination, regulation, and investment. Much has been invested to create the public goods that make Camden one of the most exciting neighbourhoods of London.

Suddenly, my freedoms are much more limited. Even if I had unlimited funds, I wouldn't be able to do whatever I fancy with my plot of land: there are restrictions on what I may build there, building codes I must follow, approvals I must seek. My freedom to build must not conflict with the already-existing public goods and must not interfere with the freedoms of all the other landowners around me and in the city at large. I am limited. But on the other hand, the quality (and consequently also the value) of the built environment is enormous! My plot is worth hundreds of thousands, maybe even millions of pounds. While living in cities somehow limits my freedoms, I derive enormous advantages from urban life: proximity, density, opportunity, history, identity, shared purposed, and much more. Some would say I am *freer* to pursue my dreams and aspirations in the city, rather than less free.

Evidently, there isn't yet a method for moving real estate from one place to another. There's a good reason why they are called '*biens immeubles*' ('immobile goods') in French and most Latin-based languages. Although of course I can move buildings around, moving land is trickier. Well, I suppose I could always build artificial islands and 'create' land - for which I would need quite a lot of investment.

This story illustrates some basic principles of urban development. It also explains why cities are said to be 'money-making machines,' as the benefits I listed (density, prox-

Figure 3: Street scene in Camden. Camden is an extrenely vibrant and friendly neighbourhood, known for its market by the Regent's Canal near Camden Lock. The area is popular for its alternative and punk scenes. Photo by Hert Niks on Unsplash. Unsplash licence.

imity, and intensity) tend to raise the price of land and, as a result, the rents I can collect from that land. As early as the 1930s, German geographer Walter Christaller put forward 'central place theory', as a means of examining the spatial benefits that led to the development and expansion of human settlements (Christaller & Baskin, 1966). As the decaying 'inner-city' neighbourhoods of some American cities remind us, centrality does not necessarily translate into higher rents (there is much more to say about the reasons for inner-city decay in American cities, many of them connected to structural racism, 'white flight,' suburbanisation, and lack of public investment, but this is a subject for a whole new chapter).

All in all, cities do not exist 'to make money'. Cities should guarantee equal rights and opportunities for all inhabitants, as they are the product of their collective work. I believe most people would agree that cities serve first and foremost a social function, and so does urban land, and the quality of the built environment must be assured via continuous investment, coordination, and regulation.

Public goods can be created via private investment (for example, many company towns in Europe and North America were excellent to live in!). However, due to their history, size, and complexity, cities are a combination of private and public endeavours, and GOOD cities are typically the result of much (public) coordination, investment, and regulation. But how should public goods (and public annoyances) in cities be created and distributed, and by whom? And what are the criteria for 'good distribution'? This chapter seeks to answer those questions at a conceptual level, introducing Justice as an internal good for the realisation of good spatial planning, and suggesting four exercises that illustrate and clarify that position in the classroom.

2. INTRODUCTION

Let's first examine the significance of justice to our story.

Moral and political philosopher Alasdair McIntyre argues that a practice is defined by the goods internal and necessary for the successful realisation of that practice (McIntyre, 2007). In the case of spatial planning, we must ask ourselves: what are the goods internal and necessary to its successful practice? When do we know we have achieved good spatial planning?

As an important tool used in modern societies to decide on the allocation of the burdens and benefits of our association in cities and communities, spatial planning must address competing claims on the allocation of burdens and benefits of development, which again begs the question: how to decide? What are the frameworks and criteria we can use to make decisions about that fair allocation of resources? Justice seems to be a crucial element in deciding upon those competing claims. As American moral and political philosopher John Rawls proclaims in the very beginning of his book ***A Theory of Justice***: 'Justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions, no matter how efficient and well-arranged, must be reformed or abolished if they are unjust' (Rawls, 2005: 3).

I wish to argue here that justice is a definitive 'internal good' that allows planning to achieve its standards of excellence, without which it is meaningless. In other words, justice is an essential component of planning, without which planning cannot be publicly justified or sustained. Only by pursuing a just distribution of burdens and benefits through just procedures could we ever claim we have achieved 'good' spatial planning. Of course, this also raises the question, 'just for whom'? Shall we adopt a Utilitarian perspective and seek the greatest benefit for the greatest number of people? Or maybe we should focus on Egalitarianism and seek equal distribution? Or maybe we should protect the right to property and entrepreneurship, and protect those who work harder than others, in a sort of meritocratic society? But what is merit? Is a billionaire, by his own virtues, more deserving than a street cleaner? Can we say the billionaire works harder? Or maybe the billionaire has built his fortune on the backs of people who actually work hard? Should the children of a street cleaner be given the same opportunities as the children of a billionaire, so that we can assess their true personal worth on an equal footing?

As you can see, there are no straight answers, but seeking justice seems to be evidently crucial to achieve a good society (and good cities). If this is true, then discussing justice and diverse justice claims should be an integral part of a spatial planning education, lest we fail to address one of the very internal goods that define spatial planning's success. But can we 'teach justice'? And, if so, how?

