

**EQUALITY AND URBANISM:**

**An Inquiry on Egalitarian Ethics in Planning with a Particular Reference to the Public Consultation Policy and the Overdale Approach to Equal Land-Use Opportunities of the Montreal Citizen's Movement**

**Jin-Bak Pyun**

**A Thesis**

**in**

**Humanities**

**Presented in Partial Fulfillment of the Requirements  
for the Degree of Philosophiae Doctor (Ph.D.) at  
Concordia University  
Montreal, Quebec, Canada**

**May 2007**

**© Jin-Bak Pyun, 2007**



Library and  
Archives Canada

Bibliothèque et  
Archives Canada

Published Heritage  
Branch

Direction du  
Patrimoine de l'édition

395 Wellington Street  
Ottawa ON K1A 0N4  
Canada

395, rue Wellington  
Ottawa ON K1A 0N4  
Canada

*Your file* *Votre référence*  
*ISBN: 978-0-494-31157-8*  
*Our file* *Notre référence*  
*ISBN: 978-0-494-31157-8*

#### NOTICE:

The author has granted a non-exclusive license allowing Library and Archives Canada to reproduce, publish, archive, preserve, conserve, communicate to the public by telecommunication or on the Internet, loan, distribute and sell theses worldwide, for commercial or non-commercial purposes, in microform, paper, electronic and/or any other formats.

The author retains copyright ownership and moral rights in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

#### AVIS:

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque et Archives Canada de reproduire, publier, archiver, sauvegarder, conserver, transmettre au public par télécommunication ou par l'Internet, prêter, distribuer et vendre des thèses partout dans le monde, à des fins commerciales ou autres, sur support microforme, papier, électronique et/ou autres formats.

L'auteur conserve la propriété du droit d'auteur et des droits moraux qui protègent cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

---

In compliance with the Canadian Privacy Act some supporting forms may have been removed from this thesis.

Conformément à la loi canadienne sur la protection de la vie privée, quelques formulaires secondaires ont été enlevés de cette thèse.

While these forms may be included in the document page count, their removal does not represent any loss of content from the thesis.

Bien que ces formulaires aient inclus dans la pagination, il n'y aura aucun contenu manquant.

  
**Canada**

## ABSTRACT

Equality and Urbanism

Jin-Bak Pyun  
Concordia University, 2007

In this normative inquiry, we will assess two planning policies that the Montreal Citizen's Movement (MCM), a municipal party of the left, experimented with while in power at the City of Montreal, from 1986 to 1994. The MCM implemented an unprecedented public consultation policy and it also wished to put in place a compensation policy for equal housing and land-use opportunities, which, effectively, it tried in a redevelopment project known as 'Overdale' in 1987. These two experiments were an attempt to tame the land-use market and to make it ethical. In assessing these experiments, we will first propose planning principles built on egalitarian ethics and, then, apply those egalitarian planning principles as evaluation criteria in the assessment. We will also examine similar experiments carried out elsewhere; we will compare the MCM public consultation policy with the Participative Budget of Porto Alegre, Brazil, and the Overdale experience of compensation with a case from Santa Monica, California. The MCM public consultation experiment was, without doubt, an exciting start that brought the politics of public deliberation to planning; however, we will argue that we need to put egalitarian constraints on planning deliberation if we want that deliberation to be not only a source of good planning but also of community building. We will also argue that the Overdale experiment of compensation is indeed a good source of heuristic learning on how to plan for equal land-use opportunities in a city of market liberalism such as Montreal. In this thesis we will persistently argue that we should appeal to egalitarian reason, in order to build a good and beautiful city.

## ACKNOWLEDGMENTS

I am deeply grateful to my supervisor Dr. John Zacharias and advisors, Dr. Margie Mendell and Dr. Kai Nielsen for their teaching, guidance and patience. Professor Jeanne Wolfe, Dr. James Jans and Dr. Eric Shragge, examiners of this thesis, further helped me in avoiding many errors and clarifying many ideas in it; I want to thank them very much.

This work was made possible by the various forms of aid that I received: Canada Mortgage and Housing Corporation and the Ville de Québec provided me with scholarships and allowances to study in London in the autumn of 1980, where I had the first opportunity to conceive the idea of egalitarian planning; recently, I was relieved from my workload in the Montreal Planning Department, enabling me to concentrate on the development of this thesis. I am very much grateful to these institutions.

I want to express a deep gratitude to Mr. Wade Eide who not only corrected my English through numerous versions, but also encouraged me throughout this journey. I also want to thank my daughter, Fabienne, who helped me in editing the text and producing the graphic materials and most of the photos. Thanks to Mr. Jacques Montpetit for kindly drawing the maps that appear in this thesis. Let me finally acknowledge that this work was very much a joint venture with my wife, Soo-Hyung, with whom I shared all other projects during our 37 years of marriage.



## DEDICATION

To the citizens of two amazing cities, Quebec and Montreal, who provided us with opportunities to learn good citizenship and good urbanism and to raise our three children

As well as

For the memory of the late Dae-Kyu Pyun, my father, cabinetmaker and beekeeper, the late Jeong-Nam Yu, my mother who raised three children, the late Jeong-Duk Lee, my father-in-law, steel-pipe maker and industrialist, and to Mrs. Wol-Sun Park, my mother-in-law who raised six children.

## TABLE OF CONTENTS

1. The Planning Problematic and Normative Inquiry: an Introduction	1
2. Urban Market Capitalism and Planning in Montreal	23
3. Why Do Egalitarian Ethics Matter in Planning?	62
4. A Theory of Egalitarian Planning	110
5. The MCM Public Consultation Policy and Egalitarian Democracy	142
6. The Overdale and Equal Land-Use Opportunities	205
7. Some Planning Issues for Equal Urban Welfare	253
8. Planning and Social Hope: a Conclusion	280
Appendix 1 - The Plex Market in Montreal	290
Appendix 2 - Residential Segregation by Income Classes	298
Bibliography	306

## 1. THE PLANNING PROBLEMATIC AND NORMATIVE INQUIRY:

### AN INTRODUCTION

*Objects of Inquiry and the Planning Problematic.* In this inquiry, we will address two planning experiments carried out by the MCM municipal administration in Montreal: planning with deliberative democracy and planning with market compensations. The Montreal Citizens' Movement (MCM or, more commonly, RCM for *Rassemblement des citoyennes et citoyens de Montréal*)<sup>1</sup> was a municipal party of the left that had emerged in the early 1970s, amid the turbulent years of the wild urban transformation of Montreal that market capitalism was provoking. The MCM took over the City of Montreal<sup>2</sup> and governed it for two terms, between December 1986 and November 1994.

The MCM came to power with the ideal of social justice and democracy and effectively undertook unprecedented experiments in democracy and planning; the MCM administration implemented a public consultation policy and produced a city plan and a new zoning bylaw, among other things. More particularly, the MCM administration had great ambitions for its public consultation policy; it wanted to bring the ideal of deliberative democracy to the heart of municipal governance and planning; it wanted to prioritize citizens' voices over market decisions. We propose to evaluate the MCM public consultation policy with respect to planning and to learn from that experience.

In the spring of 1987, shortly after the MCM victory, a large-scale redevelopment project, commonly called the 'Overdale', was submitted to the City for a building permit. For a progressive party with the ideal of social justice, the Overdale presented the challenging reality of market capitalism with which it had to cope. The MCM administration and the developer jointly conceived a scheme of compensation for the loss of welfare among the tenants, paid for out of the project profits. That scheme was an unprecedented attempt to make the land-use market accountable for the welfare loss that it engenders. We propose to take the Overdale scheme of compensation seriously for its potential for heuristic learning and as a planning paradigm in market democracy<sup>3</sup>. We will assess the scheme in order to understand what planning has to do to tame market capitalism and to make market efficiency socially acceptable.

In evaluating these two MCM experiments, we will first construct egalitarian planning principles; we will also call them simply *egalitarian planning*. We shall argue that planning should be guided by egalitarian principles if we want a good and beautiful environment *equally* for all citizens. Then, we will apply the egalitarian planning principles as evaluation criteria in an attempt to evaluate the MCM public consultation policy and the Overdale scheme of compensation.

We shall claim equal justice and equal democracy as the foundation of egalitarian planning. Justice in this inquiry is understood first in terms of how an individual person should treat other citizens in making land-use decisions; we will consider that it is

morally wrong for her to inflict harms on other persons because both she and the other persons are *moral equals* and, if she causes any harms to others, she should be accountable for the harms<sup>4</sup>. From this ethical understanding of justice, we shall claim that planning should be egalitarian such that it prevents her from making a harmful planning decision; or, such a decision is justified if she compensates for the harms she provokes.

Justice is also understood in terms of how planning should cope with the *unequal relationship* between citizens in terms of urban resources and urban welfare. A city constitutes a living environment that is increasingly vital for human survival and wellbeing; we shall argue that all human beings should have *equal access* to decent housing and a safe, sustainable and beautiful urban environment; otherwise, their survival would be compromised and that would be unjust. We think that, if there is something like just planning in market liberalism, that planning has to do with assuring equal access to urban resources and urban welfare. We propose to understand just planning as egalitarian planning. We will attempt to justify egalitarian ethics in planning by appealing to both the Rawlsian and the Nielsenian understanding of egalitarian justice<sup>5</sup>.

We will also appeal to deliberative democracy to ensure equal distribution of political influences on planning decisions among citizens. Market democracy suggests that the market best accommodates individual goals of welfare improvement; it justifies unequal market resources and desert for welfare distribution among individuals. Market democracy inevitably results in unequal power of political influence and an oppressive,

paternalist and elitist society. It is through the politics of public deliberation that we can reduce inequality in political power and political influences within market democracy; through the politics of public deliberation, citizens can shape and channel into planning a legitimate, strong and continuously renewed political power to ensure equal market opportunities and equal urban welfare.

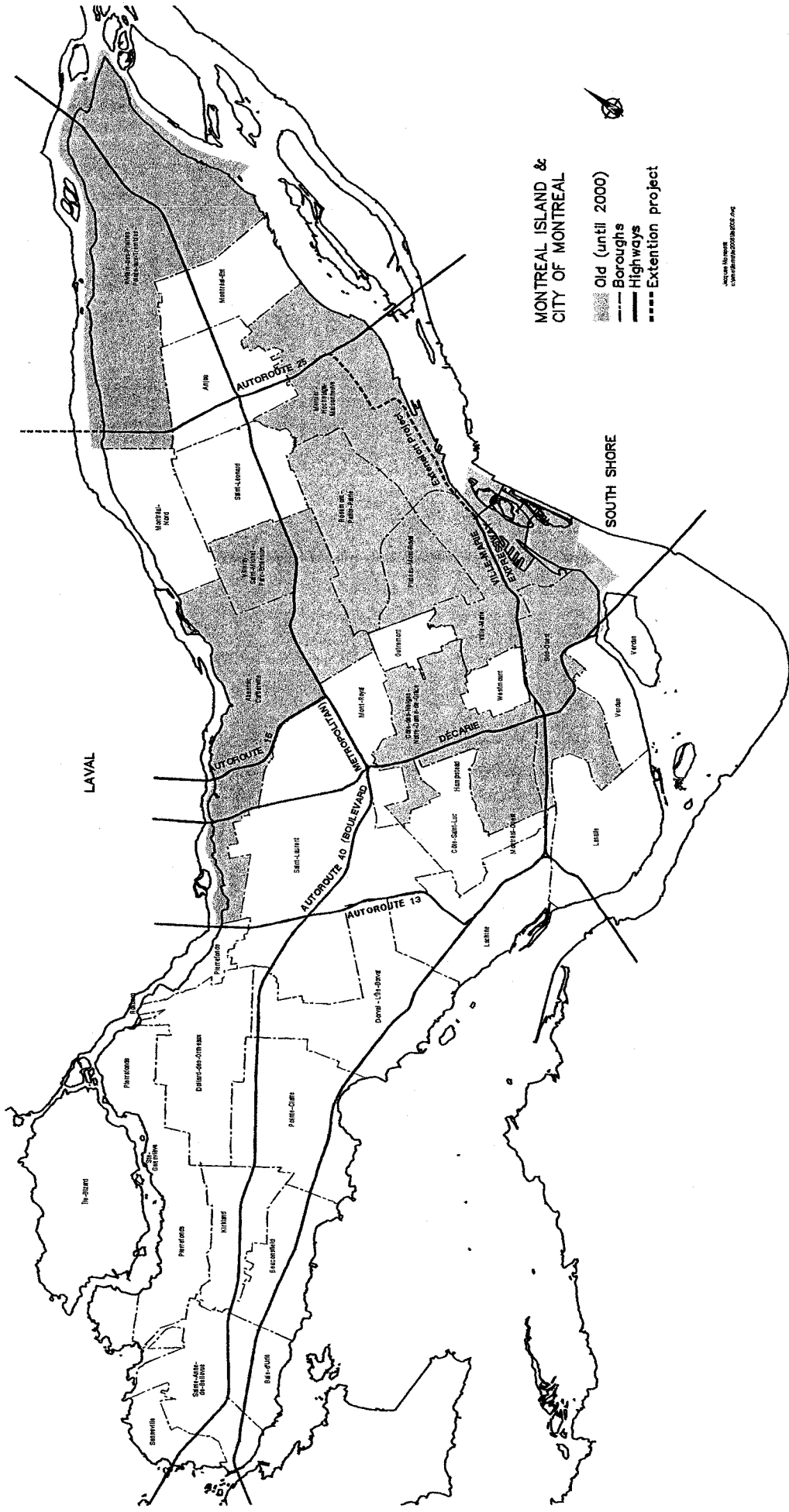
Cities in Western democracies such as Montreal are largely products of market capitalism according to its singular logic of profit maximisation<sup>6</sup>, which implies that the use of urban land is efficient if the capital invested for the land-use yields the highest return. While, indeed, that logic of land-use decisions made urban production efficient in shaping modern cities and producing the bulk of urban housing, it has been the source of monopolistic appropriation of urban wealth, unequal land-use opportunities, exclusion of the unprivileged from the market, unjust income and wealth transfers, environmental deterioration and so on. Our claim for egalitarian planning should be understood in relation to the unjust social relationships that market capitalism generates.

Financial capital massively entered the Montreal urban real estate market in two ways. First, financial institutions, in conjunction with the housing industry, have been instrumental in building suburban cities and suburbanising the middle and upper-income urban population. Second, the same financial capital, in association with the office building market, has been responsible for replacing the downtown residential neighbourhoods by high-density office buildings or other commercial land-uses. The

arrival of financial capital into the CBD (Central Business District) took advantage of the increasing demands of office space that were provoking the shift in the city economy from its traditional manufacturing base to the third-sector economy in North-American cities. Both the development of suburban cities and the redevelopment of downtown neighbourhoods have been profoundly transforming the city and massively engendering social costs and unjust social transfers in reorganising the city structure <sup>7</sup>.

If we have any reason to build a city with market capitalism, that is first of all because urban real estate investments require a substantial amount of financial capital that is beyond the financial capacity of most ordinary citizens and local public administrations. We think that planning with market capitalism does not mean that we should simply follow the market and its pricing mechanism as Hayek claims<sup>8</sup>, nor that we should plan in partnership with the market as neo-liberal planners of today propose. If there is any reason why planning is necessary in market capitalism, we think that it has to be, first, to tame market capitalism, in order that it comply with urbanism, which we propose to understand as an ethical way of building a city. Second, more importantly, the reason for planning has to do with liberating those who are oppressed by market capitalism. We think that egalitarian planning is a liberation project.

A capitalist city is an unequal city. The capitalist city is an amalgam of different neighbourhoods that are demarcated by unequal housing and environmental qualities such that each neighbourhood constitutes a distinctive housing sub-market. Citizens are



**MONTREAL ISLAND & CITY OF MONTREAL**

- Old (until 2000)
- Boroughs
- Highways
- Extension project



Source: MRC  
 Date: 2000  
 Scale: 1:50,000

LAVAL

SOUTH SHORE

AUTOROUTE 26

AUTOROUTE 15

AUTOROUTE 10 (BOULEVARD)  
 AUTOROUTE 13

AUTOROUTE 75

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL

LAVAL



distributed into different sub-markets according to market prices and their personal income such that residential neighbourhoods harbour different social and economic classes. A low-income citizen is forced to live in low-quality housing, less safe, more polluted and lower-quality neighbourhoods, simply because she cannot afford better housing and a better environment. If her unequal housing and unequal neighbourhood conditions are unjust because she should be equally entitled to “human fulfilment”, we as a society should first free her from unequal conditions and an oppressive environment. We think that planning reason resides in the very problematic of liberating her from those conditions and environment and re-engaging her creative self in the process of building a good and beautiful city.

*Values in Planning and Normative Inquiry.* We will extensively use *normative inquiry* as the principal investigation method in this thesis<sup>9</sup>. We will formulate egalitarian planning principles through normative reasoning and evaluate the MCM planning experiments in the light of those principles. Planning consists of making rules and norms that represent social interests and social values in shaping the city; therefore, planning inevitably embeds an ethical content. We think that a critical way of assessing planning projects is to look at their ethical content such that we can reasonably say why and how they are *good* or *bad*, or *less good* or *less bad*. We propose to take the normative investigation seriously in planning inquiry and evaluation studies.

Let us take, as an example, the following two planning objectives in the City Plan

that the MCM administration adopted in 1992<sup>10</sup>, to discuss the ethical dimension in planning and its methodological implications:

- Objective 2: Improve and preserve existing housing;
- Objective 38: Increase public transportation use.

These objectives embody the ideals and the interests that the community values. If you say, “Objective 2 is indeed *good*”, your saying so implies that the goodness of the Objective corresponds to your ethical criteria. Or, if you think that the Objective is *bad*, you might think of its impact on low-income families; indeed, they might not be able to afford the rents after renovation and that would be unjust. In both cases, you need to justify your evaluation according to your values and normative premises. If you say that Objective 38 is good, you might want public transportation to improve environmental quality. Or, you might have in mind the social benefits of better public transportation for low-income families that the Objective induces. Again, your evaluation is largely a function of your ethical understanding of planning values.

We say that a planning issue is *relevant* or *irrelevant*, the question of relevancy pertains equally to our relative points of view. When we reject an issue because we think that the issue is irrelevant, we assess the relevancy of the issue according to our own point of view; if we want to be impartial, we should equally consider the issue and its point of view. In planning and in evaluating planning, we planners are deeply engaged in

normative argumentations and value judgements; normative inquiry proposes to deal with those argumentations and judgements.

We often say that a planning premise or a planning theory is *true* or *false*. Objective 2 presupposes that public subsidies to housing renovation would bring a better housing quality at affordable post-renovation rents for low-income families; the goodness of the objective depends on the validity of this premise. The premise can ultimately be verified by an *ex post* evaluation; the premise will be true if, indeed, the objective produces its expected outcomes. The premise can be more or less true depending upon the extent of the correspondence between the objective and its outcomes. From this point of view, we understand the truth in planning as correspondence to reality as well as, since there is always a time lag between a plan and its results, in terms of goal achievement. However, in assessing Objectif 2 we observe that, if the premise is false or more or less true, the Objective can be unfair or more or less fair to the low-income renters and may require a supplementary measure such as a rent-geared subsidy on renovation or rent supplements to make it fair to them. We want to emphasize that truth talking in planning has an ethical implication.

Since we planners have to make a planning decision before it produces a result, we need an *ex ante* test and good information to guide our decisions; the issue here is how to improve the *reliability* of planning information. Historical lessons are a good source of reliable information; we learn primarily from trial and error.<sup>11</sup> Scientific knowledge is

certainly a good source of improving the reliability; for example, we now know that the use of private automobiles is a cause of global climatic change and, therefore, the premise of Objective 38 is reliable. The reliability of planning information is a crucial criterion in making planning choices, but the reliability alone is not the source of the goodness of those choices; planning information would be good and useful when that information is available equally for all citizens and we citizens achieve as large a social consent as possible. An equal accessibility to reliable information must be an indispensable tool to the development of citizenship and democracy and we think that democracy would also be instrumental in discovering a more reliable information.

Because planning has deep redistributive implications, the planning community must have a clear conception of distributive justice prior to planning. Objective 2 inevitably engenders an increase in rent costs, which would make the renovated units inaccessible to low-income families; the rent increase is certainly unfair to those families and a just society would create either a rent-geared subsidy for renovation or rent supplements. Any of these cases presuppose a prior conception of distributive ethics that favours social transfers to low-income families. Objective 38 equally embeds social choice for public transportation and a clean environment; that choice obviously provides more benefits to the low-income population and, therefore, the City Plan clearly opts for a progressive distributive justice. In both Objective 2 and 38 the design of implementation strategies requires a criterion of social justice that guides the distribution of social resources and welfare among citizens. The search for an appropriate conception

of social justice seems to us the first step of planning and that search would justify why we need normative inquiry in planning.

Planning in a pluralist democracy such as Montreal implies that planning goals are inevitably *multiple* and planning should deal with the achievement of multiple goals<sup>12</sup>. Since there are competing citizens and groups, there are competing wants and just planning ought to cope with the reality of multiple goals. The market always results in a radical choice among the competing citizens and groups according to the pricing mechanism and the market excludes those who do not have market resources. If we want planning be a process of consensus-building rather than choice-making in the market<sup>13</sup>, we would rely on the politics of public deliberation rather than truth-talking. Through public deliberation we citizens can exercise our equal opportunities for participation and argumentation in planning, we can learn from each other, and we can build together a better democratic society. In such a planning process we would be more likely to be best guided by ethical inquiry and learning.

We are very much accustomed to judging a city in terms of *beautiful* or *ugly*. Beauty is a normative language and a receptacle of community culture and values. Urbanism ultimately has to do with making our city beautiful and shaping a common built-culture. We propose our individual selves as the ultimate creators of our common built-culture and we propose to rely on the politics of public deliberation as the canal for channelling our individual selves into the creation of the common built-culture. That

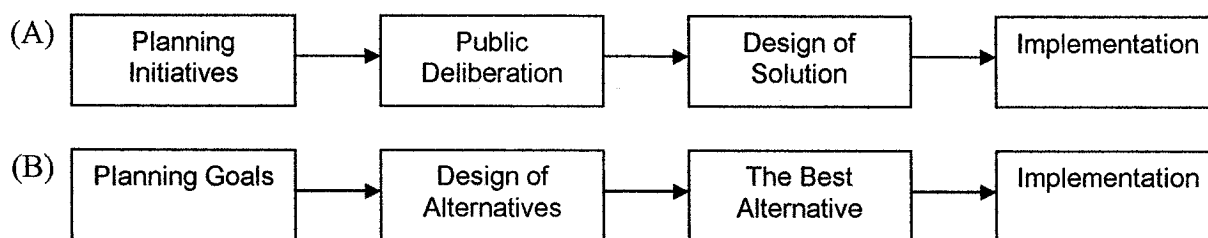
politics would be a better way of fashioning our common aesthetic future in an extensively pluralist city such as Montreal, if we do not want our built-culture to be dictated by market capitalism and elitism. Urban aesthetics in this perspective would be essentially a matter of public choice and normative inquiry.

*The Heuristic Potential of Normative Inquiry.* By addressing ideals and values in planning, normative inquiry provides important heuristic potentials by rendering value assumptions and premises explicit and by facilitating learning and public debates. Planning is about formulating goals and building rules that the planning community values; through normative inquiry, we can learn about the ethical reasons why we value certain ideals, while others might value other ideals. By learning about others' ethical reasons and comparing ours with theirs, we can better understand each other and come closer to mutual accommodations; this possibility of mutual learning appears to us a formidable heuristic potential that normative inquiry provides.

Rule building appears to be a source of efficiency. Herbert Simon observed that heuristic learning through rule building produces efficiency by radically reducing unnecessary trial and error; that efficiency is obtained by what he calls "bounded rationality"<sup>14</sup>. We planners build rules such as a plan and zoning; they provide common frameworks and rules by which the land-use market can function efficiently and without which the market would be lost in endless options and conflicts. With the plan and zoning, the market knows the shadow prices of land, where to go, and where not to go;

indeed, the efficiency in the land-use market is fashioned a great deal by planning. It seems that we planners find solutions to planning problems by heuristic learning rather than, in practice at least, by choosing the best solution among competing alternative candidates as rational planning suggests; common ideals and rules would radically reduce the costly and perhaps unnecessary design of alternative solutions. In arguing for his procedural justice, Rawls also observed, “the great practical advantage of pure procedural justice is that it is no longer necessary in meeting the demands of justice to keep track of the endless variety of circumstances and the changing relative positions of particular persons.”<sup>15</sup>

Let us consider the following two models of the planning process which we can call respectively (A) *the heuristic planning procedure* and (B) *the rational planning procedure*;



In (A), the formulation of planning initiatives is an integral part of the planning procedure, while planning goals are considered as given or exogenous to planning in (B). Rational planning would not venture into the field of the goal formulation that belongs to

the political process; rationality does not have anything to do with politics and power. It would simply accept planning goals as constraints. On the contrary, heuristic planning proposes to explore ideals and values and to formulate planning goals through public deliberation. In (B), the rational planner would maximise planning information to design alternative solutions and to choose the best alternative; *perfect* information should be her heuristic ideal. In (A), what is at stake is to develop planning information that is not only reliable but, more importantly, available *fairly* for all citizens.

One crucial question in the planning process is who makes the planning initiatives and who sets the planning agenda. In (A), all citizens and all social groups are invited to initiate a planning project, while the question is exogenous in (B). In (B) planning projects are most likely to be initiated in the market by those who have market resources, while those who do not have the resources are excluded or unequally influential in issue-raising and agenda-setting; that is unfair. They need equal opportunities for planning initiatives and agenda-setting. In Quebec, Margie Mendel observed that the social economy has been growing as an important alternative to the market economy and it has been a source of empowerment among those who are excluded from the market<sup>16</sup>. In planning in particular, the social economy has deep roots in the coop housing movement, which has been active in initiating and defending planning projects for low-income populations<sup>17</sup>.

Heuristic learning implies that we learn very much by *experimentation*, by trial and



error; therefore, we should evaluate the experimentation result. In this inquiry, we propose to take the *ex post* evaluation seriously. In the *ex post* evaluation, we investigate what really happened in terms of the goal-achievement relationship; we want to know if, indeed, the reality that a plan produced corresponds to what the plan had intended to produce. More importantly, we can also study, through the *ex post* evaluation, the history of social debates to understand how common people shared or did not share collective choices; those social debates are, we think, the most precious resources for democratic progress. We think that the planning possibility, or '*plannability*,' in market democracy has been largely determined by those social debates; we propose to take them seriously as study objects. We think the *ex post* evaluation constitutes an important public interest; without the evaluation, the planning community would not know if, indeed, an experiment yields the expected outcomes and if the community should repeat the same plan, or avoid it. The evaluation is a valuable source of reliable information in planning. However, we rarely conduct the evaluation study; we planners seem to be more interested in new planning projects than in evaluating past planning experiences.

***Organisation of the Thesis.*** We will begin this thesis with a very short historical account of the Montreal experience with downtown development during the three decades of the 1960s to the 1980s and the MCM experiments in planning between 1986 and 1994, in Chapter 2, in order to identify competing claims for how Montreal should be planned as they emerged in the historical context. In Chapter 3, we will try to explain both the welfare-growth claim from the land-use market and the social-justice claim that

the MCM brought to Montreal. We will propose to understand the MCM claim from the point of view of the egalitarian ethic. In Chapter 4, we will propose a theory of egalitarian planning or egalitarian planning principles; we think that, if we want social justice and democracy in urban development, we should be guided by those principles or, at least, we shall evaluate planning projects to measure our progress toward egalitarian goals. We put our social hope on egalitarian planning in building a good and beautiful city. Chapters 3 and 4 form the theoretical core of this thesis.

In Chapter 5, we will evaluate the MCM experiment in public consultation in the light of egalitarian planning principles. In this *ex post* evaluation, we want to study to what extent the MCM policy could increase equality in political influence over planning decisions among citizens; a fundamental goal of deliberative democracy would be to ensure equal political influence. We will pay particular attention to the public debates that the policy provoked; in the light of the debates, we want to assess what the Montreal public wants, what was wrong with the policy, and what could be done to improve equality in political influence on planning decisions. In assessing the experiment, we will compare it with the on-going Porto Alegre experience of Participative Budgeting. We will argue that such an inter-city comparison is informative and useful in designing our relative social experiments. In Chapter 6, we will go back to the Overdale project and evaluate its compensatory scheme in the light of egalitarian principles; the Overdale is taken as an historical epitome to understand how we can make the land-use market ethical and fair in providing citizens with equal opportunities of land use. We will also

compare the Overdale compensation scheme with a Santa Monica experience. Finally, in Chapter 7, we will try to identify some planning issues that appear to us important in improving equality in urban welfare in Montreal.

## NOTES

---

<sup>1</sup> The MCM was founded in the spring of 1974 by a broad coalition between the following progressive forces in Montreal: the Montreal Inter-Trade Union Council (CRIM), the Progressive Urban Movement (MPU for Mouvement progressif urbain), the New Democratic Party (NDP), and the Parti québécois (PQ) including community groups such as Sauvons Montréal, Héritage Montréal and Green Spaces. Both the MPU and the NPD attracted Anglophone progressists, while the PQ was a newly emerging political party that harboured the Francophone left who wanted a sovereign Quebec; therefore, the coalition put together under the same umbrella the Anglophone and the Francophone left, who were radically opposed with respect of the future of Quebec within the Canadian federation. Indeed, the coalition between the two communities was a remarkable historical event; they lived in two different parts of the city and they rarely crossed over to each other's territory. The MCM was formally born at a founding convention held on May 11<sup>th</sup> 1974. At the convention, the MCM adopted a quite remarkable political programme articulated in detail around the following themes: democracy, housing, transportation, leisure, health, the budget, and Olympics (See The MCM Manifesto (abridged), *Our Generation*, vol. 10, no. 3, (1974), pp 10-20) The programme proposed, among others, the implantation of neighbourhood councils with decision-making power and a strict control and penalty over housing demolition, to which we are going to pay a particular attention in this thesis. The MCM programme presented an alternative vision and programme radically different from the way that Montreal had been shaped and its administration had been previously governed; the MCM wanted to bring participative democracy and social justice to city governance. The MCM power base was gradually formed during the turbulent years of urban transformation in the 1960s as political resistance to the redevelopment market and the Jean Drapeau administration, which embraced the redevelopment market and governed city hall in an authoritarian manner (For a critical view on him, see Marvin Rotrand, *Montreal – the Rise and Fall of Jean Drapeau*, *Canadian Jewish Outlook*, March 1985, pp 15-18.). Montreal observed, during the 1960s, the formation of citizens' committees and renters' associations against the redevelopment market and the abuses of property owners in the rental market; these citizen movements were the very roots of political claims for democracy and justice in Montreal and undoubtedly the backbone of the MCM. In the 1974 election, its very first participation in election, the MCM was remarkably successful in electing its 17 candidates for the City Council (out of 54 seats) and obtaining 39% of suffrages for Jacques Couture, its first candidate to Mayor. Montreal would have, during the following decade, an opposition party with an alternative vision of urban development and a remarkably articulated program. The MCM took over city hall in a sweeping victory in the 1986 election and formed its administration under the leadership of Jean Doré as Mayor and Michael Feinstad as the President of the Executive Committee and the MCM would keep power for one more term, until 1994. During its mandates the MCM brought many unprecedented reforms; we will present a short historical account on its reforms in municipal democracy and planning in Chapter 2. It would lose the 1994 election and definitely disappear during the 2001 election for the newly amalgamated city of Montreal. For the history of the MCM, see, for example: Editors, *The Montreal Citizens' Movement*, *Our Generation*, Vol. 10, No. 3, (1974), pp 3-20; Jean Doré, *For Montreal*, (A. Bennett (tr.), Montreal, Qc.: Guernica Editions, 1986); Ville de Montréal

---

(Michèle Dagenais), *La démocratie à Montréal: De 1830 à nos jours*; Paul-André Linteau, *Histoire de Montréal depuis la Confédération*, (Montréal, Qc: Boréal, 1992), particulièrement Chapitre 20 and 21, pp 531-568; Timothy L. Thomas, *A City with a Difference: the Rise and Fall of the Montreal Citizen's Movement*, (Montreal, Qc: Véhicule Press, 1997). The complete archives of the MCM (1974-1998) can be found in the Archives of the City of Montreal, under the title 'Fonds du RCM.'

<sup>2</sup> In this inquiry, when we use the term Montreal, we generally refer to either the citizens or the territory of the City of Montreal before the amalgamation of the municipalities of the Montreal Urban Community in 2001. See Map at page 6.

<sup>3</sup> In employing the conception of market democracy, we are inspired by the conception of "property-owning democracy." See John Rawls, *Justice as Fairness: a Restatement*, ed. Kelly, E., (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2001), Chapter 41, pp 135-138.

<sup>4</sup> We are interested in the ethical implications of the external bads that the land-use market generates. A transaction between you and I in a perfectly competitive market should not produce any effect on a third party, external to our market. If our transaction implicates a utility loss to the third party, we call the loss an external bad, which we define as a *public bad* because the external bad is no longer in the private transactional space. The externality issue is understood in economics more as an efficiency problem than a distribution problem; in this thesis we will consider the external bad essentially as a distributive issue. David Harvey remarks, "Almost all this extensive literature has focused on allocation problems and very little attention has been paid to distributional effects, mainly because any theory of the distribution of external costs and benefits involves those ethical and political judgements about the 'best' distribution of income which most of us prefer to avoid." See Harvey, D., *Social Justice and the City*, (Baltimore: The John Hopkins University Press, 1973), p. 59.

<sup>5</sup> Both John Rawls and Kai Nielsen are contemporary philosophers who are deeply engaged in debates on the egalitarian ideal of social cooperation. While for Rawls justice is fairness, Nielsen understands justice as equality. An important difference between their egalitarian understandings of justice is that, while Rawls proposes equality in opportunities only, Nielsen also claims equal welfare, as an egalitarian ideal. There is also another important difference; while Rawls justifies market liberalism, Nielsen defends socialism. We will discuss the planning implications of their respective egalitarian ethics in Chapter 3.

<sup>6</sup> When an entrepreneur wants to venture into the real estate market, she is, indeed, guided by profit making; her success is measured by the returns on investment that her land use produces. However, in today's land-use market such as the one in Montreal, the profit-maximisation thesis can oversimplify reality: the market is restrained by a land-use plan, zoning bylaws, building codes, environmental regulations and others; increasingly, the pension funds of workers' unions are invested in real estate ventures. Indeed, if she invests in a project jointly with the pension funds, she cannot single-mindedly pursue the goal of profit maximisation; she should respect social constraints and she should defend the same goal of the unions and share-holders. John Roemer calls today's market the "thick market." However, the market is efficient only because the market is motivated by profit maximisation. For the thick market, see John Roemer, *A Future for Socialism*, (Cambridge, Mass.: Harvard University Press, 1994).

---

<sup>7</sup> See, for example, David Harvey, *Social Justice, Postmodernism and the City*, *International Journal of Urban and Regional Research*, Vol. 16, (1992), pp 588-601.

<sup>8</sup> For Hayek town planning should be “the framework of rules within which the decisions of the private owners are likely to agree with the public interest.” He objects to “a very different type of control, however, which is also practiced under the name of ‘town planning’ much of which is in fact carried out, particularly by architects and engineers who have never understood the role that prices play in co-ordinating individual activities... The issue is therefore not whether one ought or ought not to be for town planning but whether the measures to be used are to supplement and assist the market or to suspend it and put central direction in its place.” Hayek, F. A., *The Constitution of Liberty*, (Chicago, Ill.: The University of Chicago Press, 1960), Chapter 22 (Housing and Town Planning), p 350.

<sup>9</sup> Modern planning research has been heavily influenced by geography, sociology and economics, which emphasizes positivist investigations; factual observation, statistical inference and model making and testing etc. have been deployed to build planning theories or to evaluate planning practices. By normative inquiry, we mean studies on the ethical implications of planning in relation to discussions in the field of moral and political philosophy. Normative inquiry in planning was heavily influenced first by the Marxist understanding of urban problems. One of the first philosophers who brought a Marxist reading of urban phenomena was Henri Lefèvre (See, for example, *Le droit à la ville*, (Paris: Éditions Anthropos, 1968)); his influence among the planners and urban sociologists in Quebec was very notable through the 1960s and 1970s. David Harvey is another influential thinker who brought and extended the Marxist conception of social justice as well as other philosophers to urbanism; see *Social Justice and the City*, (Baltimore: The John Hopkins University Press, 1973) and *Justice, Nature and the Geography of Difference*, (Oxford: Blackwell Publishers Inc., 1996), among others. More recently Timothy Beatley made an important contribution to the ethical understanding of land-use problems more particularly from the environmental perspective; see *Ethical Land Use: Principles of Policy and Planning*, (Baltimore: The John Hopkins University Press, 1994).

<sup>10</sup> Source of information: City of Montreal, *City Plan: Orientations and Strategies*, (1992).

<sup>11</sup> A good and less costly source of reliable information in planning would be lessons to be learned from past successes and failures; we can learn a lot both from our and others’ trial and error. Jan Tinbergen remarked, “Economic life is beset with uncertainties and challenges which man has not been able to meet in a completely satisfactory way. Economic history is a history of struggle and of failure as well as successes. But failures are not completely negative since they may teach us what not to do.” See Jan Tinbergen, *The Design of Development*, (Baltimore: The Johns Hopkins Press, 1958), p 67. We propose to take the evaluation of our own experiences as well as inter-city comparative studies in planning very seriously; in this thesis, we propose to compare our Montreal planning experiences with other cities’ comparable cases as a source of learning. Trial and evaluation is the guiding principle of the method of social experimentation, commonly known also as the pilot project, to which planning owes much; for a theoretical discussion and a case study on housing allowances, see Robert Ferber and Werner Z. Hirsch, *Social Experimentation and Economic Policy*, (Cambridge, G. B.: Cambridge University Press, 1982).

---

<sup>12</sup> Maurice Hill studied the presence of multiple goals in planning and the possibility of a simultaneous achievement of the multiple goals. We take his discovery of multiple planning goals and the idea of the simultaneous achievement of multiple goals seriously in this thesis. We shall argue that a land-use project inevitably embeds multiple goals by the presence of external costs and opportunity losses that the project implicates. We shall argue that planning in market democracy is essentially about the simultaneous achievement of multiple goals, including external goals. See Maurice Hill, *Planning for Multiple Objectives; An Approach to The Evaluation of Transportation Plans*, (Philadelphia: Regional Science Research Institute, 1973).

<sup>13</sup> Samuel Bowles and Herbert Gintis propose a society of radical democracy based on mutual learning rather than the choice through the market. See *Democracy and Capitalism*, (New York: Basic Books, 1986).

<sup>14</sup> Herbert Simon observed how heuristic rules can be an efficient tool in designing a computer program for the game of chess. The evaluation of all possible options even for limited rounds of moves and counter-moves in a chess game requires a considerably powerful computer; when he designed the computer program for the chess game in the early 1970's, such a computer was still a dream. He found that, by learning the rules of the chess game, the computer could radically reduce computing requirements. That efficiency gain is obtained from rule-making and heuristic learning. See H. A. Simon and P. A. Simon, Trial and Error Search in Solving Difficult Problems, *Behavioral Science*, 7, (1962), pp 425-429; Herbert Simon, Theories of Bounded Rationality, in McGuire, C. B. and Roy Radner (eds.), *Decision and Organisation*, (New York: North-Holland Company, 1972).

<sup>15</sup> John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), p 87.

<sup>16</sup> See Margie Mendell, New Social Partnership: Crisis Management or a New Social Contract?, in Amit-Talai, V., and H. Lustiger-Thaler (eds), *Urban Lives: Fragmentation and Resistance*, (Toronto, Ontario: McClelland and Stewart Inc., 1994) pp 71-92; Margie Mendell, The Social Economy in Quebec: Discourse and Strategies, School of Public and Community Affairs, Concordia University.

<sup>17</sup> Since the 1972 amendment of the Housing Act under the Trudeau regime in Canada and the progressive housing policy of René Lévesque in Quebec in late 1970s, Montreal observed an unprecedented production of coop and non-profit housing during the 1970s and 1980s. We want to note that such a production of coop housing in Montreal was greatly facilitated by what is commonly-known as the "GRT or *Groupe de ressources techniques*," which consists in providing various technical and organisational assistances for the formation of housing cooperatives as well as through the design and construction stages. Louis Pretty is certainly a pioneer who initiated an earlier form of the *Groupe de ressources techniques* in the beginning of the 1970s; see *Achat et restauration par les citoyens des milieux populaires*, Annex 6 of *Rapport du groupe de travail sur l'habitation*. Another good example of the social economy in planning is the SIDECS (*Société des initiatives au développement économique et communautaire*) which consist in promoting economic development in underprivileged areas. There are various community groups, which play a crucial role in initiating the planning agenda for the unprivileged in Montreal; they

---

appeared increasingly indispensable for their welfare opportunities in the context of the neo-liberal disengagement and fiscal conservatism.



## 2. URBAN MARKET CAPITALISM AND PLANNING IN MONTREAL

Beginning in the 1960s and over the following two decades, Montreal experienced an unprecedented urban transformation engineered largely by foreign financial capital<sup>1</sup> and dictated by market capitalism. What we are going to call the 'redevelopment market' undertook a massive replacement of existing structures and the displacement of their inhabitants, mostly renters, through a radical shift in land use and density. The redevelopment market did not provoke such a transformation because of social needs, but for the singular goal of maximizing the return on the capital invested<sup>2</sup>.

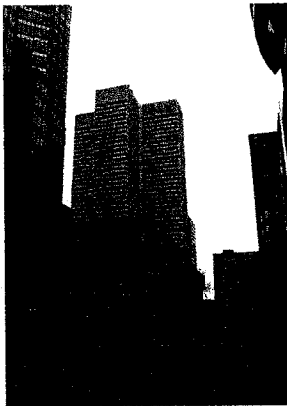
In this chapter, we will present a short historical account on the redevelopment market as well as planning experiments that the MCM administration undertook. As we mentioned, the MCM came to power on an electoral program with emphasis on democracy and social justice. During its two terms the MCM administration put an unprecedented effort in bringing public consultation into municipal governance and preparing planning tools such as a city plan and zoning bylaws. The MCM emphasis on public consultation and planning is radically different from the market *laissez-faire*, which had guided the urban-growth approach of the previous administration.

## 2.1. The Redevelopment Market

The quest for urban modernity in Montreal begins around 1960 along with the Quiet Revolution<sup>3</sup>. The Quiet Revolution radically changed Montreal and Quebec society: it would put an end to the domination of moral and political lives by the Catholic Church; it would bring new tools to govern the Quebec state including the shift of the delivery of social services from the Church to the state; it would give birth to the *Parti Québécois*, a political project for Quebec sovereignty; the quiet revolution would also be accompanied by a radical urban transformation by market capitalism in two major metropolitan centres, Quebec City<sup>4</sup> and Montreal. The MCM was born as a political resistance to market capitalism amid the urban transformation. The MCM was no doubt a crucial part of the quest for new citizenship that the Quiet Revolution was bringing<sup>5</sup>.

The urban transformation in Montreal was provoked mainly by three factors: the construction of urban expressways, the urban renewal program and the redevelopment market. In 1957, the Metropolitan Boulevard, the first major expressway which cuts the city east-west, opened the period of construction of urban expressways in Montreal. Boulevard Metropolitan was followed by the sunken Decarie Boulevard, the still unfinished Ville-Marie Expressway and Highway # 25 which, together, completely encircle the central part of Montreal Island (See Map 1). Those expressways were a major cause of massive housing demolition and relocation of the tenants for the following two decades beginning in the 1950s. Montreal, mainly the eastern part of its downtown,

was much affected by urban renewal programs<sup>6</sup>, which replaced many hundreds of old houses by public housing or residential and commercial buildings. Les Habitations Jeanne-Mance, the first urban renewal and public housing project in Montreal, completed in 1960, was made possible only by demolishing a whole neighbourhood. The urban renewal provision was also used to prepare, for example, the site of Place des arts as well as that of Place Desjardins, an office-shopping complex. The urban transformation in Montreal was also to a large extent the product of the redevelopment market.



Place Ville-Marie

In 1962, the 49-story Place Ville-Marie, the tallest office tower at that time and still dominant, was erected in the heart of today's Montreal CBD. Place Ville-Marie is built above railroad tracks; it did not replace any existing structures and, therefore, it is not quite a redevelopment project strictly speaking. However, Place Ville-Marie was the first large-scale land-use project designed with the newly emerging concept of clustering that would be dominant for the following three decades and sending an unmistakable signal indicating the location of the coming CBD and the coming of the redevelopment market. We propose to look at Place Ville-Marie as a paradigm to understand the nature and social impacts of the redevelopment projects.

Place Ville-Marie was probably the first foreign venture that proved that there was a good opportunity to make money in the Montreal real estate market; it was orchestrated

by an American developer, using mainly British financial capital<sup>7</sup>. Subsequently, other foreign financial capital would flow into Montreal and shape today's CBD mostly by replacing existing residential structures by large-scale and high-density commercial land-uses, principally office space. Towards the late sixties and the early seventies, beginning with Expo 67 and following through the preparation for the 1976 Summer Olympics, Montreal would become one of the hottest real estate markets in the world<sup>8</sup>.

Place Ville-Marie was designed as a multifunctional complex, which includes, along with its main function of offices, an underground shopping mall directly linked to the Montreal Metro network. Indeed, it presented a city within a city where people can work, eat and go shopping without going outside. The indoor shopping mall enclosed in its interior city the traditional retail market of nearby St-Catherine Street. This



Westmount Square

concept of multi-functional enclosure became, ever since, a dominant practice of urban design and shaped the morphology of the Montreal downtown. Place Ville-Marie was followed, over the following three decades, by many other multi-functional enclosures such as Place Bonaventure, Place Victoria, the Complex Desjardins, Alexis Nihon Plaza, Westmount Square, Place Montreal Trust, to name only the major investments that are the most visible in the Montreal downtownscape<sup>9</sup>. All those enclosed small cities are all linked now by a network of underground corridors, along with the Metro, and they shape the underground city of Montreal.

The concept of urban enclosure was a radical departure from the traditional way of shaping urban streets and structures in Montreal in the previous century. Traditionally, orthogonal streets defined the urban structure such that the streets constitute a text in which we could see a whole picture and within which we read particular buildings not separately but always in relation to the street, the text. It is through the streets that architectural beauty is spilled out to the public as external goods; in this sense, architectural beauty was a public good<sup>10</sup> that defines the quality of the urban environment. A good architect was not just designing a building, but she was redesigning and renewing the aesthetic quality of the street, the public place. With the new concept of enclosure, the building became the focus of design and the street was losing its public character and aesthetic contents.

The economic objective of enclosing shopping spaces is to be able to exact higher rents by attracting those shoppers who would otherwise go to nearby Saint-Catherine Street. The new shopping malls and galleries are made attractive by linking them directly to the Metro, by making shopping comfortable during cold winters or on rainy summer days. This is not a fair competition; those malls and galleries impose the transfer of both the rent and the business incomes from streets to indoor malls and that transfer was simply dictated by resource inequality. The malls and galleries would gradually kill small independent shops on St-Catherine Street; they would have much difficulty surviving during the difficult period of 1990s and they would eventually cede their place to big chain stores. It was not surprising that a merchants' association of St-Catherine Street

asked for a moratorium on additional construction of indoor shopping malls on St-Catherine Street, for fear of completely losing their ground, right after the MCM came to power in 1997.

Along with the appropriation of urban spaces for profits, market capitalism also transgressed the naming of public spaces. All downtown enclosures are named “*Place* something.” We traditionally used the French word ‘*place*’ for an open public space; the *place* is now used more often for the enclosed private shopping centre.

Among the many redevelopment investments which transformed the Montreal downtown, the Van Horne redevelopment drew a particularly large public attention and mobilised the media. In the summer of 1973, a Montreal developer was about to demolish the Van Horne mansion on Sherbrooke Street to replace it by a sixteen-floor office tower financed by German financial capital<sup>11</sup>. Sherbrooke Street was rich with residential and commercial architecture recalling the wealth of industrial and mercantile Montreal around the turn of the 20th century and the Van Horne Victorian mansion was particularly familiar to Montrealers; the mansion had been the house of Sir William Cornelius Van Horne, the founder of Canadian Pacific, which constructed the trans-Canadian railroad at the time of the birth of the Canadian Confederation. In spite of unprecedented public objection, the developer went ahead with his plan of demolition and replacement.

The Van Horne redevelopment created a particular momentum of political resistance to the redevelopment market. Montreal saw, soon afterwards, the birth of twin organisations, *Héritage Montréal* and *Sauvons Montréal*, which presented a vast coalition of many community groups. They would play an important role in mobilising citizens against the redevelopment market and, until today, they remain the principal independent watchdogs in preserving heritage buildings and environmental quality in Montreal. Montreal also observed the birth of the MCM, a political coalition of the progressive political forces of both the Francophone and the Anglophone communities including the emerging Allophone communities. The coalition was an exceptional historical event; the two communities had been living in the same Montreal but separated by St-Laurence Boulevard, as two distinct cultures for two hundred years, since yesterday's colonialism and through today's Canadian federation. They had rarely crossed over St-Laurence Boulevard from either direction<sup>12</sup>.

We think that the MCM was possible because progressive citizens from both communities were united and claimed equal social justice and democracy. They had a common frontier of battle against urban market capitalism; they had to defend their common city heritage and their social interests in land use from anonymous foreign capital and a handful of developers acting only for their own profits, ignoring their community needs. You would not have to be Francophone, Anglophone or Allophone to hope for a just and democratic city and to claim that the poor and weak in the market should have equal urban opportunities and welfare. The claims for social justice and

democracy constituted the backbone of the political platforms of the MCM through three election defeats and for its two successful campaigns. We think that the MCM is a remarkable heritage that the two antagonistic communities produced together for a common social hope against urban market capitalism.<sup>13</sup>

It was what is commonly known as “La Cité” or “the Milton-Park Project”, the biggest redevelopment scheme that Montreal had ever known, that created a decisive moment in the history of citizens’ resistance to the redevelopment market<sup>14</sup>. The scheme had been planned since the end of the 1950s; the developer, backed by British pension money and American financial capital, quietly bought 25 acres of land in an inner neighbourhood just east of McGill University, densely built with exceptional Neo-Victorian residential buildings and inhabited largely by students and low-income



La Cité

families. The scheme, after completing its first phase, the replacement of 7 acres (255 housing units) by four commercial and residential towers and a shopping mall, was finally aborted; the Canada Mortgage and Housing Corporation purchased the remaining 250 units and converted them into coop and non-profit housing. The Milton Park Citizens Committee and its alleys such as Heritage Montreal won the battle against the redevelopment scheme; they were much better organised and they had social housing policy in Ottawa justifying the conversion into coop housing<sup>15</sup>. The Milton-Park resistance was clearly a great victory for those citizens who claimed social justice and



democracy in urban development and it was a reminder that the victory could not be made possible without the power of the State.

The Milton-Park redevelopment, though largely unfinished, was serious in terms of its re-distributive consequences. The demolition of residential neighbourhoods wiped out hundreds of housing units, many in duplexes or triplexes, corner stores and the social fabric woven around the neighbourhoods. The demolition meant the relocation of the existing tenants, permanent loss of low-price rental units and, consequently, an increased social burden for low-income housing. The bulk of rental units in Montreal are provided by duplex or triplex housing, which have been very much instrumental in providing affordable housing to low and moderate-income populations since the late 19<sup>th</sup> century. The Plex market has shaped the typical residential environment and cityscape of Montreal; the demolition of the plex structures also meant an irreplaceable loss of cultural heritage. We will try to make an observation on the Plex market in Montreal in Annex 1.

The urban transformation and its social consequences engineered by the redevelopment market were enormous in scale. A compilation shows that some 23,234 housing units were demolished between 1957 and 1974 and, between 1971 and 1974 alone, some 9365 units were demolished.<sup>16</sup> These numbers include a substantial number of demolitions provoked by both the urban renewal programs and the construction of the Décarie and the Ville-Marie Expressways. However, the impact of the redevelopment

market alone would be enormous. If a vacancy rate of 5% were applied to those numbers, probably some 20,000 low and modest-income households may have been displaced for the entire period. Normally, if the demolitions happened at once, that would be equivalent to the large destruction caused by a war, an earthquake or something of that scale.

Before the redevelopment market, market capitalism had already been deeply engaged, since the 1950s, in urban transformation through the production of suburban cities engineered mainly by housing developers, construction industries and mortgage lenders. Suburban growth is inversely linked to the redevelopment of the city core; it created a vacuum in the inner-city neighbourhoods by draining middle-income populations and social resources from those neighbourhoods. It engendered the concentration of the poor and the deterioration of the economy, housing quality, the quality of public services and the quality of the environment in the inner-city neighbourhoods. Financial capital was operating on two frontiers, suburban expansion and the redevelopment of the city core; financial capital was not simply a sheep that follows its shepherd but it was an active agent of urban transformation.

Suburbanization in the Montreal metropolitan area goes on and there is no sign that the tendency is going to slow down. Planning largely failed in coping with suburban growth. It seems increasingly impossible to counter the suburbanization; the state increasingly appears to be a political hostage of the suburban population.<sup>17</sup> The suburban political weight is now much heavier than that of Montreal; the ratio of the population of

Montreal to that of the metropolitan region was roughly 1 to 2 in 1970 and the ratio dropped to 1 to 3 in 1990. During the decade between 1986 and 1996 only the population on Montreal Island (Montreal Urban Community) increased by 1.3%, while the population in the north shore region increased by 44% and that of the south shore by 19%. Between 1961 and 1996, the Montreal metropolitan region observed that its territory tripled, while its population increased only by 1.5 times.<sup>18</sup> Suburbanisation is the principal urban threat to our hope for a sustainable environment.

There are several factors that explain why Montreal could attract financial capital for its real estate market through the 1960s and the 1970s. There were, first, strong market demands for new office and other commercial space. Montreal was growing both economically and demographically and it was still the biggest metropolis and the financial centre of Canada. There was also unprecedented public investments that boosted real estate investment in Montreal: Montreal hosted Expo 67 and the 1976 Summer Olympics and, through these events, Montreal massively invested in infrastructures including a subway system, the Metro; the Federal Government came to Montreal with two massive public investments, Mirabel airport and the Place Guy Favreau for its office spaces in the early 1970s; the Quebec government, as well, started the Baie James hydro project and its involvement in the Place Desjardins equally in the early 1970s. Let us explore a bit more the economic and political context of the Montreal real estate market at that time.

Along with the *de*-industrialisation in progress since the 1960s, Montreal like other North-American industrial cities began to experience an important shift in the labour market; between 1971 and 1991, its weight of manufacturing employment dropped from 30.6% to 18.8%<sup>19</sup>. The shift from manufacturing to service sector jobs engendered a new pattern of urbanisation; the post-war pattern of singular *sub*-urbanisation was now accompanied by the newly emerging *re*-urbanisation of the city centre. Financial and professional services, for example, went to the city centre with their high-salary white-collar jobs, creating demands in both the high-rise condominium and a high-price rental market. In Montreal, its city centre had the major share of office demand created by the service sector.

The profits of redevelopment are largely a function of scale and density. A successful redevelopment requires, therefore, a supportive planning environment. Indeed, Montreal at that time was probably exemplary in providing such an environment. Firstly, it did not have adequate zoning bylaws, nor any land-use planning. Before the MCM land-use planning, there were some 60 pieces of zoning bylaws that were mostly inadequate or outdated and there were parts of Montreal, including some downtown areas, that did not have zoning specifications. Secondly, discretionary zoning, commonly known as the '*plan d'ensemble*'<sup>20</sup>, was heavily used to deal with the redevelopment market in the absence of an adequate zoning bylaw and that *plan d'ensemble* proved to be effective more in providing what the developers wanted than in assuring social interests.

Equally importantly, there was a political environment that was very much supportive of the redevelopment market; Jean Drapeau, a popular mayor who was the instigator of the Metro, Expo 67 and the 1976 Summer Olympics, wanted economic growth and welcomed the flow of financial capital and the redevelopment projects. The money invested in construction industries would create direct employment in the related sectors as well as indirect effects on the general economy and that economic growth would be good for the community as a whole. This economic-growth argument was a principal rationale of the Drapeau Administration in dealing with the redevelopment market. The redevelopment market was justified equally because it would bring the reinforcement of the fiscal base of Montreal; this fiscal reinforcement argument has been a powerful justification for downtown development in Montreal as well as in other North-American cities.

Downtown Sherbrooke Street was one main target of the redevelopment market since its early days. Many other investments followed the Van Horne redevelopment and the street gradually lost parts of its history and built culture. In the summer of 1976,



CCA Gardens

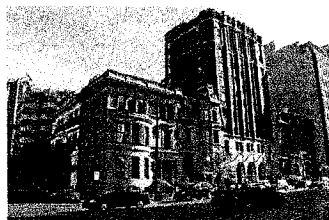
just before the opening of the Montreal Olympics, Sherbrooke Street was, for a short time, transformed into a street museum telling about the history of the sites of buildings demolished or replaced; the street exhibition was called “Corridart.” The installations and narratives, produced by Melvin Charney, a Montreal architect, momentarily epitomised the brutal

transgression of Montreal and its built culture by market capitalism<sup>21</sup>. The street museum would not survive long enough to meet the opening day of the Summer Olympics; the powerful mayor had them removed before. Some fifteen years later, Melvin Charney would conceive a public garden with permanent installations celebrating the built-culture of Montreal<sup>22</sup>, in front of the CCA (Canadian Centre of Architecture); Phyllis Lambert, the founder of the CCA would be an instigator in creating that public park.

Beginning in the early 1980s, some interesting projects have been initiated to save Sherbrooke Street. One good example is the extension project of the Montreal Fine Arts Museum in which the façade of an existing apartment building is preserved. Its mixed façades as architectural language embodies public resistance to the sacking of the street. Another good example is the *Maison Alcan*, the headquarters of the multinational



Musée des Beaux-Arts de  
Montréal

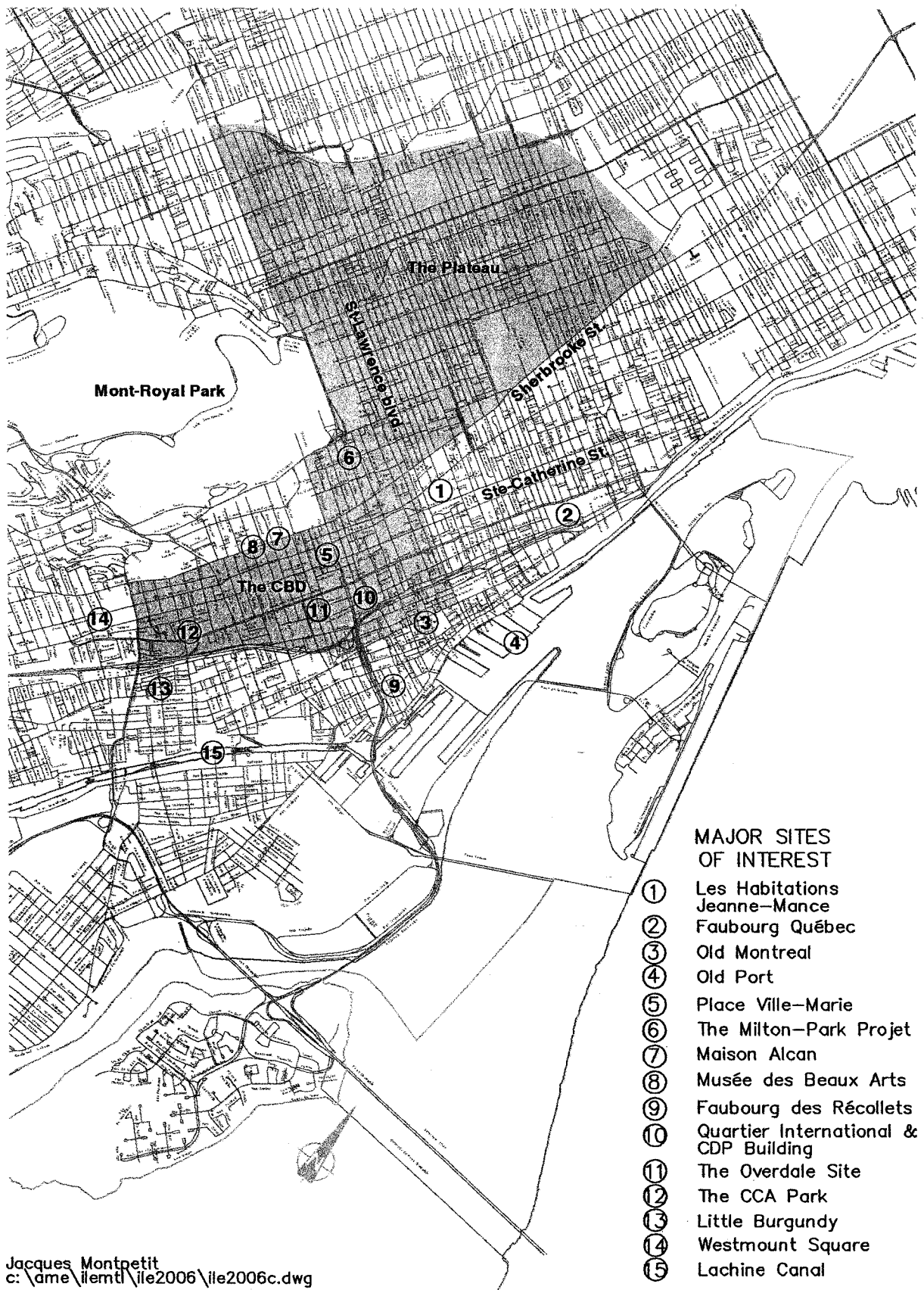


Maison Alcan

aluminium producer. The complex is composed of five existing buildings on Sherbrooke Street and a low-rise new building in their backyard which looks like an extension of the existing buildings. The new building is very compatible with its immediate environment in terms of height and density such that its neighbourhood effects are minimal. It has its enclosed stores, which are essentially for the workers in the complex; they do not generate any significant effects on neighbouring commercial activities. The complex was named simply “*Maison Alcan*.” The Museum, the *Maison Alcan*, and other buildings

including the dramatic World Trade Centre present a creative tension for a civilised urbanism, which Montreal produced in the wild redevelopment market.

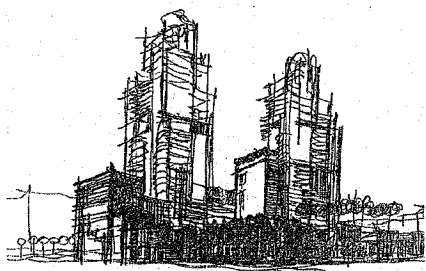
It was only six months after a landslide victory of the MCM in the 1986 election that the Overdale redevelopment scheme was proposed in the heart of the CBD, on Dorchester Boulevard, which is now renamed after the late Rene Lévesque, the first PQ prime minister. That scheme was called “Dorchester Galleria” but commonly known as the Overdale project because the scheme included the demolition of a lively neighbourhood on Overdale Street. The Overdale scheme consisted of the construction of two towers for about 600 condominiums on a partly built parcel of land of 3.3 acres; the scheme proposed to demolish the existing 100 housing units in the project site, inhabited by low-income tenants including many senior citizens. Many of those residential structures were products of the Plex market with the Neo-Victorian tradition of residential architecture in Montreal. The Overdale would result in the displacement of the residents, the demolition of heritage buildings and the loss of affordable housing, among other negative impacts.



**MAJOR SITES OF INTEREST**

- ① Les Habitations Jeanne-Mance
- ② Faubourg Québec
- ③ Old Montreal
- ④ Old Port
- ⑤ Place Ville-Marie
- ⑥ The Milton-Park Projet
- ⑦ Maison Alcan
- ⑧ Musée des Beaux Arts
- ⑨ Faubourg des Récollets
- ⑩ Quartier International & CDP Building
- ⑪ The Overdale Site
- ⑫ The CCA Park
- ⑬ Little Burgundy
- ⑭ Westmount Square
- ⑮ Lachine Canal





Overdale : architect's vision

The Overdale was a serious challenge to the MCM administration, which won the election on a platform of social justice and democracy. John Gardiner, who was the Executive Committee member responsible for planning, looked for a trade-off that would compromise neither the party platform, nor the market capitalism that his administration had to deal with. John Gardiner and Robert Landau, the developer, came to an unprecedented agreement; they proposed to provide the tenants to be displaced with new housing in the vicinity to compensate for their loss of housing welfare; I will call their scheme of compensation the ‘Overdale Criteria of Compensation’ or simply the “OCC.” The OCC would provide the tenants with equal housing welfare, while Montreal would enjoy the economic and fiscal benefits of the investment. The OCC was the very first attempt to compensate the unprivileged for their loss of housing opportunities. We will take the OCC seriously as a planning paradigm, through which we can learn how to plan for equal land-use opportunities and equal housing welfare. We propose to evaluate the OCC for our heuristic learning, in Chapter 5.

The OCC was not an isolated event. In early 1980s, several American cities, including Santa Monica, required fees to compensate for the loss of other land-use opportunities such as housing for the low-income population<sup>23</sup>. The compensatory payments are commonly called ‘linkage fees’ or ‘linkage exactions’. A city

administration often requires various fees on negative impacts that a land-use project engenders such as increases in traffic, parking demands and municipal services in the vicinity, for which the project should be accountable. The linkage argument addresses the social opportunity losses that the land-use project provokes in an uncompetitive market and it requires that the opportunity loss be compensated out of the project gains. The linkage argument was an interesting ethical challenge to urban market capitalism that emerged in the wild redevelopment market. We will compare the OCC with the Santa Monica experience to better understand the nature of compensatory justice in the urban land-use market.

The tenants as well as the public supporting their cause rejected the OCC: they argued that the OCC would not sufficiently restore social loss for housing welfare that the Overdale engenders. However, the Overdale redevelopment project as well as the OCC got approval from the City Council, in spite of objections from several MCM councillors. The Overdale controversy was the very first cause of frustration among its ranks and the MCM would eventually lose some prominent members including Sam Bosky and Marvin Rotrand from the Anglophone left. Their departure, as well as the retirement of Michael Fainstat, president of the Executive Committee, after his first term, would practically end the already fragile coalition between the two communities within the MCM.

## 2.2. The MCM Hope for Democracy and Planning

The MCM administration put a high priority on democracy and planning during its two mandates. In 1988, it adopted an unprecedented public consultation policy, which aimed to promote citizen participation and deliberation in city governance and planning<sup>24</sup>. The MCM administration effectively adopted the first City Plan in 1992 and, two years later, it delivered a new zoning bylaw covering the entire territory of the city, abrogating some sixty existing zoning bylaws. Since its early days in power the MCM administration wanted governance and budgeting by objectives and it put much emphasis on policy planning. During its mandates, it produced a heritage conservation policy (1987), a housing policy (1988), a garbage management policy (1989) and an economic development policy (1992) among other policies and policy papers. Let us present a brief account of the public consultation policy, the City Plan and the policy planning.

***The Public Consultation Experiment.*** The MCM had idealised, since the days of its foundation, *neighbourhood councils*; the MCM wanted a neighbourhood council for each neighbourhood to facilitate direct citizen participation and local decision-making, particularly for local control over land-use and planning<sup>25</sup>. The MCM administration did not experiment with the ideal of the neighbourhood councils. However, it did not by any means neglect democracy during its tenure: it designed and implemented various mechanisms of *public consultation* for municipal governance and local planning; it created an Access Montreal in each district, in order to provide a unique counter for

municipal information and services; it also instituted the Intercultural Bureau in order to deal with the multicultural reality of Montreal in municipal governance. All these policies and institutions were unprecedented in the history of the Montreal administration.

When Mayor Drapeau ignored public consultation, he defended representative democracy. He would have argued that he was elected to implement his mandate given by his electorate; he was not elected to plan what to do and how to do it; what he had to do was to effectively convince people on his policies<sup>26</sup>. On the other hand, the MCM administration wanted to assure that those who do not have market power participate in urban development with equal political opportunities to defend their interests. They obviously tend to exercise unequal political influences over policy and planning decisions; in a just and democratic society, we would expect that they participate in decision-making process with equal political influence. It is the ideal of equal political influence that the MCM administration wanted to defend by setting up the public consultation mechanisms; urban development is very much the game of those who have market power and the only possibility of those who do not have market power to improve their urban opportunities would be to gain and exercise their political resources. We propose to take the MCM public consultation experiments seriously as a heuristic tool to learn about how to plan with deliberative democracy and, more importantly, how we should plan to make progress in democracy; we will carefully evaluate the public consultation experiment, in Chapter 6.

At about the same time, Porto Alegre, a Brazilian city, also embarked on an experiment in deliberative democracy, which is commonly known as the ‘Participatory Budget.’ The Participatory Budget is a wide open citizens’ forum in which local projects and budgetary allocations are worked out directly through public deliberation. Both the Montreal and the Porto Alegre experiment presented very unique attempts to govern a modern city with deliberative democracy and both experiments had a common point of departure; both cities elected progressive municipal administrations and both administrations had a common intention to liberate those who were oppressed by both the market and its cronies in politics. Both experiments embodied that liberation intention and both administrations saw planning as a tool of liberation. We will compare the MCM experiment with the Participative Budget in our evaluation study.

*The City Plan.* In 1989, two years after the Overdale saga, the MCM administration embarked in the elaboration of the City Plan, under the leadership of André Lavallée, then the Executive-Committee member responsible for planning. The MCM administration effectively adopted the City Plan, the first in the history of the City of Montreal, in 11 volumes including 10 District Plans<sup>27</sup>. The MCM administration had two ambitions; firstly, it wanted to spell out comprehensive goals of urban development, including the priorities and strategies in achieving the goals; and, secondly, it wanted to fix a land-use plan according to community preferences, prior to the land-use market. The City Plan defined long term goals that would guide subsequent planning, production of municipal goods and services and long-term capital investments. The land-use plan in the

City Plan followed what the communities wanted more than what the market would produce. The land-use plan would be the basis of the new zoning bylaw that the MCM Administration would adopt two years later. The City Plan embedded ideals and hopes for just and democratic urban development, which we will attempt to characterise in the following manner:

The City Plan was guided by the ideal of *comprehensive planning*. The Plan was conceived with much effort to make planning goals as comprehensive as possible; it covered all major fields of municipal governance and urban development. The search for comprehensive goals and implementation measures made the City Plan *impartial* such that interest groups could have their say. It is through the comprehensive approach that the City Plan could address citizens' diverse concerns and obtain their consent; indeed, the City Plan was adopted with a large social consent and such a social consensus was a remarkable achievement. However, on the other hand, the City Plan may have missed a strategic element, a sense of priority, because of its emphasis on comprehensive planning. Strategic planning requires a good sense of community priorities and a good understanding of the future market; the City Plan was conceived more in function of the bull market of the late 1980s than the market of the following years. When the Plan was ready, the market it targeted collapsed, the city administration plunged into financial difficulties, and the City Plan lost its usefulness and sense of urgency.

The City Plan was generally guided by the principle of *universality* in determining accessibility in urban places. With respect to handicapped persons, for example, the Plan required that public places be universally designed to accommodate their accessibility; it commands, “prepare criteria and measures to facilitate the movements of both people with reduced mobility and the visually handicapped” and “these measures should apply principally on commercial streets, in parks and public spaces and in the public transportation system”<sup>28</sup>. The City Plan required that the maximum speed of cars be limited to 30 km/h in residential neighbourhoods<sup>29</sup>; the speed limit should be universal even though its benefits are more directed towards children, and some adult persons might object to it. The City Plan also ignored gender and cultural differences as a source of claims for particular urban environments; of course, to the extent that we justify such a claim, the City Plan could be unfair to the claim<sup>30</sup>.

The City Plan took resource inequality seriously as the criteria in determining the priority of allocation of urban resources. When the City Plan proposed to “fulfil needs for recreational facilities and services in priority areas”<sup>31</sup> or to “continue the municipal tree-planting program (in parks and on streets), giving priority to areas most in need and to new residential areas”<sup>32</sup>, it commanded that social resources be allocated in priority to the least privileged areas. The need-based resource distribution implied a conception of social justice that requires *fair equality* in distributing goods and services among unequally privileged neighbourhoods. The Plan required the city to “consolidate the industrial role of older industrial areas”<sup>33</sup> and the Plan proposed to revitalise the old

industrial sector along the Lachine Canal as a priority, for example. That requirement aimed to create employment opportunities for the traditional industrial workers who had been unemployed in the course of industrial decay. In this example, the Plan was guided by a conception of social justice for *equal opportunities* in employment.

In the autumn of 1990, the MCM administration hosted an international event: The Big City Mayors' Summit. Mayor Jean Doré put on the agenda of the Summit the ideal of *sustainable development*<sup>34</sup> in the context of urban development. The Brundtland Report that disseminated to the world the ideal of sustainable development did not extend the ideal to urban development; therefore, Mayor Doré's initiative was important. He was instrumental in successfully preparing the Montreal Declaration and the Agenda 21, which the UN adopted in its Environmental Summit in Rio de Janeiro, in 1991. The City Plan took the ideal of a sustainable development as a guiding principle.

The City Plan proposed efficient resource management, energy efficiency in organising the city and environmental mitigation as critical components for sustainable urban growth<sup>35</sup>. One important contribution to sustainable growth in Montreal has been residential rehabilitation; by rehabilitating old houses, we save natural resources and we maintain housing for the low-income population. A major portion of the Montreal housing stock, about 30% in 1991, was built before 1945 and has been the main housing resource for Montrealers. We want to note that, prior to the MCM administration and even before the federal initiative in 1972, the Drapeau administration had started



residential rehabilitation in the 1960s.<sup>36</sup> The MCM administration made waste management a priority as soon as it came to power; its waste management policy was submitted for public debate and it started waste recycling in 1989. The City Plan reiterated both residential rehabilitation and waste management as the Plan objectives. The Plan also proposed various measures for mitigating environmental hazards in residential neighbourhoods that were mixed with industrial or heavy commercial activities. Those neighbourhoods were mostly inhabited by low-income populations and, therefore, the mitigation goal bore the egalitarian sense of social justice.

Montreal like other North-American cities has become increasingly 'unsustainable' in the course of suburban expansion; one of the greatest challenges in planning is undoubtedly to ensure sustainable growth. The City Plan put emphasis on energy efficiency by proposing "a preferential treatment for public transportation and both increased densities and a mixture of urban activities throughout the territory"<sup>37</sup>. The Plan also proposed to develop sub-centres that would bring the source of employment near residential areas such that they would reduce commuting by private car. The Plan proposed to revitalise local commercial arteries; again, such arteries would reduce car trips to suburban shopping centres. The goal of sustainable growth required that the use of private cars be minimised, the use of public transportation be maximised, buildings be energy-efficient, and low-density housing be avoided. To build an energy-efficient city, we need planning; the market cannot produce sustainable urban growth.

The City Plan exercised regulatory power through the land-use plan. The MCM administration wanted to draw a future land-use plan that embedded public choices; it invited the population to make the plan according to what they wanted and what they did not in terms of land use and density, street by street and block by block. The land-use plan in general remarkably represented Montrealers' vision on how they wanted to fashion their neighbourhoods and their city. They generally wanted to respect the existing environment of their neighbourhoods, while they wanted to keep their city centre and local centres vital. The most crucial guiding principle of the land-use planning was heritage preservation. Montrealers wanted to preserve not only the buildings with historic and architectural values but also the characteristics of their neighbourhoods. Montreal is very much an amalgam of villages with their distinctive built cultures and communities; the Plan intended to preserve those characteristics.

The land-use planning was a radical departure from land-use practices in the past. While the past practices put emphasis on the economic benefits of a land-use project, the land-use plan required the examination of its impacts on the neighbourhoods. If a high-density land-use project in a predominantly low-density neighbourhood was justified under the past practices because of its greater economic benefits, the City Plan would reject the project because of its public bads; the project might induce more traffic, less street parking, deterioration of environmental quality, a shift in property values and, subsequently, welfare redistribution among residents. The principal reason of the land-use plan was therefore to minimise external bads in the market; in a just society, we

would avoid or internalise them. Another important reason for the land-use plan was to eliminate uncertainties in the market: zoning rules and other control mechanisms were specified prior to the market; public intention and objectives were established also prior to market moves in certain sectors such as the particular planning area; the land-use planning provided planning authorities with good opportunities to protect environmental interests such as wet lands and environmental potentials such as the “green network”<sup>38</sup>.

Land-use planning and zoning do not bring market activities; therefore, it is tempting for a progressive administration to increase public ownership of land in order to control its use for social projects. The MCM Administration bought a good quantity of industrial lands and buildings in the Lachine Canal area in order to promote industrial development. The administration also acquired a substantial amount of properties in other parts of the city such as the Faubourg des Récollets and the Faubourg Québec, including the Blue Bonnets, a horse-racing complex, either for social housing or other social purposes. Unfortunately, most of those acquisitions created financial difficulties following the recession in 1990 and the severe stagnation in subsequent years; the MCM administration generally paid the inflated prices of the end of the bull market of the 1980s and had to write-off the price collapse in the subsequent stagnant market.<sup>39</sup> However, the social hope that the MCM administration planted in the Faubourg des Récollets and the Faubourg Québec, for example, would not be in vain; a decade later, the Faubourg des Récollets would be thriving as a regional centre for the multimedia industries and both neighbourhoods would enjoy a high demand for residential development.

The City Plan was a challenge to market capitalism; under the Plan, the development of Montreal would no longer be submitted to the logic of market capitalism. Under the Plan, the citizens would put their community priorities prior to the market. Market capitalism cannot conceive a long term vision and it cannot take into account multiple goals. Market capitalism cannot cope with social equity or sustainable urban growth. The MCM administration wanted democracy and planning prior to the market and the City Plan to ensure a just urban development. It wanted a constitutional document in which planning goals for justice and democracy would be enshrined such that the City Plan could protect the citizens and the society prior to the market. At the time of the adoption of the City Plan, the MCM administration asked the Quebec Parliament for a mandatory requirement for a city plan in its Charter; previously, Montreal had not had the obligation to adopt a city plan.

It is important to remember that the PQ government of René Lévesque created the unprecedented Planning Act<sup>40</sup> in 1980, four years after its historic victory. The Planning Act requires that all municipalities in the Province of Quebec adopt a city plan and zoning bylaws. It is also by the Planning Act that the regional municipalities were created and a regional plan became mandatory. By the end of the 1980s, most regional administrations and municipalities adopted a regional plan and a city plan including zoning bylaws. In parallel with the Planning Act, the René Lévesque Government left other important legacies in dealing with urban market capitalism: it established the Quebec Rental Board to control rental prices and market abuses; it adopted the

Agricultural Zoning Act (1978) to protect agricultural land and, more importantly, to control urban sprawl; it put a great emphasis on social housing including both public housing and public assistance to coop and non-profit housing. The Lévesque Government's urban and housing policies embedded the ideal of social democracy which the left-wing of the PQ claimed; it was the late Guy Tardif, the Minister of Municipal and Housing Affairs at that time, who was instrumental in making the PQ urban and housing policies.

***Policy Planning.*** Six months after the MCM victory, the new Administration published its first policy paper on the preservation of heritage buildings<sup>41</sup>. The policy paper extended the meaning of heritage to virtually all buildings and unequivocally to tenant-occupied housing and proposed control mechanisms to make housing demolition virtually impossible. The MCM administration submitted demolition requests to tight public control, which sent a clear signal that the demolition of rental housing and the relocation of occupants were a matter of collective choice, not market decisions. The report was not adopted as an official policy for heritage conservation but, nonetheless, it provided the foundation for public control of the demolition of buildings during the MCM mandates.

By the end of the summer of 1988, the MCM administration made public its housing policy which presented its agenda for social housing in particular<sup>42</sup>. The housing policy agenda was ambitious: it claimed more social housing, both public and coop; it put

priority on the creation of housing resources for the homeless; it proposed to reinforce housing rehabilitation and so on. The MCM administration would put unprecedented efforts in social housing; the acquisition and the transformation of almost 3000 housing units into social housing, which it engineered through its subsidiary called the SHDM (Société d'habitation et de développement de Montréal)<sup>43</sup>, was indeed exceptional in the context of fiscal conservatism both in Ottawa and Quebec.

As we already mentioned, the Canadian social housing policy was put in practice to a large extent in the early 1970s, during Trudeau's liberal government; an important priority was given to public subsidies to different housing needs such as public housing for the poor, coop and non-profit housing for moderate-income groups, housing rehabilitation and neighbourhood improvements among others. In combination with the PQ urban reforms, the impact of the Canadian social housing policy was crucial in delivering social housing and housing rehabilitation in Montreal throughout the 1970s and 1980s. The MCM housing policy was largely built on social hope that both the liberal social housing policy and the PQ urban reforms embedded. However, when the MCM housing policy came into existence, there was already fiscal conservatism in Ottawa as well as in Quebec, which began to affect housing welfare among low-income households in Montreal. In the context of the Canadian regime of public finances, a city administration does not have the fiscal resources to finance social housing; the MCM housing policy could not meet its high expectations.

During its two mandates, the MCM Administration wrote for internal use or published several other policy papers covering the economy, the environment, transportation, traffic management, cultural development, public art and community development, etc.<sup>44</sup>. Among others, the MCM administration prepared and submitted to public study a garbage management policy entitled “*L’énoncé d’orientation sur la gestion intégrée des déchets*” in 1989, which would initiate garbage recycling for the first time in Montreal. It published, in 1993, an economic development policy, entitled “*Montréal, Ville d’affaires,*” in which the MCM administration wanted to define municipal levers and to initiate a municipal leadership for economic development. The MCM administration adopted, in 1992, a policy on parks and open spaces, “*Cadre de référence pour le développement et la mise en valeur des espaces libres de Montréal,*” which proposed terms of reference in planning parks, open spaces and recreation facilities.

The governance of Montreal as a central city could no longer be limited simply to the production of traditional municipal goods and services. Montreal had been confronting the concentration of the urban poor and social and economic problems that concentration implies; the MCM administration could not avoid and, as a progressist party, wanted to deal with homelessness, social housing, urban pollution and unemployment. It is in that context that the MCM administration privileged policy planning as a tool of modern governance. Policy planning requires that we define urban problems, design solutions, allocate financial resources and evaluate the outcomes of the

solutions; policy planning has much to do with rational governance and budgeting<sup>45</sup>.

More importantly, an effective policy planning in a liberal democracy would require the dissemination of information and citizen participation. Policy planning was, in conjunction with public consultation and planning, part of the MCM endeavours to innovate and to bring social justice and democracy to municipal governance.



## NOTES

---

<sup>1</sup> Henri Aubin, a Montreal journalist, examined the origins of financial capital and the history of development for major projects in Montreal, during the 1960s and 1970s; see Aubin, H., *City for Sale*, (Montreal: Éditions l'étoile / Lorimer, 1977).

<sup>2</sup> Karl Polanyi observed how the market, which he characterised as the “self-regulating mechanism,” replaced society and brought an unprecedented social transformation in the 19<sup>th</sup>-century Great Britain and rapidly in other parts of the Western world. Urban transformation in Montreal is undoubtedly a product of market capitalism claiming more self-regulation with less social control; a notable difference between the industrial production market and the land-use market is that the workers in the latter market suffer indirectly from the consequences of the former market through poor housing consumption and poor urban conditions. In the absence of effective workers’ unions and wage control in rapidly developing cities, labour can also suffer directly from low wages. For more about the self-regulating market and Polanyi’s fascinating historical study on how the market replaced society and why we should claim society, see Karl Polanyi, *The Great Transformation*, (Boston: Beacon Press, 1944).

<sup>3</sup> For an historical account of territorial planning in relation to the Quiet Revolution, see, for example: Marc-Urbain Proulx, L’organisation des territoires au Québec, *L’Action nationale*, Vol. LXXXVIII, n 2, février, (1998), pp 101-160; Jacques Léveillé, *Développement urbain et politiques gouvernementales urbaines dans l’agglomération montréalaise 1945-1975*, Étude en science politique, N.1, Société canadienne de science politique, (1978). Pierre Hamel, *Logement et luttes urbaines à Montréal (1963-1976)*, (Montréal, Qc. : Faculté d’aménagement, Université de Montréal, 1983).

<sup>4</sup> In Quebec City, housing destruction was caused mainly by public initiatives: they were the construction of expressways, the new government centre on Parliament-Hill and the urban renewal in the St-Roch neighbourhood. The Master Plan for the Government centre, commonly called the “Parliament-Hill Plan” was conceived as a symbol of the national capital of the newly emerging modern Quebec State (For the master plan, commonly called “Rapport Lahaye,” see *Concept de réaménagement de la Colline parlementaire 1967-1987*, (Ville de Québec, 1969)). The ideological cause and social consequences of the Parliament-Hill project and the urban renewal program in Quebec city were criticised by a group of Marxist scholars and published in a collective book in early 1970s (EZOP-Quebec, *Une ville à vendre*, (Montréal: Éditions coopératives Albert Saint-Martin, 1981)). The group would eventually form a political party of the left called the RP (Rassemblement populaire) and its leader Pierre Racicot would unsuccessfully represent the party as its first candidate for mayorship in the 1976 election. The RP would also seize power in 1988 election, two years after the MCM victory.

<sup>5</sup> Claude Ryan observes the Quiet Revolution as a movement extending from 1960 to 1981 and looking for the ideals of liberty and justice; see C. Ryan, *Liberté et justice: des idéaux à poursuivre dans des conditions plus astreignantes*, Bélanger Y., R. Comeau and C. Métivier (eds),

*La révolution tranquille, 40 ans plus tard: un bilan*, (Montréal: VLB éditeur, 2000). Citizens' struggles against urban market capitalism in Montreal have been a crucial part of their search of liberty and justice and we think that those struggles have been instrumental in shaping the freer and more equal citizenship that we enjoy today. The Quiet Revolution ultimately as a liberation project is, we think, an unfinished project. For studies on civil societies and urban struggles in Montreal, see for example: Jean-Pierre Collin and Jacques Godbout, *Les organismes populaires en milieu urbain : contre-pouvoir ou nouvelle pratique professionnelle*, Montréal : INRS-Urbanisation, 1977; Donald McGraw, *Le développement des groupes populaires à Montréal (1963-1973)*, (Montréal :Éditions coopératives Albert St-Martin, 1978); Pierre Hamel, *Logement et luttes urbaines à Montréal (1963-1976)*, op. cit.; Pierre Hamel, *Action collective et démocratie locale: Les mouvements urbains montréalais*, (Montréal: Les Presses de l'Université de Montréal, 1991); for renters' struggles in Montreal as well as in the broader Canadian context, Bennett, A. (ed), *Shelter, Housing and Homes: A Social Right*, (Montreal: Black Rose Books, 1997); Manuel Castel, *La question urbaine*, (Paris : François Maspero, 1975), particularly IV-4-II (Le rapport entre lutte urbaine et lutte politique: les expériences québécoises et chilienne), pp 430-470.

<sup>6</sup> The urban renewal program was financed under the urban renewal provision in the National Housing Act. The urban renewal program was designed to clean the decaying urban areas and to increase housing consumption among low-income families; the program was deployed as an important part of the Keynesian accommodation in the United States as well as in Canada. However, the program was criticized for its scale and brutal demolition among others. For urban renewal and citizen movements in Toronto, see the following James Lorimer's accounts for example: *The Real World of City Politics*, (Toronto, Ont.: James Lewis & Samuel, 1970) and *The Developpers*, (Toronto, Ont.: James Lorimer & Co., Publishers, 1978). Jane Jacob's accounts on urban renewal have been influential and inspiring among contemporary planners; see J. Jacobs, *The Death and Life of Great American Cities*, (New York: Vintage Books, 1961). The program in Canada would be definitely abandoned in the 1973 amendments of the National Housing Act under the Trudeau government.

<sup>7</sup> See Henry Aubin, op. cit., Chapter 3, pp 63-99.

<sup>8</sup> According to Henry Aubin, *Der Spiegel*, a leading German magazine, dubbed Montreal "Das Mekka" for wealthy Germans trying to avoid both inflation and socialism. Henry Aubin, op. cit., p 167.

<sup>9</sup> For a detailed and critical assessment of the redevelopment market in the Montreal downtown, see Marc Choko, *Crise du logement et capital immobilier: Montréal (Le redéveloppement du centre-ville de 1957 à nos jours)*, Thèse de doctorat de 3<sup>e</sup> cycle, Institut d'urbanisme – Université de Paris VII, 1981; for a general overview on the transformation of the Montreal downtown, see Jean-Claude Marsan, *Montréal: Une esquisse du future*, (Québec: Institut québécois de recherché sur la culture, 1983), Chapter 3.

<sup>10</sup> Architectural beauty is a public good in the sense that you cannot exclude others in consuming it. However, the public consumption of architectural beauty is a function of its location; in an exclusive neighbourhood or in the gated village architectural beauty is not any longer a public good. Traditional residential architecture in Montreal, which we will try to understand in Annex 1, is to a large extent a public good; that architectural beauty fashions urban neighbourhoods and is shared by community. For residential architecture in Montreal downtown,

see, for example, Phyllis Lambert, *The Architectural Heritage of Montreal: a Sense of Community*, *Arts Canada*, 202-203 (Winter 1975-1976), pp 22-27.

<sup>11</sup> See, for more stories, Aubin, H., *op. cit.*, Chapter 6, pp 154- 177.

<sup>12</sup> Saint-Laurent was a clear line of separation between the Francophone and the Anglophone community. Saint-Laurent was also the artery harbouring multiethnic neighbourhoods such as Chinatown at one end, Little Italy at another end, and Jewish, Portuguese and Greek communities between them among other cultural communities. Indeed, Saint-Laurent is the 'Main' of Montreal. For more about the social-geography of immigrants in Montreal, see, for example, Claire McNicoll, *Montréal: une société multiculturelle*, (Paris : Éditions Belin, 1993).

<sup>13</sup> Marc Raboy remarked, "Particularly noteworthy was the MCM's ability to bring together English and French-speaking activists, to an extent no group in Quebec had achieved." See *The Future of Montreal and the MCM*, Dimitrios Roussopoulos (ed), *The City and Social Change*, Montreal: Black Rose Books, 1982, p 238, (According to Timothy Thomas, *A City With a Difference: The Rise and Fall of the Montreal Citizen's Movement*, Montreal: Véhicule Press, p 28).

<sup>14</sup> For more about the significance of Milton-Park in Montreal, see Patricia Bailey, Milton Park, J. Wolfe and F. Dufaux (eds), *A Topographic Atlas of Montreal*, (Montreal: School of Urban Planning, McGill University, 1992), pp75-78; Henry Aubin, *op. cit.*, Chapter 12, pp 311-321.

<sup>15</sup> Under the Pierre Éliot Trudeau's liberal regime, the National Housing Act was amended in 1973, to increase the federal intervention in low-income housing. This amendment was an important turning point in Canadian housing policy from a policy for the stimulation of housing starts to the policy for social housing; the Minister responsible for housing declared, according to Miron's account, that "good housing at a reasonable cost is social right." For the arguments and pressure for a low-income housing policy at the time of the Housing Act amendment, see Michael Dennis and Susan Fish, *Programs in Search of a Policy: Low Income Housing in Canada*, (Toronto, Ont.: Hakkert, 1972); for a critical point of view from the right on social housing policy, see Laurence B. Smith, *Anatomy of a Crisis: Canadian Housing Policy in the Seventies*, (Vancouver, B.C.: The Fraser Institute, 1977); for a historical account on the evolution of housing policies in Canada, see John Miron, *Housing in Postwar Canada: Demographic Change, Household Formation, and Housing Demand*, (Kingston, Ont. & Montreal, Qc.: McGill-Queen's University Press, 1988), Chapter 9 (Public Policy and Housing Supply), pp 238-267; Alvin Finkel, *Social Policy and Practice: A History*, (Waterloo, Ont.: Wilfred Laurier University Press, 2006), Chapter 10 (Housing and State Policy, 1945-1980), pp 221-247.

<sup>16</sup> Source of information : *La Fédération des unions de familles, Avant de se retrouver tout nu dans la rue : le problème du logement*, (Montréal : Les Éditions Parti Pris, 1977), according to Jean-Claude Marsan, *Montreal : une esquisse du futur*, *op. cit.*, pp 130-131. According to another account, a total of 32000 housing units were demolished between 1961 and 1975; see Phyllis Lambert, *op. cit.*

<sup>17</sup> François Charbonneau, Pierre Hamel and Michel Barcelo observed : « ... l'étalement urbain à la périphérie de la ville centrale constitue un phénomène important ayant accompagné le dépérissement du centre et qui s'est répercuté sur la faible augmentation de la population sur l'île centrale. De ce point de vue, il faut ajouter que l'étalement s'est révélé un processus de gaspillage de ressources dans un contexte de croissance démographique presque nulle... Notre analyse de l'étalement urbain et de son impact sur l'aménagement de la région montréalaise a mis en lumière, avant tout, le rôle d'un acteur majeur à cet égard, soit le gouvernement provincial. Il ne faudrait pas oublier par contre que les choix effectués à ce niveau n'auraient pas été possibles sans l'accord ou la connivence de l'ensemble des collectivités locales de la région. » See F. Charbonneau, P. Hamel and M. Barcelo, *L'étalement urbain dans la région montréalaise: Politiques et tendances* (mimeo.), (Montréal : Institut d'urbanisme, Université de Montréal, 1991), p 26 and 29. For a radical understanding of suburbanisation, see, for example, Ashton, P. J., *The Political Economy of Suburban Development*, in Tabb, W. and L. Sawers (eds.), *Marxism and the Metropolis: New Perspectives in Urban Political Economy*, (New York: Oxford University Press, 1978), pp 64-89.

<sup>18</sup> Source of information : Gouvernement du Québec, *La réorganisation municipale*, Éditeur officiel, (2000), pp 38-39. This document was published as a background paper for the amalgamation of municipalities in 2001; in spite of its good understanding of the suburbanisation issue, Quebec Government compromised the issue in its municipal reform.

<sup>19</sup> The following table shows the evolution of manufacturing employment since 1971; it appears that the decrease in manufacturing employment came dramatically between 1971 and 1986:

**Table: Evolution of the Employment in Manufacturing, the Montreal Metropolitan Region, 1971-1991**

	1971	1986	1990	1991
<b>Manufacturing Employment as % of total</b>	30.6	21.0	20.7	18.8

Source of information: Lemonde, P. and Y. Martineau, *Désindustrialisation et restructuration économique : Montréal et les autres grandes métropoles nord-américaines, 1971-1991*, (Montréal : INRS-Urbanisation, 1992). The Table is drawn from information on p. 78.

The decline of the traditional manufacturing industries has created a high unemployment rate among traditional industrial workers and the deterioration of their quality of life in the inner-city neighbourhoods. We have been observing the industrial decline and the deterioration of the quality of life more particularly in the Lachine Canal area. Robert Beauregard observed capital restructuring and its territorial implication in other urban contexts; see his article, *Capital Restructuring and the New Built Environment of Global Cities: New York and Los Angeles*, *International Journal of Urban and Regional Research*, Vol 15, (1991), pp 90-105.

---

<sup>20</sup> The “Plan d’ensemble” or “Plan de construction et d’occupation” or commonly known as “contractual zoning”, is a special provision of the City Charter, by Article 612a, that authorises a construction project in derogation to a zoning bylaw. The principal objectif of the Plan d’ensemble is to assure a better integration of the project to the particular site conditions and surrounding environment. The Plan d’ensemble is known as the PUD (Planned Unit Development) in the rest of North America.

<sup>21</sup> Melvin Charney exposes his ideas and intentions in “Parcours : la cité incontournable | The Intractable City,” *Melvin Charney, Parcours de la reinvention | About Reinvention*, pp 119-161; for an exposé on his comprehensive works, see Pierre Landry, *Melvin Charney*, (Montréal : Musée d’art contemporain de Montréal, 2002).

<sup>22</sup> Johanne Lamoureux remarked: “at the moment when the Garden of the Canadian Centre for Architecture was elaborated, the arcade reflecting the Shaughnessy House rose up in the Montreal cityscape as Charney’s formidable revenge.” Johanne Lamoureux, *Of Construction or the Translation of Models, Melvin Charney, Parcours de la reinvention | About Reinvention*, (Caen, France: Frac Basse Normandie , 1998), (pp 54-71), p 54.

<sup>23</sup> Prior to the Overdale case of compensation, several American cities had already experienced linkage fees: see, for an earlier accounting on the Boston, Seattle and Santa Monica experiences, Denis W. Keating, *Linking Downtown Development to Broader Community Goals : An Analysis of Linkage Policy in Three Cities*; after the Overdale experience, the MCM administration commissioned a study on various cases of compensation including an Italian experience. See Ville de Montréal (Jules Hurtubise & Daniel Arbour Ass.), *Mesures compensatoires: Éléments d’une politique de contrôle des demolitions de logements à Montréal*, (1988).

<sup>24</sup> The MCM administration presented its public consultation policy in a document entitled «*Un dialogue à poursuivre: La consultation publique; énoncé de politique*» in June 1988, Ville de Montréal (Archives-VM 141-D1).

<sup>25</sup> See, the MCM Manifesto (abridged in, *Our Generation*, vol. 10, no. 3, (1974), pp 10-20). The MCM Manifesto, published at the moment of its foundation, presented a vision of a decentralised democracy focused on the creation of neighbourhood councils. The Manifesto proposed, “To implant neighbourhood councils in each neighbourhood. These neighbourhood councils will be constituted of delegates elected by universal suffrage by the citizens in a particular sector of the neighbourhood; or, at least, annual general assemblies of the citizens of the neighbourhood will come to embody the mandate of these delegates. They will assure the link between the population and the councillor. They will be the privileged place to discuss the questions and adopt the policies which affect the neighbourhood and the municipality (urban renewal, construction of new housing, leisure policy). The neighbourhood councils will have to be heavily involved in all the questions which affect the neighbourhood. It is by their intervention that the population will be able to give mandates to its municipal councillors and will be able to verify the execution of these mandates. The neighbourhood council will have the power to issue a public permit, obligatory for the undertaking of a project, public or private, affecting the use of the land of the neighbourhood. The neighbourhood council must become an element of administrative decentralisation with decision-making responsibilities and powers. The neighbourhood councils must have a budget for necessary expenses and for the remuneration of

an employee who will serve as a researcher and secretary in order to keep the council and the public informed of what is happening.” (p. 11)

<sup>26</sup> Mayor Drapeau radically summarised his reaction to public consultation in an interview with *La Presse* in the following manner: “*Il faut que le fruit soit mûr pour être juteux à point. Annoncer un projet trop rapidement, c’est accepter d’avance qu’il soit contesté parce que mal compris. Il faut d’abord le mener à terme, l’exposer clairement et le défendre avec vigueur.* » *La Presse*, June 29 1986 (After « Entrevue exclusive avec Jean Drapeau, » *L’urbaniste*, Automne 1986, p 9).

<sup>27</sup> See Ville de Montréal, *City Plan: Orientations and Strategies*, and the District Master Plan for each district, (1992). The City Plan is all written in French except for the main document as well as for the Downtown District and District Côte-des-Neiges and Notre-Dame-de-Grâce. In this thesis, by City Plan we mean the 1992 City Plan elaborated by the MUC administration. It is to be noted that the amalgamated City of Montreal also adopted its City Plan in 2004.

<sup>28</sup> Ville de Montréal, *The City Plan*, p 36.

<sup>29</sup> Ville de Montréal, *The City Plan*, p 98.

<sup>30</sup> Montreal as a multicultural city often faces challenges for a reasonable accommodation for cultural diversity in planning; see, for example, Ville de Montréal (author : Richard Arteau), *Orientations en matière d’encadrement urbanistique des lieux de culte à Montréal : Implantations de plein droit et dérogations* (unpublished working paper), (2000); for different experiences and issues in other Canadian cities, see *Plan Canada*, Vol. 40, N. 4, (2000), (particularly Nancy Smith, *Diversity: the Challenge for Land Use Planning*, pp 27-28).

<sup>31</sup> Ville de Montréal, *The City Plan*, p 36.

<sup>32</sup> Ville de Montréal, *The City Plan*, p 37.

<sup>33</sup> Ville de Montréal, *The City Plan*, p 48.

<sup>34</sup> (La) Commission mondiale sur l’environnement et le développement, *Notre avenir à tous*, Montréal : Éditions du fleuve, (1988). The Commission was presided by Gro Harlem Brundtland and, therefore, the report was commonly called the “Brundtland Report.” The report did not deal with the urban implications of sustainable development; it is Agenda 21<sup>st</sup> that defined the urban issues of sustainable development and the implications of local governments.

<sup>35</sup> For an *ex ante* evaluation of the Downtown Master Plan from the point of view of sustainable development, see Michel Gariépy, Gérald Domon and Peter Jacobs, *Développement viable et évaluation environnementale en milieu urbain: Essai d’application au cas montréalais*, mimeo, (Faculté de l’aménagement, Université de Montréal, 1990).

<sup>36</sup> It is an interesting irony for a mayor who was instrumental in the transformation of the Montreal downtown to initiate a residential rehabilitation program. Mayor Drapeau lived in a garden-city house and he apparently disliked high-rise structures for housing purpose; that would be why he may have objected to the Habitations Jeanne-Mance, the first urban renewal program in

Montreal, and why he lost the 1956 election after his first tenure; Prime Minister Duplessis wanted the Jeanne-Mance project and he would have to organise Mayor Drapeau's defeat. That would also be why he initiated housing rehabilitation program in Montreal in the early 1960s and in the urban renewal in Little Burgundy, he rehabilitated the neighbourhood through residential upgrading and a small-scale replacement, rather than a massive replacement as in the Habitation Jeanne-Mance case. Source of information: Arnold Bennett (ed), *Shelter, Housing and Homes: A Social Right*, (Montreal: Black Rose Books, 1997).

<sup>37</sup> Ville de Montréal, *The City Plan*, p 86.

<sup>38</sup> The MCM came to power with the concept of a green network, which it prescribed in the City Plan as Objective 32 (See, Ville de Montréal, *City Plan: Orientations and Strategies*, op. cit.). The concept of the green network proposed the use of abandoned or underused transportation and utility corridors as green space and for recreative purposes. The green network would multiply green spaces and recreative potential in Montreal and, without doubt, the green network is a crucial and feasible project for the sustainable future of Montreal. With the disappearance of the MCM from power, we no longer hear about the green network.

<sup>39</sup> In November 1993, the *La Presse* reported that the City Council authorised a new borrowing of \$216.5 million for the para-municipal corporations (Société d'habitation et de développement de Montréal or SHDM, Société immobilière du patrimoine architectural de Montréal or SIMPA, and Société de développement industriel de Montréal or SODIM), which adds up their total debts to no less than \$432.7 million; this new money was necessary for the write-off of the loss of the real estate values of the properties that the city acquired through those subsidiaries. (See *La Presse*, Novembre 27 1993, « Les Montréalais de plus en plus endettés »).

<sup>40</sup> By the Planning Act in this thesis we refer to the LAU (Loi sur l'aménagement et urbanisme).

<sup>41</sup> As soon as the MCM Administration took power in city hall, it wanted to quickly adopt a heritage policy with emphasis on control over demolition. It constituted a Council Committee, presided by Hubert Simard, to prepare the policy and the Committee effectively produced, in May 1987, the policy paper under the title "*Éléments d'une politique de valorisation du patrimoine immobilier montréalais; Rapport du comité sur la préservation du patrimoine immobilier montréalais*," commonly called the "Rapport Simard."

<sup>42</sup> See Ville de Montréal, *Habiter Montréal: a Policy Statement on Housing*, (1988).

<sup>43</sup> The MCM administration created the SHDM, the major subsidiary for social housing and other real-estate investments for the administration. The SHDM was also instrumental for the acquisition of the Blue Bonnets and other properties including the Faubourg Quebec.

<sup>44</sup> For a complete information on the MCM experiences in policy planning, see Ville de Montréal (Archives: P86-F1-D33), *Bilan de l'Administration RCM 1986-1994*.

<sup>45</sup> In this respect, Pierre Lefrançois, the chief public servant of the MCM administration between 1986 and 1992, made many interesting reforms to municipal governance and governing tools in Montreal, which would unfortunately be ignored.

### 3. WHY DO EGALITARIAN ETHICS MATTER IN PLANNING?

The Drapeau administration welcomed the redevelopment market with the contention that real estate investments bring economic growth that would be good for Montreal as whole. The MCM rejected this contention because the market would produce distributive impacts that are unjust. It claimed, instead, a planning for just and democratic urban development. In this chapter, we propose to examine the ethical premises that these two competing visions of urban development suggest. First, let us try to epitomise the claims for planning as they emerge in market liberalism as follows:

- (1) Urban land is subject to competing social demands of land-use and the land-use market produces efficiency in allocating urban land to competing needs;
  - (2) The land-use projects bring an overall economic growth to the city and, therefore, planning is required to retain and to attract those projects;
- However,
- (3) The land-use market engenders external bads and, therefore, planning is required to minimise and internalise the external bads;
- And,
- (4) Unequal resources in the market produces the loss of social opportunities in land use and, therefore, planning is required to ensure equal opportunities;
- However,
- (5) Unequal welfare in the land-use market creates unequal human conditions and, therefore, planning is required to ensure equal urban welfare;
- And,
- (6) Unequal political power produces unjust planning decisions and, therefore,



deliberative democracy is required to ensure equal political influences on planning decisions.

Proposition (1) depicts how land-use decisions are made in market liberalism; it implies that the market prices should guide land-use decisions and that either no or little planning is necessary<sup>1</sup>. Proposition (2), which would be that of Mayor Drapeau, suggests that the capital investments are good for the general economy; planning is claimed to increase the *social benefits* of the investment. Planning for welfare gain provides justification for today's much claimed incentive planning<sup>2</sup>. Proposition (3) puts ethical constraints on the benefit-gain claim; it requires that the external bads be avoided and internalised. Proposition (4) implies that we should plan to improve *equal urban opportunities*, while (5) proposes to bring the ideal of *equal urban welfare* to the heuristic ideal of planning. Proposition (6) suggests that just planning requires deliberative democracy to ensure equal political influence among citizens.

In these planning claims, we have two different understandings of justice. We have a moral claim of justice implicit in the line of argument (1)-(2)-(3); to put the claim very simply, if A produces external bads to B in the market, A causes unjust harms to B and A restrains B's liberty. This market is unethical and B has a legitimate claim on A to stop causing the harms. We propose to understand planning in this perspective as a social claim to liberate B from A's oppression in the land-use market. Suppose that A, privileged, is made better off, while B, unprivileged, is made worse off. We now have a social claim of justice explicit in the line of arguments (4)-(5)-(6), which emerges from

the *unequal relationship* between A and B, in terms of their unequal resources in (4), their unequal satisfaction in (5), and their unequal power in (6). In this perspective, we propose to understand planning as the social claim of what Nielsen calls *egalitarian justice*, which would mean B's liberation from her unequal relationship to A. We propose to examine the following planning claims and their relative ethical justifications, planning for social-benefit gains, planning for fair equal opportunities, planning for equal welfare, and planning for equal democracy.

### **3.1. Planning for Economic Growth**

For the developers in the redevelopment market in Montreal, the single most important criterion of their investment decision was their expectation of profits on investments. On the other hand, when Mayor Drapeau issued demolition and building permits for the redevelopment projects, his decision relied, not on commercial profitability, but on the net economic gains that the projects would produce for Montreal as a whole; indeed, they would create social benefits such as employment and consumption benefits as well as tax revenues that the city badly needed in the context of urban sprawl and the deterioration of the fiscal base of his city. He was obviously aware of the social impacts of housing demolition but, nonetheless, he welcomed the redevelopment because the economic benefits of the redevelopment would be greater than its social costs for his city as a whole.

The economic gain criterion is what the cost-benefit reasoning proposes as its decision rule. The cost-benefit reasoning compares social goods with social bads that a planning project produces; the project would be justified if it creates a net gain of social goods for society as whole. The costs-benefit analysis implies that we should capture the *consumers' surplus*, which represents the difference between what consumers actually pay and what they would be willing to pay more for a good in order not to miss the good.<sup>3</sup> The consumers' surplus is not the commercial profit that the developers would want to maximise but the social benefits that Mayor Drapeau proposed to capture. He justified the Metro, Expo 67 and the 1976 Summer Olympics by assuming that Montrealers would be willing to pay more for the various economic, social and cultural goods that those projects would produce. Indeed, planning has a lot to do with capturing the consumers' surplus and that is why the cost-benefit reasoning has been central in justifying planning decisions.

The City of Montreal has probably not conducted nor requested a cost-benefit analysis for any land-use project.<sup>4</sup> However, the cost-benefit reasoning has been implicit in justifying planning projects and gaining public support. There are several reasons other than the consumers' good argument why we need the cost-benefit reasoning in planning. The minimisation of social costs that the cost-benefit criterion of decision implies is certainly what we expect from a rational social decision; such a social decision would maximise social benefits within cost constraints or minimise social costs for a desired social benefit. A critical weakness of the cost-benefit analysis is that the cost-benefit rule

of decision relies on the net benefit gain as the single and only criterion of collective choice; this criterion radically simplifies planning choices and may make them partial. The criterion, at the same time, invites society to be decisive in its decision-making; the decisive character of the cost-benefit reasoning would certainly be compatible with the majority rule of collective choice. As we argued, the cost-benefit criterion explicitly appeals to the social-benefit gain, which most societies value as a collective goal; this appeal makes the cost-benefit criterion a powerful and popular tool for social choice<sup>5</sup>.

Most planning projects alter the existing distribution of social welfare and, consequently, they divide the community along competing claims and interests; indeed, the cost-benefit decision rule can exacerbate injustice among social groups and social classes. The idea of the 'Planning Balance Sheet'<sup>6</sup> makes a practical sense; competing parties would have the balance sheet of all costs and benefits, in stead of the cost-benefit criterion, as a tool of public debates. However, the Planning Balance Sheet can still misguide social decisions to the extent that all costs and benefits are measured in terms of monetary values and, most particularly, market prices that can misrepresent social reality.

Social costs and benefits of planning projects are often intangible; for example, the beauty of Mont-Royal Park is not tangible nor could it be measurable in monetary terms. Even if some costs and benefits are tangible, they would not have to be commensurable in terms of dollars; for example, the greatest environmental benefits of Mont-Royal would be environmental amenities, which we would not need to transform to dollars.

Maurice Hill argued that the commensurability requirement should be relaxed such that social costs and benefits are assessed in different measurements and compared in his Multiple-Goal Achievement Matrix<sup>7</sup>. A land-use project in a pluralist democracy inevitably implicates multiple goals, partly emanating from the internalisation of external bads, which he proposes to fairly assess for planning decisions.

The redevelopment market was provoking a change in the social state; it certainly brought social benefits to Montreal as a whole but those benefits were the source of welfare losses among renters and low-income Montrealers. From the gainers' point of view, the market was efficient, while the market was inefficient from the losers' point of view; we cannot say that the market was efficient for Montreal as a whole. The Pareto criterion for market efficiency stipulates that a market move creates *an efficient social state whenever it is impossible to change the state so as to make at least one person better off without making any other person worse off*<sup>8</sup>. According to the Pareto-efficiency test, Mayor Drapeau cannot justify the redevelopment market for at least two reasons; one, the land-use market is not the ideal market that the Pareto-efficiency rule presupposes<sup>9</sup> and, two, the social-benefit gain is made on welfare losses among other members of society. If we want the Pareto efficiency rule be a heuristic ideal of planning, we first need to improve the functioning of the land-use market; more particularly, the market has to internalise its external bads.

An ideal market should not engender external effects. The particularly large presence of external bads in the land-use market justifies planning in market liberalism as public intervention in the market to make the market efficient by internalising external bads. For example, zoning bylaws and land-use plans are very much a mechanism of both maximising external goods and minimising external bads of land-use activities. Public reviews of architectural design also consist in both maximising external goods and minimising external bads emanating from the site planning and the building design<sup>10</sup>. As we remarked, Maison Alcan was designed with minimum external bads by controlling building heights and density and with maximum public good by preserving the beauty of Sherbrooke Street. Equally in the cases of both World Trade Centre and Museum of Fine Arts, the public good of heritage preservation was expressed in a spectacular fashion. All these three urban projects are good examples of planning and design that attempts to approach the ideal of Pareto-efficiency by internalising its own external bads.