3. CAN WE TEACH JUSTICE? JUSTICE AS PUBLIC REASONING

Teaching values for undergraduate planning students seems like an odd endeavour. And teaching about justice seems like the oddest endeavour of all, due to the intense subjectivity associated with the concept of justice.

In a poem titled 'The Deepest Sensuality', the great British poet and novelist D. H. Lawrence writes that 'The profoundest of all sensualities is the sense of truth and the next deepest sensual experience is the sense of justice' (Lawrence, 1994: 545). And indeed, we seem to experience feelings of justice and injustice at the very core of our beings. Injustice, even when perpetrated on others, can often cause pain that is experienced as almost physical, sometimes quite literally, as a string of studies in psychology and physiology of pain seems to demonstrate (Carriere et al., 2018; Miller et al., 2016; Sullivan et al., 2009).

We experience justice and injustice viscerally, but justice and injustice are far from being subjective experiences only. Justice is of course also political, and there are public conceptions and systematisations of justice.

As Rawls so masterfully explains in his book *A Theory of Justice* (Rawls, 2005, originally published in 1971), justice should be the outcome of the association with our fellow humans in society, from which we all derive numerous benefits but also suffer burdens. In short, Rawls' conception of justice implies that societies should be structured so that individual liberty is maximised, but with the caveat that the liberty of any one member of a society shall not infringe upon that of any other member. Our freedoms are limited by the freedoms of all those around us.

Rawls recognises that 'although society is a cooperative venture for mutual advantage, it is typically marked by a conflict as well as by an identity of interests' (Rawls, 2005, 4). People generally agree that living in society benefits us all, but Rawls argues that we are also inclined to seek a bigger share of the fruits of that association, in apparent compliance with rational choice theory, which postulates that individuals will pursue their own self-interest by making 'rational' choices that will increase their benefits and advantages. Assuming this is true (at least part of the time), Rawls argues that 'a set of principles is required for choosing among the various social arrangements which determine this division of advantages' (Rawls, 2005, 4). Together with the idea of maximisation of individual liberties, these ideas are cornerstones of liberal democracies, but they also contribute a good deal to neo-liberal thought in economics and have been heavily criticised, as we shall see later in this text. Nevertheless, the idea that we must reach agreements about how the burdens and the benefits of our life in society must be shared and distributed seems to make sense.

Rawls proposes a set of principles under which justice could be achieved. The first is called the 'liberty principle', which we have already discussed. The liberty principle states that 'each person participating in a practice, or affected by it, has an equal right to the most extensive liberty for all' (ACADEMY4SC, 2021). Again, an individual participating in a given society should have access to the maximum amount of freedom available, without infringing on others' right to the same freedoms. The second principle is 'fair equity of opportunity' and states that 'inequalities are arbitrary unless it is reasonable to expect that they will work out for everyone's advantage and provided the positions and offices to which they attach, or from which they may be gained, are open to all' (ACADEMY4SC, 2021). This statement tells us that, as a rule, inequalities are undesirable, but they may be allowed if inequality is conducive to everyone's advantage (think of the advantages gained by a group by having good leadership, for example, in which the leader has clearly some advantages over her or his followers), and when anyone, irrespective of their position in society, has a fair chance to be part of the structures and institutions that provide that advantage (using the same example, that would imply that anyone should have the ability to become a leader, irrespective of their initial position in society).

However, as many have pointed out, from Karl Marx to Edward Soja and beyond, individuals and societies must deal with structural inequalities, which means people are not on equal footing when deciding how resources should be shared, because power and resources have historically been unevenly distributed. According to Marxist theory, the 'modern bourgeois society' is established to protect the means of production and the bourgeois class from the interests of labour (Marx & Engels, 2014 [1848]: Chapter 1), and the owners of the means of production derive their advantages solely from their social position, regardless of their virtues or vices.

As stated by Sorensen, 'Inequality is generated by structural relations, and advantages and disadvantages are attached to positions in social structure. The personal characteristics of capitalists and workers do not matter much for the process that generates inequality' (Sorensen, 1996: 1335). Despite critiques to Marxist theory, especially to the labour theory of value, the idea that inequality is generated by structural relations embedded in an individual's or a group's position in society seems to stand.

To achieve the type of justice advocated by Rawls, we would need to return to a state in which all individuals had the same abilities and capabilities (and thus the same freedoms), so that an individual's position in society did not matter in determining the rules that govern that society. Rawls eschews this problem by proposing a thought experiment in which individuals are shrouded in a 'veil of ignorance' about their own advantages and disadvantages, and from this 'initial position,' they can decide the rules that govern society without regard for their own positions in it and the resulting advantages and disadvantages.

Despite Rawls' theoretical edifice's ingenuity, we saw how structural inequalities make these premises difficult to implement in actual existing societies. Even the most successful democracies must deal with historically constructed and socially and economically perpetuated inequality.

Essentially, Rawls proposes that societies should strive to create those conditions to the greatest extent possible, despite the fact that achieving perfect justice is nearly impossible. To a large extent, liberal democracies seek a pragmatic approximation of those ideas, with varying degrees of success, depending on the economic model they adopt and the architecture of their institutions. For many, Rawls' ideas impose impossible standards, as the perfect institutions they aspire to in order to deliver justice appear to be impossible to achieve in practise.