We propose to differentiate three types of external bads that the land-use market systematically produces. First, a land-use decision inevitably embeds external effects emanating from urban proximity and urban density; the external effects of this type are often called “neighbourhood effects” or “spill-over”. For example, if you erect a high-rise building in a Plex neighbourhood, you will reduce your neighbours’ welfare by producing shade, wind effects, more traffic and fewer street parking spaces etc. While your building accommodates the newcomers’ desire for their welfare improvement, you can cause harms to your neighbours.

Second, land-use activities consume land and other natural resources; therefore, they inevitably produce environmental consequences. Those consequences would be public bads if they were harmful to other people and other regions including those yet to be born. That is unjust. We shall require that the environment be *sustainable* such that natural resources and a clean environment are available for the future generations and other living things in nature. Low-density suburban sprawl is the principal source of unsustainable urban environments and we have been accelerating suburban sprawl in Montreal. As long as the land-use market produces environmental bads, the market is not Pareto-efficient and, to the extent that they cause harms to others in other parts of the world and to those yet to be born, the market is certainly unethical. In this thesis we will argue that we are all equally entitled to a sustainable environment and we should all have equal welfare in a sustainable environment.

The third type of external bads is the social opportunity loss that the land-use market provokes. Urban lands are fixed in supply and they are subject to competing land-use demands; therefore, private ownership and land-use decisions inevitably exclude other land-use demands and that exclusion entails a loss of social opportunities. The exclusion of social opportunities in land use is a public bad since the exclusion engenders unfair social costs and the greater the land-use demands in an area such as the downtown neighbourhood, the more serious the exclusion of social land-use opportunities. We propose to take the social-opportunity loss argument seriously.

Let us imagine that we want to build a town on a huge tract of vacant land and we are going to sell the land in a perfectly competitive auction market. Let us assume that we all have equal purchasing power, say 100 clamshells for each of us, and we are all looking for a location to meet our respective land-use ambitions.<sup>11</sup> Let us also assume that we as a community have a reasonable land-use plan and zoning bylaws such that the external bads of land uses are either avoided or mitigated. In this market the auction is likely to be guided by what William Alonso calls 'bid rents'; the bid rents are the prices of rents that we would be willing to offer to meet our land-use ambitions<sup>12</sup>. As long as we have equal resources, it is likely that the auction market efficiently allocates land to competing land-use demands through bid rents. Suppose that we all work in the downtown and we seek a neighbourhood for our residential location. If you want to minimise your transportation costs, you would choose a downtown neighbourhood and, on the other hand, if you prefer environmental quality, you would look for a more residential area outside the downtown neighbourhoods. Indeed, we have different land-use preferences and our land-use needs also change along the different stages of our life cycle. As far as we have equal market resources, we expect that the market would produce a fairly ambition-sensitive residential location. If we have unequal market resources, we cannot expect that bid rents fairly guide the auction market; they would rather reflect market power and be the tool of control over land by those who have the market resources.



In a highly monopolised land-use market such as downtown areas and urban sub-centres, it appears that urban rents reflect resource power of the land owners and their profit expectation more than anything else; Marx calls those rents “monopoly rents.” He defines monopoly rent as emerging from the monopoly rent price that is “determined by the purchaser’s eagerness to buy and ability to pay, independent of the price determined by the general price of production as well as the value of the product.”<sup>13</sup> The public bad of monopoly rents is that the market prices are no longer an efficient means of resource allocation; it excludes other competing land-use demands and those who do not have market resources from the land-use market. We think that monopoly rents embed the loss of social opportunities for other land uses and the social costs of the exclusion. That is unjust.

Monopoly rents can provoke an unjust income transfer in other ways. We argued that the underground shopping mall in Place Ville-Marie and other galleries gradually killed small independent stores on Saint-Catherine Street; the investments brought a general increase in commercial rents in the area that the small stores could simply not afford<sup>14</sup>. We observed that the increase of the rent prices in the rental housing market in Montreal was the principal cause behind the struggles of the tenants’ associations in Montreal; rent control has much to do with arbitrating price increases in the rental market and avoiding income transfer from the renters to the property owners. As we mentioned earlier, the urban land-use market is to a large extent determined by the public sector; there is no such a thing as free market in urban land use. Land values are influenced by

accessibility; for example, the arrival of a highway into undeveloped suburban land will radically alter its value. A higher density allowed in a zoning change would generally bring a shift in land values. Land values are heavily influenced by a public presence, through either public control or public investment; it would be appropriate to say that land values are 'subsidised' or 'redistributed.'<sup>15</sup>

We argued that a social claim of justice emerges from the unequal relationship between A and B that the land-use market provokes as stated in (4), (5) and (6); the Pareto-Efficiency test does not reveal anything about that unequal relationship. Therefore, the Pareto-Efficiency test partially assesses the social state; it cannot assess the distributive impacts of a planning project. A society can always make a target-specific investment, in order to distribute welfare gains and employment effects to unprivileged people<sup>16</sup>; planning projects are mostly location-specific and, indeed, the area-specific investments have been instrumental in bringing employment benefits and economic development into distressed neighbourhoods. However, if we want target-specific investment in planning, we need to bring other ideals of distributive justice to our heuristic horizon of planning.

### 3.2. Planning for Equal Opportunities

In Proposition (4), which we presented at the beginning of this chapter, planning in a city of market liberalism such as Montreal is viewed essentially as public interventions in the land-use market to assure equal housing and other land-use opportunities; planning would consist of providing the underprivileged with land-use resources as well as, of course, making the market fair and efficient.<sup>17</sup> This planning claim implies that housing and other land-use problems are essentially a problem of inequalities in resources that an individual commands for her advantage and, therefore, a just society would improve her relative resources to fairly meet her land-use opportunities. John Rawls presents an egalitarian ethic that best justifies this view.

Rawls provides us with several arguments on why and how we should plan; the most important argument is the equal-opportunity argument. Rawls postulates that we should all equally have the resources that are necessary to carry out our respective life plans. Those resources can be the income to buy welfare goods in the market and the political power to elect our representatives and to have influence over public policies. They can also be conceptions of what is good for our personal life and what is just for our social co-operation as well as convictions on how we should share our rights and opportunities, liberty and equality. Those resources can be personal; for example, health and knowledge are individual resources that are necessary in realising our respective plans. Rawls calls those resources 'primary social goods.' In a just society, we would

fairly equally share primary social goods to realise our respective life plans and to participate in the politics of social cooperation. The prime objective of Rawlsian planning would be to ensure the fairly equal distribution of the urban primary social goods.<sup>18</sup>

Rawls postulates two principles of justice and it is within the second principle of justice that Rawls proposes the Difference Principle to simultaneously justify market efficiency and a just distribution of primary social goods. According to the Difference Principle, economic inequalities are justified if they are for the greatest benefits of the least advantaged<sup>19</sup>. The Difference Principle justifies the economic growth that the redevelopment market brings to Montreal, as long as its benefits are distributed for the greatest benefits of the least advantaged; the Difference Principle is sensitive both to the advantaged and the least advantaged and both to market efficiency and just distribution. Planning according to the Difference Principle would be guided simultaneously by both the market-efficiency and the equal-opportunity requirements; it is through the Difference Principle that Rawls would justify planning for a trade-off between efficiency and equality.

Because the Difference Principle requires that planning be bound to the market, an efficient market would be crucial for an appropriate application of the Principle in planning. Rawls proposes Pareto-optimality as the efficiency criterion<sup>20</sup>; therefore, planning with the Difference Principle requires the Pareto improvements through the correction of market imperfections such as the improvement of information and the

internalisation of external bads.<sup>21</sup> Most redevelopment schemes would not pass the Difference-Principle test particularly because the redevelopment market fails in internalising its external bads; we will later argue that the Overdale project is an exception that responds to the Difference-Principle. We can expect that, if our income tax regimes of income taxes in Canada are progressive, a redevelopment project would produce redistributive benefits for the underprivileged and, therefore, be Difference-Principle sensitive<sup>22</sup>; however, Rawls would require that the land-use market be fair to competing parties.

Rawls would justify municipal governance and planning partly because the local administration would efficiently produce local public goods such as roads, sewage, public libraries, parks, city planning and so on. According to Rawls, the public good is distinguished from the private good by two distinctive features, *indivisibility* and *publicness*; you cannot divide, for example, a public road to be used individually and you cannot exclude others from using the road<sup>23</sup>. Therefore, it is rational to produce the public good by social co-operation, a natural monopoly, rather than by the market, in order to assure its efficient production. The municipal administration would be local branch of the State designed to produce local public goods. Rawls would appeal to the public-good argument for planning safe, sustainable and beautiful neighbourhoods; safe, sustainable and beautiful environments are indivisible and public.

Rawls requires that the social minimum be provided for the least privileged to improve their relative index of primary goods so as to increase their prospects.<sup>24</sup> We assure, in a liberal democracy such as Canada, that citizens have equal access to an ensemble of social measures such as health care, minimum education, unemployment insurance and invalidity insurance among others as part of the social minimum irrespective of desert, in order to improve the prospects of the unprivileged, and these measures are certainly compatible with the Rawlsian requirement for the social minimum. However, it is unlikely that the Rawlsian social minimum would include minimum welfare; Rawls thinks that the index of primary goods would be a sufficient measure for their welfare. Therefore, it is unlikely that Rawls would design a housing-specific transfer; he would, rather, propose income supplements.

Amartya Sen argues that our relative ability to make an effective use of the primary good is an important moral concern; he proposes greater equality of our *capabilities* of transforming the primary good into welfare.<sup>25</sup> We evaluate resource inequality generally in terms of our relative welfare; we would not measure income inequality to determine welfare inequalities between us. We would begin with an analysis of housing bads and the unequal distribution of housing goods but Rawls would propose a policy such as income supplements to alleviate our relative disadvantages in terms of the primary social goods. Income supplements would surely provide us with more freedom of choice but Sen argues that resources alone would not be sufficient in improving our opportunities; we need information and capability to meet our housing needs in the market. Another

example can be voting; equal formal power alone would not be sufficient to ensure equal political influence. We would need capability to transform political resources into an effective influence on planning decisions. Capability empowerment is certainly indispensable for the increase of equal opportunities in the marketplace, along with resource improvement; capability empowerment presents an important planning potential.

Housing assets are undoubtedly the principal and the most valuable part of the wealth of the majority of ordinary citizens and the lack of housing assets is probably an important source of deprivation in terms of urban welfare; that is true most particularly in Montreal, where only a quarter of its population are home owners. Rawls is most likely to justify a housing program designed to increase housing ownership. He would welcome the housing-ownership program by virtue of the equal opportunity principle and Rawls would certainly propose to extend housing ownership down to low-income households; they should fairly equally share the wealth that the housing asset generates. Indeed, the central component of the Canadian housing policy has been the housing-ownership program ever since its inception in the 1950s and the program has been instrumental in the expansion of housing ownership among middle class families as well as moderate-income populations through coop housing.

Modern planning also has its roots in the ideal of equal civil liberties, which Rawls's first principle of justice proposes.<sup>26</sup> Indeed, a good part of planning in modern

democracies has evolved along civil rights movements: planning for racial desegregation in the United States has its roots in the ideal of equal civil liberties; planning for residential mix by income classes in Montreal and elsewhere in Canada would be equally justified by that ideal. We would also justify planning for handicapped persons by virtue of Rawls's first principle of justice; the handicapped persons cannot fairly compete with non-handicapped persons and the former cannot have the same opportunities as for the latter. However, both handicapped and non-handicapped persons have equal civil liberties and, therefore, both would have equal civil rights of access to public spaces. In pluralist cities such as Montreal, the claims of planning for equal civil liberties are likely to increase; it is likely that the more we will be liberated from oppressions of various sources, the more fascinating will be the planning experiences that will emerge.

### **3.3. Planning for Equal Welfare**

Montreal is segregated according to the scale of housing prices; Montrealers buy neighbourhood and housing quality according to their relative resources. Montreal is an amalgam of different neighbourhoods that present unequal housing qualities and neighbourhood environments and harbour different social classes; we have high-income enclaves with expensive private properties on one end of the scale, low-income neighbourhoods with poor-quality rental housing on the other end of the scale, and middle-class clusters in-between. In growing suburban cities, we have ever expanding



middle-class enclaves with low-density bungalows. It holds that the lower the price of a house, the lower the quality of the house and the lower the quality of the neighbourhoods tend to be. This unequal Montreal is the product of the housing market.

If we want equal housing conditions for all citizens, we will need planning for equal welfare. Planning for economic growth can improve the housing consumption of low-income populations only by increasing their share of economic or by target-specific social investments. Planning with the Difference Principle would improve resource opportunities of the low-income population and, consequently, their housing consumption; the Difference Principle justifies unequal housing consumption as a function of desert in the market. If we want equal housing and equal urban conditions, planning for equal opportunities is not sufficient and we need to appeal to the ideal of equal welfare.

Nielsen proposes to understand social justice from the equal relationship among people as follows:

1. *Justice in society as a whole ought to be understood as requiring that each person be treated with equal respect irrespective of desert and that each person be entitled to the social conditions supportive of self respect irrespective of desert.*
2. *Justice in society as a whole ought be understood as requiring that each person to be treated such that we approach, as close as we can, to a condition where everyone will be equal in satisfaction and in such distress as is necessary for achieving our commonly accepted ends.<sup>27</sup>*

Planning for equal welfare is justified on the basis of his second understanding of justice. In that understanding, we planners would bring equal housing and equal urban welfare to our heuristic horizon to learn how to make planning equally just<sup>28</sup>. Welfare distribution in market democracy is a function of the market efficiency; each person gets her share of housing and urban welfare according to her efficiency in the market. In the Nielsenian ideal of socialist democracy, it is the virtue of equal welfare, not her relative ability, that would guide planning decisions on her share of housing and urban welfare. She equally enjoys freedom and power but no more or no less than others. The equal-freedom and equal-power requirement would justify the egalitarian propensity for equal welfare and that requirement would separate his socialist democracy from market democracy.

According to the first principle, all persons have equal moral worth and, therefore, deserve equal conditions of life irrespective of desert; for example, handicapped persons would deserve equal accessibility to urban places irrespective of desert due to their handicappedness. We have made an important progress in making public places accessible to handicapped persons in Montreal most likely because we accept that all human beings deserve equal respect and equal conditions of life. It is also by virtue of justice as equal respect that we would justify no less than 30 seconds to cross Sherbrooke Street because elderly persons, children and persons with less mobility would need that crossing time. The claim of planning for equal respect would imply that we should assure equal conditions of urban life and we should create an urban environment equally

accessible to all citizens.

Nielsen considers equal welfare as a means to our common end, *human flourishing*<sup>29</sup>; this argument is central in understanding why we should plan for equal welfare. If we are all equally entitled to human flourishing and if an adequate welfare satisfaction is critical in achieving that goal, we should equally be entitled to such a satisfaction irrespective of desert. The goal of human flourishing is an important departure from the utilitarian ideal, which considers welfare as the goal rather than the means.<sup>30</sup> Montrealers' resistance to the redevelopment market and claims for public consultation would suggest that what they wanted to achieve was not simply housing welfare but, more importantly, equal rights to citizenship and democracy. Citizenship and democracy would certainly be something much more than welfare satisfaction, something that we can achieve through emancipatory struggles.

A shelter is not simply a basic necessity; it is also an important resource for better income and other human welfare. A good housing environment would be a source of comfort, a better health, a better educational environment, a better work incentive and self-respect among others<sup>31</sup>. The urban environment is also the source of a much wider psychological, social and cultural welfare, which is an indispensable resource for the meaningful social life<sup>32</sup>. We want to suggest that there is no clear-cut distinction between urban resources and urban welfare; we consume a beautiful park in the course of our daily walk and the beauty of the park can revigorates our spirit and makes us more

productive. In this perspective, we can certainly consider equal welfare as part of the equal social opportunities necessary for the realization of our personal life plan as well as the improvement of social welfare<sup>33</sup>.

Nielsen considers equal welfare as a *right*.<sup>34</sup> This reasoning is certainly consistent with the claim of housing rights that we observed in Montreal and elsewhere; Montrealers demanded rights to housing, while squatters in rapidly urbanizing cities claim rights to urban settlement. According to this reasoning, the redevelopment market would be unjust to the displaced tenants because their rights to land use are violated. The squatters' settlements would be justified because they are equally entitled to the right of land use. A group of young radical leftists squatted the vacant Louis-Hippolyte-Lafontaine house in the Overdale site and claimed more social housing amidst a serious shortage of housing in the rental market in the summer of 1998; they violated property rights but they justified the squatting claiming that their rights to housing were violated. The United Nations Charter of Human Rights includes housing rights. The housing-right claim has been an important challenge to market capitalism, according to which housing good is but a market commodity.

It is argued that the ideal of equal welfare based on needs would exercise unreasonable and unbearable pressures on those who are more productive. In a democracy of reasonable citizens, it is likely that they would deliberate and constitute an index of welfare goods reflecting welfare needs and social priorities; in such a society,

we would not expect that the ideal of equal welfare in practice imposes unreasonable burdens to society.<sup>35</sup> However, to the extent that we can increase welfare satisfaction through market choices, we can design public policies for equal welfare that would aim to improve equal opportunities for welfare.<sup>36</sup> The claim of equal opportunities for welfare implies that, by providing equal opportunities for welfare rather than equal welfare, society would attain equal welfare, with a greater freedom of choice and at a lower social cost. A good example in planning would be rent supplements, which are designed both to increase market choices of the low-income households and to lower the social-housing costs. We expect that equal opportunities for welfare in practice would also require Sen's capability improvements; indeed, the recipients of rent supplements should have the capability to efficiently transform housing opportunities into housing satisfaction in the housing market. Both the claim of equal opportunities of welfare and that of capability improvement are undoubtedly a crucial concern in incorporating efficiency concerns into the design of public policies for welfare distribution but we do not think that this concern would weaken the argument for planning for equal welfare.

An index of urban welfare needs in Montreal or any other city would include urban housing as well as neighbourhood goods such as safe, sustainable and beautiful environments for human flourishing.<sup>37</sup> As urban resources can be, we argued, different from rural resources, we can expect that the urban welfare needs can be distinguished from the rural welfare needs. We consider public parks as vital urban needs, while we would not claim the parks as even necessary in rural life. Housing is indispensable to

both urban and rural life but urban housing would constitute a distinctive welfare index because urban housing is submitted to a different mode of production and a distinctive regulatory environment. Increasing pollution is an important factor affecting human health more particularly in inner-city neighbourhoods. However, air pollution in Montreal can equally compromise the health of those who live in rural areas and in other countries; therefore, even if you live in the countryside, you would now claim clean air. A community garden cannot be a welfare need in rural areas but that garden is an important component of the welfare needs in urban areas.

Planning for equal urban welfare would mean ensuring decent housing and a safe, sustainable and beautiful neighbourhood as equally as possible for all citizens. In a city of market liberalism such as Montreal, housing quality and neighbourhood environments are unequally distributed in Montreal according to the market prices. We expect that public safety is unevenly distributed according to the housing submarkets such that crime incidences are higher in low-income neighbourhoods and their residents are likely to be the main victims of the unsafe urban environment. Urban pollution is also unequally distributed across housing sub-markets; the pollution tends to be generally higher in poor neighbourhoods in the inner city area and along the major transportation corridors, while it tends to be lower in high-income neighbourhoods and middle-class suburban cities. Urban beauty is unequally distributed across residential sub-markets, too. We generally observe, in low-price sub-markets, less trees, much less distinctive residential architecture, and less distinctive design of public places than in high-price sub-markets; if

trees and design quality are parts of what trigger our sense of beauty, indeed, beauty is not equally distributed. We will try to better understand the issues of the spatial distribution of welfare inequality in Montreal in Chapter 7.

The housing market structures and maintains social classes in urban space such that a city of market liberalism such as Montreal is an amalgam of different small cities segregated according to housing prices, harboring different income classes, and surrounded by invisible walls<sup>38</sup>. In Appendix 2, we present a statistical observation on the extent of the residential segregation between income classes, or housing classes<sup>39</sup>, in Montreal. We observed that the proportion of the low-income population substantially varies from one district to another; for example, Westmount, an independent rich enclave, counted 11% of its population as low-income, while Ville-Marie District, the downtown area, observed 42% in 1991. We made an attempt to measure the proportion of low-income population to be 'removed' from each census tract to achieve perfect cohabitation as an indicator of residential segregation; four districts scored between 21% and 26%, the highest being Ville-Marie. We also measured residential segregation in terms of probability that low-income populations would 'encounter,' or 'cohabit,' with the non low-income populations, the probability for Ville-Marie District was 52%, the lowest, while most districts observed a score around 60%. In a perfectly mixed neighbourhood we expect 100%.

One reason why Nielsen claims the ideal of equal welfare is that he wants a

classless society and he condemns the unequal social conditions inherent to capitalism and elitism that structure class societies<sup>40</sup>. Planning for equal welfare will necessarily reduce residential segregation through income mix. As long as we keep market efficiency as a heuristic ideal in planning, we will never avoid residential segregation between social classes. However, as long as we keep our hope for the classless city, we will learn how to make progress toward a residential mix. With increasing enlightened and emancipated citizens, we can hope that the ideal of equal welfare will be perceived some day, not as a social burden but as social benefit of living together in social harmony, in the city.

We want to remind ourselves that Amaurot, the capital city of Saint Thomas More's Utopia, was built on the ideal of equal welfare; its citizens lived in equal housing units and ate in common kitchens.<sup>41</sup> The idea of building a new egalitarian town fascinated many socialist thinkers and activists both in England and France, at the turn of the 19<sup>th</sup> century. For example, Robert Owen experimented with "Harmony" in Scotland as well as "New Harmony" in the new continent, egalitarian communities that included equal rights for workers, compulsory primary education, a common kitchen and equal housing. Etienne Cabet also came to the new continent and built his ideal community called "Icaria"; it also had equal welfare as a founding principle.<sup>42</sup> Karl Marx criticized them as utopian socialists in the Communist Manifesto but he also wanted and indeed believed that workers in a mature and abundant socialist society would meet their welfare according to their needs, preserving the ideal of equal welfare through the 20<sup>th</sup> century<sup>43</sup>.



During the 1960s and 1970s, amidst the redevelopment market and the abusive rental market in Montreal, those who were oppressed by the market claimed housing rights and rights to public consultation, which the MCM would carry in its political platform. We want to emphasise that both the claim of housing rights and the demand for the right to public consultation emerged historically from citizens' struggles for just urban conditions; they wanted not only housing resources but also political opportunities to effectively influence collective decisions through the politics of public deliberation. This claim of deliberative democracy implies that representative democracy fails in providing citizens with equal opportunities of representation in planning. Let us now turn our attention to the ideal of deliberative democracy in planning.

### **3.4. Planning for Deliberative Democracy**

In Proposition (2) that we discussed in the beginning of this chapter, the possibility of planning for the target-specific and area-specific social investment for low-income citizens can emerge only when they can exercise their political power of influence on planning decisions. Proposition (3) implies that, to the extent that parts of the private costs and benefits are externalised out of the market, we can no longer maintain the initial sphere of the market transaction; we need public space to internalise external bads. In (4), we need public space and public participation to exercise an effective political influence over social choice for resource transfers. The distributive fairness by the Difference

Principle in Rawlsian planning would be largely a function of politics, not moral philosophy. Equally in (5), we need public deliberation to take collective decisions on the index of welfare goods and welfare transfers in practice. In both (4) and (5), the source of social injustice is the unequal relationship between A and B and, therefore, social justice obtains only if they agree upon their fair terms of collaboration. Planning for deliberative democracy brings political resources to the central stage and proposes to make their terms of collaboration as fair as possible.

We propose to appeal to deliberative democracy to make the land-use market efficient and fair for the following reasons: First, the market needs a master land-use plan and zoning bylaws to minimise external bads and to provide a just procedure; such a master plan and zoning bylaws should necessarily be prepared through public deliberation prior to the market. Before modern times, kings, if not God, imposed the master plan; today, we the citizens are the ultimate artisans of the plan in a city of liberal democracy such as Montreal. Moreover, public goods such as streets and parks should be predetermined before private uses of space and rules and tools of zoning should be specified prior to the market. These land-use planning tools make the market efficient by providing certainty and minimising external bads in the market.

Secondly, when the compensation of external bads is at stake, the determination of the nature and extent of the compensation inevitably requires interpersonal utility comparisons; such a comparison challenges and implies ethical conflicts. We need public

deliberation to solve those conflicts; the market alone cannot solve them in its bilateral transactional sphere. The tenants and the developer of the Overdale project could not agree on the compensation scheme that the Overdale Criteria was proposing because they did not agree on each other's housing utility; eventually, the MCM Administration submitted the scheme to a public hearing to obtain a political validation. We might argue that we can understand each other's utility by empathetic comparisons<sup>44</sup>; indeed, such comparison is instrumental in benign cases of interpersonal utility comparison. In the malign cases, in which competing parties do not agree on each other's utilities, empathy alone will be limited; we will have to appeal to a broader community and its deliberation. If you are rich and have your own playground in your background, it is unlikely that you can appreciate a small playground nearby as a poor single mother would. However, you can develop empathy with her raising children without a near-by playground, if you communicate with her and others who are in a similar situation as hers, and, at the end, you might strongly support public funding for such playgrounds in low-income neighbourhoods. The interpersonal utility comparison in planning is largely a question of agreement between competing parties and we would need public deliberation to reach such agreement.

Thirdly, it is through public deliberation that we can simultaneously achieve the multiple goals of urban land-use; this reason appeals to democracy as the source of the formation of the common good not simply as an instrument of making collective bargaining or correcting market failure.<sup>45</sup> Collective bargaining is interest-based and does

not necessarily lead us to the common good. We need public deliberation in the land-use market because the social demands of urban land-use are always multiple; the only way of simultaneously achieving multiple goals would be to make a multilateral agreement among competing parties. The market cannot simultaneously achieve multiple goals; the price-guided decision will necessarily imply a radical choice among the multiple demands and, consequently, the market choice always implies the loss of other social opportunities. The market decision is about maximising one's individual welfare, while the politics of public deliberation is about mutually accommodating each other's interests and ultimately devising the common good. We have a good reason to believe that, through the politics of public deliberation among free and equal citizens, multiple goals can be ordered in terms of priority, each goal can be given an appropriate weight, and social consent can be obtained to achieve those goals from what Joshua Cohen calls the "fact of reasonable pluralism."<sup>46</sup>

More importantly, we would appeal to deliberative democracy for its intrinsic values. Suppose that we are all free, equal and reasonable citizens and we are in public deliberation to make a collective decision on a planning project. To be successful in deliberation, we will, most likely, first communicate with each other to understand the planning goals in mutually fair terms; for such terms, we will most likely listen carefully to each other to understand our respective positions, convictions, and considered judgements<sup>47</sup>. In land-use planning in a reasonable pluralism, we expect competing interests and different approaches to planning as well as conflicting ethical and

ideological claims that might produce our divergent convictions among us. We also expect that we will try to convince each other. If you want to be efficient in the deliberation, you would try to argue in my terms and I would do so in your terms, if I want to convince you; in this manner, we are more likely to learn about each other and to develop common terms of reference reflecting our respective positions. We think that planning deliberations provide a formidable opportunity to learn about how to be an engaged citizen and how to live together in democracy<sup>48</sup>; in the market, we only compete with each other.

In the process of communication and mutual learning we are more likely to recognize others as moral equals and our influence on collective choices would be more equal. Our initial positions and convictions can be modified in the process of deliberation: we might adjust our respective positions to assimilate ourselves to the planning goals; we might further modify our adjusted positions in the light of each other's adjusted positions; we might also want to amend the planning goals themselves. In this process of mutual accommodation, our collective choice will be fair and our planning consent will create a new state of social equilibrium. Most importantly, the politics of planning deliberation are likely to shape an emancipated citizenship, in which we are mutually a source of each other's self.<sup>49</sup>

The process of mutual accommodation in planning that we depict above can be understood in the framework that the ideal of wide reflective equilibrium suggests.<sup>50</sup> The

ideal invites us to evaluate our personal convictions and considered judgements, to refine them and to look for coherence with respect to existing common references; we will attain a new reflective equilibrium when we have a coherent whole. A wide reflective equilibrium would emerge from a social state in which the members of society adjust their personal convictions against their common references and principles with an attention to our common store of factual knowledge. We also expect that the existing common references can be modified to reflect individual convictions and new principles can be added in the process of wide reflective equilibrium.

The BAPE (Bureau d'audiences publiques sur l'environnement) produced an environmental impact study and organized a public hearing for the extension of the Ville-Marie Expressway on Notre-Dame Street; the extension would link the downtown areas to Highway #25 by way of Notre-Dame Street<sup>51</sup>. The project goal is to connect eastbound traffic to the #25 and, consequently, to the regional expressway network. The project also aims to provide an efficient link between the eastern part of the city and the city centre. The transportation authorities of the Quebec government as well as the business community of Montreal in general support the project goal and they want the extension to be an expressway rather than a boulevard. This expressway option embeds the rational transportation planning approach that proposes to induce transportation needs from mathematical modeling. The expressway option would engender two major external impacts; it would increase air pollution to the extent that the expressway draws more traffics and it would decrease the quality of life in adjacent neighbourhoods. Both the

residents of the neighbourhoods<sup>52</sup> as well as environmental groups reject the expressway option and propose an urban boulevard with intersections. They want an urban transportation policy based on public transportation and some propose to use a part of the expressway as a corridor for public transportation. At this point of public deliberation, the extension project has multiple goals, including both the project and the external goals; the external goals become part of the project goals from the view points of the neighbourhood residents and environmental groups. The design of the extension project would consist in finding a solution that responds to the multiple goals; in democratic societies, we would expect that competing parties would adjust their respective initial claims in the light of their common references. We can also expect that, if the existing common references are not adequate to cope with the new reality of planning, they might create a new one; this procedure of mutual adjustment is what the ideal of wide reflective equilibrium suggests. We think that wide reflective equilibrium creates planning conditions and, at the same time, planning deliberations are instrumental in making progress for wide reflective equilibrium.

Modern city planning has gradually built and accumulated shared principles and common references such as civic design, citizen participation, rational planning, heritage conservation, public housing, coop housing, residential mix by income, residential mix by race, regional equity, gender equality in planning, advocacy planning, equity planning, linkage, good governance and sustainable development among many others. Some of these references are well-established, some others are still debated. As long as we have

faith in democracy and wide reflective equilibrium, we will reinvent new planning references and principles to allow us to live better with others in the same city and neighbourhood. Along with continuing discovery and better understanding of others and along with technological innovations, we will enlarge our limits of community and we will constantly renew the process of wide reflective equilibrium. These principles are our common heritage of democracy and our hope for a common future.

The process of wide reflective equilibrium can be blocked by several barriers. One such barrier is the exclusionary truism; your belief in Christianity excludes my belief in Islamism and vice versa, as long as we insist that our respective truth is a foundational truth. A decade ago, we witnessed ethnic and religious cleansing during the war of disintegration of the former Yugoslavia; the medieval city of Sarajevo was built over many hundred years but we saw that exclusionary truism could instantly destroy the city. Montreal has recently observed public debates provoked by the Kirpan<sup>53</sup> in public schools. Montreal is a remarkably harmonious city, perhaps unique in the world, in spite of more than one hundred different ethnic and cultural groups that co-inhabit the city. Yet, those debates suggest that, when the exclusive truism comes to the public place, social harmony can be fragile.

In liberal democracy, we keep our foundational truth within our respective private spaces and we appeal to public reason to conceive the common good; this liberal strategy is what we practice in Montreal and it is what Rawls suggests<sup>54</sup>. In this strategy, the right



to the Kirpan would be a part of religious rights as long as that symbolic knife is restricted to the private space; the Kirpan at school would be a public bad because it can provoke insecure feelings among other children. Another alternative solution to avoid the exclusionary truism would be to live together in brotherhood, without desire to convert others in the way that Charles de Foucault lived among the Moslim Touaregs in the Sahara<sup>55</sup>. A radical solution would be to say that God is dead, following Nietzsche or, following Nielsen, we can have an ethical life without God<sup>56</sup> or, following Rorty, our priority is democracy, not metaphysics<sup>57</sup>. Nielsen's and Rorty's challenge to the exclusionary truism opens wide the possibilities of planning for democracy, without absolute references and for an uncertain but free and creative future.

We probably enjoy an exceptional multicultural democracy in Montreal and we would owe it to the Quiet Revolution which began in Quebec in the 1960s. To the extent that the Quiet Revolution brought not only modernisation in Quebecers' economic, social and cultural life but, more importantly, their liberation from the foundational truism of the Catholic church that had conditioned their moral and political existence for three centuries. That liberation would open new possibilities for a immensely tolerant and democratic future. A future without the foundational reference will be uncertain but that uncertainty will be the source of a much more creative future as Borduas suggests<sup>58</sup>. Montreal today experiences multicultural cohabitation and a newly emerging reality of interracial hybrids<sup>59</sup>. We have an exceptional democracy in Montreal also because the Anglophone Canadians and the Francophone Quebecers have learned how to mutually

accommodate, in spite of their continuing antagonism from their colonial past and through today's uneasy confederation.<sup>60</sup>

Scientific truism can impede the process of wide reflective equilibrium. If a transportation planner insists that her mathematical projection of transportation demand should dictate the design of the Notre-Dame expressway, she excludes other project goals and that exclusion will produce public bads. Her mathematical model cannot be perfect; her mathematical model can be limited in its logical coherency, it may include faulty assumptions, and the data can be inadequate. Even if the model is sound and she has adequate data, we have no guarantee that the projected demand will correspond to the future reality. Thomas Kuhn shows that scientific truths in the history of physics are only 'paradigms' which are not permanent and stable<sup>61</sup>. In the Kuhnian perspective, the 'scientific truths' in planning would be simply paradigms.

By planning for deliberative democracy, we propose to create an ideal procedure of planning deliberation so as to provide citizens with equal opportunities for power of influence in making planning decisions. Joshua Cohen argues that deliberation outcomes are "democratically legitimate if and only if they could be the object of a free and reasoned agreement among equals"<sup>62</sup> Following Joshua Cohen's requirements for the ideal procedure of deliberation<sup>63</sup>, we propose the following conditions for a just procedure of planning deliberation. A planning deliberation can produce unjust social decisions: First, a collective decision can be partial, if the public assembly for

deliberation is not constituted by all concerned parties. Second, the decision will still be unjust if they do not have equal power of political influence over the decision, even though all concerned parties are present in the public assembly. Third, the decision can also be unjust, if the decision is not unanimous. If any of those conditions are not met in a decision, that decision can engender external bads to those who are excluded from the assembly for a reason other than their own or to those who vote against the decision. Indeed, in our example of the Ville-Marie extension project, a just decision would require that all competing parties participate in the public hearing, all participating individuals have equal power of influence, and they reach social consent in a unanimity rule of decision. These rules of collective choice would ensure an egalitarian democracy that is fair to all parties.

Planning with and for deliberative democracy is ultimately a liberation project; public deliberation intends to liberate those who are oppressed by market capitalism and political tyrants by providing them with political resources. Those resources would compensate their lack of the market resources and make it possible to channel their demands into public policies and planning. Most importantly, public deliberation provides a good place where they can join others and together create a strong solidarity. We said that representative democracy fails in equally representing those who are unprivileged and oppressed in the marketplace; the politics of public deliberation would provide those unprivileged and oppressed with a better organised and stronger political platform within representative democracy. That suggests that deliberative democracy is

certainly instrumental to a good urbanism but, most importantly, we ultimately need planning deliberation to build a creative society with an “open end and spiral” future as Joshua Cohen suggests. Planning should be a tool for the progress of such a society.

## NOTES

---

<sup>1</sup> In (1), individual liberty and efficiency are claimed as ideal values and, if social cooperation and planning is ever necessary, that would be for the protection of individual liberty. Libertarian thinkers and today's conservative politicians generally claim minimal planning and a freer market: see, for example, Friedrich A. Hayek, F.A., *Housing and Town Planning* (Chapter 22), *The Constitution of Liberty*, (Chicago, Ill.: The University of Chicago Press, 1960), pp 340-357; Milton Friedman and George J. Stigler, *Roofs or Ceilings? The Current Housing Problem*, in *Rent Control: A Popular Paradox*, (Vancouver, B.C.: The Fraser Institute, 1975), 87-102; Robert Nozick, *Anarchy, State, and Utopia*, (Oxford: Basil Blackwell, 1974); Bernard H. Siegan, *Land Use without Zoning*, (Lexington, Mass.: Lexington Books, 1972)

<sup>2</sup> The proposition also suggests that a city administration should take the threat of capital seriously and provide public incentives such as bonus density and public incentives to retain and attract real estate investments. A bonus density has been provided to the projects that provided an underground pedestrian link in Montreal, for example. Montreal also observed the following incentive measures, among others: tax credits are provided by both the city administration and the Quebec government provided to promote multimedia industries in the Faubourg-des-Récollets neighbourhood; a special bureau was created between 1995 and 2001 to provide a red-carpet treatment and to accelerate the building permit delivery for the projects of more than a million dollars of investment. The public benefits of the incentive planning are not evident; we certainly need empirical studies to see if and to what extent the Montreal experiences of the incentive planning have been beneficial. In a different context, it is argued that, when rules and requirements are compromised to attract investments, it appears that aesthetic and environmental quality can suffer. See Kee Warner and Harvey Molotch, *Building Rules: How Local Controls Shape Community Environments and Economies*, (Boulder, Colorado: Westview Press, 2000).

<sup>3</sup> In a different formulation, following Marshall, Mishan defines consumer's surplus as the maximum a consumer will pay for a given amount of a good, less the amount he actually pays. See Mishan, E. J., *Cost-Benefit Analysis: An Introduction*, (New York: Praeger Publishers, 1971), p 31.

<sup>4</sup> This statement can be misleading. The MCM administration often conducted fiscal-impact studies to justify planning projects from the point of view of municipal costs and revenue, ignoring other sources of social costs and benefits; the fiscal impact analysis can be partial in terms of distributive accounting. The MCM administration and its para-municipal corporations also produced feasibility studies to justify large-scale projects, which frequently incorporated social cost-benefit accounting.

<sup>5</sup> The federal government of Canada has required the cost-benefit analysis in justifying its investment projects including, for example, the Mirabel airport planned for both the Montreal and Ottawa regions, which is now closed. For its guide to the cost-benefit analysis, see Conseil du trésor du Canada, *Guide de l'analyse avantages-coûts*, (1976).

---

<sup>6</sup> The planning balance sheet “provides a summary of the planning advantages and disadvantages to the public at large.” Nathaniel Lichfield, N., Cost-Benefit Analysis in Plan Evaluation, in *The Town Planning Review*, 25-2, July 1964, pp 159-169, p 165; see also, Cost-Benefit Analysis in City Planning, in *Journal of the American Institute of Planners*, 26-4, November 1960, pp 273-279.

<sup>7</sup> Morris Hill, M., *Planning for Multiple Objectives: An Approach to the Evaluation of Transportation Plans*, (Philadelphia : Regional Science Research Institute, 1973).

<sup>8</sup> Our formulation of the Pareto efficiency rule follows Rawls’s. See John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), p 67; see also Allen Buchanan, *Ethics, Efficiency, and the Market*, (Totawa, N. J.: Rowman and Allanheld, 1988), p 4. For more about Pareto’s welfare economics, see, for example, I. M. D. Little, *A Critique of Welfare Economics (Second Edition)*, Chapter 3 in particular. Little remarked: “The founder of the New Welfare Economics was Pareto, who did not only use the concept of ordinal preference, but also defined, for a society, an ‘optimum’ position which was independent of any necessity for adding satisfactions, or comparing the satisfactions of different individuals. An ‘optimum’ position was one in which it was impossible to put any individual ‘on a higher indifference curve’... without causing someone to drop to a lower one... Pareto did not, indeed, clearly say when one position could be said to be better than another. He only laid down some of the *necessary* conditions which must be fulfilled if it is to be impossible to make some individual ‘better off’ without making any other ‘worse off’.” (pp 84-85)

<sup>9</sup> The Pareto efficiency rule requires that the market be perfect. Following Buchanan, an ideal market requires that: (1), full information be available at zero cost; (2), costs of enforcing contracts and property rights be zero; (3), individuals be rational in selecting appropriate means toward their ends; (4), the market be perfectly competitive and free of intermediaries (zero transaction costs) and externalities; (5), products in the market be undifferentiated. See Allen Buchanan, “Efficiency Arguments For and Against the Market”, in John Arthur and William H. Shaw (eds), *Justice and Economic Distribution*, (Englewood Cliffs, N.J.: Prentice-Hall, 1991), pp 184-197. We will put emphasis more particularly on externalities and resource inequality as major causes of the market imperfection with respect to the land-use market.

<sup>10</sup> See Kevin Lynch, *A Theory of Good City Form*, (Cambridge, Mass.: The MIT Press, 1981), Chapter 12: Efficiency and Justice, pp 221-235.

<sup>11</sup> Our auction market is borrowed from the Dworkin’s auction for “envy test”; he uses the auction analogy to describe the liberal view on egalitarian justice emphasising the responsibility of our market choices. To the extent that we want ambition-sensitive urban locations, the land-use market would be fairly efficient in providing each individual with what she prefers, if individuals in the auction market have equal resources and they pay for their choice. For more about Dworkin’s auction and envy test; see Ronald Dworkin, What is Equality? Part II: Equality of Resources, *Philosophy and Public Affairs*, Vol 10-4, (1981), pp 283-345; Will Kymlicka, *Contemporary Political Philosophy: an Introduction*, (Oxford: Oxford University Press, 1990), pp 76-85.

<sup>12</sup> The theory of bid rents to a fair extent approximates the reality of the urban land-use market if the market is relatively fair in terms of resource distribution; urban rents would be sensitive to the ambition of competing parties. See William Alonso, *Location and Land use*, (Cambridge: Harvard University Press, 1964). For a critical review of the theory of bid rents as well as other microeconomic theories of urban location, see David Harvey, *Social Justice and the City*, (Baltimore: The John Hopkins University Press, 1973), pp 160-194; he remarks, "Competitive bidding is undoubtedly significant, but it assumes that land use determines value when in practice the reverse determination is more prevalent in most contemporary capitalist cities." (p 189) His observation is particularly pertinent in the downtown markets where the highly monopolised land ownership commands land values and land uses.

<sup>13</sup> According to David Harvey, Marx first defined monopoly rents; monopoly rent arises from a monopoly price that one can impose simply because she is "determined by the purchaser's eagerness to buy and ability to pay." According to Marx, "Landed Property is based on the monopoly by certain persons over definite portions of the globe, as exclusive spheres of their private will to the exclusion of others. With this in mind, the problem is to ascertain the economic value, that is, the realisation of this monopoly on the basis of capitalist production." (*Capital*, Vol. 3, p 615, according to David Harvey, *Social Justice and City*, (Baltimore: The John Hopkins University Press, 1973), p 178) Monopoly rent price is "determined by the purchaser's eagerness to buy and ability to pay, independent of the price determined by the general price of production as well as the value of the product." (*Capital*, Vol. 3, p 775; Harvey, op. cit., p 179) According to Harvey, "in a number of passages (Theory of Surplus Value, Part 2, p 30, 38, for example) he (Marx) indicates his belief that monopoly rents are crucial in the case of urban land and property and that there may be conditions, particularly in densely populated areas, in which house and land rents are 'only explicable' as monopoly rents."

<sup>14</sup> Logan and Molotch observed in the context of the American cities: "Given the fixed supply of land and the monopolies over relational advantages, more money entering in an area's real estate market not only results in more structures being built but also increases the price of land and, quite plausibly, the rents on previously existing "comparable" buildings. Thus higher investment levels can push the entire price structure upward." See J. R. Logan, and H. L. Molotch, *Urban Fortunes: the Political Economy of Place*, (Berkeley: University of California Press, 1987), p 25.

<sup>15</sup> Logan and Molotch argues: "Rents are made possible in the first place through government stipulation regarding rights and privileges among market participants (for example, deeds, leases, and sales contracts)... Government activity thus distributes and redistributes rents among owners... the category "redistributional rent," referring to the substantial rent increments that come with specific government activity. Indeed, virtually all modern rent is in part redistributed rent." (J. R. Logan and H. L. Molotch, op. cit., pp 27-28)

<sup>16</sup> For the target-specific investment and its implication in the cost-benefit analysis, see, for example, Dasgupta, P., S. Marglin and A. Sen, *Guidelines for Project Evaluation*, (New York: United Nations, 1972).

<sup>17</sup> We may classify four types of planning differentiated according to certain types of planning-market interactions: (a) planning to guide the market, (b) planning to control the market, (c) planning to complement the market, and (d) planning to replace the market. The first type of

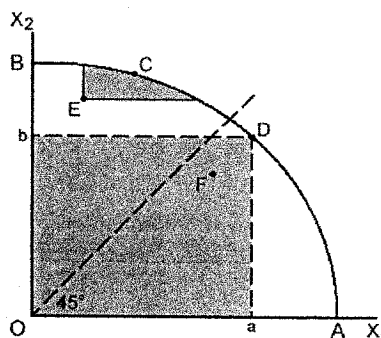
planning is required simply because there are planning needs that the market cannot cope with. Those needs are, for example, community visions, long-term objectives and community aesthetic preferences. They are indispensable for the efficiency of the land-use market but only the community can provide them. The second type of planning consists of making rules and policies in the land-use market. The land-use market inevitably produces external bads, which must be prevented and internalised; the bulk of city planning that emerged in market liberalism is closely associated with land-use planning and zoning. Examples of this type of planning are zoning bylaws, environmental regulations and controls on building and occupation. The third type of planning has emerged because the market is inefficient; planning is claimed to correct the market inefficiency. For example, public subsidies to housing rehabilitation are designed to preserve the old housing stock and to raise its quality in the low-income rental market; the market has been generally inefficient in preserving and maintaining the old housing stock. A fiscal incentive or direct subsidies are often justified to promote a particular segment of the market or to create market demands in a particular geographical area or for a particular segment of the population. Fourth, the absence of the market for certain goods will inevitably require planning to produce those goods. Public housing, for example, is needed because there is no housing market for poor families or the elderly poor. City planning is also concerned with the production of municipal goods and services. Because most municipal goods and services are public goods that are jointly consumed and cannot be produced in rivalry, there is no efficient market for public goods; we naturally need a monopoly to efficiently produce them.

<sup>18</sup> John Rawls probably never mentioned anything like the ‘urban primary social good.’ By a geographic variation in the primary social good, we suggest that a primary good can imply different relative advantages: for example, the right to safety is claimed as the right to free gun possession in rural areas, while the same right to safety is claimed as the right to gun control in urban areas; in a scarce economy such as Vila in Brazil, housing ownership appears crucial, while not so much in an advanced economy such as Montreal’s (74% of Montrealers are renters); in a region where water is rare, water could be a primary resource rather than a consumption good; when a country faces a constant crisis such as war or something of that magnitude, the protection and safety of the country would certainly have priority over any other primary goods.

<sup>19</sup> The difference principle is contained in (a) of Rawls’s second principle of justice as follows: “*Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.*” See John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), p 83.

<sup>20</sup> Following Rawls’s diagrammatic presentation, in which a welfare function of two persons,  $x_1$  and  $x_2$ , is represented by AB, let us compare different Pareto-efficient points from the point of view of equal welfare distribution represented by the dotted line from O, which we may call the “equal-welfare horizon.” We observe that all points on that line are Pareto-efficient and perfectly egalitarian; relative share between  $x_1$  and  $x_2$  are exactly same. Point C is Pareto-superior to E; all points above E within the shaded space are also Pareto-superior to E. In the same manner, D is Pareto-superior to F and all other points within the dotted space delimited by aDbO. From the equal-welfare point of view, we certainly prefer D to C; the distance of C to the equal-welfare frontier is greater than that of D; in the same manner, we can say that F is more





egalitarian than E. The Difference-Principle test will reveal that D and F are more egalitarian than C and E but the Difference Principle will not require that we go to the equal-welfare horizon; it is the collective choice that makes a move to the horizon possible. For more discussions on the principle of efficiency, see John Rawls, *op.cit.*, pp 67-75.

<sup>21</sup> Rawls remarks: about market efficiency, “This principle (of efficiency) is simply that of Pareto optimality (as economists refer to it) formulated so as to apply to the basic structure” (Rawls, *op. cit.*, p 66); about market failure, “Perfect competition is a perfect procedure with respect to efficiency. Of course, the requisite conditions are highly special ones and they are seldom if ever fully satisfied in the real world. Moreover, market failures and imperfections are often serious, and compensating adjustments must be made by the allocation branch (see Chapter 43). Monopolistic restrictions, lack of information, external economies and diseconomies, and the like must be recognised and corrected. And the market fails altogether in the case of public goods.” (Rawls, *op.cit.*, p 272).

<sup>22</sup> To the extent that the redevelopment projects produces income taxes that are distributed for the greatest benefits of the least privileged, those projects would positively respond to the distributive requirement of the Difference Principle. But, in an income tax regime, such as capital gain taxes, the Difference Principle may not be fair enough to the unprivileged. For a critical discussion on the redistributive impact of the Difference Principle, see G. A. Cohen, *Incentives, Inequality, and Community*, S. McMurrin (ed.), *The Tanner Lectures on Human Values 13*, (Cambridge: Cambridge University Press, 1991), pp 261-329; G. A. Cohen, *If You're an Egalitarian, How Come You're So Rich?*, (Cambridge, Mass.: Harvard University Press, 2000), G.A. Cohen presents an interesting autobiographical account in this book; he was born to a Hasidic family in the Plateau-Mont-Royal District of Montreal, which we will later hail as a paradigm of a good and beautiful city. His father worked in the garment industry for 40 years and was laid off without a company pension and a proper notice; he had been an activist in the Communist Party, which had a strong hold among the Hassidic community in the Plateau, and had been fighting to avoid the kind of the fate that he would eventually face.

<sup>23</sup> Rawls remarked, “The distinction between public and private goods raises a number of intricate points, but the main idea is that a public good has two characteristic features, indivisibility and publicness.” (Rawls, *op. cit.*, p 266) For more about his arguments for the case of public good, see Rawls, *op. cit.*, pp 266-270. For an accounting on a wide variety of public and quasi-public goods, which Peter Brown calls the “penumbra goods,” and their implication in social cooperation, see Peter Brown, *Restoring the Public Trust*, (Boston: Beacon Press, 1994).

---

<sup>24</sup> According to Rawls, "Once the difference principle is accepted, however, it follows that the minimum is to be set at that point which, taking wages into account, maximises the expectations of the least advantaged group. By adjusting the amount of transfers (for example, the size of supplementary income payments), it is possible to increase or decrease the prospects of the more disadvantaged, their index of primary goods (as measured by wages plus transfers), so as to achieve the desired result." (Rawls, *op. cit.*, p 285)

<sup>25</sup> For more about the concept of capability, see Amartya Sen, *Equality of What?* McMurrin, S. (ed), *Tanner Lectures on Human Values*, Vol. 1, (Cambridge: Cambridge University Press, 1980); Amartya Sen, *Equality Reexamined*, (Cambridge: Harvard University Press, 1992); Norman Daniel, *Justice and Justification: Reflective Equilibrium in Theory and Practice*, (Cambridge: Cambridge University Press, 1996), Chapter 10, pp 208-231.

<sup>26</sup> The first principle of justice is formulated as follows: *Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.* (Rawls, *op. cit.*, p 60)

<sup>27</sup> The following includes two other requirements of justice as equality:

3 - *Justice in society as a whole ought to be understood as a complete equality of the overall level of benefits and burdens of each member of that society. (This should be understood as ranging over a person's life as whole.)*

4 - *Justice in society as a whole ought to be understood as structuring of the institutions of society so that each person can, to the fullest extent compatible with all other people doing likewise, satisfy her genuine needs.* See Kai Nielsen, *Equality and Liberty: A Defense of Radical Egalitarianism*, (N.J.: Rowman & Allanheld Publishers, 1985), p 46-47.

<sup>28</sup> Nielsen notes the heuristic quality of his radical egalitarianism as follows: "In our class societies, and indeed in our dark times, such justice is not in the immediate offing. It is not the sort of thing we are going to achieve in the next decade or so. But such a conception of justice should remain a heuristic ideal in our emancipatory struggles." (Nielsen, *op. cit.*, p 3)

<sup>29</sup> Nielsen saw the source of human flourishing in enlightenment and emancipation. For more Nielsen's arguments on human flourishing, see Nielsen, *op. cit.*, pp 19-20. The ideal of human flourishing as planning goal would profoundly affect the way that we want to plan; for example, we would ensure that citizens deliberate and make planning decisions such that their self-realisation is possible in planning process.

<sup>30</sup> John Roemer puts the issue of human flourishing in the following manner: "Self-realisation is the development and application of an individual's talents in a way that gives meaning to life. This is a specifically Marxist conception of human flourishing. It is to be distinguished, for instance, from philosopher John Rawls's notion of fulfillment of a plan of life, for a plan of life might consist in enjoying one's family and friends, or eating fine meals, or counting blades of grass. These activities, however, do not count as self-realisation, a process of self-transformation that requires struggle in a way that eating a fine meal does not. One does, however, derive welfare from enjoying one's family and eating fine meals, and so I do attribute

---

value to these activities in the socialist's reckoning." (John E. Roemer, *A Future for Socialism*, (Cambridge, Mass.: Harvard University Press, 1994), p 11)

<sup>31</sup> For the psychological, social and cultural significances of housing welfare, see, for example, William Grigsby and Louis Rosenberg, *Urban Housing Policy*, (New York: APS Publications, 1975), Chapter 3, pp 31-57.

<sup>32</sup> For accounts on the social and cultural implications of the city and its urban environment, which we previously called the "built culture," see, among many others, Lewis Mumford, *The Culture of Cities*, (New York: Harcourt Brace Jovanovich, Inc., 1938); for the social implications of urban changes in particular, see Kevin Lynch, *What Time is This Place?*, (Cambridge, Mass.: The MIT Press, 1972).

<sup>33</sup> We might associate the ideal of equal welfare with the sustained economic growth that we have observed in the Scandinavian social democracies; these countries have maintained probably both the most equal welfare and one of the highest incomes per capita in the world over the last decade. In the same perspective, we can also understand why housing consumption has been appraised as an investment good in developing economies.

<sup>34</sup> Nielsen argues, "if we believe that we human beings have an equal right to respect and that our institutions should be designed so as to achieve and sustain this, we are also very likely, when we think about what this comes to, to say that all human beings also have an equal right to concern on the part of society...there must be an equal concern on the part of society for the satisfaction of the needs of all human beings. (I am, of course, talking about situations of plenty where this is possible)." (Nielsen, op. cit., p 9)

<sup>35</sup> Nielsen argues, "After provisions are made for common social (community) values, for capital overhead to preserve the society's productive capacity, allowances are made for differing unmanipulated needs and preferences, and due weight is given to the just entitlements of individuals, the income and wealth (the common stock of means) is to be so divided that each person have a right to an equal share. The necessary burdens requisite to enhance human well-being are also to be equally shared, subject, of course, to limitations by differing abilities and differing situations." (Nielsen, op. cit., p 48). Here Nielsen argues that the distribution of welfare is a social decision under social constraints.

<sup>36</sup> For the welfare opportunity argument, see Richard J. Arneson (1989), Equality and Equal Opportunity for Welfare, Pojman, L. P. and R. Westmoreland (eds), *Equality: Selected Readings*, (Oxford, G.B.: Oxford University Press, 1997), pp 229-241; Cohen, G. A., On the Currency of Egalitarian Justice, *Ethics* 99, July 1989, pp. 906-44.

<sup>37</sup> Housing economists consider housing goods as the sum, or 'bundle,' of the housing good (shelter) and other connected goods including community facilities, transportation facilities and so on. Here we use the term 'housing goods' to include the 'housing bundle.'

<sup>38</sup> For an illuminating comment on how a capitalist city is partitioned along invisible walls erected by market capitalism; through the criteria of profit maximisation and the spatial manifestation of social classes, see Peter Marcuse, *Not Chaos, but Walls: Postmodernism and the*

---

Partitioned City, Watson, S. & Gibson, K. (Eds), *Postmodern Cities and Space*, (Cambridge: Blackwell Publishers, 1995), pp 243-53.

<sup>39</sup> For the relationship between social classes and housing classes, see, for example, C. Bell, On Housing Classes, *A.N.Z.J.S.*, Vol. 13, No. 1, (1977). We think that housing classes are one of the most vicious forms of social classes; increasing physical distances between poor areas and rich neighbourhoods, particularly suburban cities, have made social contact between the poor and the rich and their mutual understanding increasingly impossible; that is certainly unhealthy and vicious from the point of view of democracy.

<sup>40</sup> Nielsen remarked, "in our historical circumstances, capitalist ownership and control of the means of production causes extensive misery and impoverishment that could otherwise be avoided... it gives capitalists and a small managerial elite (who are often also capitalists themselves) control over people's lives in such a way as to lessen their effective equal citizenship and undermine their self-respect and moral autonomy." (Nielsen, op. cit., p 69)

<sup>41</sup> Thomas More (Saint), *Utopia*, H. V. S. Ogden (ed.), (Arlington Heights, Ill.: Harlan Davidson, Inc., 1949).

<sup>42</sup> For more about the utopian experiments, see Leonardo Benevolo, *The Origins of Modern Town Planning*, (Cambridge, Mass.: The M.I.T. Press, 1971); S. Kostof, *The City Shaped: Urban Patterns and Meanings Through History*, (London: Thames and Hudson Ltd., 1991), pp 196-201; Benjamin Disraeli, *Sybil or the Two Nations* (Novel), (London: Penguin Books, 1845).

<sup>43</sup> Marx never elaborated on how the new society should be planned. He provided a glimpse of his ideal of equal welfare in *Critique of the Gotha Programme*; once the market capitalism is abolished and the transitional period over, each worker will get her welfare share according to her needs. Karl Marx, *Critique of the Gotha Programme*, (Peiking: Foreign Language Press, 1976).

<sup>44</sup> See Harsanyi, J., Rule Utilitarianism, Equality, and Justice, *Social Philosophy and Policy*, Vol. 2, N. 2, pp 115-127.

<sup>45</sup> We are very much inspired by Joshua Cohen's accounts on deliberative democracy; see his article, Deliberation and Democratic Legitimacy: Moral Pluralism and Political Consensus, Copp, D., J. Hampton, and J. Roemer (eds), *The Idea of Democracy*, (Cambridge: Cambridge University Press, 1993), 270-91.

<sup>46</sup> The fact of reasonable pluralism is "the fact that there are distinct, incompatible understandings of value, each one reasonable, to which people are drawn under favourable conditions for the exercise of their practical reason... This fact of reasonable pluralism gives shape to the conception of citizens as free and equal that constitutes part of the conception of democracy I want to explore here. To say that citizens are free is to say, inter alia, that no comprehensive moral or religious view provides a defining condition of membership or the foundation of the authorisation of political power. To say that they are equal is to say that each is recognised as having the capacities required for participating in discussion aimed at authorising the exercise of power." Joshua Cohen, Procedure and Substance in Deliberative Democracy, in *Democracy and Difference: Contesting the Boundaries of the Political*, Seyla Benhabib (ed.), (Princeton: Princeton University Press, 1996), pp 95- 119, (p 96).

---

<sup>47</sup> According to Rawls, “Considered judgements are simply those rendered under conditions favourable to the exercise of the sense of justice, and therefore in circumstances where the more common excuses and explanations for making a mistake do not obtain... From the standpoint of moral philosophy, the best account of a person’s sense of justice is not the one which fits his judgements prior to his examining any conception of justice, but rather the one which matches his judgements in reflective equilibrium. As we have seen, this state is one reached after a person has weighted various proposed conceptions and he has either revised his judgements to accord with one of them or held fast to his initial convictions (and the corresponding conceptions).” (Rawls, *op. cit.*, p 47-48)

<sup>48</sup> The two founding fathers of modern democracy, Jean-Jacques Rousseau and J. S. Mill, emphasized the importance of learning in democracy. See Carol Pateman, *Participation and Democratic Theory*, (Cambridge: Cambridge University Press, 1970). We think that planning deliberations provide a rare opportunity to learn about democracy and to build a good community; deliberative democracy is not simply a tool to make planning democratic.

<sup>49</sup> According to Joshua Cohen, “When properly conducted, then, democratic politics involves *public deliberation focused on the common good*, requires some form of *manifest equality* among citizens, and *shapes the identity and interests* of citizens in ways that contribute to the formation of a public conception of common goods.” See Joshua Cohen, *Deliberation and Democratic Legitimacy*, (Cambridge: Cambridge University Press, 1993), p 69.

<sup>50</sup> We think that the ideal of deliberation embeds the ideal of wide reflective equilibrium in planning; in planning deliberation, we would test our relative positions against common references and common principles to accept or to rebut them or to create new ones. According to Nielsen, “We, that is, use the method of reflective equilibrium to gain a consistently held together, perspicuously displayed, collection of such considered judgements and related factual beliefs. To justify a political conception of justice is to do just that: *reflective equilibrium is enough*. In practical considerations, such as trying to work out just practices, we always start in an embedded context, giving initial weight to our considered judgements, but trying, as well, to justify them in relation to other beliefs by gaining, and clearly articulating, a coherent pattern of beliefs. There is, moreover, no breaking out of the circle of beliefs.” Kai Nielsen, *Naturalism without Foundations*, (Amherst, N.Y.: Prometheus Books, 1996), p 175.

<sup>51</sup> Source of information: Bureau d’audiences publiques sur l’environnement (BAPE), *Projet de modernisation de la rue Notre-Dame à Montréal par le ministère des Transports du Québec*, Québec : BAPE, 2002.

<sup>52</sup> The Ville-Marie expressway was partly completed in early 1970s and the extension project was initially to complete the expressway. In the earlier days of the 1980s, community groups in the Hochelaga and Maisonneuve neighbourhoods adjacent to the expressway formed, a coalition called “Collective en aménagement du quartier Hochelaga-Maisonneuve” which has been a major force of resistance to the expressway. The MCM administration made it clear in its City Plan that the extension should be a boulevard, not an expressway. The new design took into account its social and environmental impacts but it appears more expressway than boulevard; the environmental impact assessment reverses that vision, more boulevard than expressway. The extension project waits a final decision.

<sup>53</sup> The Kirpan controversy is a good example. According to a Sikh tradition, a boy should carry a small symbolic knife, when he becomes 16 years old. A Montreal school commission prohibited a boy to carry it for security reasons and his parents went to the Quebec Superior Court against the school commission. The Court decided that the knife can be carried if it is a fake. The case went all the way up to the Supreme Court, which reversed the Superior Court decision, in favour of the parents' claim that the school commission restricts civil liberty.

<sup>54</sup> See John Rawls, *The Idea of Public Reason*, J. Bohman and W. Rehg (eds.), *Deliberative Democracy: Essays on Reasons and Politics*, (Cambridge, Mass.: The MIT Press, 1999). He defines the public reason as follows: "A political society, and indeed every reasonable and rational agent, whether it be an individual, or a family or an association, or even a confederation of political societies, has a way of formulating its plans, of putting its ends in an order of priority and of making its decisions accordingly. The way a political society does this is its reason; its ability to do these things is also its reason, though in a different sense: it is an intellectual and moral power, rooted in the capacities of its human members... Public reason is characteristic of a democratic people: it is the reason of its citizens, of those sharing the status of equal citizenship... Public reason, then, is public in three ways: as the reason of citizens as such, it is the reason of the public; its subject is the good of the public and matters of fundamental justice; and its nature and content is public, being given by the ideals and principles expressed by society's conception of political justice, and conducted open to view on that basis." (p 93)

<sup>55</sup> The Second Vatican Council initiated a oecumenical movement, which was influenced by Charles de Foucault, a Catholic priest, who went to the Sahara to live among the Touaregs as a simple neighbour, not as a missionary. His ideal later became the founding doctrines of the "Petites Soeurs" and "Petits Frères," religious orders.

<sup>56</sup> See Nielsen, *On Being a Secularist All the Way Down*, *The Proceedings of the Twentieth World Congress of Philosophy* (1999), Vol 4, pp 29-50; *Ethics Without God*, (Amherst, N. Y.: Prometheus Books, 1990).

<sup>57</sup> See, for example, *Philosophy and Social Hope*, particularly Part II (Hope in Place of Knowledge: A Version of Pragmatism), (London: Penguin Books, 1999), pp 21-90.

<sup>58</sup> Paul-Emile Borduas, *Refus global et autres écrits* (Montréal : Édition TYPO, 1997): particularly *Refus global*, , pp 63-77; *La transformation continue*, pp 155-164.

<sup>59</sup> Sherry Simon, *Hybridité culturelle*, (Montréal: L'Île de la tortue éditeur, 1999).

<sup>60</sup> There is a view that western democracy has evolved from mutual tolerance and accommodations after the War of Religion between Catholics and Protestants. If we can make a parallel, today's exceptional Canadian democracy could be the historical product of the mutual accommodations between the two founding peoples of Canada.

<sup>61</sup> See Thomas Kuhn, *The Structure of Scientific Revolutions*, (Chicago: University of Chicago Press, 1962).

---

<sup>62</sup> See Joshua Cohen, *Deliberation and Democratic Legitimacy*, (Cambridge: Cambridge University Press, 1993), p 73

<sup>63</sup> Joshua Cohen proposes the following requirements for the ideal deliberative procedure: 1) ideal deliberation should be free; 2) deliberation should be reasoned in that the parties to it are required to state their reasons for advancing proposals, supporting them, or criticising them; 3) in ideal deliberation, parties are both formally and substantively equal; 4) finally, ideal deliberation should aim to arrive at a rationally motivated consensus – to find reasons that are persuasive to all who are committed to acting on the results of a free and reasoned assessment of alternatives by equals. See Joshua Cohen, *op. cit.*, pp 74-75.

#### 4. A THEORY OF EGALITARIAN PLANNING

In this chapter, we will attempt to formulate certain principles of *egalitarian planning*, in the light of the ethical implications of planning in market liberalism that we have just discussed. By egalitarian planning, we mean planning that brings egalitarian democracy and egalitarian justice to our heuristic horizon.<sup>1</sup> We will first conceive egalitarian constraints on planning deliberation; we will propose to ensure *impartiality* in the constitution of planning assemblies, *equal freedom and equal political influence* on collective choice among citizens in planning deliberation. These constraints would be necessary to empower citizenship and to ensure equal political opportunities among citizens. Then, we will postulate principles that are designed to make the land-use market ethical<sup>2</sup>. We propose to internalise external bads, to compensate for the social opportunity losses, as well as to encourage social opportunity gains in the land-use market. A planning project would be just if the following principles were met and, if they were more or less respected, the project would also be more or less just. Let us begin with the principle of equal urban welfare and the role of the state in planning for equal welfare:

***Principle 1 – The state shall assure that each citizen has equal urban welfare, that is, equal housing and equal access to a safe, sustainable and beautiful urban environment.***

Cities and villages within a state have unequal conditions of housing and residential environments; some cities enjoy better housing conditions than others, while some cities



may be more vulnerable to natural or man-made disasters than others. Within a city, residential neighbourhoods are also unequal in terms of the quality of housing and the urban environment; upper-income neighbourhoods present a higher housing quality and a better neighbourhood environment, while lower-income neighbourhoods provide a lower quality of housing and neighbourhood environment. The present egalitarian principle of planning addresses what the state, jointly with the local administration, should do to mitigate both the inter-urban and intra-urban welfare inequalities in terms of the quality of housing and the urban environment. The cities under the pressure of natural disasters should be given resources to prevent and, when they occur, to deal with the disasters. The heuristic ideal that this principle claims is that all human beings should have equal housing and equal quality of urban environments.

Housing is an essential human need without which human survival is compromised. Unhealthy housing can adversely affect human health<sup>3</sup> and, consequently, opportunities for a decent life. Therefore, housing is a social good which should be equally consumed and the state should assure that each citizen has equal housing welfare. It is the discovery of housing bads as intimately linked to human health in the 19<sup>th</sup> century liberal Britain that prompted the State involvement in housing and planning<sup>4</sup> and, again, the same housing bad justified a large-scale state intervention through urban renewal programs in Canada and else where. Because housing is intimately linked to its location, the housing good is indeed a bundle of goods comprising both the quality of shelter and the quality of the neighbourhood environment; a shelter can be a housing bad if it is located in an

unsafe, a polluted or an ugly neighbourhood. These environmental qualities of housing are also what local planning must deal with. Therefore, the state and the local administrations should closely collaborate in establishing social standards and sharing resources and other responsibilities for the implementation of those standards.

What the egalitarian principle of equal urban welfare requires is to raise the quality of housing and the neighbourhood environment of those who live below the standards. Equal housing welfare would require that the state adopt and systematically implement housing codes such that there would be no substandard housing. Housing codes would represent the minimal housing goods and services which a community wants its citizens to enjoy. Housing codes would be accompanied by systematic application and monitoring; we need inspectors to monitor the application of housing and building codes<sup>5</sup>. The market price cannot do the job of inspection. The market is efficient in producing housing for those who have market resources but it is not so in producing housing for low-income households; it tends to lower the quality of housing and housing services below standards, particularly in the low-priced rental market.

One market which makes housing welfare very much unequal is the housing-ownership market. The absence of low-income households from that market raises a deep distributive issue; as we argued, they do not have benefits resulting from capital gains in the ownership market, while home owners do. Those benefits are an important, if not the most important, source of savings and the accumulation of wealth for most ordinary

home owners. According to the Rawlsian principle of equal opportunities, wealth is a primary social good that should be fairly equally distributed and, therefore, the Rawlsian planning would primarily consist in extending home ownership to low-income populations and creating equal opportunity to share capital gains in the ownership market. Indeed, home ownership has been an important component of housing policy in liberal democracies such as those of Canada and the United States.

There are other benefits of home ownership such as a greater self-respect and a stronger sense of belonging to the neighbourhood. Jane Jacobs praised the vitality of the ethnic communities she observed and she identified housing ownership as an essential ingredient for community vitality<sup>6</sup>. We expect that housing ownership brings housing spending for maintenance, renovation and remodelling; that housing spending is certainly an important part of the national economy. We also expect that home owners will improve the façade and front garden such that their neighbourhoods are more beautiful and housing values are well maintained<sup>7</sup>. A home-ownership program can be used as leverage for sustainable development; the traditional ownership program in Canada has been used, on the contrary, to promote new housing starts mostly in suburban areas. Such suburban growth is the major source of unsustainable development<sup>8</sup>. Sustainability constraints in the ownership program would discourage the low-density and energy-inefficient suburban expansion, while they encourage a higher-density and energy-efficient development toward the city centre.

Housing ownership for the low-income population would require various measures to reduce their financial risks. Collective ownership such as coops with the possibility of equity accumulation and individual share of dividends would certainly be preferred for those who are at a lower income scale. The first home-buyers would be given financial aids for their initial equity investment and that financial aid should be sufficient to cover the equity requirement for existing housing. There should be a particular assistance to low-income ownership such that it can avoid the fluctuation of lending conditions in the mortgage market.

Our housing welfare will be compromised if we live in a neighbourhood in which the incidence of urban crime is relatively high. Natural disasters such as flooding, earthquakes and ice storms, for example, radically change our welfare state, though they are more the exception than the rule. Contagious diseases such as cholera and the bird flu can fatally affect the safety of urban environments. The modern housing movement and planning emerged partly as a public control for the hygienic conditions of the urban environment and that public control is still a major part of today's planning through regulatory measures. A safe environment is an essential component of urban welfare which should be distributed equally to all citizens; in a just society, it would not make any sense that its citizens have unequal safety.

Along with the increasingly urban population, the way that we organise and live in cities produces increasingly important impacts on natural resources and the environment

which deeply affect human welfare of both the present and future generations. Suburban sprawl, low-density and energy-inefficient development and increasing transportation by private cars are urban sources of an unsustainable environment, which we can and should alter through planning. It is through planning for a sustainable environment that we can fairly share a clean environment and natural resources among us, with others and with the generations yet to be born; indeed, equal welfare by a sustainable environment should be considered as a human right, an extension of civil liberty.

We qualify some urban environments as beautiful, and others as ugly. The beautiful environment provokes our empathy, revitalises our spirit, and makes our community life meaningful. We propose that the beautiful urban environment be an essential component of urban welfare which should be distributed equally. A beautiful sidewalk, for example, can be large enough for comfort, well paved for those who have reduced mobility, cleared of obstacles for blind persons, planted with mature trees and so on. Beautiful parks, green corridors, urban squares, public art and majestic boulevards with articulated architectural façades etc. are other examples that fashion the beautiful urban environment for which we have been searching in modern urban society.

***Principle 2 – Egalitarian Planning requires, first of all, the constitution of a planning assembly composed of all citizens who are affected by both the external good and the external bads of a planning project.***

A land-use project can provoke, through their competitive advantages and externalities, changes in the existing distribution of welfare among those who are affected

by the project. In a democratic society, those who are affected by the project will constitute a general assembly to deliberate the goodness and the fairness of the changes and to give its consent to the implementation of the project. Let us call the general assembly the 'planning assembly.' The constitution of an *impartial planning assembly* is the first step towards egalitarian planning.

The fixing of a just boundary of the planning assembly has to be a function of both the external goods and the bads of land-use. Those who are positively affected by the project will necessarily be its defenders, while those who are negatively affected will reject or modify it; the equal presence of both parties will make the constitution of the planning assembly impartial. The exclusion of any of them will be a deficit of democracy and can make the collective decision unjust; in an impartial boundary, we expect that external bads of the project would be fairly internalised and the external goods would be fairly defended.

Why should we form the planning assembly, while we have a legitimate municipal administration? Why can we not let the administration make planning decisions? Why would the politics of public deliberation yield just land-use decisions? Representative democracy is probably the only practical way of forming a government and making collective choices which can fairly represent the interests of different groups<sup>9</sup>. However, representative democracy is inherently an imperfect democracy; the decision rule by a majority inevitably excludes the minority and can engender public bads to minority

groups by un-representing or under-representing their concerns in planning and policy decisions. In Montreal for example, minority groups such as the poor, the homeless, handicapped persons, and the newly arrived poor immigrants and their housing and urban needs are represented in planning and policy decisions either inadequately or not at all in general.

We previously argued why we should appeal to deliberative democracy in planning. The citizens' direct participation in making collective decisions would make their political influence more equal than the indirect influence by representation and minimise the deficit of democracy resulting from no or inadequate representation.<sup>10</sup> If a person is reasonable, she would be best represented by none other than herself. However, a direct participation alone does not necessarily lead us to the common good; we have to appeal to deliberative reason. Deliberative reason implies that, to be effective in the politics of deliberation, participants would have to argue mutually in acceptable terms by others; the search for mutually acceptable terms would be the very source of the egalitarian concern that deliberative reason bears.<sup>11</sup> The politics of the face-to-face communication among competing parties would facilitate a fair understanding of each other and mutual interests between competing interests. A very serious problem of planning in today's segregated cities is that the upper-income classes do not have and probably do not want to have opportunities to meet the lower-income classes; they live in different neighbourhoods, they commute by different transportation modes, they send their children to different schools, and they eat in different restaurants. They simply do not know each other and we

think that the increasing differences and distances between social classes are uncivilised.

The boundary of the planning assembly and its membership should be impartial in order that its deliberation outcomes be just. For example, when environmental issues are at stake, the boundary of a local planning assembly can be inadequate; environmental effects can spill over beyond the boundary of a city, a region and the continent. Accordingly, the boundary of an adequate planning assembly for environmental issues must be regional, national and international to be impartial. In the case in which the local planning assembly should cope with environmental spill-overs, it should extend its membership to governmental and non-governmental organisations acting on behalf of environmental interests. They are the guardians of other lives and people in other places who are submitted to the environmental bads that we produce here; they are members of our local planning community. Stewardship can also be extended to community groups that defend those who are incapable or inadequately capable of defending their rights and interests such as children, the homeless and the mentally ill, among others<sup>12</sup>.

When we planners deal with regional land-use interests, such as major arteries, shopping centres and industrial parks, which involve inter-jurisdiction spill-over between municipal administrations, we need to constitute an inter-jurisdiction planning assembly. The presence of a larger number of municipalities in the North-American urban centres and the absence of adequate regional governance are the source of the inter-jurisdiction spill-over and injustice in producing urban goods and services. It is argued that the larger



number of municipalities constitutes a quasi market, which would be efficient in producing municipal goods and services<sup>13</sup>; indeed, the quasi-market explanation to a large extent approximates today's regional context of municipal governance. However, the quasi-market model cannot cope with the problems of inter-jurisdiction spill-overs and fiscal inequity; we still need strong regional cooperation to cope with those problems. Moreover, we argued that the urban source of environmental problems is suburban sprawl and unsustainable urban development and we need a stronger presence of the state to cope with sustainable urban development; we need a strong regional planning assembly not only to implement the state policies but also to initiate regional strategies for a sustainable environment. We should have hope in reasonable citizens and the politics of public deliberation to build a just and democratic city.

The scale of the planning assembly becomes an important issue most particularly when the assembly is permanent. To the extent that we appeal to deliberative democracy to create common projects, the idea of a permanent planning assembly is interesting because it is most likely that a permanent assembly is more appropriate for the elaboration of those projects than an *ad hoc* assembly. We expect that an efficient permanent planning assembly is most likely to be relatively small<sup>14</sup> and, preferably, fixed in physical space such as the agora in ancient Athens. The Montreal experience shows that an adequate size of community that can be appropriate for an efficient permanent assembly would be the *quartier*, which would correspond to the scale of the neighbourhood with community cohesiveness and territorial contiguity; the *quartier* scale

would be big enough to create economies of scale and, at the same time, small enough for the efficiency of deliberation<sup>15</sup>.

***Principle 3 – All citizens in the planning assembly should have equal freedom and equal political power of influence over planning decisions.***

In a just planning assembly we expect that citizens have equal freedom and exercise equal political influence on collective decisions; a planning decision will not be just if it is taken by citizens under unequal freedom and unequal political power of influence. Equal freedom and equal power of influence defines what Dworkin would mean by ‘political morality’<sup>16</sup> and what the planning assembly has to do to assure equal citizenship and to maintain equal democracy.

Donald Dworkin distinguishes two different rights to liberties: the right to equal treatment and the right to treatment as an equal. The former right is about an equal distribution of goods and opportunities; within the framework of the first right we can justify, for example, the principle of one person-one vote in spite of the general benefit that a different distribution of votes might work for. The latter is the right to equal concern and respect in the political decision about how goods and opportunities are to be distributed.<sup>17</sup> The present principle of equal freedom and equal power of influence corresponds to the second case of right to liberties; we expect that the planning assembly defends the citizens’ right to equal concern and respect and conceives policies and

programmes that would help us to get as close as possible to the ideal of equal freedom and equal political influence on planning decisions.

Social demands for deliberative democracy in Montreal in the past emerged from those who were oppressed by landlords in the rental market and developers in the redevelopment market; we propose to understand those demands as the claim for the liberation from their oppression, as the claim for equal freedom and an effective equal political power. From this understanding we can see the legitimacy of modern planning in market liberalism as the claim for the liberation of those who are oppressed by various urban circumstances including insufficient political resources compromising equal citizenship.

The claim of the oppressed to be free from the oppressor has been a dominant pattern of political history that we repeatedly observed in different contexts: former colonies wanted liberation from colonial power and an independent nation; workers wanted to be free from their unjust wages and working conditions; social housing meant the liberation of the low-income population from unhealthy and inadequate housing conditions; renters claimed rent control to be free from unreasonable rent hikes and other landlord abuses. We are also entangled in various oppressive social relationships - emerging from inter-human differences such as culture, race, gender and sexual orientation. The claim for equal freedom is the claim for equal justice, a claim of liberation from unjust social relationships<sup>18</sup>.

The liberation of the oppressed from oppression did not come without their political battles against the oppressor, for example; the workers gained rights to form their labour union and to negotiate for decent wages and better working conditions, even after bloody struggles in many instances; the tenants in Montreal got rights to appeal to the Rent Control Board for its mediation against unreasonable rent hikes and landlord abuses through their enduring political demands. Rights to public deliberation in Montreal would be obtained only after the MCM earned victory in the 1986 election. The reason why we propose the politics of public deliberation in planning is to provide citizens with fair opportunities to exercise their rights to equal political influence on planning decisions.

The planning assembly as the place for urban politics will change the traditional way of exercising political trading and influence. We do not have to prove that in Montreal, for example, political power is closely linked to business interests particularly in the real estate and construction industries through campaign contributions to municipal elections. On the other extreme of the continuum, the low-income population and renters, for example, exercise relatively little influence in urban politics. Within the planning assembly, both those with business interests and poor people have to face each other with equal opportunities of deliberation and equal power of influence in making planning and policy choices.

Unequal opportunities of deliberation due to resource inequality in market liberalism are undoubtedly a crucial source of unequal political influence over collective

choices. Suppose that a poor single mother who often works late evenings eagers to exercise her rights to citizenship. But, it is challenging for her to exercise it, if her citizenship is more than to vote every four years. Even if she finds time to go to the planning assembly, who is going to pay for for babysitting? Moreover, if she wants to prepare her participation, she would be likely to meet her neighbours prior to the assembly, to prepare a common strategy. She is not at all fictitious in Montreal; many women and men within citizens' committees and renters' association spent countless evenings and sacrifice their valuable times to enrich our citizenship and to create the democracy we now enjoy. Her equal power in public deliberation means that she should have resources for the formation and participation in civil societies and political parties including, among others, resources for babysitting and researches.

We may have a reasonable doubt that the deliberation result would not be equally influenced by unequal participants in terms of their talents and skills as well as their respective autonomy or self-respect. The talent inequality would ethically not matter in evaluating the equality of political influence; we would not say that a deliberation outcome is unequally influenced, because the participants make unequal contribution due to their talents.<sup>19</sup> But, the autonomy inequality would matter; we might say that a deliberation outcome is unequal if participants are uneven in their respective autonomy.<sup>20</sup> The very conception of modern citizenship is related to the discovery of the individual person as an autonomous moral agent and, indeed, egalitarian planning would require that each citizen be transformed into an autonomous moral agent. It is precisely for its

potential for individual citizen to learn how to be an autonomous agent, the citizen, that we propose the politics of public deliberation in planning; in this perspective, the planning deliberation is a source of democratic progress *per se*. The citizen has rights to autonomous moral agency and, ultimately, to enlightened citizenship; the planning assembly should create policies and programmes to help citizens to exercise those rights that are increasingly compromised in today's market capitalism.

***Principle 4 – Planning decisions in the planning assembly should be unanimous***

We argued that a non-consensual planning decision can induce external bads to minorities; a just planning assembly would not inflict those external bads to its members and a way to avoid them is to require a unanimous planning decision, over which all members of the planning assembly exercise equal influence. The unanimity rule of planning choice would preserve the impartiality of the planning assembly and the rule would create unity and loyalty among its members.<sup>21</sup> We propose to keep, for the moment, the unanimity rule on our heuristic horizon of egalitarian planning; we will observe unanimity rule in practice and come back to this principle later in Chapter 6.

Indeed, in a pluralist city such as Montreal, the politics of the planning assembly would largely consist in making choices among competing interests and different planning options; from practical point of view, we would probably have no other choice than the majority-rule of decision.<sup>22</sup> Moreover, a strong argument for majority-rule suggests that planning by the majority-rule will maximise the self-determination of a

society; the unanimity requirement is likely to create an unbearable delay in social decisions and, consequently, to make the society self-undetermined.<sup>23</sup> We previously suggested that the majority rule is compatible with planning for social-benefit gains; an increasing number of individuals in today's market capitalism certainly would tend to be more utilitarian than egalitarian and to vote with options for economic benefits rather than with egalitarian options.<sup>24</sup>

While we may claim planning by majority rule because of the practical burden of majority rule in pluralist democracy, we can also claim planning by unanimity rule precisely because we need social consent in pluralist democracy. Public deliberation is essentially a process in which we can learn about how to together create common goods in planning and we can build social consensus; the unanimity requirement would facilitate the creation of common goods and the equal political influence on collective decisions in the planning assembly. There are also other arguments for unanimity rule: First, some planning tools such as the city plan and vision statements have 'constitutional impacts' such that they change the future of a community in a global and profound manner, determining why and how the community should shape its city. The city plan, for example, provides general objectives and rules of urbanism that govern planning tools and practices; the city plan would be partial if it were not unanimously supported by the community as whole. To the extent that planning decisions are of a constitutional nature, the unanimous rule of choice would be preferred to the majority rule<sup>25</sup>.

We argued that the urban land-use projects inevitably implicate multiple goals and the complexity of multiple goals increases in central city areas where the social demands of land-use are greater. One way of simultaneously achieving multiple goals in land use would be to obtain a unanimous social consent among competing parties. In market capitalism, the land-use decisions are dictated by those who have market resources, according to the single criterion of profit-maximisation. In public deliberation, we will discover external goals and work out a common solution responding both to internal and external goals. In the case of the Ville-Marie Expressway extension project, which we discussed as an example of planning for deliberative democracy in the previous chapter, a just decision of the planning assembly will consist in simultaneously achieving its three major goals - the project goal of transportation as well as the external goals of a clean environment and a higher quality of life. That just decision would require a unanimous consent among the competing parties.

Citizens who are in the planning assembly are more likely to be those who are oppressed, either unprivileged or excluded, in the marketplace; they would come to the assembly to be able to say an effective nay to the oppressors, to claim their rights to better housing and urban environment, and to be able to build their common city. Those who have market resources would always have the option of exit, they often advance threats of exit and they simply quit the market if that market is unprofitable<sup>26</sup>. Market capitalism has no loyalty to a particular market. Those who do not have adequate market resources would not have other choice than to come to the deliberation to claim their



equal share of social goods. The unanimity rule would provide them with fair political opportunities to defend their respective interests. The decision rule gives to minorities a veto power.

***Principle 5 – The external bads of a planning project should be avoided or minimised as far as possible and the welfare loss resulting from remaining bads should be compensated.***

The land-use market inevitably produces external bads and we have to engineer some way to justify those external bads, if we want an ethical market. Compensatory repair would be ethical if external bads are evaluated by all concerned parties in the planning assembly and they agree on a compensation scheme. We propose compensatory repair as a necessary condition for egalitarian planning.

Suppose that you love playing drums. If you live in the dense Plateau and play drums in the late evening, you are most likely to oppress your neighbours' liberty by disturbing their quiet evening and to face their legitimate claim of liberation. According to our egalitarian ethic, you cannot enjoy playing drums that restrains your neighbours' liberty. In this case, there is no contingent solution; either you sacrifice your pleasure at different times of the day or you move to the country. When a housing project cannot fully meet parking requirements because of site constraints, the project is often required to provide compensatory payments for the lack of parking spaces. This case presents a contingent solution which consists in producing parking spaces in the neighbourhood. To

the extent that the planning assembly provides its consent to the solution, the compensatory payments will be justified.

The contingent solution is probably what the developer in the real estate market might generally prefer to internalise the public bads; she is most likely to maximise net benefits of her project according to the cost-benefit reasoning. She is likely to compensate for public bads as long as she can maximise the project benefits. However, an ethical market would require that external bads be minimised in the process of design review; the less public bads a project engenders, the more ethical the project and the less difficult social consensus would be.

We remarked that suburban growth in Montreal has been the principal source of the destruction of wet lands, fossil energy consumption and their environmental consequences. This principle of egalitarian planning implies that we must avoid the environmental bads and, when we planners have to justify them, we should compensate for them. City planning failed in coping with environmental bads. We propose to take sustainable urban development seriously. We propose to establish a planning and design guideline for sustainable development as well as environmental impact studies for all urban and suburban development projects such that environmental criteria guide city growth. As we previously required, the state should take leadership in establishing planning and design guidelines and we need a strong regional leadership in implementing those guidelines and the environmental impact evaluation of development projects.

Within the guideline for sustainable development and the impact evaluation we propose to introduce environmental contingency requirements. When a wet land can be compromised in a suburban development project, we think that the developer should compensate for the loss of wet land either by creating a comparable wet land elsewhere or by providing compensatory payments in general environmental funds, which can be used to alleviate the environmental loss<sup>27</sup>. In addition, we think that we should require that suburban growth assume its fair share of the social burden of suburban expansion; we should be able to charge compensatory fees to new suburban development, which would reflect a fair share of social costs for interurban infrastructures and a sustainable environment.

While we minimize environmental bads in planning, we can maximize environmental good; planning for the external good would certainly be more entrepreneurial than planning by control. Mayor Drapeau welcomed the redevelopment of his city centre principally for economic and fiscal reasons; he was probably not much aware that his downtown development policy would limit a suburban growth and produce environmental opportunity gains in the absence of that suburban growth.

***Principle 6 – If a planning project causes the loss of social land-use opportunities, that loss should be compensated out of the project profits.***

This principle requires that the planning assembly assess and make accountable the loss of land-use opportunities that a planning project implies. Those who have control

over market resources will always have privileges on the best options which are most likely to make them still better off. Those privileges simultaneously engender the loss of land-use opportunities among those who are underprivileged in the market simply because they do not have competitive market resources. That loss is certainly a public bad that an ethical land-use market would internalise.

Urban land in particular is a resource that bears deep social implications. The supply of urban land is fixed and the social demands of land-use for a given location increase in relation to its distance from the city centre; therefore, the city-centre locations necessarily embed multiple goals and potential losses of land-use opportunities. Urban land-use projects require substantial capital investments such that most ordinary people are excluded from the production market; they do have control over the production of their city only through land-use regulations. Market price is the single most powerful guide for the allocation of urban resources; therefore, they radically limit land-use options. We argued that urban rents can be monopolistic, 'thick,' by public interventions and unearned; therefore, they can be a source of unjust income transfers.

Large-scale investments in the urban real estate market, particularly for downtown offices and other commercial properties, require both equity investment and the involvement of the financial capital, which are accessible only to a very small number of capital owners. Today, they are increasingly big, borderless, often transgressing into local social constraints, interested only in the maximisation of profits. They control the best

opportunities and the best locations and they dictate urban development according to their terms, on an increasingly global scale. The rule of compensation for the loss of social opportunity would face many threats from investors and developers; they will argue that their profit margins are too thin and, therefore, they have to go to a more profitable market. Their cronies at city hall will argue that their exit will result in the loss of employment opportunities, economic development and municipal tax revenues. They will go anyway to such a market if there is more money to be made there, as they are now doing in rapidly urbanising cities in developing countries. They have entrepreneurial and financial resources to build the city but we do not have to retain them at any social cost. We should build a good and beautiful city.<sup>28</sup>

One typical market approach to cope with the presence of multiple goals in land-use decisions in Montreal has been mixed land-use; the mix in the *places* is certainly better than a mono-functional urban space and eases land-use pressures, particularly in the downtown areas. One dominant pattern of mixed land use in Montreal has been the combination of retail shops on street level and housing units on upper levels in a plex structure that we can find on most of the traditional commercial arteries. In today's downtown, we frequently observe the mix of office activities on upper levels with retail shops on ground or underground levels, as well as underground parking accessible to the public, depending on the economic opportunities of a mixed land-use<sup>29</sup>. The market also created the dramatic underground network and inner public places in Montreal.

This egalitarian planning principle demands a redistribution of income and wealth from those who have privileges to those who have no privileges in the land-use market. This planning principle would well fit into the claim of equal opportunities for welfare; equal land-use opportunities are obviously crucial for improving housing and urban welfare among the unprivileged urban population. This principle would also be compatible both with Rawls' ideal of equal opportunities and the Nielsenian planning for equal welfare; while Rawls would appeal to the fair share of land resources, Nielsen would want that housing and urban welfare be equally distributed among the urban population.

We also want to emphasise that urban land is a basic social resource for urban welfare, without which human fulfilment would be compromised; therefore, equal access to urban land would be a human right, a part of civil liberty. We as a society should be able to ensure that all citizens have equal opportunities of land use.

***Principle 7 – If a planning project produces an outstanding social good that largely exceeds external bads, the project should be justified.***

This principle requires that the planning assembly compare project benefits with the external bads that a land-use project engenders. It can be compared to the rule of public competitions by which a project of outstanding quality is awarded the right to be realised. When a land-use project presents an exceptional contribution to the quality of the urban environment, the project could be justified, in spite of its external bads and social

opportunities foregone. The planning assembly should look at the net benefits as the single criterion of its decision. This principle is designed to encourage the market to produce *innovation* and *entrepreneurship* in shaping the urban environment<sup>30</sup>.

Planning and design require long-term visions because they can engender community benefits and sacrifices for a whole generation, if not several generations. Montreal inherited some of the visions that modern planning produced: for example, we had the Garden City movements<sup>31</sup> and we created several parks in the tradition of the grand urban parks including Mont-Royal Park designed by Frederic Olmstead. Recently, private entrepreneurship brought interesting projects such as Place Ville-Marie, designed by I. M. Pei, and Westmount Square, a signature building of Mies van der Rohe, both of which add an outstanding value to the Montreal landscape in terms of architectural quality; indeed, Montrealers love them and are proud of these architectural beauties.

This egalitarian principle suggests that external benefits and costs of a project should be evaluated and channelled to the planning assembly for its deliberation and decision. The cost-benefit analysis is certainly helpful but, if the planning assembly does not want to be dictated by its rule of decision, it can prepare either the Planning Balance Sheet or the Goal Achievement Matrix; both methods would facilitate planning debates and decision. However, even in the absence of a rigorous cost-benefit analysis, we always have tendency to talk in terms of an intuitive approximation of social costs and benefits if we want a reasonable debate; we propose to take such a cost-benefit talking

seriously. We as members of a planning assembly would try to understand the nature and extent of the external costs and external benefits that a project generates; we would use our best knowledge and convictions in order to figure out those costs and benefits. In the course of deliberation, some might adjust their initial positions under the influence of others' perceptions as well as in function of factual information; we think that it is through mutual adjustments that the quality of information can be improved and the possibility of mutual consent can increase. The members might invite experts in order to discredit unreasonable information and convictions and to add more credibility to reasonable information and convictions. They would necessarily deal with intangible costs and benefits and compare those costs and benefits with other costs and benefits such that they outweigh an exceptional architectural beauty such as the Mies van der Rohe in Montreal. What we suggest here is that entrepreneurship and innovation are social goods that the planning assembly should encourage if it wants a vital society.

The present principle is egalitarian in the sense that the principle is *fair* to those who bring an exceptional creativity and entrepreneurship and the community as whole can also enjoy the benefits of such a creativity and entrepreneurship; this principle is compatible with the Difference Principle. If we want to bring welfare growth to our heuristic horizon, we need them and we need to motivate them, as long as other egalitarian planning principles are simultaneously applied. However, this principle should not be considered a general rule of planning decisions; it should be applied when an exceptional quality or exceptional contributions are at stake. The principle implies that



we expect an unusually high consumers' surplus and that the greater the consumers' surplus of a project, the greater the number of those who support the project.

We criticised Mayor Drapeau for his supporting the redevelopment market, ignoring its distributive impacts on the urban poor and compromising urban democracy. However, a very large part of the public still admires him for his exceptional entrepreneurship which made possible the construction of the Metro and the organisation of Expo 67 and the 1976 Summer Olympics in Montreal. The controversial Olympic stadium, which cost ten times more than the initial estimation of its costs and was undoubtedly very regressive in terms of its cost-benefit distribution, is now the trademark of Montreal. Indeed, he had a vision and he changed Montreal forever.

## NOTES

<sup>1</sup> We already mentioned that the Marxian scholars such as Henri Lefèvre and David Harvey have been much central in raising egalitarian issues in planning. The term 'equity planning' entered the planning lexicon probably in the 1970s and was appraised as a planning paradigm, particularly in association with a Cleveland planning experience, which brought social equity into planning choices as the guiding principle; see N. Krumholz, J. M. Cogger and J. H. Linner, The Cleveland Policy Planning Report, (*AIP Journal*, September 1975, pp 298-304); for more about the Cleveland experience and a theoretical discussion on equity planning, N. Krumholz and J. Forester, *Making Equity Planning Work: Leadership in the Public Sector*, (Philadelphia: Temple University Press, 1990). For a pioneering study on the deliberative ethic in planning, see John Forester, *Planning in the Face of Power*, Berkeley: University of California Press, 1989; *The Deliberative Practitioner: Encouraging Participatory Planning Processes*, (Cambridge, Mass.: The MIT Press, 1999). For a comprehensive discussion on the planning-moral philosophy nexus, see Sue Hendler (ed), *Planning Ethics: A Reader in Planning Theory, Practice, and Education*, (New Brunswick, N.J.: Rutgers, The State University of New Jersey, 1995). For an interesting application of Rawls's Difference Principle in a planning problem by a philosopher, see Randal Marlin, Rawlsian Justice and Community Planning, (Sue Hendler (ed.), *Planning Ethics*, op. cit., pp 141-153).

<sup>2</sup> For a pioneering work on land-use ethics and, most particularly, from the environmental point-of view and from the perspective of land-use rights, see Timothy Beatley, *Ethical Land Use: Principles of Policy and Planning* (Baltimore: The John Hopkins University Press, 1994).

<sup>3</sup> For the housing-health relationship, see, for example, Brent Moloughney, *Housing and Population Health-The State of Current Research Knowledge*, Ottawa: Canadian Institute for Health Information, 2004.

<sup>4</sup> For the relationship between the origins of town planning and the liberal state, see L. Benevolo, *The Origins of Modern Town Planning* (Cambridge, Mass.: The M. I. T. Press, 1971).

<sup>5</sup> Quebec began its deregulation and budgetary cuts in building inspections in early 2000. The 1985 Building Code of Quebec quietly underwent several amendments (Décret 952-2000, 953-2000 and 954-2000) that transfer the responsibility for building security to the architect and the constructor and the responsibility for maintenance to the owner. The RBQ (Régie de bâtiments du Québec) or the Montreal city administration by delegation was responsible for the application of the Code. The conformity of a building to the Code is now judged by those who build the building.

<sup>6</sup> See Jane Jacobs, *The Death and Life of Great American Cities* (New York, N.Y.: Vintage Books, 1961).

<sup>7</sup> Nozick suggests a 'pay-back market'; a greater demand for the payback of the external good would create a competitive market. Since the market price of the external good is likely to be lower than the maximum price which a consumer is willing to pay, there will be a consumers' surplus. This consumers' surplus would be the benefit of living together in society. The landscaping of the front gardens in home owners' neighbourhoods can be considered as a pay-back market; you would pay me back with a front garden for your enjoying my front garden. Another example can be the mutual protection against crime in ethnic neighbourhoods, which Jane Jacobs observed (See Jacobs, *op. cit.*); your seeing a crime and immediately calling the police produces external benefits (a safe environment) to others and others will pay back these benefits to you because they expect that you will pay them back, further lowering the market price. We think that the pay-back market is an important byproduct of housing ownership, which must be a complimentary measure to planning to reduce its social costs. Nozick would suggest that the payback market would be a sufficient reason *not* to plan. See Robert Nozick, *Anarchy, State, and Utopia*, (Oxford, G.B.: Basil Blackwell, 1974), pp 280-281.

<sup>8</sup> In the 1950s and 1960s, federal housing policy was directed towards housing starts in suburban cities. It had two mixed objectives, economic stimulation and housing needs (mainly because of the baby boom). The housing objective was based on the wide-spread belief in the theory of filtering; it was presumed that new housing would create a chain of substitution successively between different income groups such that low-income families could afford a standard housing at the bottom of the chain. Accordingly, housing programs were created to assure the flow of the mortgage money into the production market in suburban cities. For a good discussion on the filtering process and its limits, see, for example, William Grigsby, *Housing Market and Public Policy* (Philadelphia, Pa.: University of Pennsylvania Press, 1963).

<sup>9</sup> For arguments on representative democracy, see, for example, Robert A. Dahl, R., *Democracy and Its Critics*, (New Haven: Yale University Press, 1989), Chapter 10 (pp 135-152); Iris Marion Young, *Justice and the Politics of Difference*, (Princeton, N.J.: Princeton University Press, 1990), Chapter 6, pp 157-191.

<sup>10</sup> For a general view on participative reason, see, for example: Carole Pateman, *Participation and Democratic Theory*, (Cambridge: Cambridge University Press, 1970); Iris Marion Young, *op. cit.*; with particular reference to a recent experience in Montreal, Dimitrios Roussopoulos, The Case of Montreal, Roussopoulos, D., and C. G. Benello (eds), *Participative Democracy: Prospects for Democratising Democracy*, (Montreal, Qc: Black Rose Books pp 292-324).

<sup>11</sup> In this thesis we closely follow Joshua Cohen's arguments on deliberative reason in the following two articles: Procedure and Substance in Deliberative Democracy, (Seyla Benhabib (ed), *Democracy and Difference: Contesting the Boundaries of the Political*, Princeton: Princeton University Press, 1996, pp 95- 119); Deliberation and Democratic Legitimacy: Moral Pluralism and Political Consensus, (Copp, D., J. Hampton, and J. Roemer (eds), *The Idea of Democracy*, Cambridge: Cambridge University Press pp 270-291).

<sup>12</sup> Peter Brown distinguishes market goods from "bio-diversity, rights, needs, merit, sacred and fiduciary goods" and he sees social cooperation as a trustee having fiduciary responsibility to preserve and enhance those 'non-market goods.' Environmental organisations and community groups acting on the behalf of vulnerable groups of people claim a fiduciary responsibility and we

---

think that the claim is an important source for making the planning assembly inclusive. See Peter Brown, *Restoring the Public Trust*, (Boston, Mass.: Beacon Press, 1994).

<sup>13</sup> Tiebout suggests the model of the *quasi-market*, in which each voter's preference for local public goods would be satisfied efficiently without monopoly by a central government. In this model, each voter is a 'local government' and the mayor or city manager would be a 'broker' to match the demand and the supply of local public goods. The quasi-market model explains well why the number of municipalities has been growing along with the suburban expansion and why we planners have not been very successful in planning regional goods and services in urban regions such as the Montreal region. See, for the quasi-market model, C. M. Tiebout, A Pure Theory of Local Expenditures, *Journal of Political Economy* 64, pp 416-24, 1956. However, the quasi-market model cannot explain why each voter should co-operate with other voters to comply with planning requirements for a sustainable environment. As long as multiple municipalities compete with each other for more housing and for more job sources through various incentives, it is unlikely that we can make progress toward regional governance for a sustainable environment.

<sup>14</sup> The community scale has been studied in economics with respect to the production of public goods: see, for example, Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups*, (Cambridge, Mass. Harvard University Press, 1965). Olson would suggest that small municipalities are more likely to be efficient in producing public goods.

<sup>15</sup> In many respects Montreal is an amalgam of *quartiers*, which are also called "*petites patries*" with passion; Montrealers identify their neighbourhood in terms of the *quartier*. To see how Montreal was constituted by *quartiers* at the turn of the 1990s, see Ville de Montréal, *Mémoire sur le découpage administratif du territoire de la Ville Montréal*, (Cambridge: Harvard University Press, 1977), 1988.

<sup>16</sup> According to Donald Dworkin, political morality requires: "Government must treat those whom it governs with concern, that is, as human beings who are capable of suffering and frustration, and with respect, that is, as human beings who are capable of forming and acting on intelligent conceptions of how their lives should be lived. Government must not only treat people with concern and respect, but with equal concern and respect. It must not distribute goods and opportunities unequally on the ground that some citizens are entitled to more because they are worthy of more concern. It must not constrain liberty on the ground that one citizen's conception of the good life of one group is nobler or superior to another's. These postulates, taken together, state what might be called the liberal conception of equality; but it is a conception of equality, not of liberty as license, that they state." See Donald Dworkin, *Taking Rights Seriously*, (Cambridge: Harvard University Press, 1977), p 273.

<sup>17</sup> Dworkin argues: "Citizens governed by the liberal conception of equality each have a right to equal concern and respect. But there are two different rights that might be comprehended by that abstract right. The first right is the right to equal treatment, that is, to the same distribution of goods or opportunities as anyone else has or is given. The Supreme Court, in the Reapportionment Cases, held that citizens have a right to equal treatment in the distribution of voting power; it held that one man must be given one vote in spite of the fact that a different distribution of votes might in fact work for the general benefit. The second is the right to treatment as an equal. This is the right, not to an equal distribution of some good or opportunity,

but the right to equal concern and respect in the political decision about how these goods and opportunities are to be distributed.” See Dworkin, *op. cit.*, p 273.

<sup>18</sup> In libertarian tradition freedom is understood as rights to non-interference, which is also called negative freedom. One’s right to non-interference implies that she should rely only and only on her own resources; otherwise, she is not free. Any interference in her affairs by others including the state will be unjust because her freedom will be violated. During the Parliamentary debates on an amendment of the Poor Law in England, in the 19<sup>th</sup> century, the libertarians argued, amid increasing urban poverty, expanding unhealthy slums and the death tolls from slum-born infectious diseases, that helping the poor is against their moral good of self-help (See John Nelson Tarn, *Working-class Housing in 19<sup>th</sup>-century Britain*, London, G.B.: Architectural Association, 1971, Chapter 1). This conception of freedom requires that the source of freedom be one’s moral virtue of self-help and her choice should be free from others’ interference. We do not think that freedom is a moral claim; freedom is rather a *political* claim that emerged from the historical and social context of slavery and oppression. To the extent that freedom means liberation from unjust oppression, what is at stake is not the virtue of self-help, but social justice for equal respect. The irony was that the Parliamentarians were probably mostly those who had inherited their properties and, therefore, they were unlikely to know much about the virtue of self-help.

<sup>19</sup> One may argue that unequal capabilities of deliberation among individuals are a source of unequal political influence over planning and policy choices. Suppose that A has a better capability of communication and public debate than her counterpart B. For A to exert influence on their collective decisions, her best strategy would be to listen to B and argue in acceptable terms by him; her success in public debates will depend on her capability to reflect his view in her arguments and their final decision. As long as B’s view is taken into account in their deliberation and final decision, we can consider that their arguments are mutually reflective and their respective power of influence remains equal.

<sup>20</sup> Judith Baker argues that formal political equality does not guarantee equality of influence on policy decisions and an effective political influence requires self-respect, the moral quality of an autonomous agent. For her arguments on the relationship between self-respect, formal equality and effective influence, see Judith Baker, *Democratic Deliberations, Equality of Influence, and Pragmatism*, (C. J. Misak (ed), *Pragmatism*, Calgary: University of Calgary Press, 1999, pp 253-272).

<sup>21</sup> The impartiality of the planning assembly is a crucial ethical issue in planning; the impartiality would provide the planning assembly with credibility and confidence required for each member to join and to deliberate. We propose the unanimity rule of collective choice as a way of achieving the impartiality of the planning assembly; another way was the composition of the assembly (the 2<sup>nd</sup> principle). Thomas Nagel argued; “The pure ideal of political legitimacy is that the use of state power should be capable of being *authorised* by each citizen- not in direct detail but through acceptance of the principles, institutions, and procedures which determine how that power will be used. This requires the possibility of unanimous agreement at some sufficiently high level, for if there are citizens who can legitimately object to the way state power is used against them or in their name, the state is not legitimate.” see Thomas Nagel, *Equality and Partiality*, (Oxford, U.K.: Oxford University Press, 1991), p 8.

---

<sup>22</sup> Joshua Cohen argues, "Turning to the ideal procedure, there are three general aspects of deliberation. There is a need to decide on an agenda, to propose alternative solutions to the problems on the agenda, supporting those solutions with reasons, and to conclude by settling on an alternative." Joshua Cohen, *Deliberation and Democratic Legitimacy*, op. cit., p 79.

<sup>23</sup> For other arguments, see Robert A. Dahl, op. cit., Chapter 10.

<sup>24</sup> We should distinguish the social-welfare-maximisation model from the individual-utility-maximisation model; the latter model presents the libertarian view that individuals want to minimise the costs and social cooperation. The libertarian model of social choice could be partial because it would ignore those who vote for reasons other than welfare maximisation. For the libertarian model of collective choice, see James M. Buchanan and Gordon Tullock, *The Calculus of Consent: Logical Foundations of Constitutional Democracy*, (Ann Arbor, Michigan: The University of Michigan Press, 1962).

<sup>25</sup> According to Robert Dahl, both J. J. Rousseau and J. S. Mill proposed the unanimity rule for the first constitutional decision (See Dahl, op. cit.). To the extent that the city plan implies a constitutional nature, we can justify the unanimity requirement for the adoption of a city plan; a city plan presents general planning ideals and goals which represent the kind of city that a community wants; those ideals and goals constitute the references for the detailed planning and the formulation of projects.

<sup>26</sup> Following Hirschman's theoretical framework, we can say that those who have market resources may not have to attend public deliberations in order to raise their *voices*; they could have city hall work to their advantage or they could always go to other markets for better profits. Those who do not have market resources do not have the option of *exit*; therefore, the politics of public deliberation is a crucial and probably the only option for them. For their common society, both the former's and the latter's, the loyalty of the latter is indispensable for the vitality of society. The former should come to the planning community if they want to be loyal to society. See Albert Hirschman, *Exit, voice and Loyalty: Responses to Decline in Firms, Organisations, and States* (Cambridge, Mass.: Harvard University Press, 1970).

<sup>27</sup> For contingent valuation in the case of environmental bads, see, for example, Greg Lindsey and Gerrit Knaap, Willingness to pay for Urban Greenway Projects, (*AIP Journal*, Summer 1999, pp 297-313); Amartya Sen, Environmental Evaluation and Social Choice, *Rationality and Freedom*, (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2002, pp 531-552).

<sup>28</sup> Molotch and Waner argue that social benefits of an adequate control are sustainable and beautiful urban environments. See Molotch and Warner, *Building Rules: How Local Controls Shape Community Environments and Economies*, (Boulder, Colorado: Westview Press, 2000).

<sup>29</sup> Place Bonaventure in Montreal presents the most dramatic case that would look for the economy of a mixed land-use; it includes, in a same structure, a hotel, a fairly large exposition space, office spaces, a shopping mall and a parking all connected to the Metro. The complex defined, along with Place Ville-Marie, a dominate fashion of mixed land use in achitecture in Montreal, prior to Expo 67.

---

<sup>30</sup> Quincy Market in Boston and Inner Harbour in Baltimore are praised as good examples of urban entrepreneurship in the United States; their development scheme is called “Rousification” because both of them were developed by the Rouse Corporation. For more about Rousification, see Hall, P., *Cities of Tomorrow (3<sup>rd</sup> Edition)*, (Oxford: Blackwell Publishers Ltd., 2002), Chapter 11, The City of Enterprise, pp 378-403. The Rouse Corporation also came to Montreal to work on the “Les Terraces” shopping complex at de Maisonneuve and McGill College Avenue; see Henry Aubin, *City for Sale*, (Montreal, Qc.: Éditions l’Étincelle / Lorrimer, 1977), pp 316-317. For a strong argument for and other cases of urban entrepreneurship in American cities, see Frieden, B. J. and L. B. Sagalyn, *Downtown, Inc.: How America Rebuilds Cities*, (Cambridge, Mass.: The MIT Press, 1989). However, the two projects of ‘Rousification’ require a study of distributive impacts; the Rousification was possible through public-private partnerships and, therefore, the public involvement cannot be justified only in terms of efficiency. It seems to us that the two projects are not as largely distributive as the Montreal option for its old port, which is quintessentially a public place, a park. Montreal Old Port has been immensely successful in terms of the number of visitors, among both its own citizens and outsiders; 5 to 7 million people visit the park every year. The Montreal option is certainly public entrepreneurship with inestimable value both for the present and the future generations. We want to remember that the Montreal option was possible because of a public consultation that mobilized citizens.

<sup>31</sup> For the Garden City movements in Montreal, see Jeanne Wolfe, *The Progress of Housing Reform: Three Early Experiments in Montreal*, (Montreal, Qc: School of Urban Planning, McGill University, 1981).