Amartya Sen, Rawls' former student and intellectual partner, criticises him for pursuing the 'perfect system' for a 'perfectly just society' through 'transcendental institutionalism,' the idea that perfect institutions will deliver perfect justice, despite the fact that the practical world is far from affording those conditions. Sen, therefore, seeks to shift the argument, and to think about how to make actually existing societies fairer tomorrow than they were yesterday. For Sen, it is all about 'enhancing justice and removing injustice' (Sen, 2009: Preface), rather than seeking the perfect institutional arrangements that will deliver perfect justice. In other words, Sen advocates not for a perfectly just society, but for an 'increase of justice' in our existing societies, by focusing on making our laws and institutions more just incrementally.

But Rawls and Sen have more in common than meets the eye. Different from those who believe justice is dispensed by a divine being who judges us by our actions, both Rawls and Sen believe justice is a human invention whose function is to help us live together in society. Paraphrasing Israeli historian Yuval Noah Harari, justice is an 'imagined order', just like organised religion, money, and the State (Harari, 2015). For Harari, imagined orders are narratives that tell people how to behave in society and allow them to cooperate, creating trust among those sharing that narrative. Justice helps us live with each other in society, and is certainly at the root of most, if not all, human social systems, including religion, order, morality, legality, and the State.

In this sense, justice is not something 'out there' to be discovered or unveiled but is essentially a social construction. In this sense, justice is not (just) a subjective gut feeling, but an idea, a concept that we can use to decide upon competing claims, by means of (collective and public) reasoning. Justice claims can be debated, voted on, codified, and institutionalised.

But as Rawls and Sen explicitly acknowledge, there are different conceptions of justice, and as many ways to enact it. As Sen explains, there are many comparative questions of justice that can be resolved relatively easily through sound reasoning. And there are old and rich traditions of philosophical thinking about justice: utilitarianism, egalitarianism, and libertarianism, to cite just a few of the main ones. There

are, he warns, several reasons of justice 'each of which survives critical scrutiny, but yields different conclusions' (Sen, 2009: Preface). Moreover, 'reasonable arguments in competing directions can emanate from people with diverse experiences and traditions, but they can also come from within a given society, or for that matter, even from the very same person' (Sen, 2009: Preface).

In other words, there are many ways to argue for competing conceptions of justice, and different arguments can be equally valid. So maybe we are back to the beginning of this chapter: if there are no ways to arrive at clear unequivocal evaluations of what is more or less just, it is therefore useless to teach justice.

Sen argues that even if we are unable to arrive at crystal clear evaluations about justice claims, comparative reasoned evaluations of what is more or less just are possible. As he points out, there are straightforward evaluations we can make via public reasoning (by comparing the merit of different claims, for example). The process of discussing justice claims is equally important and speaks to the need to enlighten the participants of the discussion about other participants' reasons and ideas and about their own reasons for competing claims of justice. Sen also points out that some reasons of justice might not survive the scrutiny of (collective public) reasoning (Sen, 2009: 45). In short, some reasons of justice can only stand when they are not confronted with other reasons of justice, hence the exercise of discussing (and teaching about) justice contributes to the formation of a more robust public conception of justice.

There is value in listening and speaking about different conceptions of justice in communicative exercises that accept the contributions of all members of a given community equally, in order to arrive not at hard results, but at agreed evaluations of what is more or less just to a certain community.

This speaks to communicative rationality and to the role of human communication in resolving competing claims about the world. As we shall see, communicative rationality has had a strong impact on planning practice.

4. COMMUNICATIVE RATIONALITY IN PLANNING

In the 1990s, a new 'style' of planning started to emerge, championed by authors like Edith Innes, Patsy Healey, and John Forester, heavily influenced by Habermassian communicative rationality (meaning, on the work of German philosopher and sociologist Jürgen Habermas). Communicative rationality is concerned with clarifying the norms and procedures by which agreement can be reached and is therefore a view of reason as a form of public justification (Bohman & Rehg, 2007). This 'public justification' is irrevocably intertwined with notions of democracy, diversity, and justice.

Public justification is also a form of shared truth-forming. As we saw with Rawls (2005), truth concerns validation, whereas justice determines acceptability: what is acceptable or not acceptable as outcomes of people's and institutions' actions and agreements. Both contribute to the formation of a democratic public sphere.

This 'communicative turn' described by, among others, Healey (1996) is important for planners, designers, and managers of the built environment, because it has far-reaching consequences for how they act and interact with others influencing the allocation of resources in the city (distributive spatial justice). In this perspective, planners, designers, and managers of the built environment must make efforts to include the voices of a variety of stakeholders to discuss any given issue arising from the distribution of resources in the city (procedural spatial justice).

These ideas also imply that citizens have a duty to participate in civic debate (Rawls' 'duty of civility') and, as pointed out by Morgan-Olsen, they also have a duty to listen to each other and to the arguments emanating from a variety of sources (Morgan-Olsen, 2013). As we have seen, these issues and more make public participation difficult, even if it is highly desirable.