## 5. THE MCM PUBLIC CONSULTATION POLICY AND EGALITARIAN DEMOCRACY

*Democracy does not exist at Montreal City Hall, and this absence of democracy is the support of the anti-social policies of the municipal administration. We are never called upon to express our views on the problems affecting us, like the destruction of our neighbourhoods or of their green spaces by the cutting down of our trees, and the construction of high-rises. Once elected for four years, our municipal councillors no longer have to account to us and we do not have the necessary means to collectively make our demands carry weight.*  
(From the MCM manifesto 1974)<sup>1</sup>

The Montreal Citizens' Movement came to power with a high priority for participative democracy. In January 1987, a month after its election victory, it created the Permanent Commissions of the Municipal Council including one for housing and planning. These Commissions were followed by the Bureau of Consultation of Montreal or BCM (*Bureau de consultation de Montréal*) and the District Council Committees or CCA (*Comité Conseil d'arrondissement*) in December 1988. The Permanent commissions, the BCM and the CCA constitute three main components of the MCM consultation policy, which would bring deliberative democracy to city hall between 1989 and 1994. In this chapter, we will study the CCA experiment in particular, in the light of egalitarian planning principles 2 (the constitution of planning assembly), 3 (equal freedom and power) and 4 (social consent).

In understanding the practical reasons that guided the experiment, we might also



question whether the egalitarian planning principles adequately respond to practical needs in democracy. We argued that we need principles to guide planning and we can improve those principles through trial and error. We propose to take the MCM experience in deliberative democracy seriously as a source of heuristic learning and progress towards egalitarian democracy in Montreal.

### **5.1. Evaluation Issues and Methodology**

The MCM administration created the CCA not only to make planning decisions more democratic, but more importantly, to develop local democracy<sup>2</sup>; it wanted both the instrumental and the intrinsic value of the CCA. We propose to evaluate the CCA from both instrumental and intrinsic points of view. The politics of public deliberation in planning, more particularly in land-use decisions, is claimed because public deliberation would provide citizens, particularly the unprivileged, with equal opportunities of influence over planning decisions and, thus, it would widen social consent on the decisions. In this sense, public deliberation is instrumental to just planning; it would disseminate planning information, reinforce equal opportunities for political influence, and widen public consent within representative democracy<sup>3</sup>.

The MCM was built on a platform of decentralisation of decision-making power and the ideal of the neighbourhood council; the ideal was central in its Manifesto in 1974

and in its electoral programs all the way down to the 1990 election<sup>4</sup>. The CCA was not a neighbourhood council but, still, it was designed for more than the instrumental value of deliberative democracy; it embedded the MCM ambition to transform Montreal into a more democratic society<sup>5</sup>. We argued that the politics of public deliberation have their own intrinsic value that would be a source of democratic progress; through an active participation in the politics of public deliberation we citizens would be freer and more equal and we are more likely to build a creative society, “spiral and open-ended” in Joshua Cohen’s terms.<sup>6</sup> Planning deliberation from this perspective would also be a source of democratic progress; as we argued, planning requires common goods and references and planning needs public deliberation to build them. From this intrinsic-value point of view public deliberation is an end in itself. We think that the distinction between the instrumental value and the intrinsic value of planning deliberation bears an important heuristic dimension in designing and evaluating an experiment of deliberative democracy. We will evaluate the CCA from both points of view, in the light of egalitarian planning principles. We will discuss the following evaluation issues presented in the Table 5-A:

**TABLE 5-A: Egalitarian Planning Principles and Evaluation Issues**

<i>Egalitarian Principles</i>	<i>Evaluation Issues</i>
<b>Principle 2 (The Planning Assembly)</b>	Participation, Boundary & Independence
<b>Principle 3 (Equal Freedom &amp; Power)</b>	Equal Opportunities of Deliberation
<b>Principle 4 (Social Consent)</b>	Unanimity Decision Rule

The CCA as a planning assembly raises an important ethical question concerning the impartiality of the planning assembly; the CCA assembly should be open equally to all those who are affected by planning projects. We propose to examine to what extent the CCA attracted citizens, who they were, and why they were attracted; these questions would help us in assessing whether the CCA was impartial. The correspondence between the scale of a planning project and the geographical boundary of the planning assembly affects fairness in internalising the public costs of the planning project; the CCA boundary was permanently fixed and, therefore, it could be too large for a project of relatively small scale and too small for a project of inter-district and inter-municipal scale. We will be interested in the CCA particularly from the intrinsic-value point of view; we will see if, indeed, the CCA have been successful in making democratic progress and creating a strong community. One crucial issue in designing a planning assembly from that point of view would be its autonomy or independence; we would not expect a dynamic democratic progress and a strong community in a non autonomous planning assembly. We will examine the CCA from the point of view of autonomy.

Equal freedom and equal political influence on collective decisions among citizens are the very reason why we look for deliberative democracy in planning in market liberalism. We argued that, in market liberalism, political power is unevenly distributed very much according to market power; citizens are not equally free, nor do they equally exercise political influence. A crucial ethical issue in designing the planning assembly for equal opportunities of deliberation and equal political influence is to ensure resources for

equal participation and deliberation as well as to provide the planning assembly with decision-making power such that the final outcome of deliberation is binding. We think that planning as a liberation project would ultimately require that power. We will evaluate the CCA from the equal-political-opportunity point of view.

A deep involvement, or *engagement*, in the politics of public deliberation must be a good source of learning how to be a self-respecting, enlightened and emancipated citizen; it is through political *engagement* that we citizens will learn to consider others as the source of our common good, to communicate with them and to build up together our society. In political *engagement*, we are certainly not alienated from others and we cannot maximise our private interests as we do in the marketplace. Yet, our opportunities for being a good citizen appear to be unequal; taking up an increasingly important portion of our time and energy by today's labour market, we simply do not have adequate time for our families and society in general and, in particular, our relative income and wealth would determine the unequal opportunities for human fulfillment, being a good citizen.<sup>7</sup> We will look at the CCA from the human-fulfillment point of view.

The third egalitarian principle requires that the planning assembly should hold its own vote for its deliberation outcome and its decision should be unanimous and binding. Voting is essential for the planning assembly as the expression of its independence and its preferences in planning decisions. All three institutions of public deliberation that the MCM Administration designed did not require any vote among the participating public.

The elected members in the cases of the Permanent Planning Commissions and the CCA and, in the case of the BCM, an independent panel assessed the public preferences and made their recommendations. The MCM Administration exceptionally applied both the voting and the unanimity rule of decision in the case of public consultation for the preparation of the City Plan. This case provides an opportunity to evaluate the unanimity requirement, in the light of that experience of deliberative democracy.

In the summer of 1988, the MCM Administration created the Council Committee on Public Consultation, or *Comité de Conseil sur l'énoncé de politique en matière de consultation publique*, to consult the public on its white paper on public consultation entitled "*Un dialogue à poursuivre*."<sup>8</sup> We will pay particular attention to different positions and arguments presented to the Council Committee by various community groups and citizens; we think that their critiques and counter-propositions are parts of the process of wide reflective equilibrium in which we all struggle to build our common goods in spite of our differences. We will reproduce, in this study, certain parts of their positions and arguments that represent moral concerns in deliberative democracy; we still struggle with the same moral concerns and issues today. There is another important reason why we want to take those moral concerns and issues seriously; they are a part of the history of urban democracy in Montreal that is shaped by common citizens. We argued that the history of urban democracy is very much the history of common people, the history of their struggles for equal freedom and equal citizenship; the *ex post* evaluation is a good way of writing planning history, the common people's history.

In evaluating the MCM experience, we will frequently compare it with the on-going Porto Alegre experience which is praised as a paradigm of deliberative democracy<sup>9</sup>. We want to emphasise the following reasons why we can and want to compare the two city experiences. We can rank them in terms of their relative efficacy in achieving social goals that are comparable such as, for example, quality of life, human rights, investment opportunities and economic welfare. We are not interested in that kind of ranking<sup>10</sup>. We are interested rather in explaining why and how the Porto Alegre experience could be more successful than the MCM policy or vice versa. Their experiences would provide interesting mutual opportunities for learning from each other's trials and errors; we can compare the goals, the design and the outcomes of those experiments on the same level, even though these two cities are separated by thousands of kilometres and by two different cultural, economic and social geographies. Both cities went through political struggles against oppression by urban market capitalism and political power and they both elected a progressive city administration. Both cities brought deliberative democracy into city governance and wanted to *liberate* and *empower* those who were oppressed. We propose to understand their experiments in deliberative democracy as a common liberation project. In spite of the distance and differences, they remarkably shared a common hope for democracy, which we think is the source of solidarity among the oppressed people in both cities and in cities in other continents.

Ji-Ha Kim, a Korean poet, foresaw that such hope would come from the "deep respect and love of life" "among common people in Asia, Africa and Latin America, who

are innumerable, forgotten and excluded,” and “who wander like ghosts in the sea of pains,” but “who have the wisdom to lie down before the wind blows and to stand up before the wind goes away.” He foresaw that they would create a new age where “inequalities between the strong and the weak, between the man and the woman, between the noble and the common, between the rich and the poor will disappear.”<sup>11</sup>

## 5.2. The MCM Policy for Public Consultation

The MCM policy for public consultation was not an isolated event in Quebec. The Planning Act, which the PQ government of René Lévesque instituted in 1980, had already required that all municipalities in Quebec adopt a city plan and zoning bylaws and, in that framework, they had to conduct public consultations. By the end of the 1980s, all regional communities, including the Montreal Urban Community, had a regional plan and most municipalities, including the MUC members, went through public consultations and the adoption of a city plan and zoning bylaws. Montreal was an exception because the City of Montreal was constituted by its own Charter and Mayor Drapeau did not believe in planning and public consultation. He did not go to Quebec in search of planning and public consultation provisions for the City Charter.

In designing its policy for public consultation, the MCM administration had a much greater and deeper ambition than the requirements in the Planning Act: while the

Planning Act limits the public consultation to the adoption and amendment of the city plan and zoning bylaw, the MCM policy extended it to other fields of municipal governance; while the Planning Act intends to make planning decisions more democratic, the MCM administration wanted to build a more democratic society. As we mentioned, the MCM administration published the white paper on public consultation policy and mandated the Council Committee on Public Consultation to conduct a public hearing on the white paper. More than thirty community groups and many citizens came to the public hearing to present their positions and arguments on why and how public consultation in Montreal should be. At the end of 1988 the MCM administration proceeded with the creation of the CCA and the BCM.

The Permanent Commissions of the Municipal Council were created to increase the direct participation of the public in the policy-making process. The idea of council commissions or committees is not new; what the MCM administration did was to make the council commissions open and permanent such that it could systematically consult the public on the city budget and other legislative matters prior to the final decisions. The MCM Administration created five Permanent Commissions: Administration and Finances; Planning, Housing and Public Works; Community Development; Economic Development; Cultural Development.<sup>12</sup> The idea of the Permanent Commissions was novel in their attempts to produce the synergy between deliberative democracy and parliament democracy in municipal governance; the impact of the Commissions on municipal democracy was yet to be evaluated.



The BCM was designed to organize public hearings, which would not be appropriate for both the Permanent Commissions and the CCA because the elected representatives would dispose “neither enough time nor necessary expertise.”<sup>13</sup> The BCM was composed of a president nominated by the City Council and a few Commissioners whose mandate was to organise public consultation at the request of the Executive Committee. The BCM invited an external independent panel to conduct public hearings and to make its recommendations at the end of the public deliberation. The panel would be generally composed of one or two persons who had both a good expertise in the field at stake, a high credibility with the general public and neutrality or impartiality on the hearing tribunal. In their presentations to the Council Committee on public consultation, both Jane Matthews Glenn, professor of law and planning at McGill University, and René Parenteau, professor of *Institut d’urbanisme, Université de Montréal*, remarked that impartiality is a condition for a fair public consultation<sup>14</sup>. Public consultation for the Master Plan of the Old Miron Quarry was one of the first experiences of the MCM administration with the BCM process.<sup>15</sup>

The MCM Administration created the CCA to initiate a direct citizen participation in municipal governance; if the Permanent Commissions bring the general public to the Municipal Council, the CCA was designed to bring the Municipal Council to the neighbourhoods within their local dynamics and diversity. The CCA was a permanent committee of the city councilors elected in a district. The MCM administration divided the city into ten districts, each with more or less one hundred thousand people<sup>16</sup>, and it

constituted the CCA for each district. The CCA held a monthly mandatory public meeting to study statutory objects such as amendments of zoning bylaws, projects by contractual zoning (the *Plan d'ensemble*), changes in street names and building demolitions among other things<sup>17</sup>. Beginning in 1991, for its second term, the MCM administration modified the mandates of the CCA: its statutory objects were extended to local traffic control; it was given decision power for naming public places and streets; its new mandate included studies on leisure and cultural programs according to local needs. The CCAs were given a total budget of \$1 million to be divided per capita to support community activities, commonly called the "TNC" (*Travaux non capitalisés*).<sup>18</sup>

The Council Committee wanted the CCAs to prepare the road for the implementation of the neighbourhood councils<sup>19</sup> but the MCM administration did not go that far. The MCM administration maintained the CCA and, for six years, it held the CCA assemblies, both mandatory and special, until the MCM lost power in the 1994 election. The incumbent mayor criticised the MCM policy of public consultation as a heavy bureaucracy and effectively abolished all three institutions that the MCM Administration created. If the MCM lost the election because of its policy of public consultation, that would indeed be a historical irony; Montrealers would reject the MCM for the same reason they had twice voted massively for the party.

### 5.3. The Porto Alegre Participative Budget

In 1989, when the MCM experience of public consultation began, the PT (Partidos dos Trabalhadores or the Workers' Party)<sup>20</sup> administration in Porto Alegre, Brazil, embarked on its Participative Budget (*Orçamento participativo*). The PT had succeeded in forming a leftist coalition and electing, in 1988, its candidate Olivier Dutra as mayor who instigated the Participative Budget.



Public Market:  
often the site for the assemblies

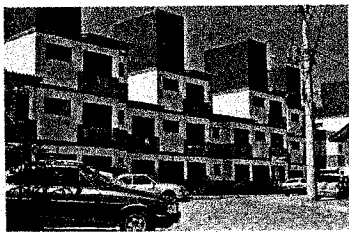
As the MCM victory in 1986 projected social hope for liberating the poor and renters from the oppression imposed by the redevelopment market and its allies at city hall, the PT victory in 1988 carried the social hope for liberating most particularly those who lived in the *Vila* from both market and political oppression. Porto Alegre has two different cities juxtaposed, one formal and the other informal or *Vilas*. The formal city was the exclusive domain of the elites and upper-class citizens, which was equipped with municipal infrastructures and services, while the poor who could not pay the rents in the formal city were forced to build by themselves the *Vila*<sup>21</sup>, in which most municipal infrastructures and services were absent. By the end of 1999, more than 22% of the city population was living in the *Vila*.<sup>22</sup>

When the PT came to power, it inherited badly mismanaged municipal finances and

the City Council was controlled by the right; it had to invent a new approach to govern the city from the left, but with a right-wing majority within the City Council, and with very limited possibilities for its constituencies. The Participative Budget was no doubt a political strategy to bring the PT electorate into municipal governance to make budgetary priorities for their needs and to counter the opposition in the City Council. The strategy worked, worked very well. The Participative Budget created an unprecedented opportunity for the residents of the Vila to exercise their political power of influence and to claim their fair share of city resources to improve their housing welfare, their neighbourhood environment and public services; traditionally, they were largely neglected in the allocation of budgetary resources.<sup>23</sup>

The Participative Budget now covers a wide range of municipal infrastructures and services including schools, day-cares, water supply, sewage, housing, garbage collection, and road paving among others.<sup>24</sup> In 1994, the PT administration added to the Participative Budget five 'Thematic Assemblies' covering city-wide municipal services including public transportation and traffic, education, culture and leisure, health care and social assistance, economic development and taxation, city organization, urban and social development. The MCM administration used the Permanent Commissions and the BCM as instruments of the citizen participation in the process of policy planning and preparing the long-term budgetary commitments; from that perspective, both mechanisms of public consultation were playing a role certainly comparable to the Thematic Assemblies in the Participative Budget<sup>25</sup>.

The Participative Budget has three main components in its structure, the neighbourhood assemblies, the Borough Assembly and the Participative Budget Council. The neighbourhood assemblies are the starting point; local priorities and projects are formulated and neighbourhood delegates to the Borough Assembly are elected. The Borough Assembly is the focal point to which the neighbourhood delegates converge and from which the borough projects are formulated and the borough delegates to Participative Budget Council are elected. The Participative Budget Council is the central body that assumes the inter-borough co-ordination and liaison with the city administration. The Participative Budget Council puts together the final projects and sends them to the Mayor and ultimately to the City Council for adoption. We want to emphasise that the Participative Budget is essentially a political process; these three stages are designed to organise the complex process of negotiation, bargaining and iteration among competing social groups, between neighbourhoods, between Boroughs, and between deliberative democracy and representative democracy.<sup>26</sup>



Condominio dos Anjos  
ex-Vila das Placas

By bringing deliberative democracy into municipal governance, both the MCM and the PT Administration intended to engage citizens, particularly those who were unprivileged and underprivileged, into the politics of public deliberation such that they can exercise their equal political power of influence on municipal governance and in the land-use market. As argued, the politics of public deliberation would redistribute political power of influence

among citizens that tends to be biased by the unequal distribution of market resources. The land-use market is excessively unequal in terms of distribution of market resources; therefore, we cannot expect fair land uses without political power of influence on land-use decisions. The Overdale project was also an attempt to internalise the loss of housing opportunities that the land-use market was provoking and we want to emphasise that that attempt was possible because a progressive party was in power and it brought the politics of public deliberation to land-use decisions. Porto Alegre also observed a case of compensation in a shopping centre development implicating a *Vila*; a developer paid the construction of housing units to compensate the loss of housing welfare among its residents. Again; a progressive city administration and the politics of the Participative Budget were instrumental to a fair sharing of land-use opportunities<sup>27</sup>. The Participative Budget has a much wider range of planning implications that are yet to be discovered than simply the allocation of municipal budgets<sup>28</sup>.

#### **5.4. The CCA as Planning Assembly**

*The CCA and Participation.* The CCA assembly did not produced any notable popular enthusiasm right from the start. Between the first CCA assembly in March 1989 and the last CCA assembly in September 1994, the MCM administration held more than 80 assemblies per year on average and it attracted less than 50 persons per assembly on average. Table 5-B presents the number of the CCA Assemblies and participants on

average per year, for the city total including all districts. The average number of participants per assembly for 6 years of experience was 49 and the yearly average numbers did not vary significantly. We think that the level of participants was considerably low, too low to be significant, for a district of more or less 100 000 people. Moreover, the low level of participation was persistent throughout the existence of the CCA; that persistence was symptomatic.

**Tableau 5-B: Participation Rate in the CCA between Mars 1989 and September 1994**

	<i>1989</i>	<i>1990</i>	<i>1991</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>	<i>Total</i>
<i>Number of the CCA</i> <i>(1)</i>	60	86	91	112	90	74	513
<i>Number of participants</i> <i>(2)</i>	4289	3123	4841	5561	4971	2376	25161
<i>Participation Rate: (2)/(1)</i>	71	36	53	50	55	32	49

Source d'information: Ville de Montréal, Bilan administratif des activités des Conseils d'arrondissement de 1989 à 1994.<sup>29</sup>

The MCM Administration commissioned a survey on public perception of the CCA in the spring of 1991 as part of an effort to create popular enthusiasm for the CCA. The survey revealed that only 11% of Montrealers knew of its existence. The study evoked a general disinterest in municipal politics, the lack of a 'marketing' effort, the absence of agenda-setting and decision-making power among others, as the principal reasons for the public disinterest in the CCA<sup>30</sup>. According to an opinion poll in 1998, 85% of the Porto Alegre population knew about the existence of the Participative Budget and 80% of them were in favour of the Participatory Budget<sup>31</sup>. In the Far Southern district of Porto Alegre

the first local meeting of the Participative Budget attracted only 60 people but, by 1992, the Far Southern meetings were attracting more than 1000 participants<sup>32</sup>. There was something terribly wrong with the CCA.

In the case of the Far Southern district, the *Vila* residents were particularly motivated by real possibilities for the improvement of their housing welfare and neighbourhood environment such as road paving and the “regularisation” of their housing ownership, for example. People would also be attracted to the CCA assembly also by its agenda and their relative interests. A statutory assembly presented an agenda comprised mainly of studies on bylaws affecting the district, citizens’ requests and a question period. The studies on bylaws principally included zoning changes, the *Plan d’ensemble*, traffic regulations and the naming of the names of public places among others<sup>33</sup>. These bylaws generally produce impacts on property values and, therefore, principally the property owners would be interested in the CCA assembly.

Montreal is a renters’ city; 74% of the Montreal population were tenants in 1991, and they were very much the backbone of the MCM electorate. The CCA without the participation of renters would be a huge deficit in the Montreal democracy and could be a source of political deceptions among them. The MCM administration put public studies on housing demolition on the CCA agenda which would certainly represent the tenants’ interest; however, once the general policy was adopted<sup>34</sup>, they would be unlikely to come to the CCA to control the implementation of the policy. Beginning in 1991, the agenda of



the CCA included the programming of cultural and recreational activities<sup>35</sup>. This new object of deliberation was an interesting initiative; but, those activities are usually programmed in close collaboration with the network of community groups and volunteers; the initiative would not much change the dynamic of the CCA assembly. From the renters' perspective, the CCA was a partial democracy representing the property owners' interests; the CCA was not quite a public space that would make possible creative dialogue and reflective equilibrium among citizens. In its paper submitted to the Council Committee on the MCM public consultation policy, the Central Committee of Montreal for the CSN (*Centrale des syndicaux nationaux*), made the following observation:

*Il appert d'abord que la propriété privée demeure un puissant facteur de participation. On se déplace plus volontiers lorsque des intérêts personnels sont en jeu. Conséquemment, plus lesdits intérêts seront importants, plus la participation et, en bout de ligne l'influence, pourront être fortes. Et inversement. Dans une ville comme Montréal, et à plus forte raison dans ses quartiers centraux où la vaste majorité est locataire, cette considération ne devrait être sous-estimée.<sup>36</sup>*

**The Boundary.** Because the CCA assembly was a permanent forum designed to reinforce community cohesiveness, the scale of the CCA assembly matters as an evaluation issue. The ideal of the neighbourhood council that the MCM looked for since the days of its foundation was based on the popular concept of *quartier*, a much smaller territorial unit than the 'district'; a district generally includes a couple of *quartiers*. The concept of *quartier* is deeply rooted in Montrealers' minds and their sense of belonging is celebrated on the *quartier* scale. The *quartiers*, either ancient parishes or former

municipalities now annexed, had emerged from successive periods of industrialisation and de-industrialisation and their character, more particularly that of unprivileged working-class neighbourhoods, had been shaped through battles for fair rents and a better quality of life during the last century; any attempt to build participative democracy in Montreal could not easily avoid that sociological and political reality of the quartier. The districts were essentially designed to accommodate administrative needs; we would certainly not expect that citizens would rapidly develop a sense of belonging to their districts. The Saint-Jean-Baptist chapter of the MCM came before the Council Committee and delivered the following comment:

*La collectivité locale qui est le lieu d'appartenance des citoyens a été arbitrairement découpé en arrondissement représentant mieux les préoccupations des administrateurs que ceux des citoyens, niant ainsi les efforts de 25 ans d'intervention sociale pour développer une identification de quartier. En proposant un seul modèle au niveau local on prédétermine les résultats, c'est ce modèle qui à l'épreuve, pas le degré possible et souhaitable d'implication des citoyens<sup>37</sup>.*

In the Participative Budget process, the first stage is crucial; it is at that stage that local needs are assessed and projects are formulated for each neighbourhood, which would be equivalent to the Montreal *quartier*, and it is at this scale that participative democracy has its full meaning. Every resident can participate in the neighbourhood assembly to formulate local projects and to choose the neighbourhood delegation to the borough assembly, which corresponds to the district in Montreal. The borough assembly and the Participative Budget council at the end of the process are a forum of delegates that consists in making the final, inter-borough and inter-sectorial choices. In the light of

the Porto Alegre experience, we can expect that a dynamic participation occurs on the *quartier* scale; it is at this scale that people would be more sensible to the welfare and quality of life of their neighbourhoods. The district scale of the CCA would simply be too big to develop a sense of community.

From the instrumental-value point of view, a permanent CCA boundary does not appear an appropriate solution in internalising external bads. The external effects of zoning changes vary both in their nature and in their scope of influence; therefore, the CCA boundary could be too big or too limited. To the extent that zoning changes engender external effects limited in their scope, the CCA boundary can be ‘too big’ and, therefore, unfair to those who are affected by external effects. On the other hand, the CCA boundary can be too limited to handle the inter-jurisdiction spill-over effects.

The CCA of the Ahunsic-Cartierville district, for example, had to deal with the environmental impacts of the buses of Laval Public Transportation coming to Montreal over the Lachapelle Bridge and pouring its passengers into the network of the Montreal public transportation system; the residents around the bus route had been asking for the alleviation of the environmental impacts. In order to fairly assess and internalise the impacts of the traffic, we should establish an inter-municipal planning assembly that includes citizens of both the City of Laval and the Ahunsic-Cartierville district; the CCA is partial<sup>38</sup>. The CCA of the Notre-Dame-de-Grâce / Côte-des-Neiges district had to deal with the planning of Cavendish Boulevard that needed to be completed by a bridge over

railroad tracks, which requires a substantial investment. That planning would require an inter-municipal collaboration with the City of Côte-Saint-Luc, which has jurisdiction over a part of the boulevard. For Montreal and the region the completion is crucial to reduce traffic weights on Décarie Boulevard at its junction with Metropolitan Boulevard<sup>39</sup>, while Côte Saint-Luc had been reluctant for the completion because of its local interests. A just planning of Cavendish Boulevard would require an inter-municipal planning assembly including citizens from both parties. These examples of inter-jurisdiction spill-over suggest that we have a serious democratic deficit and unjust consequences in planning engendered by jurisdictional boundaries.

*The CCA and Independence.* We argued that the independence of deliberative politics from representative power is critical in sustaining deliberative democracy as the source of democratic progress. The MCM administration designed the CCA rather as an advisory instance dependent on the Executive Committee; its agendas were given by the Executive Committee, it only reported to the Committee, the participating public did not have any vote, and its recommendations were not binding. The MCM administration did not provide necessary tools for the CCA to be able to penetrate into the realm of representative power; we cannot expect that a dependent CCA would bring a significant democratic progress. The absence of autonomy in the CCA created deceptions among many participants in the public hearing on the MCM public consultation.

From its early days of foundation, the MCM idealised a decentralised neighbourhood council with autonomy. Indeed, the CCA implied the abandon of the ideal of the neighbourhood council that the MCM had kept as an important *raison d'être* in its political platform. Phyllis Lambert, Director of the Canadian Centre for Architecture, made the following comment in her presentation:

The document is disappointing in its basic attitude toward consultation and in the omission of the neighbourhood councils, a long standing program of the Montreal Citizens Movement.<sup>40</sup>

Dimitrios Roussopoulos, Director of the Institute of Policy Alternatives of Montreal (IPAM), presented his conviction in the following manner:

There can be no democracy in fact at the municipal level of society without a decentralisation of power towards organised neighbourhoods where decision-making is in effect.<sup>41</sup>

The MCM as party came to the public hearing and asked the Administration to undertake concrete steps toward a real decentralisation:

*Nous souhaitons que, dans un avenir prochain, l'Administration municipale entreprenne des actions concrètes visant la décentralisation réelles du pouvoir municipal, ces actions venant compléter les démarches de démocratisation contenues dans l'énoncé de politique-cadre sur la consultation publique.*<sup>42</sup>

In the absence of the power of making its own agenda, the CCA could not enjoy

autonomy and, as a consequence, any real control over its own internal affairs. A planning assembly without that power would not be able to plan its own course of action, nor initiate its own planning projects, which we think are indispensable for community development. In the Council Committee hearing, many citizens and community groups severely criticized the CCA for its lack of control over agenda-setting; it is only after the Council Committee hearing that the CCA would be given a certain possibility to add its own requests, which, however, would not be sufficient to initiate an autonomous CCA.

The CTM-FTQ (Conseil des travailleurs et travailleuses du Montréal Métropolitain - Fédération des travailleurs et travailleuses du Québec), a trade union federation and one of the founding members of the MCM in 1974, expressed its criticisms in the following manner:

*Nous ne sommes pas d'accord pour que ces comités conseils d'arrondissement ne soient que des créatures au service du comité exécutif... Ainsi, les comités conseils devraient pouvoir déterminer l'ordre du jour de leurs réunions et en disposer à leur guise... On se demande ce que les gens iront faire à la réunion mensuelle autre que d'écouter des échanges entre élus-e-s sur des sujets où on aurait tant à dire!*<sup>43</sup>

An association of community groups called « *Table de la concertation des organismes de Pointe Saint-Charles* », which operates in the Point-Saint-Charles quartier, one of the least privileged working class neighbourhood severely affected by industrial decay, presented a substantial paper with specific recommendations. The Table de concertation made the following proposition:

*Il faut donc que, d'une part les CCA prévoient une période de questions (comme il se pratique à l'Hôtel de Ville) et que, d'autre part, les citoyens puissent demander d'inscrire tel ou tel sujet à l'ordre du jour. Dans le même esprit, les citoyens devraient pouvoir proposer des sujets de consultation au CCA.<sup>44</sup>*

H. Chorney and S. Block of Concordia University and Institute of Policy

Alternatives of Montreal offered the following comment to the Council Committee;

Specifically the CCA which we interpret as substitutes for neighbourhood councils, are far too restricted in their mandate and far much subject to the dictates of the Executive Committee. In particular the Executive Committee should not have the right to restrict the agenda and order of the day of these CCA's... In general the CCA's appear to us to be far too weakly endowed with resources, authority, and autonomy to make a serious, as opposed to cosmetic, difference to the practice of participative democracy in Montreal.<sup>45</sup>

In the same line of argument, Phyllis Lambert criticised the Executive Committee control over the CCA agenda and she claimed referendums as citizens' rights to objection to the city administration as follows:

The Executive Committee decides what is to be discussed in the CCA meetings and prepare the agenda, which cannot be altered. This does not equal or promote dialogue – it controls and dictates what can and cannot be discussed. There is no voice for citizens. There is no vehicle for citizens to propose items for discussion. There is no referendum as in the rest of the province. This makes a mockery of public consultation.<sup>46</sup>

The CCA assembly was essentially a property owners' tool of democracy and, therefore, the potential of the tool as the source of wide reflective equilibrium and

democratic progress was seriously limited. There is a structural reason why the MCM administration designed a partial CCA for property owners, largely ignoring the renters' interests in civic life. The municipal fiscal regime in Quebec is based mainly on property taxes, which are charged to property owners as a function of the costs of producing and distributing municipal goods and services. The renters do not directly pay the taxes for their consumption of municipal goods and services; they pay them indirectly through their rents to their landlords. They were even deprived of equal rights to vote until 1962.<sup>47</sup> As long as the renters do not pay municipal taxes directly to their city administration or, more fundamentally, as long as they are not property owners, they do not have equal citizenship and we cannot expect that the renters would have equal interests of participation in municipal politics as the property owners.

Moreover, the CCA was also very much limited in terms of multicultural democracy that is inherent to a multicultural city such as Montreal. About 40% of the Montreal population is composed of an Allophone population; therefore, their participation in the CCA was a crucial factor for the progress of democracy in Montreal. They were largely absent from the CCA. Language was without doubt one formidable barrier to an effective participation of newly arrived immigrants. The MCM administration made a particular effort to reach out to different cultural groups, for example: it constituted an advisory committee on intercultural affairs; it created a department of inter-cultural affairs; it published the CCA announcements in ethnic newspapers, etc. It also conducted, in both French and English, the CCA meetings in



Notre-Dame-de-Grace/Cote-des-Neiges District, which is extensively multicultural.

However, the CCA remained unexplored as a place of multicultural democracy where the newly arrived immigrants could learn about citizenship, meet others and build democracy together.

To cope with the renters' interests and the Montreal' multicultural reality, the CCA agenda had to be less about land-use issues and more about other community issues. During the Council Committee hearing, there were propositions to open up the CCA agenda. Indeed, it appeared that zoning and other bylaws are not the prime issue; the two most important issues among the citizens' requests were concerned with park improvements as well as sports and cultural activities<sup>48</sup>. Sam Bosky, city councilor, also remarked that the CCA agenda excluded major issues such as investment programs and capital budgets, limiting its capacity to initiate local projects for community development.<sup>49</sup> Marvin Rotrand, city councillor, also argued in his presentation that the CCA agenda should be opened to the community concerns:

Agendas should be more freewheeling and informal to allow any citizen or group to intervene about issues that are important to them.<sup>50</sup>

In bringing deliberative democracy into municipal governance, the MCM Administration designed the CCA essentially as instrument to consolidate power within government rather than to share it through public deliberation. The MCM ideal of neighbourhood councils and participative democracy suggests the opposite approach;

power should be shared with the citizens and community groups so as to ensure that they have political influence over policy decisions affecting their welfare and their neighbourhoods. In designing a mechanism of inter-penetration between representative democracy and deliberative democracy, we create an inevitable tension between them; the MCM administration simply put priority on the representative side and created a much empty deliberative democracy so as to avoid such a tension. The Participative Budget of Porto Alegre presents quite the opposite design of inter-penetration; the Participative Budget was given resources, authority, and autonomy. The PT administration put priority rather on the politics of public deliberation and stimulated the tensions between the two sides. The Porto Alegre experience suggests that the tension is not to be avoided but, rather, to be encouraged as for a mutual check and balance between the two sides; the redistribution of power for equal political opportunities would necessarily create the tension and we should not avoid it if we want just planning.

The claim for public deliberation in representative democracy is most likely to emerge from those who are unprivileged and underprivileged in the marketplace because the politics of public deliberation will make the market fairer, to improve their political influence over collective decisions, and to distribute urban resources more fairly to them. In order to ignite the politics of public deliberation, the CCA needed a greater responsibility, autonomy, and decision-making power, without which the CCA would simply be an empty shell. The Participative Budget was essentially an initiative of the unprivileged that has eventually brought many important municipal reforms such as a

progressive taxation, a fair distribution of urban resources as well as political control over municipal bureaucracy<sup>51</sup>. Such reforms were certainly possible because the Participative Budget was independent from representative power and clearly expressed its voice through its voting.

### 5.5. The CCA and Equal Power of Influence

We will begin with an assessment of the CCA from the equal political opportunity perspective; a just CCA would provide its participants with resources for equal participation and deliberation as well as decision-making power. We will also observe *engagement* in public deliberation as a source of rich citizenship and human fulfillment.

*Resources for Equal Participation and Deliberation.* We argued that one's income and wealth affect one's power of political influence in market liberalism; the unprivileged do simply not have adequate resources to participate in public deliberation and to transform their political will into an effective deliberation. They need time and financial resources to participate, information and expertise to prepare deliberation. In Porto Alegre, the participants, delegates in particular, in the Participative Budget receive both diverse resources and the training necessary for an effective participation. Anne Latendresse reports: "How is citizen participation encouraged? Training is offered on how to run a meeting. Basic courses are offered to delegates on law, management and

public finances. A newsletter is published. Transportation costs and child care costs are publicly covered for those citizens attending meetings.”<sup>52</sup>

We argued that it was terribly unfair for a poor single mother not to be able to come to the CCA meetings because she could not pay for babysitting. She needed resources to come to the CCA assembly. She also needed capabilities to transform her political will into an effective deliberation; otherwise, she would not adequately argue against those who came to the CCA to justify their land-use projects with professional assistance. Unequal deliberation can imply unfair influences on collective choices. In their presentation to the Council Committee, several community groups emphasised the need for public assistance for an effective participation in the CCA. The “Table de la concertation des organismes de Pointe Saint-Charles” proposed financial aid for counter-expertises:

*D'exiger une contre-expertise du projet pour rééquilibrer les forces entre l'instigateur du projet et le public (équilibrer les moyens dont disposent les deux parties); d'aider financièrement et techniquement les citoyens-nes qui désirent participer aux audiences en offrant des services de dactylo ou de professionnels par exemple.*<sup>53</sup>

The CTM-FTQ (Conseil des travailleurs et travailleuses du Montréal Métropolitain – Fédération des travailleurs et travailleuses du Québec) demanded public assistance to the research and writing in preparing presentation papers :

*Il importe que l'administration prévoit un budget pour appuyer et*

*soutenir les recherches et la rédaction des rapports et mémoires. Il pourrait s'agir de subventions versées à des organismes pour financer des activités nécessaires pour la consultation.*<sup>54</sup>

The Atelier habitation Montréal proposed to use the BCM (Bureau of Consultation Montreal) as the organism to administer public assistance for an effective participation in public consultation:

*Pour le citoyen moyen et pour un bon nombre de groupes peu structurés – souvent sans but lucrative – la participation à une consultation constitue une démarche complexe. Pour tenir compte de cette réalité et pour favoriser la participation la plus large possible, le mandat du Bureau de consultation de Montréal pourrait être agrandi pour augmenter le potentiel informatif de chaque consultation. Par exemple, le bureau pourrait être doté d'un centre de références, fournissant de l'aide financière technique et matérielle aux personnes et groupes correspondant à des critères définis et intéressés à déposer des mémoires lors des diverses consultations.*<sup>55</sup>

The Council Committee followed their propositions and recommended to mandate the BCM to prepare and administer a public program of financial and technical assistance to participation<sup>56</sup>. The Council Committee also recommended making available a budget that can be used to prepare the 'counter-expertise' as the "Table de concertation" of Point Saint-Charles proposed<sup>57</sup>. The MCM administration did not follow those recommendations by the Council Committee.

We owe much to citizens and community groups in unprivileged neighbourhoods for our freer and more equal citizenship in today's Montreal; their political battles against

landlord abuses and the redevelopment market were largely instrumental in discovering equal citizenship and bringing democracy into municipal governance in Montreal. Our political *engagement* will also be most likely to be the principal force in enriching our citizenship and maintaining democratic progress; in history we observe that equal citizenship has not been given but achieved. The MCM administration missed a good opportunity to create a public program for equal access to democracy as an integral part of its public consultation policy, which could have attracted more citizens and community groups to the CCA.

***Equal Political Influence.*** Through deliberative democracy we minimise the public bad of power by representation so as to maximise equal political influence among citizens; to minimise the public bad, the CCA should have decision-making capacity and share that power. As we underlined, the CCA was simply advisory vis a vis the Executive Committee and its public did not have mechanism to express their collective preferences; the public influence on policy decisions through the CCA was only indirect and limited<sup>58</sup>. Deprived of decision-making power, the CCA did not have the ability to redistribute power among the participating citizens to improve their political influence.

The business community rejected an independent public deliberation with decision-making power; such a deliberation would be counter-productive such that it would limit the power of representation and it would be time-consuming and inefficient by its dual decision-making process. The IDU (Institut du développement urbain), a non-profit

association representing 80 major developers, professionals, brokers and lenders in real estate development in Montreal, presented the following objection to an independent public consultation with decision-making power in its substantial 24-page paper to the Council Committee:

*Si le rôle de l'Administration est de gérer la Ville de Montréal dans l'intérêt public, tout processus de consultation adopté doit nécessairement d'intégrer au système existant et non établir un nouveau système parallèle. En d'autres mots, ce sont les élus qui sont responsables de décisions prises au sein de l'Administration. Tout nouveau mécanisme doit avant tout renforcer et non diminuer les rôles et les responsabilités des élus. Ainsi, un processus de consultation publique ne doit pas de substituer au Conseil Municipal dont c'est la responsabilité d'être le forum de la prise de décision. Il ne doit pas avoir pour conséquence la délégation des pouvoirs municipaux aux divers intervenants des audiences publiques.<sup>59</sup>*

The IDU argued that the market and the private sector are the sources of urban development; the city administration cannot generate urban development. What the city administration can do is, the IDU argued, to stimulate or to hold up urban development by its regulatory power<sup>60</sup>. The IDU demanded that the city administration use its regulatory power to stimulate urban growth and, in that perspective, public consultation be a simple mechanism of collecting information. The IDU argued:

*Ce ne devrait être pour eux qu'une méthode additionnelle de recueillir l'information requise pour en arriver à une décision éclairée. Ainsi, un processus de consultation publique devrait être considéré comme étant un processus de cueillette d'information.<sup>61</sup>*

The Montreal Chamber of Commerce, representing the business community with 2700 members in the fields of retail, wholesale, service industries, manufacturing and professional services, delivered the following claim in very much the same line of the IDU argument:

*Les solutions aux questions municipales intéressent avant tout les élus qui, en fait de compte, devront en être responsables. Ce sont eux, et eux seuls, qui devront rendre compte de leurs décisions devant l'électorat... Pour ce faire, ils doivent obtenir toute l'information nécessaire, au moyen d'audiences publiques ou autrement, afin de prendre la meilleure décision dans l'intérêt du public... L'objet de ces mécanismes ne doit donc pas enlever aux élus leur responsabilité ultime de preneurs de décisions. À notre avis, dès qu'un mécanisme décisionnel, que ce soit un référendum ou autre, se substitue aux élus, il transfère le pouvoir décisionnel vers les groupes d'intérêt et les minorités actives au sein de la population.<sup>62</sup>*

On the other side of the political spectrum, many community groups argued for a CCA with decision-making power. They claimed not only an effective influence on local policies, but also local control over budgetary choices. An organism associating several community groups on planning issues in the Hochelaga-Maisonneuve District, known as 'Le collectif en aménagement urbain Hochelaga-Maisonneuve,' insisted that the CCA should have a real decision-making power as follows:

*Il doit y avoir plus de place prévue pour les citoyens ou groupes qui veulent apporter des points de discussion sur des questions qui les préoccupent. Nous voyons aussi, d'un bon œil, la possibilité que de réels pouvoirs soient confiés à ces 'conseils de quartier.'<sup>63</sup>*



The Comité logement Rosemont of District Rosemont / Petite-Patrie emphasised that, without their effective influence over policy choices, citizens would not be motivated to participate in the CCA assembly, in the following style:

*Il nous semble primordial que soit clarifiée cette marge et notion 'd'influence,' parce que la possibilité d'influencer les choix politiques en fonction de nos revendications s'avère être notre seule motivation à participer à des consultations... si nous n'avons aucune possibilité d'influencer, nous n'aurons aucune motivation à participer aux consultations.<sup>64</sup>*

An effective influence over policy options would ultimately imply participation in budgeting process such that citizens can reflect their local priorities in budgetary choices and participate in the design of policies. The MCM ideal for a participative democracy embedded the idea of a participative budget and, therefore, we would expect that citizens would come to claim participation in the budgeting process. The Table de la concertation des organismes de Pointe Saint-Charles proposed a CCA with a budgeting capacity similar to the Participative Budget of Porto Alegre as follows:

*En ce qui concerne les finances, nous comprenons que les décisions finales soient par l'Exécutif à la lumière des recommandations du Conseil Municipal, puisque la préparation du budget doit refléter les priorités de la Ville, en fonction des besoins de chaque arrondissement et qu'il s'agit donc de choix à caractère politique. Mais ne serait-il pas possible qu'une fois les budgets alloués, l'utilisation d'une enveloppe budgétaire puisse être discutée au niveau des CCA.<sup>65</sup>*

Héritage Montréal, a major community organisation that had emerged in the

beginning of the 1970s and had been largely instrumental in the urban struggle against the redevelopment market as we mentioned earlier, also proposed public participation in municipal budgeting. Heritage Montréal delivered the following recommendation:

*Que l'administration municipale étudie la question de la participation du public dans l'établissement du budget municipal, afin de rendre public un rapport sur des propositions concrètes d'ici six mois.<sup>66</sup>*

One crucial issue in designing an effective interpenetration between representative democracy and public deliberation is whether the outcomes of public deliberation should be binding; as we remarked, the public in the CCA could not vote for its collective preference and the CCA was simply advisory to the Executive Committee. Jane Mathews Glenn, Professor of the Faculty of Law and the School of Urban Planning, McGill University, delivered the following comment emphasising that the deliberation outcome should practically be the final decision because, otherwise, the CCA would lose credibility:

As well, the actual decision taken should be based, and should be seen to be based, on what is said at the hearing. This does not mean that the report of the hearing should be binding, as this would constitute unlawful delegation of the decision-making power, but that if the recommendations of the hearing body are not followed, reasons for this should be given. Otherwise, the public perception of the fairness of the proceedings will be jeopardised.<sup>67</sup>

The deliberation outcome in the Participative Budget of Porto Alegre has not been binding either; but the Participative Budget has effectively been the final city budget. The

following account of Vladoir Diego Braseiro, a citizen of the Centre-South District in Porto Alegre, emphasises that our *engagement* in the politics of public deliberation is crucial in defending the outcomes of the Participative Budget as the final decisions:

*À partir du moment où tu te bats, où tu discutes, où tu échanges, où tu donnes ton avis, tu agis sur ton environnement, tu es un agent du processus de transformation. Cela, le budget participatif l'enseigne... Nous ne nous contentons pas d'élire des élites et de les laisser résoudre les problèmes. Nous travaillons pour les amener à prendre certaines décisions. Si on observe les choses, la Chambre municipale peut difficilement modifier ce que la population a décidé par le budget participatif. C'est notre force : quant tu es élu, tu ne peux pas aller ouvertement à l'encontre de la volonté populaire. C'est bien pour cela que beaucoup de politiciens - l'élite, néolibéraux - sont contre le budget participatif.<sup>68</sup>*

In the Participative Budget process, a vote is required to select both the district priorities and to elect delegates to the Participative Budget Council. The delegates to the council also make their collective decisions on inter-district priorities and choices by voting. Without a vote each individual citizen cannot transform her will into political power and the group of citizens in the process cannot define their collective preferences. When the process of the Participative Budget meets the City Council, the decisions of the former are not binding; in theory, the City Council can overrule the decisions. In practice, the Participative Budget is rarely overpowered within the City Council; political parties cannot avoid the political dynamics of the Participative Budget and, at the end of their involvement, they would not vote against local projects without public accountability.

One important issue that was raised in the Council Committee hearing was referendum rights. In the framework of the Planning Act of Quebec, municipalities are given rights to referendums in land-use planning and the MCM had previously claimed a referendum right in its party platform. In planning, there are situations in which social interests are divided and competing claims can radically be opposed such that representative democracy would be no longer efficient in making a fair and decisive collective choice between those claims. Many citizens and community groups considered the absence of the referendum right in the MCM public consultation policy a serious setback to democracy. Marvin Rotrand, City Councilor, for example, made the following comment in his paper to the Council Committee:

A basic tool of consultation is the right to resort to referendum as a means of opposing municipal policy... The Master Policy on consultation does not give citizens any concrete power to counterbalance the decisions of the municipal authority. The MCM programme unequivocally supports the right of referendum.<sup>69</sup>

The MCM as a party also asked the administration to work out a policy on referendum:

*Ainsi, le RCM recommande qu'une politique sur les référendums soit élaborée afin que celle-ci devienne un des moyens de consultation...*<sup>70</sup>

Both the Chamber of Commerce of Montreal and the Institute of Urban Development, which together represent the interests of a substantial part of the business

community in Montreal, firmly rejected the referendum; they disagreed on it because a referendum would be an unfair mechanism of social choice that challenges market decisions and power by representation. The Chamber of Commerce of Montreal expressed its objection to referendums in the following manner:

*Un référendum est essentiellement un droit de veto par lequel certains résidents peuvent annuler une décision prise par un conseil municipal... un petit groupe local voulant protéger ses intérêts immédiats, des rivaux politiques en quête d'une tribune pour embarrasser les élus en place ou encore des concurrents tenant de bloquer le projet d'un rival... donnant toujours l'avantage à une minorité... il réduit plutôt la discussion d'un problème complexe à une réponse unilatérale et simplifiée à « oui » ou « non ». <sup>71</sup>*

The IDU qualified a referendum as equivalent to a veto which can put in peril the process of representative democracy:

*Un référendum est un processus de veto où une minorité déterminée, se portant la défense de ses propres intérêts, peut prévaloir sur un conseil démocratiquement élu défendant l'intérêt général... Si elle est adoptée, une telle procédure risque de diminuer la responsabilité des élu(e)s face à l'électorat. <sup>72</sup>*

These competing claims suggest that those who wanted the referendum considered it rather as a civil right, the last resort to block the public harms that can be caused by planning projects; this view is certainly compatible with the urban justice claim that emerged in the redevelopment market in Montreal. Those who reject the referendum saw it as political intervention that would compromise an opportunity of economic

development; this view would correspond to the economic-growth argument that Mayor Drapeau defended. The MCM administration did not carry out its long standing program for referendum rights until the end of its mandate; it seems that the MCM administration wanted to avoid any challenge to representative democracy.

The MCM administration wanted deliberative democracy but was not ready to share power with its electorate to govern together for a more equal Montreal. The lack of decision-making power would no doubt be the principal reason why the CCA could never take off as a viable tool of building a stronger community and egalitarian democracy in Montreal.

*Citizenship and Human Fulfillment.* We argued that citizenship in Montreal has been enriched by citizens' political struggles against the landlords' abuses and the oppression of the redevelopment market. The politics of public deliberation are designed to provide citizens with opportunities to turn their needs into public concerns and, finally, into public policies. For that, we argued that citizens need to understand each other and to work toward common solutions; they need to be enlightened and emancipated and to create the "language of citizenship" based on the common good<sup>73</sup>. One of the most important benefits of public deliberation would be learning the language of citizenship; through participation in the politics of public deliberation, they would learn about how not to be alienated from society, how to respect others, how to live together with others and, ultimately, how to be equal and creative citizens.

Marcel Sévigny, City Councilor for the Pointe Saint-Charles District, emphasised power sharing as a condition for the development of citizenship in the following manner:

*Le défi de l'Administration RCM c'est donner les moyens au plus grand nombre de citoyens-nes possible de se sentir et devenir responsables socialement et politiquement. Sans le partage du pouvoir décisionnel, il est douteux que les citoyens-nes aient le goût de la prise en charge et du développement de leur quartier.<sup>74</sup>*

Asserting that “participation and citizenship are indistinguishable, two sides of the same coin,” Dimitrios Roussopoulos of the IPAM also argued that:

The fact that the people do not respond adequately is, thus, determined by external conditions and not by the real potentialities of people. They have not been in a condition to be actively present in the decision-making process except as people to be manipulated by others.”<sup>75</sup>

We have much doubt as to whether the CCA, in the absence of an open agenda, autonomy and decision-making power, could provide Montrealers with opportunities to learn about moral emancipation and enlightened citizenship. The following accounts of Claudia Gomes Pinto and Antonio Vieira de Carboneiro, both active participants in the Participative Budget, show that the Participative Budget has been a source of moral transformation and human fulfillment among individuals. At the age of 11, right after primary school, Claudia Gomes Pinto began to work as a domestic aid. Now, at 31, she became President of The Residents’ Association of the Vila Cristal, Cristal District, and delegate for the Participative Budget. She delivered the following story:

*« Le processus a permis d'obtenir quelques aménagements du cadre de vie. Mais, surtout, j'ai appris à me battre, à ne plus avoir peur, à laisser mes complexes de côté », raconte-t-elle. En tant que déléguée du budget participatif, elle a été retenue pour suivre une formation sur les droits de l'Homme. Dans la foulée, elle s'est séparée de son mari. « Il me menaçait, me suivait, me surveillait. Je voulais le quitter mais je n'en avais pas le courage. »<sup>76</sup>*

Antonio Vieira de Carboneiro, President of the Residents' Association of the Vila dos Papeleiros, came to the vila in 1987, at the age of 45. He wanted to improve his conditions of life as well as other Papeleiros'. He was first elected as a delegate of his community to the Participative Budget. He presented the following account:

*J'ai appris que le peuple, quant il est uni, est fort. J'ai appris que je pouvais parler. La première fois que j'ai pris la parole dans une réunion du budget participatif, la première fois que je me suis trouvé en face du micro, j'ai eu l'impression d'être une petite fourmi au milieu d'une foule d'éléphants. Je me sentais tellement minuscule. Mais je connaissais les besoins de ma communauté alors la timidité de côté et j'ai commencé à parler. J'ai parlé avec le cœur, de la vie ici, où même un chien ne voudrait pas vivre. Et ça a eu un tel impact... Plus nous ramassons d'ordures et de papiers, moins les rivières sont polluées, moins les arbres sont coupées... Nous sommes les petits qui travaillons pour la nature et elle nous remercie. Parfois il me semble que la pluie s'arrête au moment où je pars avec mon chariot. Maintenant, j'aime ce travail et, par le budget participatif, j'ai pu le valoriser, nous valoriser en tant que personnes, en tant que travailleurs.<sup>77</sup>*

## 5.6. The City Plan and the Unanimity Rule of Decision

The third Egalitarian Principle requires that planning decisions be unanimous; the



unanimity requirement would make planning decisions impartial to all competing parties and it would minimize the public bad resulting from the majority rule of collective choice. We propose to study the implications of the unanimity requirement in planning in the light of the public consultation that the MCM administration designed especially for the preparation of the City Plan. That public consultation was designed to build social consensus and the City Plan was adopted by the unanimity rule of decision.<sup>78</sup>

The MCM administration organised, for the City Plan, a two-stage public consultation: in the first stage, the administration identified planning issues and goals for the plan with the populations in each quartier and district; in the second stage, once the final city plan was prepared, the administration submitted it to the public hearing of the Permanent Commission of Planning for final adjustments before the adoption of the City Plan<sup>79</sup>. Here, we will observe only the first-stage public consultation. The public hearing by the Permanent Commission on the second stage was not different from its conventional process; the Commission received comments by the public, studied them, and presented its recommendations. The City Plan, concerted through the first stage of the public consultation, did not produce any significant public interest in the commission hearing.

The MCM administration organised public forums in three different scales, the neighbourhood forum, the thematic forum and the district summit meeting. The neighbourhood forum, very comparable to the neighbourhood assembly in the

Participative Budget, consisted in assessing local needs for planning and development and thematic forums were organised to deal with thematic issues such as housing. The district summit meeting, comparable to the borough assembly in the Participative Budget, constituted the final stage of the deliberation process where the representatives from the neighbourhood and thematic forums as well as other community leaders worked out the district master plan. These forums were different from the CCA in several respects: first, the forum was a place of multilateral dialogue among citizens and community groups, while the CCA was essentially a place of bilateral dialogue between the elected CCA members and citizens. We would be more likely to produce creative outcomes of deliberation in a multilateral dialogue than in a bilateral dialogue. Second, the forum was independent from the city administration such that the City Plan was built without any interference from the administration. The CCA hosted all the forums and summit meetings but its members were not given any particular role to play and any special political weights; they came to the forum and summit meeting as simple citizens. The professional planners of the city acted as resource persons who provided information, secretarial support and group animation. They certainly played an important role in assessing community wants, analysing the market tendencies, and writing issue papers and final syntheses; however, they were simply observers and facilitators. Third, the forums were open to much wider issues of planning as long as they were pertinent to the city plan framework and the open forum was certainly instrumental in extending the planning scope and building a broader consensus. Finally, there were votes at the end of deliberations in the district summits such that each district expressed its collective choice

with a unanimous voice and the Executive Committee approved that choice without any reservation. The forums were very much comparable to the Participative Budget in terms of their autonomy, decision-making power and the way that the tension between the politics of public deliberation and representative authorities was handled.

The unanimity rule can be justified because a city plan constitutes foundational goals and principles governing planning rules and instruments; it would certainly be desirable for a society to adopt its constitutional goals and principles by unanimous social consent. A city plan generally seeks a comprehensive planning; a city is viewed as an ensemble of functional components such as housing, transportation, and economic spaces and comprehensive planning consists of seeking the long-term goals of planning for a global and harmonious development of those components. Comprehensive planning is a challenging task; it requires not only a good understanding of both today's and the future market dynamic<sup>80</sup> but also the development of a wide social consensus. The MCM administration put emphasis on the development of social consensus through public deliberation and it wanted a unanimous adoption in making its City Plan. We propose to assess the practical implications of the unanimity rule in planning, in the light of a critical observation of how social consensus was obtained in preparing the City Plan.<sup>81</sup>

It seems that, to cope with different interests among individuals and social groups in developing social consensus, the city plan relied on *consensus by addition*. We often accept others' propositions simply to not exclude those others, even though we do not

necessarily agree with their propositions. A frequent consequence of consensus by addition is that we end up with a 'shopping list' that is often beyond our financial capacity. Such a shopping list is not a consensus; soon or later, society would inevitably face the problem of making social choices. On the other side of the consensus by addition, a proposition can be rejected because the proposition is judged as 'unrealistic' or 'non pertinent' within the framework of the city plan; let us call this "*consensus by elimination*." Suppose that a pacifist group proposed to discuss an anti-nuclear land-use in the city plan deliberation.<sup>82</sup> It is more likely that the proposition would be rejected; the anti-nuclear issue would not appear pertinent within the framework of the city plan. However, the rejection would be unjust if there were no unanimous consent on the framework of the city plan. Even if there were a social consensus on the framework, consensus by elimination might engender public bads by confining ourselves to rigid convention and limiting the creative potential of public deliberation. The possibility of the "open-ended and spiral" future would begin first by liberating ourselves from such a convention and largely opening up the possibility of "free-wheeling" debates. We think that the city plan as a constitutional document should provide to citizens the possibility of free-wheeling debates, the possibility of enlarging the framework itself.

The unanimity requirement would show a certain tendency to fix planning objectives in general rather than specific terms. For example, a planning objective in the district master plan, such as "To increase parks and green spaces," would certainly be welcome by the district population. If the objective is to be specified, for example, by

taking into account the number and location of the new parks, we might end up with a divisive debate among districts about a fair inter-district distribution of parks as well as among neighbourhoods in the district about a fair location of its share. The city plan would rarely go down to such details as the location of the park because it is on the level of such details that the question of distributive equity emerges as a planning issue and a divisive social debate begins. From this perspective, many planning objectives of the city plan were either *no consensus* or *deferred consent* and, therefore, they embedded social debates that would be necessary at a future point of time. Deferred consent implies that the city plan could lack a serious commitment to implementation and, consequently, the credibility of the City Plan could be damaged from its start.

It seems that people from business community were not much interested in the City Plan deliberations except for the Downtown District, for which a distinct public deliberation was organised prior to the overall process<sup>83</sup>. They would not attend the deliberations for two reasons probably; one, they were unlikely to endorse the MCM ideal of social justice and urbanism and, two, there was no urgent reason to worry about the impacts of the City Plan because they were not interested in investing in the stagnant Montreal real estate market for the foreseeable future at least. They were invited to the City Plan deliberation to justify their investment projects and their expectations for municipal policies. They were welcome to meet the unprivileged as equal citizens and to deliberate together the issues concerning their housing welfare and the quality of their neighbourhood environment. They did not come to public deliberation to meet the

underprivileged and to create the City Plan, a common good. They were not interested in the City Plan. The following account from the Participative Budget in Porto Alegre may suggest that social consensus between the two groups may be something hard to attain, if not unattainable:

Middle-class and upper middle-class do not in general participate in Participative Budgeting. In Cristal District, 6000 invitations were distributed to those who live in individual houses and apartment blocks. They could read in the invitation, « We want your participation because we do not want to decide unjustly for you. » Only six persons came to a meeting and they never came back.<sup>84</sup>

When the PT came into power in Porto Alegre, it asked if it should govern for workers, or constitute a workers' government to govern for the whole society.<sup>85</sup> The MCM administration certainly faced the same issue: Should the MCM govern for the unprivileged, or should it constitute an administration of the unprivileged to govern for the whole society? We think that the issue is certainly connected to the MCM choice for the unanimity rule in the City Plan deliberation; the MCM administration could make an intentional choice for the latter option because that option appeals to the ideal of impartiality. Of course, the unanimity rule of collective choice is a practical way of realising the ideal of impartiality.<sup>86</sup> However, impartiality is not necessarily fair; the unanimity rule might make the MCM administration impartial to all citizens, but the rule could certainly be unfair to the unprivileged, who needed political power more than the privileged. Moreover, the latter option could be a political liability to the extent that it could not maintain the supporters from the left and attract new friends from the right. The

PT of Porto Alegre opted for the first option and the Participative Budget as political tool for the unprivileged. That option turned out to be a political asset; the PT was elected three more times since the beginning of the Participative Budget.

The City Plan of the MCM administration was put aside as soon as the MCM lost power<sup>87</sup>. One obvious reason was that the Montreal real estate market was practically dead and, in the absence of the land-use market, the land-use plan in the City Plan became useless. Another more serious reason was that the City Plan embodied the MCM platform of social justice and urbanism and, therefore, those who had market power and wanted economic growth were more unlikely to live with the City Plan. The new city administration favoured economic growth and, therefore, the City Plan as well as the MCM policy of public consultation became rather a burden than an asset for the new administration; this shift reminds us that planning in pluralist democracy is a matter of political choice, not the matter of political consensus. As long as competing parties claim their respective interests and planning ideals in a pluralist democracy, the majority rule of collective decision seems not only inevitable but also necessary for the very ideal of pluralist democracy.<sup>88</sup>

What is essential seems to be that we always keep the public place for planning deliberations very open and that we have equal opportunities of participation and deliberation, which are essential to just planning. It is through public deliberation that we can make progress towards wide reflective equilibrium and we will build up more

common goods and more common references for planning. Unanimous decisions are not necessarily common goods and common goods are not always unanimous. Nor would unanimous decisions make sense among individuals with unequal capabilities of influence. What we should keep on our heuristic horizon would be the goal of improving opportunities for us to become equal and engaged citizens. Equal political influence would be the outcome of the engaged citizenship, not the goal; imposing equal political influence can be an ideological or practically unbearable burden. We want to propose to re-formulate the 4<sup>th</sup> principle of egalitarian planning as follows:

***Principle 4 - Planning decisions in the planning assembly should be made by a simple majority rule.***

***Epilogue.*** The MCM lost the 1994 election and, as soon as the new mayor came to office, he dismantled all three major components of the MCM public consultation policy. During the electoral campaign he had made the MCM public consultation policy an important campaign issue; he had promised to abolish it. He effectively abolished it and created a Council Commission, commonly called the “CDU” for Commission du développement urbain, focusing on planning and zoning<sup>89</sup>, opening the second generation of deliberative democracy that would survive the legacy of public hearing in planning that the MCM administration had built. Montreal would also know the third generation of deliberative democracy, a more serious attempt to bring back the ideal of deliberative democracy in the context of the amalgamation of the municipalities of Montreal Island in



2001<sup>90</sup>; the amalgamated Montreal would create the Office of Public Consultation to cope with city-wide policies, while each borough would have an independent Planning Commission to deal with local planning and building permits.<sup>91</sup>

As we saw during the Council Committee hearings, many citizens and community groups were ready to explore other possibilities, something very similar to the Participative Budget of Porto Alegre. The MCM administration was not ready to go that far, closing the door to an uncertain but fascinating adventure to deliberative democracy; it preferred to be under the shelter of representative democracy.

For the other components of the MCM public consultation policy, we need careful evaluation studies; they should not be lumped with the CCA experiment. It seems that both the Permanent Council Commissions and the BCM were interesting tools for a better functioning of representative democracy. More particularly, the Permanent Council Commissions was certainly a very interesting mechanism of parliamentary democracy in that has yet to be mature in municipal governance. We think that the BCM played an important role in defining the public place, disseminating planning information among common citizens, and making planning projects certainly better and more just in Montreal; many Montrealers would understand public consultation in the light of the BCM experience. We propose to take both the Permanent Council Commission and the BCM experiments seriously in designing the interpenetration between representative power and deliberative democracy.

The Montreal Citizens' Movement completely disappeared from municipal politics during the 1998 election. The disappearance of the MCM had historic meaning: We lost a municipal political party with the ideals of social justice and democracy that had exercised leadership and cultivated emancipated citizenship in Montreal for almost three decades. We also lost an interesting experience of coalition between progressive forces among the Anglophone and the Francophone communities; the coalition was certainly a beautiful story in the history of Montreal, a city emerged from colonial wars, uneasy Canadian federation, social and cultural tensions between two communities and, lately, urban market capitalism.

## NOTES

<sup>1</sup> The MCM Manifesto (abridged), (*Our Generation*, vol. 10, no. 3, 1974, pp 10-20), p10.

<sup>2</sup> The MCM administration proposed the following objectives in its white paper on public consultation policy, "Un dialogue à poursuivre":

*-développer des pratiques en matière de consultation publique qui soient de nature à renforcer le sentiment d'appartenance de la population à sa ville et son quartier;*  
*-favoriser une accessibilité accrue de ces mécanismes à l'ensemble des citoyens et citoyennes et intégrer ces mécanismes aux processus décisionnels;*  
*-consacrer les droits de la population à la consultation en enchâssant ces droits dans la réglementation municipale et à la Charte de la Ville.*

(Ville de Montréal (Archives-VM 141-D1), *Un dialogue à poursuivre*, p 8)

The first objective would embed the intrinsic value of public consultation, while the second objective the instrumental value. The CCA was particularly designed to respond to the first objective, while the BCM and the Permanent Commissions responded to a greater extent to the second objective.

<sup>3</sup> The distinction between instrumental value and the intrinsic value of deliberative democracy is inspired from Thomas Christiano, *The Significance of Public Deliberation*, (J. Bohman and W. Reh (eds), *Deliberative Democracy: Essays on Reasons and Politics*, Cambridge, Mass.: The M.I.T. Press, 1999, pp 243-277).

<sup>4</sup> For a historical overview on the MCM commitments to the decentralisation of municipal services and participative democracy, see Léveillé, J. and B. Lafontaine, *Démocratie et decentralisation: Document de reference*, prepared for a colloquium held in June 1989, Ville de Montréal (Archives: VM 141-D 1).

<sup>5</sup> The MCM saw democracy as the central social project in Quebec, which we think bears the intrinsic-value point of view. In its 1982 Electoral Program, the MCM proposed:  
*« L'instauration d'une véritable vie démocratique à Montréal constitue une dimension essentielle et indispensable de tout projet plus global de reorganisation de la société québécoise. C'est pourquoi le RCM fait de cet objectif le moteur de son action à la Ville de Montréal, dans ses quartiers et à la Communauté urbaine de Montréal (CUM). »* Ville de Montréal (Archives : P86/F1/D27), Programme RCM 1982.

<sup>6</sup> Joshua Cohen strongly advocates the intrinsic-value view point; see Joshua Cohen, *Procedure and Substance in Deliberative Democracy*, (Princeton, N.J.: Princeton University Press, 1996, pp 95- 119).

<sup>7</sup> Dominique Méda argues that today's capitalist labour market increasingly takes up our time that would have to be available for our families and community building. What she suggests is that, if we want to build our community and to make a progress in democracy, some labour time should be freed. See Dominique Méda, *Qu'est-ce que la richesse?* (Paris, Fr.: Aubier, 1999).

<sup>8</sup> The Council Committee was an *ad hoc* committee of the Council members created to conduct public hearings on the MCM public consultation policy. It was composed of 11 members representing each of the five Permanent Council Commissions. It was created on May 16 1988 and presented its report "Rapport sur l'énoncé de politique en matière de consultation publique" on September 26 1988. See City of Montreal (Archives-VM 141-D1), Comité du Conseil sur la politique-cadre de consultation publique.

<sup>9</sup> During the United-Nations World Conference on Habitat in Istanbul, much attention was paid to an experiment of deliberative democracy in Porto Alegre, now commonly known as the Participative Budget. The World Bank published a report on the experience in 1995. Now, a similar experience is extended to over 200 municipalities in Brazil and to foreign cities such as Montevideo.

<sup>10</sup> For example, Mercer Human Resource Consulting publishes the quality-of-life index and Montreal was on the list of the five best among 19 biggest metropolitan regions for the last three years. Mercer also publishes the cost-of-life index and Montreal was on the top for the last three years. Source of information: Mercer 2003, after Montréal International, *Note d'information économique*, August 26 2003.

<sup>11</sup> Ji-Ha Kim is a Korean poet who challenged the Park dictatorial regime during the 1960s and 1970s. Our quotations are extracted and translated from his speech given on the occasion of the 1975 Lotus Award by the Asian and African Writers' Meeting, entitled "Toward a Creative Reunion," in Kim J. H., *Bab (Rice)*, Seoul, Korea: Bundo Publishing Co., 1984. In his Declaration of Conscience, written in prison in early 1975, he said: "The oppressors say the masses are base, ugly, morally depraved, innately lazy, untrustworthy, ignorant and a spiritless, inferior race. But the common people I have known were not like that. They were honest and industrious. They may have looked stupid to Seoul bureaucrats but they were endowed with a rich, native intelligence. Although they seemed listless, they possessed enormous inner strength and determination. They may have been rough, not very sophisticated, but they had genuine affection for their friends and neighbours. The common people I knew were proud, full of an unassuming vitality." Kim Chi Ha's Declaration of Conscience, *Win, Peace & Freedom thru Nonviolent Action*, October 16, 1975.

<sup>12</sup> Source d'information : Ville de Montréal, *Un dialogue à poursuivre*, p 11.

<sup>13</sup> The BCM might be designed as a process more for professional inputs than for political inputs; this hypothesis is crucial in evaluating the BCM experiences and other similar experiences later. From the egalitarian-ethical point of view, the crucial issue is distributive matter, not truth talking; the BCM would have to be more political than professional. For more about the BCM design, see *Un dialogue à poursuivre*, op. cit., p 14, and Bylaw 7989 creating the BCM adopted in December 1988. For the archives of the complete BCM history and experiences, see Ville de Montréal (Archives-V 49), Fond du bureau de consultation.

<sup>14</sup> Jane Matthews Glenn, Professor of Law and Urban Planning, McGill University, delivered the following comment in her presentation to the Council Committee: "What is important, generally speaking, is that the procedure adopted be one that most people would instinctively classify as 'fair'... Other elements generally regarded as key to a fair hearing are: adequate notice of the hearing and of its subject matter, so that interested individuals will know how they might be affected and will be able to prepare representations; open or public hearings, so that everyone may hear what is being said by others; and an impartial tribunal or body before whom the hearing takes place." René Parenteau, professor of the Institut d'urbanisme, Université de Montréal, observed, in his Presentation to the Council Committee : « *Dans ces deux cas (les Commissions permanentes et les CCA), la table de consultation est essentiellement composée d'élus... Dans ces deux cas encore celui qui consulte est aussi celui qui présente le projet, qui fournit l'information et qui prend la décision. Il n'y a donc place pour un avis neutre, une expertise externe, un espace de conflit. Par contre, le Bureau de consultation de Montréal introduit dans l'option la considération de la neutralité.* » Ville de Montréal (Archives VM 141-D 1), Mémoire présenté au Comité de Conseil.

<sup>15</sup> Public consultation for the Miron-Quarry Master Plan was object of an evaluation study; see Laurence Carlo, *Gestion de la ville et démocratie locale*, (Paris: Éditions L'Harmattan, 1996).

<sup>16</sup> When the MCM designed its public consultation policy, they first divided the city into districts as the basis for organising the CCA. The district boundary does not correspond to the boundary for the neighbourhood council that the MCM claimed in its Manifesto and other electoral programs. A district includes several *quartiers* that more adequately represent Montrealers' sense of neighbourhood and their sense of belonging. A *quartier* generally presents a homogenous population group and housing market; Montreal is, to a large extent, the sum of the *quartiers*. The district boundary more reflects administrative needs. The territorial division of districts would be used later as the basis of administrative decentralisation in the context of the amalgamation of municipalities in 2001 (See Map at page 6).

<sup>17</sup> See, for a detail of the statutory objects of public study, Ville de Montréal, *Un dialogue à poursuivre*, pp 12-13.

<sup>18</sup> Source of information: Ville de Montréal (Archives : P 86-F 2-D18), *Bilan administrative des activités des Conseils d'arrondissement de 1989 à 1994 : Rapport présenté pour les membres de la Commission sur la révision des procédures de participation et de consultation publique*, 1995, pp 6-7.

<sup>19</sup> The Council Committee recommended that the public consultation policy include the following objective : "Développer des pratiques de participation dans les quartiers et des pratiques de fonctionnement chez les élus qui préparent la mise en place future d'une décentralisation politique de certains pouvoirs municipaux que seront les conseils de quartier." Comité du conseil sur la politique-cadre de consultation publique, *Rapport sur l'énoncé de politique en matière de consultation publique*, Ville de Montréal (Archives : VM 141-D 1), 1988, p 13.

<sup>20</sup> According to Gret and Sintomer, the PT was a product of those who had organised resistance against the military dictatorship during the 1960s and 1970s and made possible the transition toward democracy in Brazil. The PT was founded in 1980, on a constituency

representing two major political forces; the first is union movements, from which both the present President Lula and the first PT mayor of Porto Alegre, Olivier Dutra, are issued. The second political force is constituted by grass-roots ecclesiastical communities under the influence of the liberation theology. Already since the 1940s, radical Catholic action groups began to defend those who were excluded from the benefits of economic growth and, more particularly since 1965, under the influence of the Vatican Council II, they began to organise parish structures into small neighbourhood groups, which would become the birth place of liberation theology. Liberation theology was instrumental in analysing socio-economic inequalities in terms of social classes and emphasising the priority of pastoral actions for the poor and excluded. Those neighbourhood associations would later provide a social infrastructure for the Participative Budget. Gret, M. and Y. Sintomer, *Porto Alegre: l'espoir d'une autre démocratie*, (Paris, France: Éditions de la découverte, 2002), pp 11-15. For more about the social and political context for the Participative Budget, see also: Baierle, S., *The Case of Porto Alegre : The Politics and Background*, (Roussopoulos, D. and C. G. Benello (eds), *Participatory Democracy : Prospects for Democratizing Democracy*, Montreal : Black Rose Books, 2005, pp 270-286); *Solidariedade, Porto Alegre : Les voix de la démocratie, vivre le budget participatif* (Paris, France : Éditions Syllepse, 2003).

<sup>21</sup> The idea of self-help housing gained wide support, including the United Nations, as an efficient approach to stimulate housing consumption in the context of scarce social resources. John F. C. Turner is one of the radical thinkers who considers self-help housing essentially an individual right and an expression of individual freedom of choice and challenges the state control on housing production as the source of bureaucratic inefficiency and social control on individual freedom. See Turner, J. F. C., *Housing as a Verb*, (Turner, J. F. C. and R. Fichter (eds), *Freedom to Build: Dweller Control of the Housing Process*, New York, N.Y.: The Macmillan Co., 1972, pp 148-175); Turner, J. F. C., *Housing by People: Towards Autonomy in Building Environments*, (New York, N.Y.: Pantheon Books, 1976). The Porto Alegre experience shows that equal political power of influence over public policies is crucial in achieving equal urban and housing welfare opportunities. For a recent argument on housing link to community economic development in Canadian context, see, for example, Jill Hanley and Luba Serge, *Putting Housing on the CED Agenda*, (Eric Shragge and Michael Toyé (eds), *Community Economic Development: Building for Social Change*, Sydney, N.S.: Cape Breton University Press, 2006).

<sup>22</sup> Since the end of the 1950s, the *Vilas* began to appear in the course of rural migration to big cities. According to a survey conducted by the Municipal Housing Department between 1996 and 1999, Porto Alegre could count 464 *Villas* with 73392 housing units housing 22.2% of the city population. Source of information: *Solidariedade*, op. cit., p 45.

<sup>23</sup> When the PT came to power, only 2% of the city budget was available for investment; 98% was allocated to human resources, leaving virtually no room for budgetary deliberation. The Participative Budget was made possible by fiscal reform in 1988 that would substantially raise the share of the budget for investment. The share has been unstable; it was close to 20% in 1994, around 23% between 1996 and 2000, 15% in 2002, and 11.73% in 2003. Source of information: *Solidariedade*, op. cit., p 113.

<sup>24</sup> The most remarkable contribution of the Participative Budget is the improvement of infrastructures and municipal services: the number of schools quadrupled between 1988 and 1999; the number of children in school doubled by 2000; day-cares grew from 2 to 120; sewer and water-connections went from 75% to 98% between 1988 and 1997; homes with sanitation grew from 46% to 85% between 1989 and 1999; 25 kilometres of new road were added during the 1990s; sewage treatment shifted from 2% to 26% during the same period. Source of information: Clive Doucet, *The Participative Budget in Porto Alegre: Insights from a Study Visit of a Canadian Councilor*, *The Innovation Journal: the Public Sector Innovation Journal*, August-2004 (<http://www.innovation.cc/case-studies/doucet.htm>); William Goldsmith, *Participatory Budgeting in Brazil*, Cornell University, 2000.

<sup>25</sup> As we remarked, the MCM Administration prepared discussion papers on long-term comprehensive policies in critical fields of urban governance and asked the general public to deliberate and endorse them. The governing of a modern metropolis such as Montreal implies increasingly complex problems in dealing with urban poverty, unequal neighbourhood qualities, urban pollution and other distributive issues. The MCM Administration relied upon the Permanent Commissions and the BCM to elaborate comprehensive policies as well as a long-term budgetary commitment in coping with those social and economic problems. The Permanent Commissions and the BCM in that perspective were more than the instrument of public consultation; it was a form of participative budget comparable to the thematic forum in the Porto Alegre experience.

<sup>26</sup> We want to remark that there is an interesting relationship between the Participative Budget and the development of civil society. According to Gianpaolo Biocchi, the number of various civil associations substantially increased following the Participative Budget: Neighbourhood Associations were almost doubled from 300 in 1988 to 540 in 1998; cooperatives observed a remarkable shift from 11 to 51 between 1994 and 1998; the number of participants in the Participative Budget increased from 976 to 16456 in 1998. See Gianpaolo Baiocchi, *Participation, Activism, and Politics: the Porto Alegre Experiment and Deliberative Democratic Theory*, (University of Wisconsin-Madison, 1999).

<sup>27</sup> The Participative Budget showed that it can be an effective tool to make the land-use market fair. A shopping centre was threatening the loss of 400 housing units for low-income households and the Participative Budget was instrumental in negotiating the construction of the 400 housing units before the demolition of the existing houses. See Bernard Cassen's article, *Le Monde Diplomatique*, August 1998.

<sup>28</sup> One good example can be garment worker Nelsa Nespolo's account on how she founded, with 36 other women, Univens, a coop, which produces t-shirts and uniforms for unions. She said, « *Les deux choses qui m'ont le plus épanouie sont le budget participatif et la cooperative. La coopérative n'est pas une conséquence directe du budget participatif, mais elle est une conséquence de cette énergie, de cette histoire de participation.* ». Univens can certainly be a good example of what the intrinsic-value argument implies. *Solidariedade*, op. cit. pp 100-102.

<sup>29</sup> Ville de Montréal, *Bilan administratif des activités des Conseils d'arrondissement de 1989 à 1994*, p 13.

---

<sup>30</sup> Ville de Montréal, Bilan administratif des activités des Conseils d'arrondissement de 1989 à 1994, p19.

<sup>31</sup> Bernard Cassen's article, *Le Monde Diplomatique*, August 1998.

<sup>32</sup> Source of information: B. Martin, From Clientelism to Participation: The Story of 'Participatory Budgeting' in Porto Alegre, 1997 (<http://www.publicworld.org/docs/portoalegre.pdf>).

<sup>33</sup> Source of information: Ville de Montréal, *Un dialogue à poursuivre*; Ville de Montréal, *Bilan administratif des activités des Conseils d'arrondissement de 1989 à 1994*.

<sup>34</sup> The MCM administration substantially modified Bylaw 7272 (Règlement sur la protection des biens culturels) in 1987, to control housing demolitions following the Rapport Simard. As we mentioned earlier, the MCM administration made housing demolition virtually impossible by this modification.

<sup>35</sup> Ville de Montréal, *Bilan administratif des activités des Conseils d'arrondissement*, pp 6-7.

<sup>36</sup> Conseil central de Montréal (CSN), Mémoire présenté au Comité Conseil, Ville de Montréal (Archives : VM 141-D 1).

<sup>37</sup> Le RCM – District Saint-Jean-Baptist, Mémoire présenté au Comité Conseil, Ville de Montréal (Archives : VM 141-D1), p 7.

<sup>38</sup> Source of information: an interview with the District Coordinator at that time and the author's own involvement as planner.

<sup>39</sup> For more about the Cavendish project, see Regional Plan, Montreal Urban Community, 1986.

<sup>40</sup> Phillis Lambert, Letter to the Council Committee, August 24, 1988, City of Montréal (Archives: VM 141-D 1).

<sup>41</sup> Dimitrios Roussopoulos, Presentation to the Council Committee, 1988, City of Montreal (Archives: VD 141-D 1), p 1.

<sup>42</sup> RCM, Mémoire présenté au Comité de Conseil, 1988, City of Montreal (Archives: VD 141-D 1), p. 1.

<sup>43</sup> CTM-FTQ (Conseil des travailleurs et travailleuses du Montréal Métropolitain - Fédération des travailleurs et travailleuses du Québec), Mémoire au Comité de Conseil, 1988, Ville de Montréal (Archives : VD 141-D 1), p 4-5.

<sup>44</sup> Table de concertation des organismes de Pointe Saint-Charles, Mémoire présenté au Comité de Conseil, 1988, Ville de Montréal (Archives : VD 141-D 1), p 2.



<sup>45</sup> H. Chorney and S. Block, Presentation to the Council Committee, 1988, City of Montreal (Archives: VM 141-D 1).

<sup>46</sup> Phillis Lambert, Letter to the Council Committee, August 24, 1988, City of Montréal (Archives: VM 141-D 1).

<sup>47</sup> The tenant taxpayers obtained their right to vote for the first time in 1860; only property owners could elect their municipal representatives since the first election in Montreal in 1833. Between 1940 and 1962, there were three categories of city councilors, A, B and C in equal numbers, for a total of 99: the Class-A councilors were elected by property owners only; the Class B were chosen jointly by property owners and tenants; the Class C were nominated by some 13 associations and organisms of Montreal. It was only in the 1970 election that Montrealers could, for the first time, participate in a municipal election by universal suffrage. Since the end of the 19<sup>th</sup> century, girls of legal age and taxpaying widows were given voting rights and it was in 1934 that voting rights were extended to married property-owning women as well as married woman under the regime of separation of goods. It was only in 1968 that universal suffrage, including tenants who pay less than 200\$ per year for rents, came into existence. Source of information: Ville de Montréal (author; Michèle Dagenais), *La démocratie à Montréal de 1830 à nos jours*; Paul-André Linteau, *Histoire de Montréal depuis la Confédération*, (Montréal, Qc.: Les Éditions du Boréal, 2000), pp 543-545.

<sup>48</sup> The following table shows the ranking of citizens' requests by their importance:

**Ranking of the Eight Most Important Objects of Citizens' Requests, 1992-1994**

	<i>Total Incidences 1992-1994</i>	<i>Rank</i>
<i>Park Improvement</i>	57	1
<i>Sport and Cultural activities</i>	56	2
<i>Traffic Improvement</i>	47	3
<i>Zoning and Other Bylaws</i>	47	3
<i>Policies and Administrative Matters</i>	41	4
<i>Parking</i>	40	5
<i>Infrastructures (pavement, sidewalks, sewage)</i>	25	6
<i>Public Security and Environment</i>	25	6

Source of Information: Ville de Montréal, Bilan Administratif des activités des Conseils d'arrondissement de 1989 à 1994. The ranking was computed from from Table 9, p 27.

<sup>49</sup> Sam Bosky, Presentation to the Council Committee, Ville de Montréal (Archives: VM 141-D 1).

<sup>50</sup> Marvin Rotrand, Presentation to the Council Committee, op. cit., P 9.

<sup>51</sup> According to Sergio Baierle, “the Participative Budget is, on one hand, the unfolding of popular fights that have been fought for over 30 years and that now have found a public space for their political processing, and on the other hand, an instrument of social justice, in three dimensions: fiscal distributional, and political... Second, it is about effectively establishing a positive discrimination, thus giving more to those who have less in the Participative Budget, rules are constantly being discussed, taking into account the different degrees of poorness and the population of the several communities.” See Baierle S., *The Case of Porto Alegre: The Politics and Background*, op. cit., p 278; for distributive criteria for the choice of projects within the Participative Budget, see Gret, M. and Y. Sintomer, op. cit., pp 48-53.

<sup>52</sup> Anne Latendresse, *The Case of Porto Alegre: The Participatory Budget*, (Roussopoulos, D. and C. G. Benello (eds), *Participatory Democracy: Prospects for Democratizing Democracy*, Montreal : Black Rose Books, 2005, op. cit., pp 287-291), p 289.

<sup>53</sup> Table de concertation des organismes de Pointe Saint-Charles, Présentation au Comité de Conseil, Ville de Montréal (Archives : VM 141-D1), p 4.

<sup>54</sup> CTM-FTQ, Présentation au Comité de Conseil, Ville de Montréal (Archives : VM 141-D1), p 30.

<sup>55</sup> Atelier habitation Montréal, Présentation au Comité de Conseil, Ville de Montréal (Archives : VM 141-D1), p 6.

<sup>56</sup> The Council Committee recommended : « *Que le BCM soit mandaté pour élaborer un programme fonctionnel d'aide technique et financière aux intervenants dans les processus de consultation publique dans l'esprit d'assurer à tous les intervenants qui le souhaitent, quelque soit leurs moyens techniques et financiers, la possibilité de se faire entendre efficacement.* » Comité du Conseil sur l'énoncé de politique en matière de consultation publique, *Rapport sur l'énoncé de politique en matière de consultation publique*, September 1988, Ville de Montréal (Archives – VM 141, D1), p 50.

<sup>57</sup> The Council Committee recommended : « *Que la BCM dispose d'un budget lui permettant de faire faire des études complémentaires, des validations, des études techniques ou des contre-expertise lorsque les audiences publiques fournissent aux commissaires des motifs suffisants qui les amènent à conclure à la nécessité de telles études.* » Comité du Conseil, *Rapport sur l'énoncé de politique en matière de consultation publique*, p 50.

<sup>58</sup> The Executive Committee approved 82% of the CCA recommendations on zoning and other bylaws without any reservation; it approved 11% of the cases with some reservation, it rejected more than 6% of the cases, and it referred 1% of the cases to further public consultation. See Ville Montréal, *Bilan administrative des activités des Conseil d'arrondissement de 1989 à 1994*, p 28.

<sup>59</sup> IDU (Institut du développement urbain), Mémoire présenté au Comité du Conseil sur la politique de consultation publique, Ville de Montréal (Archives : VM 141-D 1), p 13.

<sup>60</sup> IDU-Quebec (Institut du développement urbain) argued: « *Il ne peut y avoir de développement sans un engagement ferme de la part de la ville. De sa propre initiative, la ville ne*

peut pas générer le développement. C'est le rôle du secteur privé et des forces du marché. Cependant, par le biais de ces pouvoirs de réglementation (et la manière qu'elle les exerce), la ville peut stimuler ou freiner le développement.» IDU-Quebec, Présentation au Comité de Conseil, Ville de Montréal (Archives : VM 141-D1), p 7.

<sup>61</sup> IDU-Quebec, Présentation au Comité de Conseil, Ville de Montréal (Archives : VM 141-D1), p 14.

<sup>62</sup> Bureau de Commerce de Montréal, Mémoire présenté au Comité du Conseil, Ville de Montréal (Archives : VM 141-D 1), pp 4-6.

<sup>63</sup> Le collectif en aménagement urbain Hochelaga-Maisonneuve, Présentation au Comité de Conseil, Ville de Montréal (Archives : VM 141-D1), p. 5.

<sup>64</sup> Comité logement Rosemont, Présentation au Comité du Conseil, Ville de Montréal (Archives : VM 141-D 1), p. 4.

<sup>65</sup> Table de la concertation des organismes de Pointe Saint-Charles, Présentation au Comité de Conseil, Ville de Montréal (Archives : VM 141-D 1), p. 3.

<sup>66</sup> Heritage Montréal, Mémoire sur la politique municipale de consultation, 1988, Ville de Montréal (Archives : VM 141-D1), p 9.

<sup>67</sup> J. M. Glen, Presentation to the Council Committee, City of Montreal (Archives: VM 141-D 1), P 4.

<sup>68</sup> Solidariedade, op. cit., p 93.

<sup>69</sup> Marvin Rotrand, Presentation to the Council Committee, City of Montreal (Archives: VM 141-D 1), pp 13-14.

<sup>70</sup> RCM (MCM), Présentation au Comité du Conseil, Ville de Montréal (Archives : VM 141-D 1), p. 2.

<sup>71</sup> Bureau de commerce de Montréal, Mémoire au Comité du Conseil, Ville de Montréal (Archives : VM 141-D 1), p 8.

<sup>72</sup> Institut du développement, Mémoire au Comité de Conseil, Ville de Montréal (Archives VM 141-D 1), p. 24.

<sup>73</sup> Gianpaolo Baiocchi argued that the language of citizenship that he observed in the Participative Budget process “was not based on the abstract rights and duties of citizenship, but was based on sharing common problems and working toward common solutions at the assemblies. It was not a language explicitly based on religious notions of social justice, as might be expected given the historical importance of liberation theology in social movements in Brazil. Nor was it based on a socialist discourse of class empowerment, such as might accompany a Workers’ Party experiment. Rather, this language of citizenship emphasized “the good of the community” and valued collective and pragmatic problem-solving.” See Gianpaolos Baiocchi,

---

Emergent Public Spheres: Talking Politics in Participatory Governance, (*American Sociological Review*, Vol. 68 (February), 2003, pp52-74), p 62.

<sup>74</sup> Marcel Sévigny, Mémoire au Comité de Conseil, Ville de Montréal (Archives VM 141-D 1), p 9.

<sup>75</sup> Dimitrios Roussopoulos, Presentation to the Council Committee, City of Montreal (Archives: VD 141-D 1), p 5.

<sup>76</sup> Solidariedade, op. cit., p 102.

<sup>77</sup> Solidariedade, op. cit., p 48.

<sup>78</sup> For the process of public consultation for the City Plan, see Service de l'habitation et du développement urbain, Bureau du plan d'urbanisme (Ville de Montréal : Archives VM 49, S2, D353), Processus de concertation sur les enjeux d'aménagement et de développement des arrondissements, janvier 1990.

<sup>79</sup> For a discussion on public consultation for the City Plan, see Jin-Bak Pyun, Montréal se donne un plan d'urbanisme à son 350e anniversaire, *En Bref (Corporation professionnelle des urbanistes du Québec)*, V 4, N 1, 1992; Susan LaFerrière and Jin-Bak Pyun, Le plan d'urbanisme de Montréal, un important outil de développement, *Actualité immobilière*, Vol XVI, No 3, 1992.

<sup>80</sup> A good understanding of the future market is indeed important in planning with market economy; that is why there have been attempts to build urban models and to predict the planning impacts in the market. More particularly in the 1960s, urban models attracted a surge of interest among urban scholars in the United States. See, for a good survey of urban models, for example, Britton Harris, Quantitative Models of Urban Development: Their Role in Metropolitan Policy-Making, H. S. Perloff & L. Wingo, Jr. (eds), *Issues in Urban Economics*, Baltimore, Md.: The John Hopkins Press, 1968, p 363-412; for a critical view on large-scale urban models, see Douglass B. Lee, Jr., Requiem for Large-Scale Models, *Journal of the American Institute of Planners*, Vol. 39, No. 3, 1973, pp 163-178; for a recent revival of the debates on urban models, see Briton Harris, The Real Issues Concerning Lee's "Requiem," *Journal of the American Planning Association*, Vol. 60, No.1, 1994, pp 31-34 and Douglas B. Lee, Retrospective on Large-Scale Urban Models, *Journal of the American Planning Association*, Vol. 60, No.1, 1994, pp 35-40.

<sup>81</sup> The observation presented here is based on the present student's personal observations; he was involved, as a coordinator, in the preparation of the City Plan in Montreal as well as in Quebec City over several years.

<sup>82</sup> Our hypothetical example can be misleading. The MCM administration made the anti-nuclear issue an important land-use issue during its first mandate. It organised a public hearing by the BCM to designate Montreal as a zone free of nuclear arms and it adopted, in 1990, Bylaw 8669 prohibiting any production or storage of nuclear arms or the components in Montreal. Source of information: Ville de Montréal (Archives: P86-F1-D33), *Bilan de l'Administration RCM 1986-1994*, 1994, p 1.5 & 1.10. Nuclear arms and world peace are obviously not a municipal issue; nonetheless, they must be crucial for local welfare and local population as

citizens should have opportunities to express their concerns on the issue. However, we have not yet crossed a city plan expressing the anti-nuclear issues.

<sup>83</sup> The Downtown Master Plan was adopted in 1991, after a distinct forum of major stakeholders including various business, labour and community interests. Prior to the forum, there was a public consultation of the BCM format in 1988 which provided the basis of the Master Plan. It is important to remind that the mandate to elaborate the Master Plan was issued in the Montreal Summit Meeting including major political, economic, social and cultural groups in Montreal, which the Drapeau administration organised in 1985, a year prior to his retirement, under their pressure.

<sup>84</sup> Solidariedade, op. cit., p 106.

<sup>85</sup> Gret and Sintomer, op. cit., p 24.

<sup>86</sup> Thomas Nagel sees impartiality as a essential condition for political legitimacy. He argues that “the search for legitimacy is a search for unanimity – not about everything but about the controlling framework within which more controversial decisions will be made.” See Thomas Nagel, *Equality and Partiality*, (Oxford, U.K.: Oxford University Press, 1991), Chapter 4: Legitimacy and Unanimity, pp 33-40.

<sup>87</sup> The MCM City Plan had two ambitions, land-use planning and comprehensive planning. The land-use-planning ambition brought an important contribution to zoning reform in Montreal; the MCM administration would make, in 1994, a new zoning bylaw for the whole territory of Montreal, on the basis of the land-use maps of the Plan. The comprehensive-planning ambition quickly appeared useless and even undesirable; the city priority evolved more along with the market than anything else and the comprehensive long-term objectives in the City Plan seemed to be burdens rather than assets. The City of Quebec adopted its City Plan in 1988, which was similar to the City Plan of Montreal in its ambition of comprehensive planning, and it also quickly put aside its Plan. One reason why both city plans failed seems to be that both plans were much too ambitious in their search for comprehensive planning and social consensus. In the absence of adequate information on the market-planning relationship in the changing context of the market and political power, we would not be able to predict and to decide the future urban state in a reliable manner; we think that we are not yet there. A good alternative to comprehensive planning for both cities would be to develop a city plan that is strategic rather than comprehensive, short-term rather than long-term, focused on incremental improvement of the quality of neighbourhood environment and services rather than large-scale projects, and committed to implementation. We think that Braybrooke and Lindblom’s theory of ‘disjointed incrementalism’ certainly makes a good sense in our search for a reasonable and practical comprehensive planning; see David Braybrooke and Charles E. Lindblom, *A Strategy of Decision: Policy Evaluation as a Social Process*, (New York, N.Y. : The Free Press, 1970).

<sup>88</sup> We previously discussed several reasons why the majority rule can be preferred to the unanimity rule. For more discussions on collective choices in pluralist democracy, see Iris Marion Young, *Justice and the Politics of Difference*; Robert A. Dahl, *Democracy and Its Critics*, (New Haven, Conn.: Yale University Press, 1989), Chapter 10, pp 135-152.

---

<sup>89</sup> The new mayor demanded the amendment of the City Charter necessary for the abolishing of the MCM policy of public consultation. The Government of Quebec gave response to the amendment demand at the end of 1995, after a public hearing by the “Commission sur la revision des procedures de participation et de consultation publiques” that was created to examine the demand.

<sup>90</sup> In 2001, the PQ Government of Quebec decided to amalgamate the municipalities on the Island of Montreal then regrouped within the MUC (Montreal Urban Community). Between the creation of the MUC in 1970 and the amalgamation of the municipalities of the MUC in 1991, there were several attempts to reform regional governance and the dominant issues of regional reform were mainly fiscal equity and efficiency in the production of municipal services: the Hanigan Report (*Comité d'étude de la Communauté urbaine de Montréal*) in 1973 and, the Castonguay Report (*Groupe de travail sur l'urbanisation au Québec*) in 1976 addressed the issues of amalgamation without any results; the Pichette Report (*Groupe de travail sur Montréal et sa région*) in 1993 unsuccessfully recommended the creation of the Metropolitan Council but the report was instrumental in creating the AMT (Agence métropolitaine de transport); finally, the Report of the *Commission nationale sur les finances et la fiscalité locales* in 1999 recommended the amalgamation of the municipalities in Quebec and, subsequently in 2000, the Government of Quebec published a white paper entitled “*La réorganisation municipale : Changer les façons de faire, pour mieux servir les citoyens*” and implemented regional reform including the amalgamation of the MUC municipalities. However, we should underline that the amalgamation resulted rather in the decentralisation of the old city of Montreal into boroughs (districts) which command around 60% of the total spending of the new city of Montreal as well as other powers including local planning and building permits. We do not yet know the impacts of the amalgamation on fiscal equity and production efficiency. For different issues of the regional reform in Montreal, see, for example: Anne Latendresse, *La réforme municipale et la participation publique aux affaires urbaines montréalaise; Rupture ou continuité?*, (Juvé B. and P. Booth (eds), *Démocraties métropolitaines*, Québec, Qc.: Presse de l'Université du Québec, 2004); Marie-Odile Trépanier, *Les défis de l'aménagement et de la gestion d'une grande région métropolitaine*, (Manzagol, C. and C. Bryant (eds), *Montréal 2001 : Visages et défis d'une métropole*, Montréal, Qc.: Presse de l'Université de Montréal, 1998, pp 319-340). When Madame Louise Harel, then the Minister of the PQ government for municipal affairs, presented Bill on municipal amalgamation, she declared that, with the Bill, there would be no longer bilingual municipalities in Montreal. Three years after the adoption of the Bill, the Anglophone communities would vote for de-amalgamation in the referendum of 2004 and they would subsequently quit the newly amalgamated Montreal, preserving their bilingual status.

<sup>91</sup> The Office of Public Consultation was created to deal with policies and projects of city-wide impact as the BCM of the MCM administration; one notable difference is that the former does not have the independent panel that characterised the impartiality of the latter. New Montreal also organised a citizens' summit meeting as an attempt to assure citizens' inputs in its new agenda and it proceeded to the decentralisation of new Montreal into boroughs and to the creation of the district planning commission, an advisory panel of experts for planning and building permits. For the summit meeting, see Dimitios Roussopoulos, *The Case of Montreal*, (Roussopoulos, D., and C. G. Benello (eds), *Participative Democracy: Prospects for Democratizing Democracy*, Montreal: Black Rose Books, 2005, pp 292-324). It is certainly too

---

early to say anything more about the new trial for democracy on which Montrealers have embarked.

## 6. THE OVERDALE AND EQUAL LAND-USE OPPORTUNITIES

*To effect a housing policy of service and not of profitability. Every individual has the right to housing corresponding to his needs.*

*To forbid by regulation the demolition of any dwelling judged usable or restorable by the neighbourhood council within defined residential zones; outside of these zones, to impose a very heavy special tax on those who demolish housing in good condition; to avoid in all possible cases the demolition of housing for public ends which would be against the interests and character of the neighbourhoods.*

(From the MCM Manifesto 1974)<sup>1</sup>

In this chapter, we will examine the ethical implications of the Overdale Criteria of Compensation (OCC) that the MCM administration and the developer of the Overdale project jointly proposed to the evicted tenants. The OCC was the first attempt in Montreal to make the downtown land-use market accountable for the loss of housing welfare that the market provokes<sup>2</sup>. We will evaluate the ethical implications of the OCC in the light of the egalitarian planning principles 4, 5 and 6; we propose to take the OCC seriously as a source of heuristic learning about planning for equal land-use opportunities.

### 6.1. Evaluation Object and Methodology

We want to verify if and to what extent the OCC responds to the requirements of the egalitarian planning principles. Principle 4 requires an *externality test* to inquire if and



to what extent the OCC internalises the external bads that the Overdale engenders. Principle 5 implies that the OCC should be submitted to an *equal-opportunity test* in order to assess whether and to what extent the OCC improves land-use opportunities for those who are unprivileged in the market. Finally, the 6<sup>th</sup> principle proposes a *cost-benefit test* to evaluate whether and to what extent the external benefits of the Overdale project bring outstanding contributions to Montreal as a whole so as to justify the project. In applying those principles in the Overdale case, we want to also observe whether or not the egalitarian planning principles are adequate ethical standards of planning in light of the practical reasons that fashion the OCC.

The externality test consists of identifying both external goods and external bads and defining a just compensation for the the external bads that a planning project engenders. To the extent that the Overdale project produces external bads, the project is unethical; an ethical Overdale would either avoid or compensate for its external bads. Principle 4 requires that we internalize external bads through deliberative democracy.

The equal-opportunity test consists of assessing the change in housing and urban welfare opportunities and a right compensation for the opportunity loss that a planning project provokes within the market. The Overdale land-use project would reduce housing opportunities for the low-income population in the downtown area<sup>3</sup> and the OCC proposed to compensate for the loss of those housing opportunities; we will inquire about the ethical implications of the Overdale compensation. We propose to discover why the

egalitarian ethic matters in the land-use market and how the OCC internalises the loss of social land-use opportunities. The equal-opportunity test should also be conducted by the planning assembly including both those who create and those who are affected by the market; the OCC can be justified only if it is deliberated and decided in the planning assembly, according to its principles of egalitarian democracy.

If the Overdale project brings an outstanding social benefit to society, the project can be justified according to the egalitarian principle 7. A dynamic society would accommodate entrepreneurs and creative geniuses who bring an outstanding contribution to society in terms of a sustainable environment, urban beauty, welfare increase and other community benefits; they are social goods that would improve the quality of life. We remarked that planning would ultimately be about maximising the external benefits of living together, about seizing and stimulating the consumer's surplus. We propose a social-benefit test to assess if and to what extent the OCC creates outstanding community welfare. Again, the planning assembly has to conduct the test and to decide if the Overdale can be rewarded on the basis of social benefits.

In conducting these three tests, we will examine the Council Committee hearing that the MCM administration organised for the public study of the OCC as a proxy for the democracy requirements of the tests. The Council Committee was only advisory; it was not the planning assembly that we propose by virtue of egalitarian planning principles 2, 3 and 4. However, the public hearing brought the developer, the tenants and the public

together to evaluate the ethical foundation of the OCC and to build a social consensus. We will pay much attention to the ethical arguments that citizens and community groups presented in the public hearing to defend their alternative solutions to the OCC. Those arguments appear to us ever deeply present today and very much parts of our on-going search for a just and democratic city and wide reflective equilibrium in Montreal.

In this evaluation study, we will observe, often in the end notes, other planning experiences in Montreal and we will try to discover moral concerns in those experiences. The OCC is a part of many planning failures and successes that Montreal carried out in the land-use market during the 1980s and we will try to understand the OCC in the planning context of Montreal at that time, as an attempt to make our evaluation study fair and our historical understanding comprehensive.

As we said, the Overdale Criteria of Compensation was not an isolated event; rather, it was following the American experience that is commonly known as 'linkage exaction.'<sup>4</sup> There was also 'inclusionary housing,' which represents local efforts to assure equal housing welfare for the unprivileged in the housing market.<sup>5</sup> We propose to compare the OCC also with a case of linkage exaction in Santa Monica, California; Santa Monica experienced, in the late 1980s, an interesting case of linkage exaction in a large commercial project, known as the Water Garden. The Water-Garden case of linkage exaction is probably one of the best examples showing how far planning for equal land-use opportunities can go. We will try to understand the ethical reasons that could justify

the exactions in the Water-Garden case and we will compare these reasons with those that justified the OCC. By comparing the two city experiences, we want to learn from each other's trials and errors; we can better understand why we should tame market capitalism and how we can better plan for equal land-use opportunities.

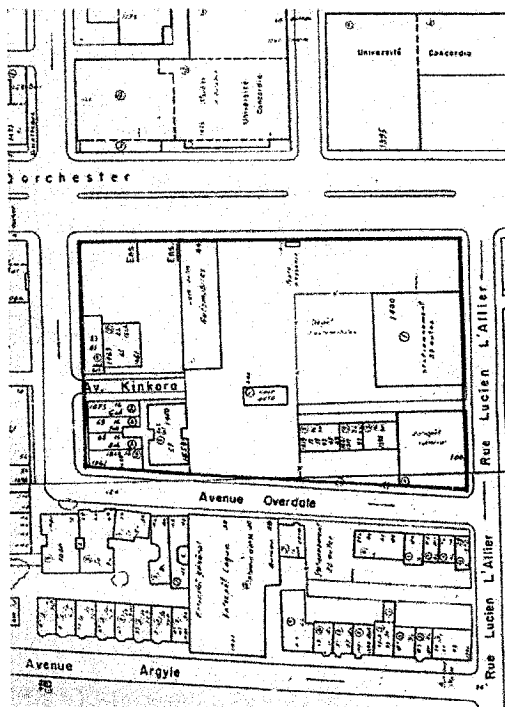
The two cities are quite different in terms of their respective geographic conditions, people and culture; however, they are also two remarkably similar cities. Both Montreal and Santa Monica experienced a wild land-use market and an intense pressure on renters who formed the great majority of the city population<sup>6</sup>. Both cities shaped and brought into power a progressive political party whose main constituency was renters<sup>7</sup>; both the OCC and the Water-Garden experience were an initiative of progressive forces to defend renters' rights against urban market capitalism. Both experiences present a common case in which progressive parties brought social equity and civility into the process of urban development. We propose to understand both the Overdale and the Water-Garden experience as a planning attempt to *liberate* the renters and unprivileged from the oppression of market capitalism and to build an egalitarian city; we think that the two cities are on a common frontier and their experiences can be compared and shared.

## 6.2. The Overdale Criteria of Compensation

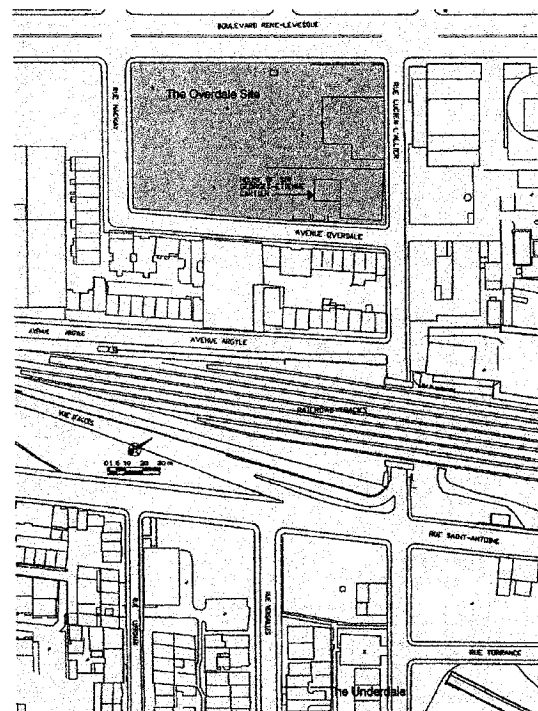
On September 29<sup>th</sup> 1987, the City Council of Montreal adopted Bylaw 5738 authorising development rights for the “Galleria of Dorchester,” commonly known as the “Overdale Project.”<sup>8</sup> The Overdale Project was proposed on a piece of prime land of roughly 3.3 acres (1.33 ha) in the heart of the Montreal central business district, defined by Rene-Levesque Boulevard to the North, Overdale Street to the South, Lucien-L’Allier Street to the East and McKay Street to the West. The developer projected the construction of two towers of 39 stories on René-Lévesque Boulevard and buildings of 2 to 10 stories on McKay and Overdale. The Overdale project would include 650 condominium units, both above and under-ground retail spaces of about 20 000 square feet, underground parking lots, a sport centre and a direct underground link to the Lucien-L’Allier Metro Station. The density of the project in terms of the FAR (Floor Area Ratio: ratio of the total area of the floor space to the area of land) was limited to 7, representing about 200 housing units per acre.

The Overdale rights of development were also subject to a contractual agreement by which the developer should produce 69 residential units<sup>9</sup> to house the evicted tenants from the existing residential buildings to be demolished. The developer wanted a permit to demolish an abandoned industrial structure as well as 107 housing units in 10 residential buildings (See The Overdale Land Use in 1987), of which 77 were inhabited by some 200 persons, most of whom were in low income households or roomers,

including many elderly citizens, students, workers and artists, among others<sup>10</sup>. The developer also asked for two important concessions from the City: he wanted to acquire the public domain in the site, Kinkora Avenue and a public alley, for land assembly; he wanted to have the right to a higher density, above the FAR 6 that was authorised according to the current zoning bylaw at that time. The MCM Administration wanted a trade-off for the concessions that the developer demanded; it asked the developer to compensate the tenants to be evicted for the loss of their housing welfare.



The Overdale Land Use in 1987



Present Overdale Land Use

The compensation would protect the tenants housing rights without restraining the developer's property rights. The MCM Administration wanted "to ensure that the interests of the more destitute who are directly affected by demolition are protected, while preserving a climate that generates investments in the downtown area."<sup>11</sup> The Overdale project was indeed the first serious challenge of market capitalism for the MCM Administration that had come to power with an electoral platform of housing rights and urban democracy; it had to deal with market capitalism, while, at the same time, it had to ensure the tenants' housing rights. The Overdale Criteria of Compensation was born from that challenge. Let us summarise the OCC as follows<sup>12</sup> :

- *The developer shall construct a total of 69 housing units (48 apartments and 21 rooms) on Lucien l'Allier, a few blocks from the Overdale, and cede them to the tenants at the value of the mortgages. The construction costs are estimated at 2.3 million dollars and the subsidies by the developer at 1,2 million dollars;*
- *The tenure for the apartments will be coop and the rooms will be managed by a non-profit organisation so as to keep rent increases out of the market. The social housing tenure will make those dwellings available for low-income population forever;*
- *The developer shall provide rent supplements, estimated at 161 000 dollars, to minimise the impacts of the new monthly payments for seven years;*
- *The developer shall preserve 4 residential buildings with a particular architectural and historical interests including one which housed Prime Minister Louis-Hippolyte Lafontaine<sup>13</sup>;*
- *The developer will provide a park integrated into the project, private but with public access, to compensate for the lack of public parks in the sector;*

- *The City will sell the public domain at a nominal price (The value of the domain was evaluated at 450 000\$);*
- *The City will allow the bonus density up to FAR 7 as we already mentioned.*

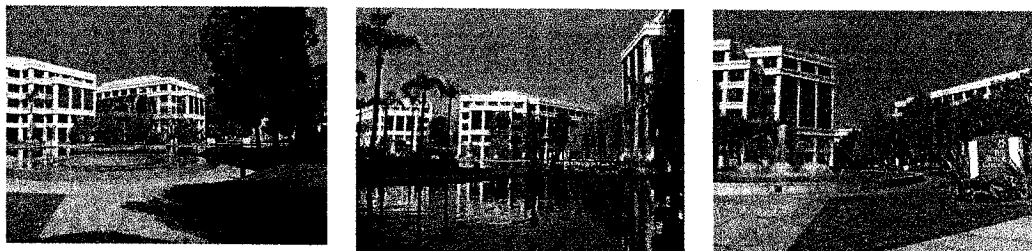
### **6.3. The Water-Garden Criteria of Compensation**

In 1988, a year after the heated debates on the Overdale Criteria of Compensation, the SMRR Administration in Santa Monica<sup>14</sup> approved the development rights for Water Garden, a large scale office complex including some retail spaces. The development rights were subject to a complex contractual agreement between the city administration and the developer by which the developer had to pay various fees for the social and environmental impacts that the project would engender. This contractual agreement provides the basis of what we will call *the Water-Garden Criteria of Compensation* or the *WCC*.

Santa Monica grew from a resort village into an industrial town harbouring many armament industries, including Douglas Aircraft, during the Second World War. Then, as in most industrial centres in North America, the decline of manufacturing industries severely hit the city in the 1970s; its population base was largely working class and, therefore, their unemployment and economic stress was severe<sup>15</sup>. Along with industrial decline, Santa Monica was experiencing steady demands in the commercial and up-scale



housing markets, which exercised heavy pressure on its industrial land and the existing low-scale rental market.