British planner Patsy Healey offers a step forward to incorporating these ideas into planning theory and practice, and explains the possibilities of a 'communicative turn' in planning asserting that:

> ...from the recognition that we are diverse people living in complex webs of economic and social relations, within which we develop potentially very varied ways of seeing the world, of identifying our interests and values, of reasoning about them, and of thinking about our relations with others. The potential for overt conflict between us is therefore substantial, as is the chance that unwittingly we may trample on each other's concerns. Faced with such diversity and difference, how then can we come to any agreement over what collectively experienced problems we have and what to do about them? How can we get to share in a process of working out how to coexist in shared spaces? The new wave of ideas focuses on how we get to discuss issues in the public realm (Healey, 1996: 219).

Healey asserts that ideas of communicative rationality focus on ways of 'reconstructing the meaning of a democratic practice', based on more inclusive practices of 'inclusionary argumentation'. For Healey, this is equivalent to a form of

> Public reasoning which accepts the contributions of all members of a political community and recognises the range of ways they have of know, valuing, and giving meaning. Inclusionary argumentation as a practice thus underpins conceptions of what is being called participatory democracy (Fischer, 1990; Held,

> 1987) [...]. Through such argumentation, a public realm is generated through which diverse issues and diverse ways of raising issues can be given attention. In such situations, as Habermas argues, the power of the 'better argument' confronts and transforms the power of the state and capital (Healey, 1996: 3).

There are close connections between Rawls' and Sen's theories of justice and Habermas' communicative rationality. For Healey, Habermas' ideas have the potential to reconstruct democratic practice towards more inclusive participatory forms of democracy based on inclusionary argumentation. Inclusionary argumentation implies public reason that 'accepts the contributions of all members of a political community and recognizes the range of ways they have of knowing, valuing, and giving meaning' (Healey, 1996: 219). As a practice, Healey argues, it has the potential to regenerate the public realm in which diverse issues and diverse ways of raising issues can be given attention. In such situations, 'the power of the 'better argument' confronts and transforms the power of the state and capital' (Healey, 1996). We posit that communicative rationality has the power to make sense of, and distribute justice.

In this sense, the communicative turn in planning recognises that communication plays a central role in achieving agreements about how spatial burdens and benefits should be distributed. It goes further to posit the inclusion of 'alternative rationalities', that is, the need to include silent or oppressed groups in the dialogue and communication so as to maximise the chances of just agreements being reached, as the exclusion of certain groups from communication and decision-making leads to unfair/unjust outcomes for those groups. This idea is at the core of procedural spatial justice and includes issues of democracy, participation, diversity, accountability, transparency, and more. This is also very close to contemporary thinkers' ideas on the distribution of power by the recognition of alternative rationalities, such as Foucault's Power/Knowledge theory (Foucault, 1975; 1990; Foucault & Gordon, 1980) and Paulo Freire's Pedagogy of the Oppressed (Freire, 2018 [1968]).

Citizen participation as an activity underscoring procedural justice in planning encompasses a large variety of engagement and participation methods, in practice mostly related to the lower steps of Sherry Arnstein's famous 'ladder of participation' (Arnstein, 1969). But citizens' participation and citizen engagement are not without problems. For Parvin (2018), most democratic theory 'implicitly or explicitly assumes the need for widespread citizen participation'. Parvin points out that not all citizens have the opportunity to participate nor are they willing to. In any case, Parvin ponders, citizens do not participate in the numbers that theorists of participation think are necessary (Parvin, 2018: 31).

Reasons for low levels of citizen engagement in policymaking abound and are as much related to governance styles and other political, cultural, and economic factors as they are to public officials' unwillingness or lack of capacity to engage citizens.

However, in order to advance the idea that communicative rationality, public reasoning, and public justification can deliver urban policy that is both (i) better informed about the pleas, needs, and wishes of all citizens and (ii) more just, because it includes a large range of stakeholders and the voices of the vulnerable and silent, we must find innovative ways to encourage citizens to participate and enable policymakers to guide more meaningful and fruitful forms of engagement. We must also find innovative ways to teach these issues in the classroom, so that students develop an understanding and sensitivity towards justice as a public construction and a necessary outcome of spatial planning.

Despite the serious critiques to participatory processes, it is difficult to imagine the Just City without participation and co-creation, following the ideas of French Marxist philosopher and sociologist Henri Lefebvre and his concept of Right to the City (Lefebvre, 1968), that is, the right to shape your living environment to your needs and desires, or in other words, the right to participate in the governance of the city, fully embracing the 'politics of space'.

5. EXERCISES DISCUSSING SPATIAL JUSTICE IN CLASS

To this effect, we have developed four exercises that present the issues discussed above for the course 'Research and Design Methodology for Urbanism' offered in the third quarter of the Urbanism Master’s track at the Faculty of Architecture and the Built Environment (also known as Bouwkunde) of the Delft University of Technology. The exercises are presented briefly and a short discussion on applications ensues. This course runs parallel to a research and design studio on regional planning and design that addresses the double challenge of sustainable transitions to sustainability and spatial justice. It aims at enabling students to do academic research that will support and provide a foundation for their work in the studio. In this course, students focus on traditional forms of academic research, which they must connect to less traditional forms of research in the studio, like 'research by design'. This connection between traditional and non-traditional (design-based) forms of research is one of the characteristics of education and research in the Department of Urbanism of TU Delft. The methodology component helps students explain what a theoretical framework is; build a theoretical framework that sustains research and design in the studio; identify a community of authors and practitioners who write about the core ideas in students’ theoretical frameworks; and finally, write an academic report, in which students explain the values connected to and the ethical issues involved in the activity of planning and designing for people.

EXERCISE 1: THREE CHILDREN AND A FLUTE

Figure 3: Three children and a flute is a story conveyed by Amartya Sen in his book *The Idea of Justice* (2009). The children's names are different from the ones used in the book. Free icons designed by Freepik https://www.flaticon.com/free-icon/ via @flaticon

This exercise is derived from Amartya Sen's book *The Idea of Justice* (Sen, 2009: 13) in which the author tells the story of three kids who must decide who will get a flute over which they are quarrelling. In this example, we explore how competing reasons of justice can be advanced and how each argument has an internal validity of its own.

The objective is to discuss competing claims of justice and the idea that a resolution can only be found (imperfectly) in public reasoning, in which the claims of each child are measured against the other claims and an (imperfect) decision must be made by the participants of the exercise in a public reasoning exercise. Participants measure the arguments given against their own values, priorities, and arguments. It is important to highlight that all arguments must be reasoned, and everyone gets a chance to speak.

First, the arguments are introduced one by one:

Ibrahim says he is the only one who know how to play the flute, hence letting him have the flute makes more sense, as he will make the best use of it. The others confirm this is true, they do not know how to play the flute.

Latoya says she is very poor, and the flute will make her happier, as she doesn't have any other toys. The other children have lots of toys and having that particular flute does not make much difference to them. The others confirm they do have lots of toys.

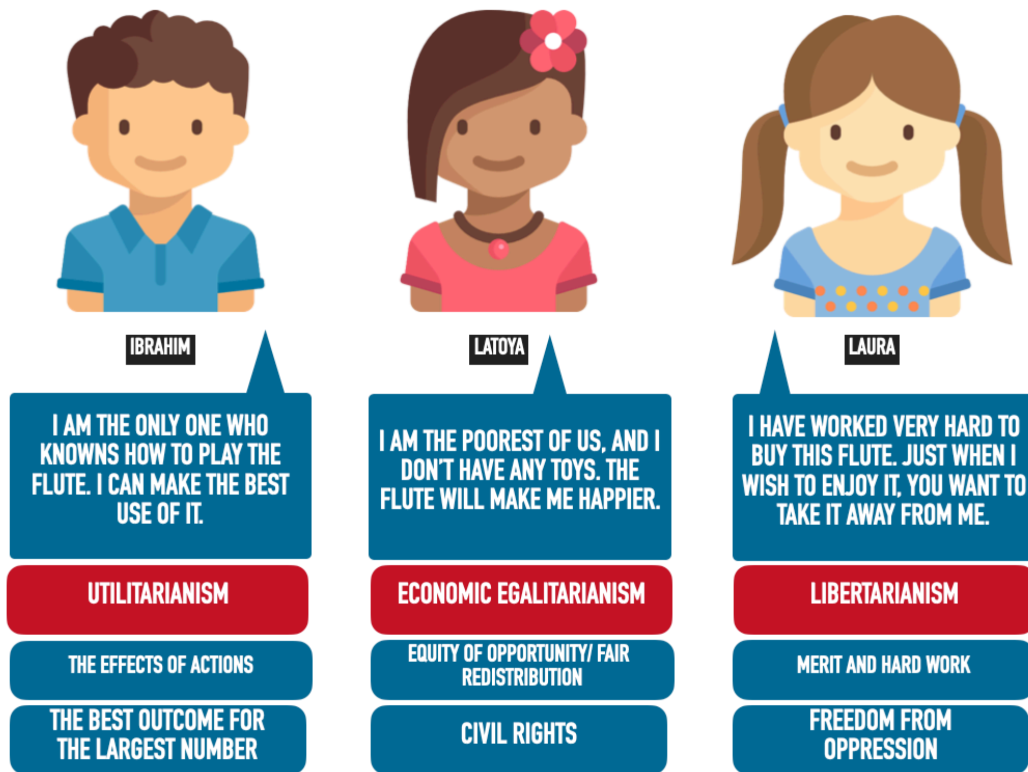

Figure 4: Summary of the political perspective each child represents: Utilitarianism, Economic egalitarism and Libertarianism. Source: Sen, 2009. Free icons designed by Freepik https://www.flaticon.com/free-icon/ via @flaticon

Finally, Laura says she worked very hard to make that flute, and just when she wants to enjoy it, the others want to take the flute away from her. The others confirm this is the case, Laura has indeed made the flute.

After the arguments are explained, and students decide about who should have the flute, they are encouraged to explain WHY that should be the case. The students hear the initial arguments from the children, but they also hear the reasoning from other students, which may influence their own positions.

This is not a role-playing exercise, as students are asked to advance real arguments in which they believe. A voting round may take place using a simple raising of hands or an online voting tool, such as Mentimeter. After voting takes place, the results are discussed and an explanation for the decision is sought.