Water Garden

Water Garden<sup>16</sup> included four six-story buildings, each with about 315,000 square feet of floor area, on a parcel of land of more than 17 acres. The land had been zoned semi-industrial and the project involved very little housing demolition. The WCC stipulated the following compensatory requirements:

- *The project was required to provide “ample” open space including a large artificial lake;*
- *The developer had to submit a traffic demand management (TDM) program, which had the goal of reducing auto trips by 20% annually, and to pay traffic improvement fees;*
- *The project had to incorporate water saving measures such as watering at night, using low-flow fixtures and drought resistant plantings, in order to reduce water consumption by one-third;*
- *The developer had to finance, if the city deemed it necessary, a study to see whether preferential parking was needed in the immediate vicinity. The developer also agreed to provide overflow parking for Santa Monica Community College for a fee and to the degree that this was feasible;*

- *The developer was required to provide a facility for on-site child care including 3500 square feet of interior space as well as the same quantity of exterior space. The child care provider should be non-profit and 10 % of the child care capacity was to be reserved at 60 % of the market rate for those who live in the vicinity and need financial assistance;*
- *The developer committed to design and to promote job training to meet the needs of surrounding neighbourhoods;*
- *For housing and parks, the developer was required to pay \$2.25 per square foot for the first 15,000 square feet of net rentable floor area and \$5.27 per square foot for everything above, indexed for inflation. The total fee would have been \$5,828,520, of which \$3.5 million was to be paid before commencing Phase 1;*
- *The developer had to pay \$150,000 to the Santa Monica Arts Foundation for public art;*
- *The developer had to pay the city \$300,000 to be used for services to homeless persons or for the operation of shelters.*

#### **6.4. The Overdale and Public Consultation**

The MCM Administration and the developer conceived the OCC and went to public hearings on September 3<sup>rd</sup> 1987. The MCM Administration put emphasis on the compensation for housing demolition and invited the public to evaluate the OCC as an important component of municipal housing policies in the following manner:

*The municipal administration was faced with a residential development project of over \$ 100 million without having at its*

*disposal any of the necessary tools... Instead of remaining passive in this dossier, the municipal administration decided to take action and used the negotiation approach, in order to give the project an orientation that meets the main objectives of the City and to use it as a pilot-project in the elaboration of a residential development policy that would include contributions to a compensation fund when dwellings are demolished... Montreal must, among other things, adopt a policy providing for compensation whenever dwellings are demolished... The result of the negotiations had to constitute a big step forward in the elaboration of municipal housing policies.<sup>17</sup>*

The MCM Administration saw, in the OCC, a new source of financial resources for low-income housing in the context of fiscal conservatism in both the federal and Quebec governments. Indeed, the OCC was something completely new in the housing history of Montreal; a real estate developer was about to compensate for the demolition of housing units and to subsidise the construction of social housing<sup>18</sup>. However, the tenants as well as a large public supporting their cause rejected the OCC and accused the MCM Administration of failing in the defense of the tenants' rights, the very reason why the party was brought into power<sup>19</sup>.

The MCM Administration asked the Permanent Commission of Planning, Housing and Public Works, which we will call simply as the "Planning Commission," to organise public hearings and to present its recommendations to the Council. As we already studied, the MCM Administration created the Permanent Commissions of the Municipal Council including the Planning Commission, in January 1988, two months after its electoral victory.

The Planning Commission held its hearings on September 3<sup>rd</sup>, 9<sup>th</sup> and 10<sup>th</sup> 1987, in City Hall, the Saint James the Apostle church and City Hall again respectively to hear the Administration, the tenants and various community groups and citizens. Some 35 groups and many citizens responded to its invitation and submitted their comments and positions, many with written documents. The Commission estimated that at least 350 persons had attended the hearings<sup>20</sup>. The Commission presented its recommendations to the City Council on September 21<sup>st</sup> 1987, prior to the adoption of the Bylaw authorising the Overdale development rights.

The Planning Commission made its recommendations, which strongly supported the arguments of the tenants and the public against the OCC. Let us summarise the recommendation as follows<sup>21</sup> :

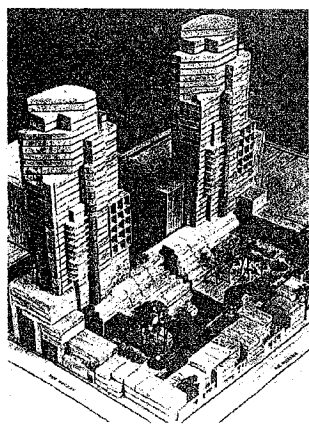
- To rehabilitate all existing residential buildings, except one located on the north side of Kinkora. If the developer wants to demolish the building, he shall reproduce the number of units demolished and he can construct them on Lucien L'Allier;
- To provide the tenants with the choice to stay where they are now in a renovated unit at an affordable rent (25% of their income);
- To integrate a green space into the Overdale project that will be open to the public;
- To study the urban impacts of the project and to make the study public as soon as possible.

The difference between the relative positions on the OCC of the Planning

Commission and the MCM Administration was substantial: the Administration proposed to preserve only the buildings with architectural and historical value, while the Commission wanted the rehabilitation of all the buildings; the Administration proposed to house the tenants off the Overdale site, in the so-called Underdale project, while the Commission wanted to integrate them on the Overdale site, in the rehabilitated buildings. The clash between the Planning Commission and the Executive Committee created a serious tension among the rank and file of the MCM; several Council members would quit the party.



The Overdale Site Today



The Overdale Vision

Finally the City Council adopted the OCC, reflecting some minor recommendations of the Commission: rent supplements by the developer increased such that the impacts of the new rents would be attenuated for two more years; a private park accessible to the public would be created on the Overdale site; four buildings with architectural and historical values would be preserved. The OCC ignored the essential part of the recommendations. The instrumental goal of deliberative democracy in land-use decisions is, we argued, to minimise the external bads that the land-use decisions engender. By rejecting the deliberation outcome, the MCM administration was compromising both public deliberation itself and the externality test by the public. It is also to be noted that, in the

absence of mutual agreement between the concerned parties, the OCC is partial; justice by compensation is a compromise between the parties and, therefore, requires mutual consent.

### **6.5. The Externality Test**

The Overdale project proposed to demolish 107 housing units, to rebuild 69 units in the vicinity and to bring to the heart of the central business district a new stock of 650 condominium units for middle and upper income classes, which would create both external goods and external bads for society. The MCM Administration wanted to take advantage of the external benefits; indeed, the Overdale project would bring an investment of over 100 million dollars which would produce important external benefits in both economic and fiscal terms. The construction of 650 new housing units would create direct and indirect economic and employment benefits and they would bring new tax revenues to the city, which had been losing its fiscal resources in the course of suburban sprawl. The 650 additional households of middle and upper-income classes would also bring consumption benefits to the local economy. The MCM Administration did not want to lose those economic and fiscal benefits; the OCC was built on the premise that the Overdale benefits should be encouraged. The Water-Garden Criteria of Compensation was built on the opposite argument; it takes the environmental bads of the project seriously and it attempts to internalise them as far as possible. Table 6-A presents

a short summary of the externality test and the compensation requirements that the OCC and the WCC, respectively, proposed.

**TABLE 6-A: Summary of the Externality Test and Compensatory Schemes**

	<i>OCC</i>	<i>WCC</i>
<i>External Bads</i>	<ul style="list-style-type: none"> <li>- Community use of a private park</li> </ul>	<ul style="list-style-type: none"> <li>- The TDM and fees</li> <li>- Parking study</li> <li>- College parking</li> <li>- Water conservation</li> <li>- Park fee</li> </ul>
<i>External Goods</i>	<ul style="list-style-type: none"> <li>- Economic growth</li> <li>- Fiscal benefits</li> </ul>	

The WCC required that the Water Garden implement a TDM (Traffic Demand Management) program to reduce by 20% the automobile trips that the Centre would generate. The TDM program was expected to provide its employees with flexible office hours, car-pool parking and shuttles, and a subsidy to public transportation (50%). In addition, the developer had to pay a TDM fee of up to \$200 000 as well as a total of more than \$6.4 million for traffic improvement, of which about \$3.9 million had to be paid prior to obtaining the building permit. Those figures might appear astonishing to us Montrealers but the same fee in a Santa Barbara case, which Warner and Molotch also studied, was higher than that of the WCC<sup>22</sup>.

The Overdale project would generate new demands for infrastructure and municipal services in the downtown area in general and in its vicinity in particular. More than 600 new households might impose additional burdens on an already overloaded downtown and that is why Héritage Montréal and the CPUQ (Corporation professionnelle des urbanistes du Québec) strongly demanded impact studies in their presentations to the Planning Commission. Héritage Montréal came with the following recommendation:

*Héritage Montréal demande que des études d'impact soient réalisées par le promoteur, sous la supervision de la ville de Montréal, afin d'assurer de la bonne intégration du projet au milieu social et urbain du centre-ville et de déterminer les modifications et les mesures d'atténuation à y apporter. Par exemple, le projet devrait faire l'objet d'une étude complète de design urbain (percées visuelles, volumétrie, etc.)... les impacts sur la circulation... les problèmes d'engorgement aux accès du stationnement de près de 1000 places.<sup>23</sup>*

If, indeed, the Overdale project produced those additional burdens, an ethical Overdale would have to internalise the burdens. On the other hand, if the project optimised the use of the existing municipal infrastructure and services that could be underutilised in the process of suburban sprawl and central-city deterioration, it would produce social gains emanating from an optimal utilisation of municipal infrastructure and services. The OCC was built on the social-gain premise. It was generally believed at that time that the Montreal downtown had sufficient capacity to accommodate additional development projects in terms of municipal infrastructure and services<sup>24</sup>.



The OCC proposed the public use of a private park to be created on the Overdale site as compensation for the pressure that the project would exercise on the existing parks and green spaces in the neighbourhood. The downtown neighbourhoods were already deficient in those urban equipments and, therefore, additional land-use projects would inevitably bring an increasing pressure on them. Moreover, few new parks and open spaces had been added in those neighbourhoods, while high density commercial development of the downtown resulted in an intensive use of the existing parks and open spaces, many of which required substantial repairs.<sup>25</sup> The park fee in the WCC was justified because the Water-Garden office workers would bring an additional park demand. In the light of the WCC requirement for the park fee, the Overdale project could be accountable for a fare share of the repair costs of the existing parks as well as the costs for the creation of new open spaces in the downtown area.<sup>26</sup>

The WCC stipulated that the developer would finance a study to evaluate the possibility of sharing parking facilities with neighbours in the vicinity, if such a study was necessary. The sharing of urban location and facilities reduces the loss of social opportunities that the land-use market provokes; land-use sharing would certainly be a social good that planning can promote. The Overdale Project could also be an opportunity for mixed land-use. The World Trade Centre in Montreal, a major achievement in urban design in terms of the integration of renovated and new buildings as well as for the creation of an exceptional interior public place, was born as a public-private joint project of land use; the partnership was initiated to create a parking facility for the Old Montreal

neighbourhood and as a strategy to revitalise its stagnant economy<sup>27</sup>.

Architectural beauty is a distinctive public good that planning has to promote. The architecture of Water Garden was reviewed by the Architectural Board, in an independent review process; in planning with market liberalism, public control over the market products is an essential tool in ensuring architectural quality. We would expect that the more civilized a community is, the tougher the community control on architectural quality might be; a civilized community would strongly manifest its aesthetic preferences and translate them into design guidelines and evaluation criteria. Montrealers began to discover the aesthetic quality of their Plex environment around 1970 and the issue of preservation of the existing residential buildings represented not only social needs for the low-income housing but also the Montrealers aesthetic preference for the Plex environment. As we will argue in Appendix 1, the aesthetic quality of the Plex environment constitutes the archetypal component of architectural beauty of the Montreal housing landscape. The OCC required that four buildings including the Louis-Hypolyte-Lafontaine House, be preserved, while the public and the Planning Commission recommended the rehabilitation of all residential buildings (except one on McKay). By rejecting the Commission recommendation, the OCC missed an interesting opportunity to preserve one of the last Plex neighbourhoods and to create an interesting residential ensemble in the heart of the CBD signed by Hanganu and Panzini, two Montreal architects<sup>28</sup>.

The WCC included a contribution to public arts. Through this contribution, the Water Garden participates in the creation of built culture and the reinforcement of ‘urbanity’; public arts are an important part of the cityscape that celebrates city history and culture. Traditionally, institutional buildings, public squares and street intersections have been the principal sites for public arts in Montreal; today, institutional buildings are unidentifiable, we no longer build public squares, and street intersections are built to accommodate automobile traffic, not public arts. Instead, commercial centres and arteries increasingly ‘commercialise’ the public domain; the land-use link to public arts could be justified as an attempt to make those centres and arteries less commercial and more public. The OCC missed the planning opportunity for public arts but the MCM administration did not at all neglected public arts during its reign; it prepared a policy paper in 1989 and it commissioned many public-art works; it also renovated various monuments.<sup>29</sup> The Quebec Government has made a significant contribution to public arts in Montreal through the so-called ‘1% program’ for its buildings; it requires for its own land-use projects the allocation of 1% of the construction costs to public arts<sup>30</sup>; the public arts in Metro stations and Melvin Charney’s CCA Garden owe to this program. A municipal version of the 1% program could be designed in the framework of zoning bylaws and extended to private projects; that never happened.

The eviction of the tenants from their homes provoked human suffering, which we may never adequately compensate for. The developer made attempts both by pressure and persuasion to end the leases with the tenants, beginning in November 1986, which

became a source of stress most particularly among elderly persons, who made up 45% of the tenants<sup>31</sup>. Mrs. Lisa Jensen, an Overdale resident, presented to the Council

Commission the following account:

“Perhaps the most anxiety-producing action was the often repeated suggestion that if residents didn’t agree quickly to relocate in Underdale housing, they would inevitably be evicted and receive little compensation. For many residents this was the terrifying threat of homelessness... it appeared to tenants that they had no choice but to accept what was being offered by the developers... Citizens remain uncertain as to whether they will be able to find a home they can afford and also a home they can retain in order to live and grow within a community. The powerlessness generated by the belief we have no choice has been a crippling negative force.”<sup>32</sup>

It is suggested that architectural space is an existential space such that our dwelling is an extension of our own existence<sup>33</sup>; eviction would inflict an existential pain. Eviction would mean dispossessing one’s safety and sense of belonging in her environment; that is a serious matter. Simone Weil would qualify the dispossessing of the sense of belonging as a painful uprooting. She observed:

*« Ainsi un jardinier, au bout d’un certain temps, sent que le jardin est à lui. Mais là où le sentiment d’appropriation ne coïncide pas la propriété juridique, l’homme est continuellement menacé d’arrachements très douloureux. »*<sup>34</sup>

## 6.6. The Land-Use Opportunity Test

The Overdale Project would create housing opportunities for the 650 upper-income potential condominium buyers, which would cause the loss of low-income housing opportunities. The Overdale provoked the loss of housing welfare among the tenants as well as the loss of housing opportunities for other unprivileged persons in the downtown market. The OCC proposed three measures to deal with those losses: first, the developer



The Underdale Project at Left

would subsidise the construction of the Underdale to minimise its economic rents; second, he would provide rent supplements for those who cannot afford the economic rents; third, the Underdale would consist of coop and non-profit housing such that its rents be structured out of the market and permanently accessible to the low-income population. The Underdale Project included a good number of rooms for single persons; 1987 was proclaimed international year for the homeless by the United Nations and the MCM Administration put a particular emphasis on housing welfare for the homeless; it introduced quality control on rooming houses and made a particular effort to create new housing resources<sup>35</sup>. We can also understand the Water-Garden connection to homeless people as the SMRR Administration's care for their welfare. Table 6-B shows a summary of the opportunity tests and compensation schemes both for the OCC and the WCC. We distinguish housing opportunities from urban opportunities only for analytical purposes;

as we had suggested previously, they should be understood as one big 'housing bundle' including both types of opportunities.

The OCC proposed to reproduce only 64% of the total number of demolished housing units, by reducing 32 units that would otherwise be available for the low-income population in the downtown core; that reduction of housing opportunities would make the Overdale that much more unfair. The number of Underdale units represented the number of the tenants who accepted the Underdale offer; the acceptance of the Underdale offer as

**Table 6-B: Summary of the Opportunity Test and Compensation Schemes**

	<i>OCC</i>	<i>WCC</i>
<i>Housing Opportunities</i>	<ul style="list-style-type: none"> <li>- Housing for the tenant</li> <li>- Rent supplements (7 years)</li> <li>- Coop</li> <li>- non-profit for single person</li> </ul>	<ul style="list-style-type: none"> <li>- Housing fee</li> <li>- Affordable rents for 20 years</li> <li>- Resources for the homeless</li> </ul>
<i>Urban Opportunities</i>	<ul style="list-style-type: none"> <li>- Preservation of heritage</li> </ul>	<ul style="list-style-type: none"> <li>- Job training</li> <li>- On-site child care</li> <li>- Public Art</li> <li>- Design review</li> </ul>

the criterion of compensation would be unfair too. From the society point of view, what was at stake was the loss of the low-income housing opportunity that the Overdale land-use would engender in the downtown core; a fairer Underdale would take into account the loss of housing opportunities rather than the acceptance of the Underdale. The WCC considered the opportunity loss in the accounting of its housing fee. Water Garden is a

commercial project, which does not involve any housing demolition or housing development. The WCC required that the developer pay a housing fee<sup>36</sup>; the housing fee would be justified because the loss of the housing opportunities among the unprivileged that the Water-Garden land use provoked is unfair and implied a potential social burden for low-income housing. The WCC ethic implies that the Overdale Project should also pay a housing fee to compensate for the loss of the low-income housing opportunity in the downtown neighbourhood, in addition to the reproduction of the demolished housing.

The OCC proposed to share the production costs of the Underdale project in the following manner: the developer would subsidise the construction for about 1.2 million dollars and would provide rent supplements; the City would assume the land costs; the tenants would absorb the balance in monthly rent payments. In spite of these subsidies, community groups such as the FECHIM (Fédération des coopératives d'habitation de l'Île de Montréal) argued that the rent increase would be substantial such that an important gap between the 'economic rents' of the Underdale and the tenants' income appeared inevitable<sup>37</sup>. The FRAPRU (Front d'action populaire en aménagement urbain) and the Comité logement Saint-Louis also pointed out that the developer's rent supplements are not attached to the Underdale units, such that, if one of the tenants quit her unit, her rent supplement would disappear from the Underdale.<sup>38</sup> These groups strongly objected that the OCC would impose the rent increase on the Overdale tenants and, indeed, the rent increase could imply an unjust transfer of income from the tenants to the developer; the loss of their housing opportunities was a public bad that the Overdale

would engender and, in an ethical market, the developer would fully internalise the external bad.

The rent increase could be justified if the tenants and the developer agreed that the new units of the Underdale provide housing qualities equivalent to the qualities of the old dwellings. The compensation for the old housing by a new unit implies an inter-person comparison of utility and that comparison can be morally wrong and, therefore, a source of social tension. As many Montrealers, the tenants manifested their preference of the old housing over the new housing<sup>39</sup>, while the developer could presume that they would be made better off in the new units. The Underdale is located only a block from the Overdale neighbourhood, but separated by railroad tracks, and they are two different neighbourhoods with two different life styles. The tenants and the developer were comparing the old and the new housing goods according to their respective preconception of others' preference and, to the extent that the Underdale was imposed, the OCC would be unethical. An ethical compensation would require mutual consent on how to compensate.

We expect that the Underdale housing quality would be substantially inferior to the quality of the Overdale; the Underdale architecture represents the minimum standards that rule the production of social housing, while the Overdale would embed the higher architectural quality of the condominium market. They would be two different housing classes, a territorial manifestation of social classes, as we argued. The ideal of equal



housing welfare and equal housing opportunities suggest that we should minimise housing classes through social mix and equal housing quality. Many community groups strongly proposed the integration of the Underdale to the Overdale site and Atelier habitation Montréal recommended a systematic preservation of tenants and social mix in all cases of housing demolition:

*Que la formule de compensation lors de la démolition de logements et/ou l'évincement de locataires prévoie, lorsque cela s'y prête, une mixité de clientèle sur le site même du projet.<sup>40</sup>*

An evaluation study of the Quartier Angus, a large-scale housing project with the “programmed social mix” initiative that Montreal produced in the late 1980s, shows that equality in housing qualities facilitates social mix<sup>41</sup>. Planning for social mix and equal housing quality would be a formidable opportunity for the reduction of housing classes and unequal aesthetic qualities in the urban landscape; the OCC missed such a planning opportunity.

The WCC also missed the planning opportunity for a functional and social mix in its land use. If the Water-Garden land use had had a functional mix such as residential-commercial, such a mix could have made Santa Monica more compact so as to reduce trips by private car; planning for compact neighbourhoods and cities would undoubtedly be crucial for planning in the Los Angeles region for a sustainable environment. Water Garden could include low-income housing so as to internalize the loss of housing opportunities for the low-income population within the site; such a social mix would

make Water Garden still more egalitarian. If we want a sustainable environment and equal land-use opportunities, we should prioritize planning interests over the private property rights and market interests; as long as private property rights overrule planning interests, it is unlikely that we can build a sustainable and fair city.

The OCC also missed other social opportunities. It proposed to demolish all existing old buildings except those with architectural and historical values; the MCM administration could require the rehabilitation of all existing buildings for the tenants and the low-income population following the Planning Commission recommendation. The rejection of the rehabilitation option also meant an opportunity loss of sustainable development; the rehabilitation saves natural resources. The rejection of the rehabilitation also implied a compromise of the MCM electoral platform on democracy and housing rights; the rejection was understood as breaching the credibility of public consultation by the Council Commission and the tenants' housing rights. Several MCM councilors, including some Commission members, would quit the party<sup>42</sup>.

Water Garden would exert a pressure on the low-income housing market in various ways. Its commercial land-use excludes the housing and other social opportunities of land use for the low-income population simply because the land price is too high. Moreover, Water Garden would bring to the city new employees, who are likely to be high-salary, white-collar workers and potential home buyers; they would exert an upward pressure on the existing housing market in terms of housing demand and price increases. A high

demand and price increase would adversely affect most particularly the housing welfare of the existing low-income renters such that either they would have to pay a higher portion of their income for rents or they would have to move out from their neighbourhood. When affluent neighbours come to a low-income neighbourhood, they bring a high-income life style and consumption pattern such that the neighbourhood eventually loses its existing structure of accommodation for the low-income population needs; this neighbourhood transformation is commonly called 'gentrification.'

In our liberal democracy, we idealize and formally guarantee freedom to choose the neighbourhood and town of our preference; however, in practice, our freedom is restrained and made unequal by the housing market. When the Overdale tenants claimed that their housing rights were breached, they meant that their freedom was violated. The gentrification market is vicious; it makes those who have market resources better off, but at the expense of those who do not have the resources. The gentrification market compromises our equal freedom; if you are a low-income renter in the gentrification market, you are most likely to be squeezed out of your apartment and neighbourhood. Both the Water Garden and the Overdale were exerting the high pressure of the gentrification market<sup>43</sup> and we can understand both the OCC and the WCC as attempts to liberate the low-income renters from the oppression of the gentrification market.

Urban rents are, Marx argued, monopoly rents, particularly in a land-use market with high demands such as the downtown market. Both the Overdale and the Water-

Garden rents would bear the monopoly rents, which represent the owners' privileges for an exclusive land-use and their resource power. We also emphasized that the rent incomes that those privileges generate can be 'unearned' and shaped in function of public intervention in the land-use market; therefore, society can justify a redistribution of the unearned income to compensate for the loss of social land-use opportunities. The effects of those monopoly rents on various social demands of land-use have been devastating: in downtown Montreal today, it is no longer economically feasible to produce low-income housing; rooming houses, which were abundant not long ago, are now a vanishing species; parks and other community facilities such as schools would be unconceivable; community services such as child care for low-income families would also be unthinkable. Today's downtown is an increasingly inaccessible city; such a city is unjust.

The WCC required that Water Garden pay for a job-training program. Santa Monica's industrial decline and new real estate development brought to the city high-paying white-collar jobs and low-paying service sector jobs and that newly emerging job market was not beneficial to its traditional manufacturing workers. The industrial decline in North American cities, including Montreal<sup>44</sup>, over the three decades of the 1960s, the 1970s and the 1980s, created havoc, most particularly in industrial areas accompanying high unemployment rates among manufacturing workers, less and less hope for the old relatively well-paying industrial jobs, severe strain on their welfare and the deterioration of the quality of life in their neighbourhoods etc. Job creation and job training for the traditional manufacturing workers have been a very serious political and planning issue

for the traditional manufacturing cities in the 1980s and the Water-Garden connection to job training represents the social tension emerging between the social consequences of the industrial decline and the intense pressure of the real estate market on industrial lands.

To the extent that the manufacturing land use was no longer competing with the downtown land-use market, it would be unreasonable to link unemployment in the manufacturing sector to the land-use market. There was simply no significant land-use market for manufacturing industries in the city centre area and, therefore, we would not expect any notable opportunity losses for the industrial land-use in Montreal.<sup>45</sup> Moreover, the inter-city and international migration of manufacturing industries suggests that a local planning assembly cannot adequately and fairly deliberate the issues and solutions of industrial decline. In this sense, the job training requirement of the WCC could be unfair to the developer; the program would have to be financed by the State. If the job training program represents both the developer's and the SMRR Administration's desperation but good will under the Reagan Administration's deep cuts in social expenditures, the program would demonstrate their care for the unprivileged in the job market. Care has been an important source of egalitarian planning, as well.<sup>46</sup>

The MCM administration also had a particular concern for employment opportunities for the unemployed in the Lachine Canal area, victims of industrial decline in Montreal. Along with industrial decay, the Lachine Canal area was also subjected to the high pressure of the housing market during the late 1980s. The MCM administration

wanted to revitalise the industrial land use and to bring back industrial jobs; for that, it retained the industrial zoning in the area and proposed industrial strategies in its City Plan and Master Plan for the Lachine Canal<sup>47</sup>. As part of the industrial strategies, the MCM administration also bought a relatively important volume of industrial lands and buildings and tried to attract industries through a city subsidiary for industrial development called 'SODIM' (Société du développement industriel de Montréal). The MCM effort for industrial revitalisation of the Canal failed; first, along with the collapse of the real estate market in the beginning of the 1990s, the MCM administration had to proceed with an important write-off for the properties that it had bought. Some economic activities came but high-paying industrial jobs did not come back to the area. Following today's strong demands for housing ownership in the area among the middle-income population, the planning issue of today seems to be, rather, the gentrification of the area, which had been harbouring the working class Montrealers through the 19<sup>th</sup> and 20<sup>th</sup> centuries. The industrial revitalisation of the Canal Lachine area seems to be an unrealisable plan and social hope for the Canal Lachine is yet to be redesigned.

The WCC required on-site child care services with reduced tariff for the low-income population; the services were offered not only to the employees of Water Garden but also to those who live in the vicinity. Water Garden would exercise pressure on the existing child-care facilities in the community and, as we argued, the office land use would exclude opportunities for the new facilities; these pressures would be more painful among the low-income families. The creation of a child-care facility, along with the tariff

reduction and non-profit requirements, would maintain low-income accessibility to child care. In this regard, the Water Garden is ethical and the Overdale is not. The Overdale land-use might exercise a pressure on child-care services in the neighbourhood and an ethical Overdale would include a child-care service both for its clients and the residents in the neighbourhood.

### **6.7. The Cost-Benefit Test**

The MCM Administration justified the Overdale project by arguing that the Overdale investment and new housing would bring economic and fiscal benefits to Montreal. Indeed, those external benefits would be exceptional for a city that had been losing its relative economic and fiscal weight in the course of suburban expansion and central city decay. The MCM administration did not want to lose those benefits. We assume that the SMRR administration approved the development rights for Water-Garden with the expectation of social benefits; they are social goods that any society would not compromise. The cost-benefit test consists in comparing social benefits and social costs and making collective choices on the basis of greater net social benefits. Table 6-C presents a summary of the social benefits and incentive measures of each project.

The MCM administration tended to maximise social benefits even at the risk of generating additional external bads; it gave a bonus density, which would produce not

only greater benefits but also greater external bads. In the case of the Water Garden rights of development the SMRR administration minimised the external bads of the project by rewarding its environmental contribution; the WCC provided a deduction of the annual TDM fee as an incentive to encourage the use of public transportation and to minimise environmental bads. The WCC seemed to maximise equity and environmental gains under efficiency constraints, while the MCM administration appeared to maximise efficiency gains subject to equity constraints.

**TABLE 6-C : Summary of the Social-Benefit and Compensation**

	<i>OCC</i>	<i>WCC</i>
<i>Social Benefits</i>	- Economic Benefits - Fiscal Benefits - (Environmental Benefits)*	- (Economic Benefits)* - (Fiscal Benefits)*
<i>Reverse Compensation (Reward)</i>	- Density bonus	- The reduction of the TDM fee

- We have not found any explicit arguments for these benefits. We assume that they were implicit in their respective collective decision.

The MCM administration put a higher emphasis on the contribution of the Overdale project to the vitality of the city centre. Indeed, the Overdale Project would engender social benefits in terms of savings in suburban and environmental costs; its sustainable location, in downtown Montreal rather than in a suburban city, would produce savings in infrastructure and environmental costs, and its sustainable density would imply savings in



land consumption by multiple-housing blocks rather than by hundreds of bungalows. The same 120 million dollars could be invested to create a suburban village of 600 bungalows and such a village could be the source of social costs in terms of capital spending for infrastructures and community facilities, energy consumption for commuting by private cars, environmental effects of automobile pollution and so on. Those savings would be a social gain not only for Montrealers but also for those who are in other parts of the world and those who are yet to be born. The environmental benefits of the Overdale location and density would be an outstanding social good that the planning assembly would have to consider in justifying the project.

Both the OCC and the WCC as an attempt to make urban development sustainable had a critical institutional handicap that could practically nullify their respective environmental contributions; neither city did not have an appropriate planning assembly to conduct the environmental externality test and to require effective remedies. Planning for a sustainable environment requires a regional planning assembly to assure strong regional co-operation; both the OCC and the WCC were singular events and neither city had such regional cooperation.<sup>48</sup> To make an effective sustainable development, we needed to reverse suburban sprawl and to bring as many Overdales as possible to the city centre. Both Montreal and Santa Monica have no effective regional niche to counter the urban sprawl in their respective metropolitan regions.

Along with the Overdale tenants and the public, the Planning Commission proposed to preserve and renovate the old housing for the tenants. We argued that the rehabilitation of the old housing stock produces various important social benefits: it provides quality housing at relatively reasonable rents; it presents savings in natural resources; it enhances the aesthetic quality of residential neighbourhoods. We also argued that there are other social benefits of the rehabilitation option related to the preservation of the tenants in place. Those social benefits are good reasons why the city of Montreal began to subsidise the renovation in the 1960, prior to the federal and provincial initiatives<sup>49</sup>, and would maintain the subsidies throughout the last four decades. Housing rehabilitation has undoubtedly proved the most cost-efficient way of providing decent housing to low and moderate-income populations<sup>50</sup> and the joint subsidies to housing rehabilitation have been politically popular in Montreal. The rejection of the rehabilitation option implied the loss of the social benefits that could be gained from the rehabilitation of one of few remaining old neighbourhoods in the downtown area.

The MCM administration faced a serious choice between its OCC and the rehabilitation option that its own Planning Commission recommended. The cost-benefit rule of collective choice requires that we estimate the net social benefits for each option and compare them; the choice that the MCM administration had to make appeared more complex than the rule of maximum social welfare. Those two options presented two different social priorities in terms of distributive implications; the OCC was more sensitive to the welfare of those who would be condominium owners, while the

rehabilitation option was certainly much more sensitive to the tenants. The social tension between the two options implies that the rule of collective choice in the cost-benefit analysis can imply social tensions and that the rule may more often favour those who are privileged than those who are unprivileged; that suggests that social tension should be exposed and deliberated in the planning assembly.<sup>51</sup> The Planning Commission hearing was instrumental in understanding the nature of the tension and channelling alternative options into the policy-making process.

The choice between the two options would have a constitutional implication; the choice suggests why and how we should plan. The OCC put priority on efficiency gains, while the rehabilitation option puts it on equality gains; the OCC would imply that we should plan for more efficiency than equality, while the rehabilitation option would imply that we should plan for more equality than efficiency. In opting for the OCC, the MCM administration maximises efficiency gains under equality constraints; this option would be compatible with the ideal of social cooperation that the Difference Principle represents. On the other hand, the Planning Commission was proposing to limit the efficiency gain and to maximise the equality gain; this rule proposes the equality gain, which would be compatible with the ideal of social cooperation that the Nielsenian equal welfare represents. The rehabilitation option proposes to provide greater benefits to the tenants and unprivileged, which certainly contributes to the progress toward the ideal of equal housing welfare. The OCC could be a sufficient reason why several MCM councillors of the radical left and radical democracy quit the party.

Practical planning in a market democracy tends to rely on a trade-off between efficiency and equality; both the OCC and the rehabilitation option are the products of such a trade-off. The trade-off appears largely as a function of the market situation; if the market is active and if it creates a social state skewed to the upper income brackets in terms of income distribution, a reasonable society is likely to initiate planning for more equality than planning for more efficiency. Indeed, it is in the context of the bull market in the late 1980s that the Planning Commission claimed, along with the public, the rehabilitation option. It is more likely that a reasonable planning assembly would initiate planning for more efficiency rather than for more equality in the context of the stagnant market in the 1990s and even the OCC might not have been acceptable to the public in this context. This practical reasoning suggests that planning in a market democracy inevitably implicates trade-offs among competing parties and we would have to consider the trade-off as a source of mutual fairness, without which the democratic process may be in peril. We can understand the Rawls's Difference Principle as boundary for a reasonable trade-off; indeed, a reasonable planning assembly would not seek efficiency for the sake of efficiency and equality for the sake of equality but, rather, it would look for a trade-off between them.<sup>52</sup> We can also understand that the egalitarian constraints that we put on planning deliberation consist in making trade-offs between competing parties fair.

*Epilogue.* As soon as the project got approval from the City Council, the Overdale project followed the initial stages of implementation agreed upon with the city

administration. First, the developer constructed the Underdale coop and non-profit housing for 69 tenants on Lucien-L'Allier Street, then he relocated the tenants; finally, he demolished the existing buildings to prepare the site for the Overdale project. However, the Overdale project would not come into existence; beginning in 1989, the real estate market in Montreal collapsed and, a year later, Montreal plunged into recession. Montreal would not see a crane on its downtown skyline until the late 1990s.

The MCM Administration emphasised, in its presentation to the Planning Commission, that the OCC was experimental and that it would prepare a general policy of compensation for housing demolition. In its housing policy presented to the public in 1989, it effectively included the following policy statement:

“The City will introduce measures providing compensation in the event of demolition of housing. First, these measures will allow evicted tenants to be compensated and also provide compensation for demolished housing. The City will require a signed compensation agreement between an owner and the tenants. If it is impossible to reach an agreement within a six-month period, minimum compensation standards established by the City will apply. These could be sums equivalent to the higher of the following two amounts: ‘three months’ rent or compensation based on the difference between rent before demolition and the average market rent, decreasing over a period equal to the duration of occupancy up to a maximum three years.

Compensation for demolished housing will depend on the surface area of reconstruction, at the rate of 20\$ for each square metre in excess of 1000 square metres, up to the replacement value of the demolished housing (100% of the value of the land; 60% of the value of the building).”<sup>53</sup>

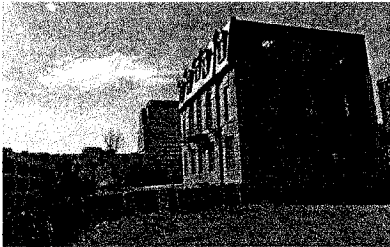
These measures were never implemented; there were simply very few housing projects and practically no housing demolition in the 1990s.

As we mentioned, the Overdale Project was planned through the *Plan d'ensemble* process, without planning and design guidelines. The MCM Administration put an urgent priority on designing tools for public consultation and planning: it would prepare a public consultation policy a year after the Overdale saga; it would adopt a downtown master plan in 1991 including a detailed land use plan; it would complete the overall City Plan at the end of 1992; most importantly, it would rewrite the zoning bylaws by 1994.

It is important to remember that the OCC was to a large extent a product of the tension between a progressive municipal administration and a conservative government on both the federal and provincial levels. Housing financing is shared by the federal and provincial governments; the municipal administration is not quite 'fiscally' responsible for social housing programs. The rehabilitation option is egalitarian but not fiscally appropriate; in order to implement the rehabilitation option, the MCM Administration would have to appeal to Quebec and Ottawa to buy out the old buildings, to renovate them and to make them accessible to the tenants, as in the Milton-Park case. For the Overdale, the MCM Administration could count neither on Ottawa nor on Quebec; both governments were already engaged in fiscal conservatism and spending cuts to social programs<sup>54</sup>. That is why the MCM administration saw a source of financing for social housing in the OCC. The WCC was negotiated in the context of Reagan's neo-

conservatism, which had drastically cut housing and urban welfare funds; the WCC was equally the product of the tension between a progressive municipal party and conservative power in Washington. As long as we have an anti-egalitarian power in the state, we can achieve only limited equal urban welfare.

The only visible sign of the Overdale today is the vacant land, the Louis-Hippolyte-Lafontaine House still standing and the Underdale building that witnessed the first



The Louis-Hippolyte-Lafontaine House

experience of compensatory ethics in the wild redevelopment market of Montreal. The saga of the OCC seems to be lost. The memory of the Overdale has twice since come back to the public mind; in the Summer of 1997, amidst a housing shortage in the rental market, a group of young housing militants

squatted the Louis-Hippolyte-Lafontaine House to claim more social housing and, in the Spring of 2006, there appeared calls in Montreal newspapers for the protection of the house as a historical heritage.<sup>55</sup>

In its presentation to the Planning Commission Héritage Montréal remarked:

Y a-t-il un marché reel pour ces condominiums à Montréal ou ce projet ne servira-t-il qu'à raser un autre site sans rien y construire ensuite?<sup>56</sup>

## NOTES

<sup>1</sup> Source d'information : The MCM Manifesto (abridged), *Our Generation*, Vol. 10, N. 3, 1974, p 13.

<sup>2</sup> The City of Montreal adopted, in 2005, a policy of inclusionary housing, appealing to the ideal of social mix and the approaches of incentives and of persuasion. The program design and implementation is yet to come. See City of Montreal, *Inclusion de logements abordables dans les nouveaux projets résidentiels*.

<sup>3</sup> The fixing of the geographical boundary for the opportunity test can result in unfair results. Here, we simply assume that the boundary of Ville-Marie or the downtown area is adequate.

<sup>4</sup> For a definition of linkage and its legal perspective, see Christine I. Andrew and Dwight H. Merriam, *Defensible Linkage*, (*Journal of the American Planning Association*, Spring 1988, pp 199-209).

<sup>5</sup> The planning movement of 'inclusionary housing' in the United States already explored, since early 1970, various possibilities of low-income housing opportunities and social mix through land-use regulations and policies. See, for example, Allan Mallach, *Inclusionary Housing Programs: Policies and Practices*, (New Brunswick, NJ: Centre for Urban Policy Research, Rutgers University, 1984); Nico Calavita and Kenneth Grimes, *Inclusionary Housing in California: The Experience of Two Decades*, (*Journal of the American Planning Association*, Vol. 64, No. 2, Spring 1998, pp 150-167).

<sup>6</sup> The following Table highlights the magnitude of the number of renters in Montreal and Santa Monica, in 1990:

**Table: Comparison of household characteristics between Montreal and Santa Monica, 1990**

	<i>Montreal*</i>	<i>Santa Monica**</i>
<i>Total Population</i>	1 017 666	86 905
<i>Total occupied dwellings</i>	460 175	47 753
<i>Renters as % of total households</i>	74	74

Source d'information: \* Statistics Canada, Census 1991

\*\* Warner and Molotch, op. cit., p 27

<sup>7</sup> In 1978, a pro-renter coalition, the Santa Monica Renter's Rights (SMRR), was formed and won at the polls on the issue of rent control against landlords and developers and,



subsequently, it got a majority in the city council in 1981. Besides initiating one of the first linkage exactions, the SMRR was instrumental in bringing to the agenda of municipal governance social justice, environmental concerns, new development guidelines, schools and social housing etc. The SMRR included the Campaign for Economic Democracy which drew much media attention because of Tom Hayden and Jane Fonda's active involvement in the organisation. See Warner, K. and H. Molotch, *Building Rules: How Local Controls Shape Community Environments and Economies*, (Boulder, Colorado: Westview Press, 2000), pp 37-41.

<sup>8</sup> Sources of information: Ville de Montréal (Archives: Résolution 87-05738), "By-law concerning the approval of a plan for the renovation, construction and occupancy of a residential project in the quadrilateral bounded by McKay, Overdale and Lucien L'Allier Streets and Dorchester (René Lesvègue) Boulevard" including technical descriptions and some drawings that are reproduced in this study; for the public consultation on the project, see Ville de Montréal (Archives : VM86-D6), Commission de l'aménagement, de l'habitation et des travaux publics (or "the Planning Commission"), Projet Galleria Dorchester

<sup>9</sup> The initial number of residential units was 72, including 24 rooms, 12 studios, 24 one-room apartments and 12 two-room apartment according to the "Proposition d'entente entre La Galleria Dorchester et Ville de Montréal" of the By-law (Resolution 87-05738). The number of the Underdale units changed several times, because the contract linked the number of the units to be built to the number of the tenants who wanted to move to the Underdale Project. The number of the constructed units was 69.

<sup>10</sup> Source of information : City of Montreal (Archives : VM86-D6), Planning Commission (hearing on Galleria Dorchester), Presentation (September 9 1987) by Robert Craig, President of the Overdale Tenants Association, entitled «Intervention des représentants de l'Association des locataires de l'îlot Overdale »; see also Marcel Sévigny, *Trente ans de politique municipale : Plaidoyer pour une citoyenneté active*, (Montréal, Qc.: Les Éditions Écosociété, 2001), p 65.

<sup>11</sup> City of Montreal (Archives: VM86-D6), Planning Commission (Galleria Dorchester), General Perspective: Overdale Project, (Explanatory Notes Submitted to the Planning, Housing and Public Works Commission by the MCM Administration), p 6.

<sup>12</sup> Source of information: City of Montreal (Archives: 87-05738), By-law, the "Proposition d'entente entre la Galleria Dorchester et Ville de Montréal."

<sup>13</sup> See Note 55 of this chapter for the unfinished saga of this building.

<sup>14</sup> Santa Monica is a small municipality within the Los Angeles metropolitan area, bounded by the Pacific Ocean on its West and the City of Los Angeles, with almost indistinguishable borders on its East and South, including fashionable Brentwood on its North. Santa Monica shares most of the metropolitan problems of Los Angeles such as traffic congestion, crime and homelessness etc., in addition to housing pressure and housing price inflation.

<sup>15</sup> The pressure on affordable housing was made much worse by the heavy cuts in social welfare and urban spending including housing that marked the Reagan presidency and which were felt in other American cities in the 1980s.

<sup>16</sup> We pick up the Water Garden case that Warner and Molotch studied. They present detailed information for the case in their book, *Building Rules: How Local Controls Shape Community Environments and Economies*; the present study relies upon this book as the source of information for Water Garden. Their Water-Garden study is part of a larger inquiry that addresses what a local community can do to not compromise environmental qualities and local economies, as the subtitle implies. For an appreciation of the book, see P. Detwiler's book review in *APA Journal*, Spring 2001, Vol. 67, No. 2, pp 229- 230.

<sup>17</sup> City of Montreal (Archives: VM86-D6), Planning Commission, General Perspectives: Overdale Project.

<sup>18</sup> The developer expressed, in a letter to the City, that he was ready "to share some of his profits" with the tenants. An art dealer praised him as 'a developer with a social conscience' in a letter he addressed to the developer. It was reported that the developer of the Water Garden also had social conscience. See Warner and Molotch, op. cit.

<sup>19</sup> In his presentation to the Planning Commission, M. Robert Craig remarked: «*L'ironie est que les résidents d'Overdale combattent l'administration municipale au nom des mêmes idéaux que le RCM disait soutenir... Je doute donc qu'il y ait une cause qui soit plus liée qu'Overdale à la raison d'être même du RCM.*» City of Montreal (Archives:VM86-D6), Planning Commission (Galleria Dorchester), Presentation by Robert Craig.

<sup>20</sup> Source of information: City of Montreal (Archives :VM86-D6), Planning Commission (Galleria Dorchester), Rapport d'étape de la Commission de l'aménagement, de l'habitation et des travaux publics présenté au Conseil Municipal du 21 septembre 1987 : Le project Galleria Dorchester.

<sup>21</sup> Source of information : City of Montreal (Archives), Planning Commission (Galleria Dorchester), Rapport d'étape de la Commission de l'aménagement, de l'habitation et des travaux public présenté au Conseil Municipal du 21 septembre 1987 : Le project Galleria Dorchester.

<sup>22</sup> Warner and Molotch, op. cit., p 107.

<sup>23</sup> City of Montreal (Archives :VM86-D6), Planning Commission (Galleria Dorchester), Presentation (Septembre 10, 1987) by Héritage Montréal, entitled « Jardins Dorchester :pour un projet qui respecte le patrimoine social et urban de Montréal, » p 7.

<sup>24</sup> For the premise, see City of Montréal, *Master Development Plan for the Ville-Marie District*, 1990. The Plan proposes to accommodate an additional demand of one million square feet for office space and to add 10 000 housing units to the downtown neighbourhoods, reflecting more the social desire and land-use potentials than the external burdens of downtown development.

<sup>25</sup> The MCM Administration would put a major effort both on the renovation of the existing parks and the creation of new ones in and around the downtown during its mandates: it renovated Mont-Royal Park, Square Philip; it transformed the Expo site into a park now known as Jean-Drapeau Park including a very popular beach commonly called "Plage de Jean Doré"; it created the CCA Park, celebrating Melvin Charney's sculptures, Émilie-Gamelin Park, Place de la Paix,

Champ-de-Mars Park; it redesigned the Commons Street in Old Montreal as a part of the events commemorating the 325<sup>th</sup> anniversary of Montreal. It renovated Mont-Royal Park including the main observatory and it proposed a development plan for the park (See Ville de Montréal, *Plan de mise en valeur du mont Royal*, 1992). These achievements are undoubtedly impressive for an administration in power for only eight years and under financial constraints, most particularly during its second mandate.

<sup>26</sup> The City of Montreal requires a contribution to the creation of parks, by virtue of its bylaw on subdivision (R.R.V.M., c. O-1); an owner of land should, before subdivision of the land, either concede 10% of the land or pay 10% of the land value to the City for parks. This requirement is a crucial source for the creation of neighbourhood parks in newly developing areas. A similar program will certainly be instrumental in improving the quality of life in the downtown neighbourhoods.

<sup>27</sup> The City of Montreal was involved in an important public-private partnership in the creation of the World Trade Centre (WTC) and subsequently the creation of the Quartier International. The City of Montreal was interested in the creation of the World Trade Centre (WTC) principally as an attempt to revitalise Old Montreal and its economy and it also wanted to create parking facilities for the sector, which were badly needed. The City shared 25% of the WTC through its two subsidiaries, the SHDM (Société d'habitation et de développement de Montréal) and the SIMPA (Société immobilière et du patrimoine architectural), and it shared it with the *Caisse de dépôt et de placement* (37.5%) and Canada Life (37.5%) until 1996. Moreover, the City subsidised the creation of 600 parking spaces. When the WTC was completed in 1991, the Montreal real estate market had collapsed and the City's share of the WTC became a heavy financial burden along with its other real estate deals. The City was obliged to borrow \$77 million to finance its further participation in the WTC through the SHDM (Société d'habitation et de développement de Montréal) and the SIMPA (Société immobilière du patrimoine architectural de Montréal) to cover its loss; see *La Presse*, Novembre 27 1993, « Les Montréalais de plus en plus endettés. » It took many years for the WTC make money and produce tax benefits for the City; but, those tax benefits would come only after the sale of its share and more public investments in the framework of the creation of the Quartier International including the location of the ICAO (International Commercial Aviation Organisation) and the headquarters of the *Caisse* around the WTC, the extension of the Montreal Convention Centre and municipal investments in infrastructures. The City involvement in the WTC was probably the most important partnership that the City has ever experimented and it would be important to evaluate the social costs and benefits of the experiment as well as its distributive and ethical implications; the city partnership implied the loss of other social opportunities and risk-taking, which were never publicly debated.

<sup>28</sup> Hanganu would later design several institutional buildings in Montreal, including the Chapelle of Saint-Benoit du Lac, the Faculty of Design building of the UQAM and the HEC building of the University of Montreal, during the 1990s.

<sup>29</sup> The MCM administration adopted a policy entitled "Plan d'action en art public de la Ville de Montréal" en 1989. For the MCM efforts on public arts, see Ville de Montreal (Archives: P86-F1-D33), *Bilan de l'Administration RCM 1986-1994*, 1994, p 2-19 and Ville de Montréal, *Art public 10 ans : 1989-1999*.

<sup>30</sup> See, for more information on the public-art program, Gouvernement du Québec, *Décret concernant la politique d'intégration des arts à l'architecture et à l'environnement des bâtiments et des dites gouvernementaux et public, Loi sur le ministère de la Culture et des Communications* (L. R. Q. c. M-17.1 a.13). For the first time in 1961, it was under the label of "*Politique d'embellissement des édifices publics*" that the public art program was introduced in Quebec. For a retrospective of the program in Quebec, see Government of Quebec, *Vingt ans d'intégration des arts à l'architecture et à l'environnement 1981-2001*, Québec, 2004.

<sup>31</sup> Source of information: City of Montreal (Archives:VM86-D6), Planning Commission (Galleria Dorchester), Presentation by Robert Craig, p 11.

<sup>32</sup> City of Montreal (Archives: VM86-D6), Planning Commission (Galleria Dorchester), Presentation (Septembre 9 1987), entitled "Ethical considerations," by Mme Lisa Jensen representing the Association of the Overdale tenants, p 16.

<sup>33</sup> See Norberg-Schulz, C., *Existence, Space and Architecture*, (New York, N.Y.: Praeger Publishers, 1971).

<sup>34</sup> Simone Weil, *L'enracinement*, (Paris, France : Gallimard, 1949), p 50.

<sup>35</sup> Among others: the MCM Administration put an important priority on the creation of permanent housing resources for the homeless with its subsidiary SHDM (*Société de l'habitation et du développement urbain*) and also in collaboration with community groups during its two mandates; the Administration created and operated the *Centre de dernier recours* for the homeless for two years; it defined a more permissible location and better minimum requirements of security and habitability for rooming houses. The Underdale was the first project that reflects those zoning requirements. For policy statements of the MCM Administration for the homeless, see Ville de Montreal, *Habiter Montréal: a Policy Statement on Housing*. For a good understanding of housing links to homelessness, see, for example, Christopher Jencks, *Homeless*. (Cambridge, Mass.: Harvard University Press, 1994). In today's Montreal, since the MCM disappeared from its political landscape, we rarely hear any significant political debate on the homeless, even though the number of the homeless in Montreal has been visibly increasing.

<sup>36</sup> The housing fee of the WCC was estimated on the basis of a study on housing impacts of the additional office demands in Santa Monica. For more information, see Warner and Molotch, *op. cit.*, p 100. For an analytical tool that was used to calculate the office-housing linkage exaction in San Francisco, see Linda L. Hausrath, Economic Basis for Linking Jobs and Housing in San Francisco, (*The Journal of the American Planning Association*, Spring 1988, pp 210-216).

<sup>37</sup> The FECHIM remarked, "*malgré toutes les mesures proposes dans l'entente, les calculs démontrent que ce déménagement entraînera des augmentations de loyer variant entre 55% et 180%.*" Source of information: City of Montreal (Archives: VM86-D6), Planning Commission (Galleria Dorchester), Presentation of the FECHIM.

<sup>38</sup> The FRAPRU and Comité logement Saint-Louis jointly remarked, « *Il n'y a aucun doute que ces hausses auront pour effet de chasser graduellement les bénéficiaires de cette aide (à moins qu'elles n'améliorent considérablement leur revenu) et ainsi d'annuler l'effet de la formule de remplacement. Enfin, les loyers de «faveur» ne sont accordés qu'aux locataires actuels*

*d'Overdale, ce qui signifie que, dès que l'un de ceux-ci quittera, le loyer y rejoindra le prix du marché.* » City of Montreal (Archives: VM86-D6), Planning Commission (Galleria Dorchester), Presentation of the FRAPRU, pp 4-5.

<sup>39</sup> Robert Craig, the President of the Overdale Tenants' Association, remarked, « ... *On nous traite comme si nous devions être heureux de quitter nos taudis pour être relogés dans du neuf, mais nos appartements ne sont aucunement des taudis.* » (*La Presse*, le 11 juin 1987)

<sup>40</sup> City of Montreal (Archives: VM86-D6), Planning Commission (Galleria Dorchester), Presentation by Atelier Habitation Montréal Inc., one of the housing resource groups in Montreal.

<sup>41</sup> Dansereau, Germain and Éveillard observed; "*Il est probable aussi que l'architecture relativement uniforme de l'ensemble du quartier ait contribué à atténuer les différences de conditions socio-économiques.*" See Dansereau, F., A. Germain and C. Éveillard, *Le quartier Angus, un exemple de mixité sociale programme?* (*Plan Canada*, Vol. 36, No. 1, 1996, pp 33-38), p 37.. See, for a bibliographical study on social mix with a particular reference to Montreal, Dansereau, F. (coauthor), *La Mixité sociale en habitation*, Montréal, Qc.: INRS-URBANISATION, CULTURE ET SOCIÉTÉ, 2002; Dansereau, F., A. Germain and C. Éveillard, *Social Mix: Old Utopia, Contemporary Experience and Challenges*, (*Canadian Journal of Urban Research*, Vol. 6, No. 1, 1997, pp 1-23). The inclusionary housing initiative that the City of Montreal housing planners recently designed is a significant attempt towards the ideal of social mix. See Ville de Montreal, *Inclusion de logements abordables dans les nouveaux projets résidentiel* (2004).

<sup>42</sup> Several MCM Council members voted against the OCC and eventually quit the party. Two of them recently delivered their personal accounts on the Overdale: see M. Sévigny, *Trente ans de politique municipale: Plaidoyer pour une citoyenneté active*, (Montréal, Qc.: Les Éditions Écosociété, 2001), pp 65-68; B. Bennett (ed), *Shelter, Housing and Homes: A Social Right*, (Montreal, Qc.: Black Rose Books, 1997), Chapter 1.

<sup>43</sup> For a radical understanding of gentrification, see, for example, Neil Smith, *Toward a Theory of Gentrification: A back to the City Movement by Capital, not People*; with a particular reference to Montreal, F. Dansereau et D. L'Écuyer, *Réanimation, reconquête, conversion*, (Montréal, Qc. : INRS – Urbanisation, 1987).

<sup>44</sup> See Chapter 2, Note 19.

<sup>45</sup> On the eastern part of the Montreal CBD, there is a small industrial area, commonly known as "Quartier de fourrure," which houses some manufacturing activities and showrooms for fur industries. The fur industry is one of few industrial land uses in the CBD that are protected by zoning bylaw; otherwise, the Quartier de fourrure would be under a heavy pressure of the land-use market. The fur industry shaped the Montreal economy in its earlier days and is still a part of its fashion industry.