After results are known, the position of each child in a longer philosophical tradition of justice is explained. Ibrahim is a Utilitarian; Latoya is an Economic Egalitarian and Laura is a Libertarian. The main characteristics of each school of thought are explained and debated.

This exercise has been conducted several times in the course mentioned and in other settings as well. Results invariable point towards consensus being reached about who the flute should go to, even though the debate around it might get quite heated.

In general, students tend to give priority to egalitarianism, even though they are discouraged by the fact that Laura 'owns' the flute (the argument being that the flute is rightfully hers, since she made it) and students often see ownership as the overriding value.

This triggers further debate on how private property is dealt with in advanced liberal democracies and the realisation that although private property is a central tenet in liberal democracies, it can be sometimes overridden either for distributive or utilitarian reasons.

The main outcome is that students realise consensus can be reached, but any solution offered is imperfect, has pros and cons, and must be reasoned collectively.

EXERCISE 2: THE TRAGEDY OF THE COMMONS & ITS RESPONSES

In this exercise, we explore the famous 'tragedy of the commons' as described by Garrett Hardin in his famous 1968 article 'The Tragedy of the Commons' (Hardin, 1968), in which he gloomily warns about the, in his view, inevitable exhaustion of common resources by the pursuit of self-interested rationality. Hardin fully accepts this logic and does not seek for alternative explanations. Using Hardin is problematic, because of his racist worldviews. In the words of the American civil rights organisation Southern Poverty Law Centre, Hardin 'used his status as a famous scientist and environmentalist to provide a veneer of intellectual and moral legitimacy for his underlying nativist agenda' (SPLC, 2019).

In the 'tragedy', individuals who have access to a resource unfettered by social structures or formal rules governing their use act according to their own self-interest (following rational choice theory) with little incentive to limit extraction of the resource, causing depletion of the resource through uncoordinated action.

Despite his ideology tinting his scholarship, Hardin's explanation of the tragedy of the commons (a much older idea originating with British economist William Forster Lloyd in 1833) has been widely used to advocate for privatisation of common resources, allegedly to promote their better use and preservation.

In his article, Hardin blames uncontrolled population growth and a 'Malthusian catastrophe' for the inevitable collapse of world resources. It is difficult not to read here the idea that population growth happens mostly in developing nations, which are overwhelmingly non-white, and preserving 'our' resources means preserving resources from 'them'.

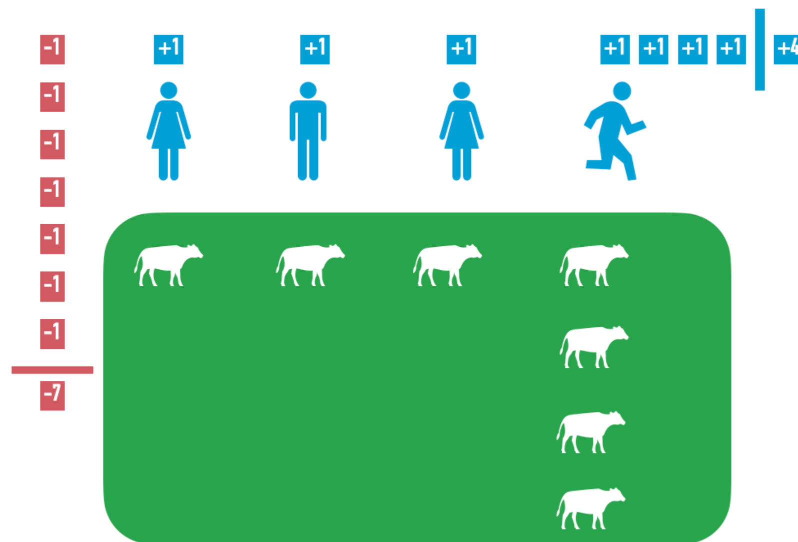

Figure 5: The famous field where a community of farmers puts their cows to graze. In blue, the positive utility of the cows. In red, the negative utility of the field. There are also positive and negative externalities, not explored in this text, that qualify the ownership of cows grazing in the field. This example comes from Hardin, 1968.

Although common resources may collapse due to overuse (such as in overfishing or overextraction of water), throughout history humans have come up with numerous ways to prevent it, through cooperation, regulation, and societal control.

In 2009, Elinor Ostrom was awarded a Nobel Prize in Economic Sciences for demonstrating that traditional and modern societies are often successful in regulating the commons, and that rational choice theory is not a universal predictor of human behaviour. Ostrom shared the prize with Oliver Williamson, a University of California economist. Ostrom was interested in how humans collaborate and manage their resources for the common good. She concluded that rational choice theory seems to ignore the capacity of people to collaborate and reach mutually beneficial agreements, often in communicative exercises.

It is important to note, however, that the exhaustion of common resources does occur and part of the issues generating climate change and natural devastation can be explained via this logic. The idea that unchecked population growth affects the use of resources that Hardin advanced is intuitively correct, but this position has been challenged by the fact that countries in the global north are the main culprits for the exhaustion of natural resources and for carbon fossil emissions, independently of their share of the world's populations (Rocha et al., 2015).

In this exercise, we turn Hardin's argument upside down by highlighting different issues and by inviting students to reflect on how communicative rationality can deliver more just outcomes. The objective is to discuss how public reasoning can deliver more just evaluations of justice.

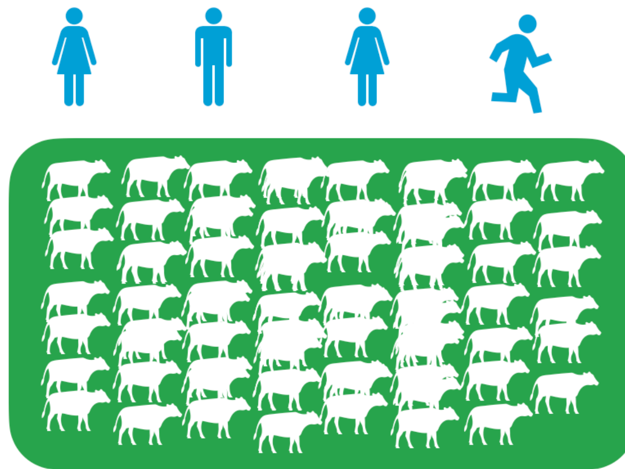

Figure 6 Representation of a collapsed field, where too many cows were put to graze by farmers who, following rational choice theory strictly, have lots of incentives to put more cows to graze, and little incentive to control the number of cows. This example comes from Hardin, 1968. The example has been adapted for this exercise. This theory has been largely debunked by proponents of polycentric governance.

In the first step of the exercise, a simple mathematical equation is explained to students. A community of four farmers owns a field in common. Each of the farmers puts one cow to graze in the field. Each farmer earns the positive utility of one cow (+1) and the field has a negative utility of 4 cows (-4).

But one disturbance is introduced with one of the farmers inheriting money from a relative and hence being able to introduce three more cows to the field (here's our 'structural inequality'). His positive utility is increased to +4, while the negative utility of field grows to -7. The sum of positive + negative utilities for each farmer is -7/4 (+x), where x is the number of cows each farmer puts to graze in the field.

This results in -0.75 (negative utility) for each of the farmers with just one cow and +1.5 (positive utility) for the farmer with 4 cows. This means that while the gains are individual, the losses in the field's utility are shared by all. The incentives for each individual farmer to put as many cows as possible to graze in the field are high, while the disincentives are low. If we follow rational choice theory, as conceived by liberal economists, farmers see an incentive to put as many cows to graze as they possibly can, leading to the collapse of the resource.

Students are invited to reflect and debate on the justice of this arrangement and to extend the concept of the commons to the planet. Students are also invited to decide on possible rules that would allow the sustainability of the resource, and thus to reflect on the ability of societies to regulate the use of common resources fairly. They are also invited to reflect on the concept of the commons itself, as opposed to private property, public property, and other arrangements. There are a large number of issues contained in this example, such as power imbalances, taxation, regulation, governance, freedom, property, and so on, which makes the resulting debate exceedingly lively.

EXERCISE 3: THE SHARK HOUSE DILEMMA

Figure 7: The Shark House in Headington, Oxford, UK. Photo by Magnus Hanson-Heine. Printed with permission. For more information about the Shark House, please visit: www.headingtonshark.com

In this exercise, students are invited to reflect on individual rights and freedoms and the creation and maintenance of public goods by analysing a real-life example, the Headington Shark. The Headington Shark (whose official name is 'Untitled, 1986') is a rooftop sculpture located in Headington, Oxford, England, depicting a large shark going through the roof of a house. The shark was commissioned by the then owner of the house, Bill Heine, a local radio presenter, to represent one's 'feeling totally impotent and ripping a hole in their roof out of a sense of impotence and anger and desperation... It is saying something about CND, nuclear power, Chernobyl and Nagasaki' and was sculpted by John Buckley (Hanson-Heine, 2022).

This example allows students to discuss the limits to private property, individual freedom, freedom of expression, artistic freedom, safety regulations, aesthetics, heritage and more.

An expanded version of this exercise involves a role-playing game in which students are invited to play different stakeholders in a debate where they need to decide on several options available (to remove or to preserve are just two of the options) and to write policy based on the experience. Writing public policy based in the discussion allows students to think in terms of public justification and public reasoning.

The roles in the roleplaying game include, for example, the owner of the house, their neighbours, a councilwoman, the president of Headington's heritage conservation society, shop owners in the area, children, an artist, a planner, a lawyer, a member of the city's firefighters, and so on. They all have diverging interpretations of the Shark and the challenges posed by the sculpture and, consequently, have different justice claims. They also see different solutions and may seek different coalitions and partnerships to achieve their goals. In the end, they must find a compromise and a way to go forward.

EXERCISE 4: A MANIFESTO FOR THE JUST CITY

Figure 8: Composite with the covers of two books published by TU Delft OPEN with the results of the Manifesto for the Just City workshop in 2021 and 2022, respectively. Both books are available from http://books.open.tudelft.nl/home

In this exercise, students are invited to write a Manifesto for the Just City, a 1000-word text in which they express in groups their ideas about what the Just City should be. Group work is central for the objectives of this exercise, as it is a collective visioning exercise, in which conflicting ideas about justice might play a role. It was partly inspired by a workshop given by David Roberts from the Bartlett School of Architecture at UCL, during the International Seminar 'Teaching Design for Values' at TU Delft. This workshop is described by Roberts in Chapter 7.

Manifestos are short documents that aim to convey the ideas, values, and goals of a group or organisation. Political parties and artistic movements have made extensive use of manifestos. But architects and urbanists have produced quite a few manifestos too. The *Charter of Athens* (1933) is a long and detailed manifesto about Modernist principles in architecture and urbanisation, much criticised for its Euro-centric and one-sided view on urbanisation. In 2003, a *New Charter of Athens* was published, focusing on spatial planning as 'vital for the delivery of Sustainable Development'.

At the Manifesto for the Just City, students take part in an online workshop organised by TU Delft and partner universities (the Institute for Housing and Urban Development Studies (IHS) of the Erasmus University Rotterdam; the Winston-Salem State University of North Carolina, USA; the University of Illinois at Urban Champaign, USA; the Morgan State University of Baltimore, USA; and the Cape Peninsula University of Technology of Cape Town, South Africa, and a host of universities around the world who took up this exercise as a course exercise).

During the workshops, students listen to lectures from leading scholars around the world who discuss issues connected to spatial justice, representation, distribution, and so forth. Examples are, Professor Faranak Miraftab from the University of Illinois,

the leading scholar on insurgent planning; Tainá de Paula, an architect, urbanist, and city councilwoman for the city of Rio de Janeiro; Leilani Farha, former UN Rapporteur for the Right of Housing; the Israeli civil rights advocacy group BIMKOM Planners for Planning Rights, who advocate for vulnerable populations in Israel through planning legal rights, including Arab Israelis – that is, Palestinians with an Israeli passport who see their communities ravaged by the misuse of planning laws – and more.

After listening to speakers, students typically have many questions and offer testimonies about how a certain topic is experienced in their own countries. After the Q&A, students are invited to random break-out rooms where they must debate with students from other countries and come up with statements related to the lecture they just watched. These statements are written with people the students have just met, and the objective is to make them discuss. Statements are made available on Google Docs and serve as inspiration for the final texts of the manifestos.

Students also receive a manual on how to write a manifesto, with a short history of manifestos, examples, and instructions on how to write them. Students are encouraged to make their manifestos not only textually robust, but also visually attractive. The idea is that manifestos should work as calls for action and must inspire people.

In the two editions of this workshop organised so far, more than 900 people from more than 100 universities from all over the world took part in the online workshops, although not all of them necessarily deliver a manifesto at the end. In the first workshop (2020) 43 manifestos were delivered by 172 students from 25 universities. In the second edition (2021), 63 manifestos written by 256 students from 48 universities were delivered and then published in book format.

All manifestos delivered are published. In case there are problems with language or content, students are coached on how to improve their manifestos. The idea is to give a voice to a very wide range of students from the most varied backgrounds and educational traditions, which makes the manifestos very varied. Topics include, not surprisingly, housing, mobility, public spaces, the right to the city, inequality and injustice, gender, critiques of capitalism and the fossil fuel-based economy, critiques of the growth-based economy, critiques of planning itself and of politicians. Manifestos invariably advocate for inclusion, diversity, and justice. There is a huge variety of topics add approaches, but many manifestos are rather conventional and 'careful'. We hypothesize that students are exceedingly careful, and many come from educational traditions that do not encourage students to speak up, but rather to comply with pre-established ideas. This experience deserves another chapter by itself, which we hope to write soon. First and foremost, the Manifestos for the Just City have an experiential value, as they expose students to a larger community of people with different values and life experiences. In the words of Professor Romola Sanyal (Rocco & Newton, 2022), we wish to build upon the idea of a global dialogue of equals, that gathers a community of people, teachers, and students around ideas about the Just City and Spatial Justice.

6. FINAL REMARKS

The four exercises described here cover a lot of ground in terms of the issues they address and how they deal with competing justice claims. They do so through communicative exercises that embrace the complexity of the topic, and focus on spatial justice, in which competing claims and competing reasons for justice play a role.

The four exercises are communicative exercises that explore public justification and public reasoning. Justice is explored in its complexity, with all the shortcomings that public reasoning exercises have (limitations of representation, in-group bias, problems with vocabulary to express arguments, implicit and explicit biases, and more), but are nevertheless fruitful in the terms of the richness of results and the realisation by students of the political and public nature of spatial justice.

According to Professor Faranak Miraftab (Miraftab, 2009; 2018; Miraftab & Wills, 2005), our minds are colonised by preconceived ideas about self interest, profit and competition. Those ideas are meaningless unless we agree on how we will live together in our cities, and on a planet whose resources are finite.

There is no freedom possible outside of a society in which we all collaborate with each other, so we can all be free. In the words of Sen (2009), sustainability is meaningless if we do not have sustainable freedom: the freedom to continue to live on this planet in harmony with its natural systems. But in order to do that, we must agree on how the burdens and the benefits of our association must be distributed.

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TU DELFT STUDENTS AT WORK. PHOTO BY R. ROCCO.