<sup>46</sup> Impartial caring is certainly a source of egalitarian planning; Nielsen argued, "I think that the moral authority for abstract egalitarianism, for the belief that the interests of everyone matters and matters equally, comes from its being the case that is required by *the moral point of view*. What I am predicting is that a person who has a good understanding of what morality is, has a

good knowledge of the facts, is not ideologically mystified, takes an impartial point of view, and has an attitude of impartial caring, would, if not conceptually confused, come to accept the abstract egalitarian thesis. I see no way of arguing someone into such an egalitarianism who does not have attitude of impartial caring, who does not in this general way a love of humankind. See Nielsen, K., *Equality and Liberty*, (Totowa, N.J.: Rowman & Allanheld Publishers, 1985), p 309. Housing concerns amidst the *laissez-faire* of liberal Britain in the 19<sup>th</sup> century first emerged as the evangelical conscience and charity. See Tam, J. N., *Working-class Housing in 19<sup>th</sup>-century Britain*, (London, G.B.: Architectural Association, 1971), more particularly Chapters 1, 2 and 3, pp 1-16. Prior to the Quiet Revolution in Montreal, the Catholic Church as well as other Christian denominations were instrumental in providing social services including housing resources and they are still so with respect to certain services.

<sup>47</sup> See Ville de Montréal, *City Plan: South-East District, 1992; Master Plan for the Lachine Canal, 1994*.

<sup>48</sup> The attempts of regional reform in Montreal (See Chapter 5, Note 89, for a short historical account) have not yet coped seriously with environmental issues; they all recognise suburban sprawl as an important issue of regional reform, but they did not propose any effective ways to counter it. We think that the Metropolitan Commission, created in the 2001 reform, can be given the power of control over urbanisation and to ensure sustainable development; now the Commission does not have any niche for ensuring a sustainable environment.

<sup>49</sup> For a detailed account on the Montreal initiative, see Guy R. Legault, *La ville qu'on a bâtie: Trente ans au service de l'urbanisme et de l'habitation à Montréal 1956-1986*, Montréal, Qc : Éditions Liber, 2002.

<sup>50</sup> For one of the first pioneering studies in housing rehabilitation in American context, see Grigsby, W., *Housing Markets and Public Policy*, (Philadelphia, Pa.: University of Pennsylvania Press, 1963). For a rehabilitation study with focus on housing abandonment in Montreal, see Serge Carreau, *Analyse du phénomène de l'abandon, son ampleur, ses causes et les possibilités d'intervention (Annexe 8, Rapport du groupe de travail sur l'habitation)*, (Québec, Qc. : Éditeur officiel du Québec, 1976).

<sup>51</sup> Dasgupta, Marglin and Sen argued that benefit-cost analysis can be instrumental in understanding and resolving social conflicts. They stated: "It may be argued that the methodology advanced in these Guidelines is likely to exacerbate conflict in situations where the national interest requires unity and consensus. It is the view of these Guidelines, however, that conflict is the product of the institutions that channel economic development along particular paths. The desirability of suppressing the specific manifestations of conflict that appear in project formulation and evaluation is more a function of class and even narrower bonds of interest than a general national interest. . . . Indeed, in the world view underlying these Guidelines, a precondition for resolving conflicts constructively is an understanding and consciousness of the nature of these conflicts. Project formulation and evaluation can, if carried out along the lines proposed here, facilitate and focus the growth of such consciousness. Otherwise, benefit-cost analysis will contribute only to the obfuscation of basic political choices." P. Dasgupta, S. Marglin and A. Sen (United Nations), *Guidelines for Project Evaluation*, (New York, N.Y.: United Nations, 1972), p 257.

---

<sup>52</sup> Arthur Okun argues: "If both equality and efficiency are valued, and neither takes absolute priority over the other, then, in places where they conflict, compromises ought to be struck. In such cases, some equality will be sacrificed for the sake of efficiency, and some efficiency for the sake of equality. But any sacrifice of either has to be justified as a necessary means of obtaining more of the other (or possibly of some other valued social end). In particular, social decisions that permit economic inequality must be justified as promoting economic efficiency." A. M. Okun, *Equality and Efficiency: The Big Trade-off*, (Washington, D. C.: The Brookings Institution, 1975), p 88.

<sup>53</sup> Ville de Montréal, *Habiter Montréal: a Policy Statement on Housing.*, 1989, pp 70-71

<sup>54</sup> During the 1990s following the Overdale saga, they would accelerate the race towards a zero deficit and they would get it by the late 1990s, even with big surpluses at the federal level. During that period, funding for social housing would be deeply cut and other social services, most particularly health care, would begin to suffer. And, all those cuts would come without serious public debates with respect to their impacts on the poor.

<sup>55</sup> On March 30<sup>th</sup> 2006 Serge Joyal, Desmond Morton and John Ralston Saul, all federalists, wrote an article in *Le Devoir*, entitled "À la défense de la maison Lafontaine," proposing to preserve the Louis-Hippolyte Lafontaine House as a historical monument. Louis-Hippolyte Lafontaine was the Prime Minister who defended the Bill of 1849 proposing compensations for farmers on the South Shore, victims of the 1837-38 rebellion, one of the bloodiest moments in the history of conflicts between the English and the French Canada. The Bill provoked a riot by the Anglophone community in Montreal, which destroyed the Canadian parliamentary building then located on Place d'Youville in Montreal; the riot marked one of the darkest moments in the history of the Canadian democracy. In a response to their proposition, Normand Lester, a separatist journalist, recalled the 1849 event in an article that also appeared in *Le Devoir* (April 1<sup>st</sup> 2006), entitled "Sauvong la maison Lafontaine, mais érigeons aussi un monument à lord Elgin."

<sup>56</sup> Source of information: City of Montreal (Archives: VM86-D6), Planning Commission (Galleria Dorchester), Presentation of Héritage Montréal, p9.

## 7. SOME PLANNING ISSUES FOR EQUAL URBAN WELFARE

The first principle of egalitarian planning postulates that the urban environment should be safe, sustainable and beautiful and be so equally for all citizens. We argued that such an environment is indispensable for human welfare.<sup>1</sup> In this chapter, we will briefly explore some issues that seem to us important to accurately characterise how our urban environments are not equal and what we need to do when planning and designing equally safe, sustainable and beautiful urban environments.

### 7.1. The Safe Environment

The primary function of human habitat is to provide a safe environment, to protect human beings from the rain, the cold and aggressions; in the absence of a safe environment, human life and well-being are compromised. Housing is, it is argued, essential in safeguarding each human being and each thing in its essence, in its free sphere, and at peace.<sup>2</sup> As we remarked, modern planning in Western democracy finds its origins to a great extent in the state interventions in the improvement of hygienic conditions in housing and the urban environment in 19<sup>th</sup> century Europe<sup>3</sup>. The same reasons of hygienic improvement justified the planning for slum clearance in the Jeanne-



Mance project in Montreal as well as other urban renewal projects elsewhere. The housing environment still has deep implications for human health<sup>4</sup>.

Our cities are very vulnerable to both man-made and natural sources of health hazards. What planning can do for the man-made health hazards is simply to prevent them; we can avoid health hazards resulting from air pollution and we can control various infectious diseases borne by water contamination, filthy urban conditions and an inappropriate residential environment, which affect most particularly cities in poor nations. Cities are also affected, along with their particular geographic conditions, by different kinds of natural disasters such as flooding, earthquakes, volcanic eruptions and tsunamis, for example. Montreal experienced, in 1998, a very heavy ice storm that destroyed the major transmission lines and cut power supply to almost all parts of the city for two weeks. What we planners should do is to prepare both preventive measures and a disaster management plan that include local and international co-operation.

Today's urban environment is, increasingly, a source of fear, anxiety, stress and insecurity, particularly among vulnerable population groups such as those who live in residential neighbourhoods with a high incidence of crime, handicapped persons who live in neighbourhoods with many 'inaccessible' public places, women who may need to use insecure spaces such as dark back alleys and parking lots, aged persons in areas where the sidewalks are often slippery and so on. A safe urban environment would be a universal need for all citizens, which planning should satisfy equally. Egalitarian planning for a

safe environment would equally take into account the different security needs of different social groups and, in doing so, egalitarian planning would necessarily aim for the simultaneous achievement of multiple goals through public deliberation. If we want a safer street equally for all, we need to simultaneously accommodate the competing safety needs of different social groups; for example, flower pots and benches on sidewalks are public goods for non-blind persons, while they can be public bads for blind persons. The heuristic goal of planning for a safe environment should be to make the urban environment universally safe. Universal safety would minimise external dangers and discomfort between competing social groups in urban places.

In this section, we want to explore some of the planning issues in the protection of people and their property against urban crimes<sup>5</sup>, which we think is a crucial component of urban welfare. We undoubtedly consider a crimeless urban environment to be a public good that should be *equally* distributed among citizens; in a just society, we would expect that its citizens should enjoy an equally safe residential neighbourhood. However, in a city of market liberalism such as Montreal, it appears that neighbourhood security is a market commodity that must be bought along with housing goods. Table 7-A presents our attempt to measure to what extent urban safety is unequal in Montreal neighbourhoods in relation to the housing market.

**Table 7-A: Urban Crimes and The Low-Income Housing Market in Montreal, 2001**

<i>District</i>	<i>Number of crimes (a)</i>	<i>% of Regional crimes (b)</i>	<i>Incidents per 1000 Pers. (e)</i>	<i>Low-income households (%)</i>	<i>LIVH (c)</i>
<i>Ahunsic/Cartierville</i>	8035	5.6	64	28.4	18
<i>Villeray/St-Michel</i>	9277	6.5	64	40.7	26
<i>Rosemont/Petite-Patrie</i>	10152	7.1	63	30.6	19
<i>Plateau Mont-Royal (d)</i>	8124	5.7	85	31.5	26
<i>Ville-Marie (Centre)</i>	22056	15.4	433 (e)	44.7	194
<i>Hochelaga/Maisonneuve (f)</i>	5121	3.5	113	46.8	53
<i>Côte-des-Neiges</i>	5064	3.6	51	40.8	21
<i>Sud-Ouest</i>	6231	4.4	91	39.6	36
<i>Other (g)</i>	69177	48.2	67	27.7	16
<i>MUC (Regional)</i>	143237	100.0	79	29.1	23

Source of information: Service de police, Montreal Urban Community (MUC), *Activity Report*, 2001 Population and income data are compiled by the author using the census tract data, Statistics Canada, *Census 2001*.

Notes:

- (a) Number of crimes defined as the Criminal Code offences;
- (b) Crimes in the area as % of the regional (Montreal Urban Community) incidents;
- (c) The Low-Income Victimization Hypothesis assumes that the probability that the low-income population in a district could be a victim of urban crime corresponds to the product of the number of crime incidents per 1000 persons and the district low-income rate;
- (d) The Centre-Sud neighbourhood is excluded to adjust contiguity for the crime data;
- (e) This number includes 'thefts,' which are particularly high in the downtown commercial sector. If we exclude them, the number drops to 234;
- (f) We exclude the Mercier neighbourhood for contiguity adjustment;
- (g) Includes suburban cities as well as several urban centres within and adjacent to Montreal

Table 7-A shows that, in terms of number of the crime incidents per 1000 persons, all inner-city districts, Ville-Marie, the Plateau, Hochelaga-Maisonneuve and the Sud-Ouest, presented much higher incidents than the score for the MUC average as whole and for other districts, which had all a much higher score in terms of their absolute share of

the regional incidents. The Table also shows that the low-income population is more likely to be the *victim* of urban crimes. We related the crime distribution to the distribution of the low-income population to test the low-income victimisation hypothesis (LIVH); the LIVH is the product of the number of crime incidents per 1000 persons and the proportion of low-income households, which would indicate the number of crime incidents that the low-income group would suffer if those incidences were distributed along the low-income rates. The inner-city districts again had a higher LIVH score than the regional average and other districts. Villeray/St-Michel, one of the poorest districts, had crime incidents below the regional average but, in terms of the LIVH, it had a higher score than the regional average. The hypothesis would suggest that, if you are poor, you are likely to live in a low-income neighbourhood with a higher risk of being a victim.

We want to attract attention to the particularly high incidence of crimes that the downtown neighbourhoods and its surrounding districts present. In terms of crime incidents per 1000 persons, Ville-Marie, the downtown district, largely surpasses all other districts, and its neighbouring districts, the Plateau, Hochelaga-Maisonneuve and Sud-Ouest, have much higher incidents than the MUC average. All these districts also observed a much higher LIVH score than other districts and the MUC average. Their high scores suggest that neighbourhood safety against crimes is an important planning issue; they present popular residential neighbourhoods widely inhabited by modest and low-income households.

The improvement of crime safety would undoubtedly need a combination of different approaches; we propose to study the following approaches seriously. The MUC police introduced neighbourhood policing in 1996<sup>6</sup>; the rapprochement between the police and citizens would be instrumental in bringing policing closer to different needs in urban safety across various neighbourhoods. That rapprochement would provide low-income citizens with opportunities to participate in designing and implementing a better public policy for their safety needs. The rapprochement would be also an important tool in accommodating safety needs among different ethno-cultural communities; Montreal is a multiethnic city and we egalitarians would certainly have to accommodate the safety concerns of its diverse communities.

The MCM administration made a special policy on women and safety in the city commonly known as 'Femmes et ville.' The 'Femmes et ville' proposed to discover and repair urban spaces that are unsafe and provoke insecure feelings among women in particular. There are urban spaces that provoke fear and anxiety, especially among vulnerable persons such as women and children; dark multi-story parking spaces and back allies without surveillance are typical examples<sup>7</sup>. Indeed, dark alleys and parking lots should be bright such that our city is safe for vulnerable persons.

Jane Jacobs observed that the vitality of a community and its bonds with the neighbourhood through housing ownership are a better resource for crime prevention<sup>8</sup>. Though the neighbourhoods that she observed were relatively poor ethnic enclaves and

mortgage credits were rare in such a neighbourhood, they were characterised by a relatively high rate of property ownership. The home owners often had to put up their life savings for home ownership, which would be a tangible sign of their bonding with their neighbourhoods. It is this bonding that would be an efficient resource for crime prevention; street crimes, she observed, were detected and alerted by street-watching, very popular among the women of the ethnic communities.

The focus on community building as the source of a safe environment is what Montreal has been pursuing. Montreal has been active since 1982 in organising neighbourhood forums, commonly known as “Tandem”, which consist of promoting prevention against crimes through the mobilisation of community resources. The Tandem suggests that community safety is an essential component of the quality of life in a neighbourhood and, therefore, it is the neighbourhood community that should be directly involved in planning for the safety of its own community. The Tandem is an associative organisation of community groups, including local police and governmental organisations for community services, which conceives and implements policies and programs for improving local safety. Those policies cover a wide range of community concerns on neighbourhood safety such as, for example, women’s and aged persons’ security concerns. Recently, the Tandem has been enlarging its security concerns to include much broader social problems such as the homelessness, prostitution, urban graffiti and problems related to drug addicts. We think that the Tandem is a good example showing why we need community resources in planning for a safe environment and how we can

ultimately build a stronger community and democracy through planning with the community.<sup>9</sup> By the end of the year 2001, there were nine such forums covering the most impoverished neighbourhoods in Montreal.

## 7.2. The Sustainable Environment

While environmental quality in a western city such as Montreal is no longer determined by industrial pollution because it no longer harbours manufacturing industries, it now confronts the ever-expanding consumption of low-density housing and energy-inefficient urbanism in suburban cities as the principal source of pollution. Suburban growth has produced, over the last half century, low-density land consumption, increased automobile trips to work and fossil-fuel consumption that are largely responsible for urban pollution, which we could avoid.

Suburban growth is also a main cause of the unequal distribution of environmental quality in urban areas and the unjust distribution of environmental costs and benefits. In a city of market liberalism such as Montreal, urban environmental quality is, to a large extent, a market commodity; if you have a higher income, you can live in a suburban neighbourhood and enjoy a better environmental quality, while you are more likely to live in a neighbourhood with a relatively lower environmental quality if you are poor. Because Montreal has a concentric urban form with a high concentration of employment

sources in the centre, air pollution tends to be higher in the centre and along major transportation corridors where the low-income neighbourhoods are concentrated; therefore, the low-income residents are more exposed to air pollution and its health hazards. If you live in a suburban neighbourhood and if you use a private car rather than public transportation for your daily trips to your place of work, you are accountable for the environmental bads to those low-income residents. In dealing with the environmental problems of a city, we need to take into account the unfair distribution of environmental costs and benefits seriously.<sup>10</sup>

In the Montreal region, there is not yet an adequate regional planning assembly and a regional strategy for a sustainable environment. We have been struggling since the early 1970s to build such a planning assembly and we failed in terms of a sustainable environment, as we previously remarked; the constitution of such a planning assembly is still an urgent need and the most important issue. In terms of planning and policies for a sustainable environment, we might consider the following issues: (1) to require that all new land-use projects be subject to an environmental impact assessment and compensation requirement for environmental failure, (2) to establish a strong regional planning authority and a regional plan, (3) to ensure compact and dense urban development, (4) to prioritize public transportation, (5) to make the city more green.

The first issue is crucial; if we want to counter urban sprawl, we would need to require environmental impact assessments for the new land-use projects<sup>11</sup> and to appeal



to deliberative democracy to evaluate those impacts. Today, municipalities are competing with each other to have a greater share of suburban growth; zoning bylaws across suburban municipalities seem to be fashioned to attract real estate development rather than to control the development for a sustainable environment. We praised the René Lévesque government for its initiative on agricultural zoning adopted in 1980, which is an essential tool to curtail suburban expansion; it appears that many agricultural lands on the fringe have been rezoned under the pressure coming from suburban expansion<sup>12</sup>.

The second issue invites us to consider environmental impact assessment as part of a regional plan under the state guidelines and authorities. It is in the regional plan that we planners can work out regional policies for a sustainable environment, control on suburbanisation, the sustainability requirements in land-use and density, the environmental assessment requirement, the contingency and compensation requirements and so on. The regional planning agency would also have the tools of initiating and co-ordinating public investment so as to maximise its effects on a sustainable environment. For example, housing subsidies can be geared to sustainability requirements; user fees can be imposed for the use of expressways; a penalty fee can be imposed on the use of private cars in the city centre. On the other hand, public incentives can be given to sustainable residential location and sustainable forms of housing.

The third issue suggests that a sustainable city should be compact and dense in such a way that land consumption, automobile trips and energy consumption can be

minimised. A paradigm for a sustainable neighbourhood could be the Plateau Mont-Royal and other similar neighbourhoods that the Plex market created in Montreal, during the last century. The Plateau is energy efficient by the '*mur mitoyen*' between its buildings and the relatively narrow streets that preserve a micro climate. In terms of its density, even though the Plex market generally produces generally duplexes and triplexes, it can still reach a density of 40 housing units per acre in the Plateau; the density of today's typical suburban market is of about 10 bungalows or less per acre and such a density would mean planning failure. An ethical consequence of your living in the kind of Plateau paradigm is that your residential choice would minimise environmental harms.

If we live in a suburban city, we can share the benefits of the sustainable environment by taking public transportation for our commuting to work; that would be ethical. Our choice of a transportation mode implies radically opposed ethical consequences; the use of private automobiles engenders the public bad of urban pollution, while the use of public transportation produces the public good of a sustainable environment. The moral claim of justice requires that we should not engender environmental damages in making our choice of transportation mode. We think that environmental responsibility has been grown increasingly as a part of civil liberty in our democracy and we have strong reasons to believe that our commitment to democracy would temper our self-interests and initiate us to an ethical choice of residential location and transportation mode.

Trees are the source of urban oxygen and urban beauty. We should plant more trees; one mature tree per person would be the minimum requirement and it seems that we are far below that norm in Montreal. In general, the presence of mature trees seems to be proportionately related to income and wealth; the higher the income in an area, the more such trees. An egalitarian approach for a green Montreal would be to prioritise low-income areas with relatively few trees. It takes almost a half century for a tree to grow to maturity and it takes particular care to keep trees healthy particularly in the central-city neighbourhoods. We need a permanent commitment to maintain a healthy urban forest.

### **7.3. The Beautiful Environment<sup>13</sup>**

The Plateau Mont-Royal, or simply the Plateau, is a large neighbourhood that many Montrealers love and find beautiful. We propose to understand why the Plateau is beautiful in order to say how beautiful a modern city should be. We will consider the Plateau as being centered on Saint-Laurence Boulevard delimited roughly, by Park Avenue on the West, the Canadian Pacific railroads on the East and North and Sherbrooke Street on the South (See Map on page 38). Saint-Laurence Boulevard is often called the 'Main', which has been the separation line between the Francophone East and Anglophone West. The Plateau emerged as a neighbourhood for both the Francophone bourgeois and working class population at the end of the 19<sup>th</sup> century, during the industrialisation and urbanisation of Montreal. In successive movements of immigration

throughout the 20<sup>th</sup> century and until now, the Plateau has served as a place of settlement for many different groups of immigrants; the Plateau has largely shaped multicultural Montreal and still harbours the Hassidic community, the Portuguese community and, currently, an increasing number of Asian communities among others<sup>14</sup>.

Table 7-C gives us a hint to the understanding of the Plateau character. The Plateau is deeply Francophone: in 1991, almost 70% of its population spoke French at home. The Plateau is relatively highly educated; more than 32% of the population had a university education, while both Montreal and the region averaged around 20%. Those statistics are not much surprising; the Plateau traditionally harboured and still harbours many francophone intellectuals and artists and the Plateau was undoubtedly a central stage of the Quiet Revolution. The Plateau was one of few only strongholds of the MCM in its last election in 1994 and the Plateau, now an extensively autonomous borough, is experimenting with a participative budget for its 2007 budget. The Plateau is a low-income rental neighbourhood: almost 18% of its population were home owners; it counted more than 7% of the low-income population of the Montreal Urban Community; more than 38% of its population was under the low-income line<sup>15</sup>. As we showed in Appendix 2, within the Plateau, the low-income population tends to live side by side with the non-low-income population; the Plateau observed a residential segregation index of 11%, the lowest score of the Montreal neighbourhoods. Finally, it is interesting to note that the population with multiple ethnic origins is greater in the Plateau than the city or regional average, which suggests a higher incidence of ethnic mix.<sup>16</sup>

**Table 7-C: Population and Housing Characteristics of the Plateau Mont-Royal - 1991**

	<i>The Plateau</i>	<i>Montreal</i>	<i>Region</i>
<i>Housing ownership (%)</i>	17.8	26.5	46.7
<i>Less than five stories ("Plexes")</i>	85.4	72.1	49.0
<i>Construction Period</i>			
<i>-Before 1946 (% of Total)</i>	57.0	28.6	16.2
<i>-1946 &amp; after (% of Total)</i>	43.0	71.4	83.8
<i>Home Language</i>			
<i>-English (%)</i>	12.1	15.4	18.0
<i>-French (%)</i>	68.1	62.0	67.4
<i>-Non-Official (Allophone) (%)</i>	14.8	16.7	10.2
<i>Ethnic Origin</i>			
<i>-Single (%)</i>	85.5	87.4	87.2
<i>-Multiple (%)</i>	13.1	10.8	11.6
<i>University Study</i>	32.2	21.2	18.6

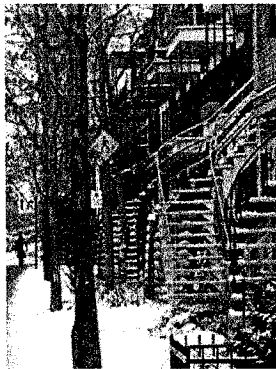
Source: Statistics Canada, Census 1991.

The Plateau is typical of the residential environment that the Plex market produced in modern Montreal. More than 85% of its housing stock are 'Plexes' and almost 60% of the stock was produced during the first half of the last century. The Plexes are built with party walls, or *murs mitoyens*, with little or no set-back from the street, on an orthogonal grid. The Plex subdivision provides lots of more or less 25 feet in width by more or less 80 feet in depth and include, generally, a small backyard; you normally expect duplexes or triplexes on the lots. It is the orthogonal grid that makes the streets open and public; indeed, we are likely to feel that we are in the public realm when we are on those streets, while we are more likely to have the impression that we are in a private realm when we are in the non-orthogonal layout that characterises suburban subdivisions. The orthogonal

layout may better facilitate social contacts and communication among residents and the layout could be more congruent with an egalitarian society than the non-orthogonal suburban clusters<sup>17</sup>.



Hôtel de Ville Street



Laurier East Avenue

Architecture that fashions the thin public-private interface in the Plex environment plays an equally important role in defining the public character of that environment. In the Plex environment, architectural possibility is limited to the articulation of the transitional spaces and elements between the building and the street such as the façade, balconies, staircases, step stones and small front gardens. Architectural care of those elements fashioned the very essence of the aesthetic quality of the Plex environment and, indeed, the urban beauty of Montreal. More importantly, the Plexes architecture is deeply public to the extent that the primary function of that architecture would be more to beautify the streets, the public realm, than the house. A beautiful façade is a public good to the extent that the façade is jointly appreciated by others<sup>18</sup>. The handsome architecture of individual houses in Westmount is more likely to beautify the house than the street and, to the extent that Westmount is an exclusive neighbourhood, the publicness of that architecture would be limited. We appreciate the Plateau as a beautiful environment because it provides beautiful streets that we share with others.



Saint-Denis Street



Saint-Laurent Street

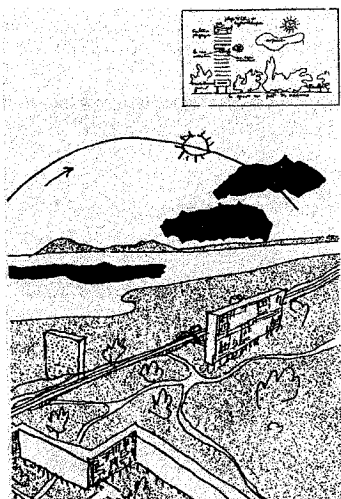
The Plateau presents a highly dense and mixed land-use, which is the source of its vibrant neighbourhoods.

The Plateau has several important commercial arteries, which cut the Plateau both North-South and East-West and serve the local population, as well as a regional clientele to a large extent. More particularly, St-Denis Street, St-Laurent Boulevard and Mont-Royal Avenue have grown to be vibrant regional centres. The Plateau is a compact city; indeed, the Plateau is the kind of neighbourhood where you

can have a café latte with a croissant and read your newspaper in a café next to your house before you ride the Metro to the office each morning. You can live, work, go shopping and engage in cultural activities without taking your automobile. To the extent that the urban aesthetic necessarily embodies a social good, a beautiful environment would certainly also be sustainable.

Along with technological changes and market conditions, the Plex environment underwent inevitable changes; the façades became increasingly minimalist and the craftsmanship that characterised the initial Neo-Victorian influence disappeared. The Plex market failed in terms of the maintenance and renovation of the Plex buildings, as we remarked; their owners sacrificed housing quality to maximise rental incomes. That is why public subsidies have been provided to upgrade the Plex stock during the last three decades and those subsidies are justified largely because that stock is the principal

resource to house the low-income population in Montreal. An alternative resource to the renovation of the Plex stock would be to replace it by public housing; this was the ideal of public housing and modern architecture that came to Montreal before the renovations, as a liberal accommodation of the low-income housing problem.

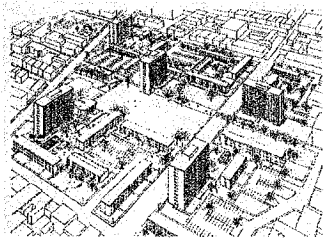


LeCorbusian Ideal of Urbanism

In 1960, at the beginning of the Quiet Revolution, the Habitations Jeanne-Mance housing complex<sup>19</sup> was completed on a site created by replacing a Plex neighbourhood of a considerable number of housing units<sup>20</sup> in a working class area called Faubourg St-Laurent. The Jeanne-Mance project was the first urban renewal and public housing project in Montreal, which produced 796 housing units on a site of 20.8 acres (8.4 hectares). The Jeanne-Mance embodies the LeCorbusian ideal of planning and architecture<sup>21</sup>, which emphasises high-density and high-rise residential buildings and large open spaces to allow more sunshine, a healthier environment. The Jeanne-Mance environment is egalitarian to the extent that it brings such an environment to a low-income population, which would otherwise be deprived of it in a ‘filthy’ urban environment. According to architectural functionalism, the Jeanne-Mance architecture is justified because it is stripped of any non-functional expressions; its form follows its function. The Jeanne-Mance was one of the first examples of functionalist residential



architecture in Montreal that would radically transform the architectural landscape of the downtown during the following four decades.



Les Habitations Jeanne-Mance

The Jeanne-Mance ideal for public housing was not repeated. The ideal is characterised by a large scale that would be realisable only either in an un-built city or in a demolished city; indeed, in order to build the Jeanne-Mance architecture, the site had to be first cleared by the urban renewal program. We earlier observed that most of the large-scale projects that compose the downtown landscape were also built in a city demolished by market capitalism. The second and the last Urban Renewal Program came to Montreal in Little Burgundy, in 1966, but more as an attempt to rehabilitate the neighbourhood; the scale was reduced, demolition was minimised while the renovation was maximised, and the construction of public housing followed the patterns of the Plex environment.

The Plex buildings, particularly with the Neo-Victorian façade and its architectural craftsmanship, are now highly popular among upper-income professional groups and, in the context of the current housing market boom; their prices have been soaring following the strong demand. The appropriation of the Plex neighbourhoods by those groups is

certainly good for the preservation of the cultural past of Montreal and the creation of a strong housing demand in the inner-city neighbourhoods. That is also good for a sustainable urban environment. But the increasing price has made the Plexes increasingly unavailable for low and modest-income groups. The Plateau is now undergoing the process of gentrification, which undermines the ideal of equal opportunity for a beautiful urban environment and weakens the potential of our common aesthetic future.

In parallel with the strong demand for the Plexes in today's housing market, Montreal has observed a strong tendency to neo-historicism in fashioning commercial buildings in its downtown. It seems to us that we are witnessing the uncritical consideration of architectural vestiges as a resource for design and such a tendency could bear the risk of negating our creative impulses for a common aesthetic future. It seems to us unlikely that our common aesthetic future would emerge from an uncritical appreciation of our cultural past or what Habermas qualifies as "the nostalgia for the de-differentiated forms of existence," which denies "the sensible potential and the specificity of cultural modernism."<sup>22</sup> At the dawn of the Quiet Revolution, Paul-Émile Borduas radically denied the cultural past for being the source of oppression of our creativity and aesthetic sensibilities;

La crainte de perdre pied, d'être seul, la crainte de perdre une parcelle d'un passé déjà lointain, dépassé, qui n'a plus pour lui qu'une valeur sentimentale, lui fait manquer l'occasion d'un contact autrement émouvant avec une réalité neuve.<sup>23</sup>

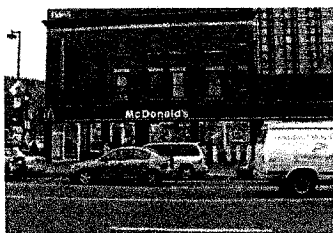
One of the strategies in taking steps to an equally beautiful environment for the underprivileged populations of Montreal would be to assure their control over the Plex neighbourhoods through an extensive housing ownership program. It is not so much because the Plex environment is considered as our historical heritage but it is because the neighbourhoods would constitute the principal resource for their housing and urban welfare that we think that they can be preserved for them as a priority. The Plex neighbourhoods have been efficient in housing the working-class population and in providing them with a relatively safe, sustainable and beautiful urban environment over the last century. The Plex neighbourhoods have also shown a remarkable capacity of accommodating the diverse needs of successive immigrant groups and different cultural communities over the last century. Housing ownership would reinforce their bonding with their neighbourhoods such that they would better maintain their housing quality and they would have a greater motivation to participate in the creation of their common aesthetic future.

The way that we perceive the urban environment is a source of urban wellbeing, to which we planners and architects can make a good contribution. Kevin Lynch found that, in orienting ourselves in the urban environment, we are guided by our memory of city structure and urban elements such as nodes and landmark buildings; a well defined city structure and a well identifiable historical building, for example, are good references that we need for an efficient orientation in the urban environment; we feel anxious and lost when we are not well guided.<sup>24</sup> His empirical study suggests that we can effectively use

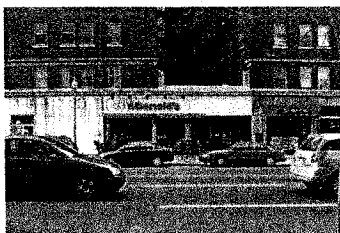
environmental characteristics that sustain our psychological wellbeing such as legibility as a source of city structuring and landscaping. More importantly, he initiated the empirical survey approach in assessing the relative efficiency of a particular urban environment in relation to our common perceptions and experiences.

Kevin Lynch's pioneering study opened the possibility of understanding and planning a beautiful urban environment in relation to our own psychological wellbeing, without preconceived norms and rules, over the last four decades. Urban aesthetics in that understanding is certainly egalitarian to the extent that it looks for our common psychological wellbeing and it takes into account the wellbeing of a good majority of individuals in its assessment. It is in that understanding that Zacharias shows to us that the Montreal downtown silhouette viewed from certain angles is preferred to other angles; he found that people prefers skylines with a varying silhouette to one with a monotonous silhouette. What he may be suggesting is that urban beauty is a matter of public preference.<sup>25</sup>

As long as market capitalism imposes its own logic in shaping our built culture, we cannot avoid the deep tension between capitalist logic and community aesthetic preferences. We propose deliberative democracy to solve the tension. We can take two isolated cases that nonetheless show how a community can defend its aesthetic preference. There was a public debate about the 'fit' of a McDonald's restaurant with the neighbourhood environment in the Plateau. The public debate forced the corporation and



McDonald's on Parc Avenue



McDonald's on Sherbrooke West



Loblaws on Jean-Talon Street

the owner of the restaurant to comply with the public demand to make it less “McDonald’s” by preserving the existing building façade and reducing the size of the commercial logo. We observed a similar process with an even better result on Sherbrooke Street in Westmount. In another case, public debate transformed a Loblaws grocery store into a very much “un-Loblaws” design to match with a neighbouring heritage building. These two cases suggest that, if we citizens want to influence the design of our built culture, we should exercise our political power of influence on design through public deliberation. It is also through design deliberation that we can learn from each other’s aesthetic sensitivity, and through which we can hope to eventually create our common aesthetic future.

## NOTES

<sup>1</sup> An important welfare loss has been observed in a brusque passage from rural to urban living, particularly in rapidly urbanizing countries; see Rene Dubois, *The Perils of Adaptation*. It is argued that urban environment and design are vital for human survival; see Richard Neutra, *Survival through Design*, (New York, N.Y.: Oxford University Press, 1954).

<sup>2</sup> Martin Heidegger observed, "To dwell, to be set at peace, means to remain at peace within the free, the preserve, the free sphere that safeguards each thing in its essence. The fundamental character of dwelling is this sparing. It pervades dwelling in its whole range. The range reveals itself to us as soon as we recall that human being consists in dwelling and, indeed, dwelling in the sense of the stay of the mortals on the earth." M. Heidegger, *Building Dwelling Thinking*, (Krell, D. F. (ed), *Martin Heidegger: Basic Writings*, New York, N.Y.: HarperCollins, 1977), p 351.

<sup>3</sup> See Leonardo Benevolo, *The Origines of Modern Town Planning*, (Cambridge, Mass.: The M. I. T. Press, 1971).

<sup>4</sup> See, for example, Brent Moloughney, *Housing and Population Health-The State of Current Research Knowledge*, (Ottawa, Ont.: Canadian Institute for Health Information, 2004).

<sup>5</sup> In 2000, we observed the ten most frequent crimes against persons and property ordered by importance of incidences, as follows: (1) simple theft, (2) breaking and entering, (3) motor vehicle theft, (4) assault, (5) mischief, (6) various offences against persons, (7) Fraud, (8) robbery, (9) sexual assault and (10) arson. Source of information: Montreal Police Service, *2004 Annual Review, Evolution of the Crime Rate*.

<sup>6</sup> See, Communauté urbaine de Montréal (Service de Police), *La police de quartier*, 1996.

<sup>7</sup> In the framework of the 'Femmes et ville,' the Montreal Planning Department produced two studies, *Notre sécurité en milieu urbain: Guide d'aménagement sécuritaire des ensembles résidentiels* (Author : Rita Keyser) and *Notre sécurité en milieu urbain : Guide d'aménagement sécuritaire des stationnements* (Author : Sylvie Tremblay), 1994. A pioneering study in this field argued that there are spaces that invite crimes as well as spaces that are crime-preventive, a 'defensible space,' and that such a space can be designed; see Oscar Newman, *Defensible Space: Crime Prevention through Urban Design*, (New York, N.Y.: The Macmillan Co., 1972).

<sup>8</sup> See Jane Jacobs, *The Death and Life of Great American Cities*, (New York, N.Y.: Vintage Books, 1961).

<sup>9</sup> Source of information: Ville de Montréal, Tandem Montréal: bilan des activités 2001. It appears that the Tandem is a source of the social economy. Firstly, the community expects a leverage effect of investment because of the community involvement, which included other sources of financing as well as unpaid volunteer works; the leverage effect in 2001 was estimated at 10%. In other words, each dollar generated further investment of 10 cents. Secondly, the

Tandem creates jobs in an impoverished neighbourhood in which the unemployment rate is high. Thirdly, more importantly, the community becomes empowered in the process of the Tandem planning and implementation. The Tandem probably presents a good case in which deliberative democracy is not only the instrument for a good policy but also the source of a creative community.

<sup>10</sup> We need egalitarian ethics in dealing with fair share of the environmental costs and benefits. The claim for sustainable development has gained a worldwide acceptance as a planning ideal because the claim puts emphasis on rights to economic development to require environmental obligation. A serious difficulty in planning with the ideal of sustainable development is that, while we may agree on our equal entitlements to economic welfare, we tend to disagree on how to share the social burdens of sustainable environment; the ideal does not say anything about how we should share those burdens. Even if environmental bads are internalized within the market, unequal resources are still the source of unequal environmental costs; environmental damages are, in general, proportionately related to the level of resource consumption such that the more we consume, the more we are likely to make environmental damages. The utilitarian requirement for savings for the future, which justifies the ideal of sustainable development, is limited in dealing with the unequal distribution of environmental costs and benefits among people and among nations that today's global market produces. For a critical understanding of the ethics of sustainable development, see, for example: David Harvey, *Justice, Nature and the Geography of Difference*, (Oxford, G.B.: Blackwell Publishers Inc., 1996); Brian Berry, *Sustainability and Intergenerational Justice*, (Light, A and H. Holston III (eds), *Environmental Ethics: An Anthology*, Oxford, G.B.: Blackwell Publishing, 2003, pp 487-499). Nature is often viewed as having intrinsic values; this view opens the claim for an interspecies egalitarianism. For example, Nature is considered as one whole community and an ecological chain including human beings as a connected whole. In this ecological understanding of Nature environmental damages constitute threats to the ecological chain and the whole community. This holist understanding would provide an ethical potential for the individual to avoid environmental damages and to willingly accept sacrifices to maintain a sustainable environment but it does not provide a criterion of ethical distribution of environmental costs and benefits. See, for example: Arne Naess, *The Deep Ecological Movement: Some Philosophical Aspects*, (Light, A. and H. Rolston III (eds), *Environmental Ethics*, Oxford: Blackwell Publishing Ltd., 2003, pp 262-274); C. Stone, *Should trees have Standing? – Toward Legal Rights for Natural Objects*, (Van De Veer, D, and C. Pierce (eds), *People, Penguins and Plastic Trees*, Belmont, Ca.: Wadsworth Publishing Co., 1986). Rawls's Difference Principle can certainly be a way to bring egalitarian consideration into the distribution of environmental costs and benefits; an unequal sharing of environmental costs and benefits would be justified as long as the disadvantaged get the greatest benefits of such a sharing. The Difference Principle may certainly be helpful in today's international negotiations on climatic change. The ever-expanding market capitalism is largely responsible for environmental damages and the unequal distribution of environmental costs and benefits; we previously observed that the market capitalism has been instrumental to the expansion of suburban cities, while urban poor were the victims of its environmental consequences. The egalitarian ethic requires that other human beings, including those in other continents, be respected as moral equals; this ethic implies that we should *plan* for a sustainable city here and right now. It also implies that resource inequalities should be taken into account in the distribution of environmental costs and benefits between people and between nations. For global egalitarianism, see Kai Nielsen, *Global Justice, Capitalism, and the Third*

World, (J. Arthur and W. H. Shaw (eds), *Justice and Economic Distribution*, Englewood Cliffs, N.J.: Prentice Hall, 1991, pp 228-241).

<sup>11</sup> We do not require any environmental impact evaluation beyond zoning bylaws and building codes in Montreal; both the federal and provincial governments conduct environmental impact hearings but for their respective projects. For a study on the impact study and municipal planning, see, for example, W. T. Perks, J. Bilkhu and D. SA. Thompson, *The Integration of Environmental Assessment and Municipal Planning*, (Toronto, Ontario: ICURR Publications, 1996).

<sup>12</sup> The René Lévesque Government created the Agricultural Land Protection Act in 1980. There are sceptical views and studies on its efficiency: see, for example, Tardif, L., Vingt-cinq ans de zonage agricole- Une bonne loi mais une application à revoir, *Le Devoir*, December 30, 2003; Binet, C., Le contrôle de l'étalement urbain au Québec: 25 ans de valse-hésitation (<http://vsag2025.uqac.ca>); Murshid, Shoma, Rive-Sud de la région de Montréal – Les ratés de la protection des territoires agricoles, *Le Devoir*, January 20, 2004. From the suburban-sprawl perspective, see also Charbonneau, F., P. Hamel and M. Barcelo, *L'étalement urbain dans la région montréalaise : politique et tendances*, (Montréal, Qc. : Institut d'urbanisme, Université de Montréal, 1991).

<sup>13</sup> In a written comment for the oral examination of the present thesis, Professor Jeanne Wolfe, member of the jury, correctly made the following observation : “it is surprising that there is very little discussion of the ‘public realm’ as it has come to be known (about 40% of land in a city is municipally owned – this includes streets and sidewalks (about 30%), squares, parks, open spaces and municipal facilities). Its amenity may vary from one part of a city to another. (Connected to this: Underground walkways, some plazas and shopping centres, although perceived to be public, are not, and ‘undesirables’ tend to get thrown out). Rights to the city include equal access to all these and equal levels of service.” Indeed, in this section we neglect these issues, which are important in understanding the aesthetic quality of urban environment and devising what egalitarian planning can do.

<sup>14</sup> For an historical and sociological study on multicultural Montreal, see, for example: McNicoll, Claire, *Montréal: une société multiculturelle*, (Paris, France : Éditions Belin, 1993). Multiculturalism in Montreal has been sustained and promoted by multicultural policy shaped by Pierre Eliot Trudeau at the turn of the 1970s, which consists, according to Will Kymlicka, in providing each cultural community with the right to negotiate its own terms of integration. He assesses multicultural policy in Canada as a successful case and, indeed, Montreal maintains a relatively peaceful social equilibrium in spite of more than one hundred different cultural communities composing it. See Will Kymlicka, *Finding Our Way*, (Toronto: Oxford University Press, 1998). See also Charles Taylor, *Multiculturalism: Examining the Politics of Recognition*, (Princeton, N.J.: Princeton University Press, 1994); he sees culture and community as the source of our selves.

<sup>15</sup> See Appendix 2.

<sup>16</sup> Montreal as multicultural city observes a fascinating cultural mix, which Sherry Simon calls the “cultural hybrid.” For her observation on the phenomenon of cultural hybrid in Montreal,



see Sherry Simon, *Hybridité culturelle*, (Montréal, Qc: L'île de la tortue éditeur, 1999).

<sup>17</sup> The orthogonal grid in the Plex environment presents an interesting public-private hierarchy facilitating both private and community life. The transition spaces such as staircases and step stones are semi-public, which facilitate informal gatherings and communication. For a taxonomy of urban spaces, see, for example, Serge Chermayeff and Christopher Alexander, *Community and Privacy: Toward a New Architecture of Humanism*, (New York, N.Y.: Anchor Books, 1965), Chapter 9 (Anatomy of Urbanism), pp 117-132.

<sup>18</sup> Housing façades are a public good; we jointly consume its beauty. However, housing façades are not public good from the production point of view; they are fashioned by rivalry production. However, building forms are very much public good to the extent that architectural and planning languages are deeply embedded in culture – therefore, we may say that architecture and planning are built culture. Alan Colquhoun considered those languages a part of our sociopatial schemata; see his article, Typology and Design Method, R. Gutman (ed), *People and Buildings*, (New York, N.Y.: Basic Books, 1972).

<sup>19</sup> For the history and social significance of the *Les Habitations Jeanne-Mance* see, for example, Ville de Montréal, *Les Habitations Jeanne-Mance : Étude patrimoniale*, 2005.

<sup>20</sup> Dozois initially proposed to replace 1384 demolished dwellings by 1385 new units in a report commonly called the “Dozois Report” prior to the Urban renewal. The *Les habitations Jeanne-Mance* as we see now was scaled down but we guess that the number of demolished dwellings may have been over one thousand units.

<sup>21</sup> See Le Corbusier, *Manière de penser l'urbanisme*, (Paris, France: Éditions Gonthier, 1946); for his worldwide influences, see, for example, Peter Hall, *Cities of Tomorrow* (3<sup>rd</sup> Edition), (Oxford, G.B.: Blackwell Publishers Ltd., 2002), Chapter 7 (The City of Tower: The Corbusian Radiant City: Paris, Chandigarh, Brasilia, London, St-Louis, 1920-1970).

<sup>22</sup> Habermas said: “the unity of form and function is broken in a different way by the ‘*Alternative Architecture*’ which is based on the problems of ecology and of the preservation of historically developed urban districts. These trends, often characterised as ‘vitalistic’, are primarily aimed at relating architectural design to spatial, cultural and historical contexts. Therein survive some of the impulses of the Modern Movement, now obviously on the defensive. Above all, it is worth noting some of the initiatives which aim at a communal ‘participatory architecture’, which designs urban areas in a dialogue with the clients. When the guiding mechanisms of the market and the town planning administration function in such a way as to have dysfunctional consequences on the lives of those concerned, failing the ‘functionalism’ as it was understood, then it only follows that the formative communication of the participants be allowed to compete with the media of money and power. However, the nostalgia for the de-differentiated forms of existence often bestows upon these tendencies an air of anti-modernism. They are often linked to the cult of the vernacular and to reverence of the banal. This ideology of the uncomplicated denies the sensible potential and the specificity of cultural modernism.” See Jürgen Habermas, *Modern and Postmodern Architecture*, (p 235).

---

<sup>23</sup> Paul-Émile Borduas, *La transformation continue, Refus global et autres écrits*, (Montréal, Qc.: Édition TYPO, 1997), p 164.

<sup>24</sup> See Kevin Lynch, *Image of City*, (Cambridge, Mass.: The M.I.T. Press, 1960).

<sup>25</sup> Zacharias, J., Preferences for View Corridors through the Urban Environment, *Landscape and Urban Planning*, N. 43, p 217-225.

## 8. PLANNING AND SOCIAL HOPE: A CONCLUSION

A vital, safe, sustainable and beautiful future of Montreal will depend much on a close inter-community, inter-borough and regional cooperation. The amalgamation of Montreal and the *de*-amalgamation movement of the Anglophone municipalities, followed by the 2004 referendum, again plunged Montreal back into its age-old municipal separation along the simple linguistic line. The two communities are now called upon to cooperate in producing regional goods and fairly sharing fiscal responsibilities; their cooperation will be a crucial factor for the democratic future of Montreal.

We may hope that the borough-based decentralisation of municipal administration that accompanied the amalgamated Montreal would eventually produce a progress of deliberative democracy as well as a better quality of municipal goods and services. For that, we yet have to design an effective mechanism of public deliberation and we yet have to work out an adequate basis to assure the economy of scale. We also need to assure the inter-borough equality in fiscal resources. We argued that we failed in our previous attempts to define efficient metropolitan governance and it is unlikely that we can easily overcome the parochial municipal interests that undermine our social hope for the sustainable environment. However, we have no other choice; we have to create a good metropolitan cooperation for sustainable future.

The amalgamated Montreal is now experimenting with a new design of deliberative democracy that we qualified as being of the “third generation.” In this experiment, citizens again do not have power to initiate planning projects, nor can they make planning decisions. We argued, through our egalitarian planning principles and in the light of the Participative Budget experiment in Porto Alegre, that representative democracy and equal vote are not sufficient conditions for equal democracy and the fair distribution of planning resources. We think, in the light of the Council Committee hearing on public consultation in 1988 we studied, that many citizens in Montreal are ready to experiment with a design of deliberative democracy based on power sharing within representative democracy. We persistently argued that planning power in democracy should come from free and equal citizens and their rights to plan their city; the ultimate planner should be each citizen. We think that we can build a better and more beautiful Montreal by giving planning rights back to each citizen.

Planning as a civil right puts a formidable burden on the shoulders of each citizen; indeed, egalitarian planning would be an unattainable hope if each of us is not an enlightened citizen. We are not all such a citizen. We argued that we want deliberative democracy in planning because the politics of planning deliberation provides citizens with opportunities to learn and achieve a free and equal citizenship; we would not achieve such citizenship without an emancipatory struggle in political arena. The search of the moral character for free and equal citizenship, beyond its formal recognition, presents us a great challenge in today’s ever expanding market capitalism and unequal

social relationships.<sup>1</sup> History shows that civil rights are gained and expanded through political struggles and revolutionary changes; planning rights in Montreal have gradually become legitimate equally through Montrealers' struggles against the redevelopment market, abuses in the rental market, public bads in planning and the like. We citizens can hope that we will learn more about egalitarian ethos and develop the moral character of free and equal citizenship through the politics of public deliberation and we will build *together* a more democratic and creative society.

Our egalitarian planning requires that the land-use market be *fair* such that its external bads are internalised within the market. However, our evaluation of both the Overdale and the Water-Garden cases suggests that egalitarian planning principles cannot be applied in a uniform way and to the same extent: the market fluctuations are certainly a good reason why their respective planning assembly might consider the impacts of egalitarian planning on the market prior to its application; the dominant social priorities and political culture within the planning assembly might also induce a relative application of egalitarian principles. Indeed, planning in market democracy implies that a planning assembly might choose planning for economic growth rather than planning for equal opportunities and equal welfare, or vice versa, depending upon market situations; any of these choices appears to us reasonable as far as the choice is made by the planning assembly, according to egalitarian decision rules. A reasonable planning assembly would not justify either equality for the sake of equality, nor efficiency for the sake of efficiency; such a planning assembly would necessarily look for a *trade-off* between

efficiency and equality, which we think is a form of justice as fairness.<sup>2</sup> Such a trade-off seems to be inevitable in planning in a market democracy and we may understand egalitarian planning principles as the reasonable framework and ethical conditions for fair trade-offs. It is opportune to say here that egalitarian planning principles 2, 3 and 4 are lexically superior to 5, 6 and 7.

We argued that we need normative inquiry in planning because planning is inherently normative and we can study its values through normative inquiry. Through normative reasoning we tried to argue that we need egalitarian planning principles to guide planning or to use them as criteria by which we can evaluate how unequal we are and how equal we should be. For that, they should be constitutional and stable. But, by that, we do not mean that normative principles are infallible and permanent; those principles would be stable only to the extent that competing parties accept it as common reference and until they will discover alternative principles that will be a more convincing. We think that normative inquiry is a good heuristic tool to learn about planning values and, ultimately, to discover common urban projects.

Beginning in the earlier 2000s, Montreal has observed a very dynamic market both in the housing and commercial sectors; the condominium market in particular has been booming in many urban neighbourhoods. The Plateau, for example, has now no longer the vacant land available for new construction. The condominium market in the Plateau is certainly good news for Montreal, which has suffered from suburban sprawl and urban

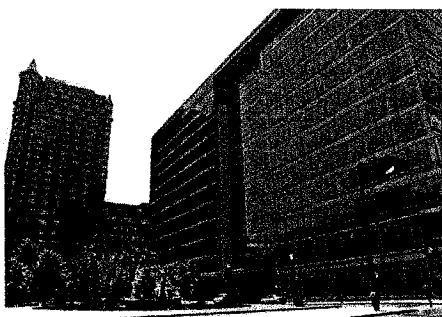
decay. On the other hand, that market is a bad news to the low and moderate income people who still live in the Plateau in large numbers; the high demands for condominiums are now pushing rent prices higher and the low-income citizens are pushed out of the market in an accelerating pace. The Plateau is now witnessing a gentrification market; as we previously argued, the gentrification market is not a sign of social hope.

The relentless race to 0-deficit budgets in both the Federal and Quebec Governments during the 1990s began to produce a serious impact on social opportunity and welfare programs, which have been a supporting pillar of the Canadian democracy and egalitarian ideal. The 0-deficit race took a heavy toll, most particularly in health care; the medicare was the dominant issue in the last two Quebec elections and Quebecers are now under heavy pressure for a privatisation of its medicare system coming from the right. During those elections, social housing needs were rarely mentioned by any of the competing political parties; we only heard the echoes of the slogans coming from the street manifestations organised by the FRAPRU (Front d'action populaire en aménagement urbain), a community group of activists for social housing that we had seen in the Overdale case.

Nor have we seen visible signs of egalitarian progress in the city administrations, since the MCM lost the 1994 election. Planning is again justified more in terms of economic gains than as a function of equal opportunity and equal welfare gains for the unprivileged and, in that perspective, a higher priority in the city's investments is given to

the CBD areas rather than to the unprivileged neighbourhoods.<sup>3</sup> Since the 1994 election, there were three more municipal elections, including the two last under the new amalgamated city of Montreal; in these elections, we did not hear much about democracy and social justice that had projected social hope for the left during the last half century. That social hope seems to have vanished.

It may be an irony that the most prestigious building that Montreal produced in the late 1990s in its central district is the headquarter of the CDP (Caisse de dépôt et placement). The CDP was created, in the 1960s, as a part of the Quebec project spawned by the Quiet Revolution to oversee the investment of the pension funds of the Quebec government workers; therefore, the CDP building represents the power of labour in



The CDP Building

Quebec. The CDP funds now have a considerable economy of scale and it can exercise a leverage effect on local economy; the CDP building is often justified as an investment for downtown revival.

However, we should remind ourselves that modern cities in industrialised countries largely emerged as the product of massive urbanisation accompanying industrialisation and the struggles between workers and capital owners throughout the two last centuries. In this perspective, we proposed to understand the planning problematic essentially from the unjust social relationship that market capitalism generates; the workers, either in a factory or now increasingly in an office tower or in a Wal Mart store, are still deeply entangled in an



unjust social relationship that the labour market imposes and they live in the unequal urban conditions that the real estate market imposes. As long as we work and live in unequal social relationships, we are not in an equally just and equally beautiful city and, in an unequal Montreal, the CDP building would be a mistaken symbol of labour.<sup>4</sup>

When Paul Cliche and his friends in the Confederation of National Trade Unions formed the Front d'action politique (FRAP), a municipal party that would have a short existence around the 1970 Montreal election, they argued that they needed a 'second front' to protect workers' gains in labour struggles.<sup>5</sup> If the 'second front' ultimately means a much wider social struggle against market capitalism to achieve free and equal citizenship, a common front, our best hope for a more equal Montreal would still be a political project to create this common front. The MCM was to a large extent a common front formed by a coalition between labour unions, progressive political parties and community groups.

In the context of today's global market economy, workers and labour movements in Montreal suffer and face a greater challenge on the first front. They would need a much stronger coalition with civil societies more than ever before; they would have to reinforce their political base to defend workers' interests from market capitalism and to build a more equal society. Civil societies would need that political base to bring their diverse social concerns into the policy-making process. We argued that today's citizens do not have the social time and resources necessary for a meaningful participation in planning

deliberations and community building; it is equally through the common front that they would gain those time and resources. In the beginning of this thesis we proposed to understand planning as a liberation project; this project would ultimately mean to liberate labour from capital.

## NOTES

---

<sup>1</sup> The moral character of free and equal citizenship may have much to do with ‘activism’ in planning; we owe much to ‘activists’ in defining and shifting planning agendas and priorities. Each citizen as the ultimate planner implies that she is an agent of change in making her city better and more beautiful; for that, she should be an activist, a *militante*, not a neutral observer. Kai Nielsen remarked, in arguing for his egalitarian socialist conception of justice: “we must show that socialism is not *just* a utopian moral ideal –mere pie in the sky- but could be, and reasonably so, a way of organising our social life. This is by far the more demanding task... without engaging in this task there can be no serious talk about socialist justice. It would be the self-indulgent and self-deceptive moralising that Marx repeatedly inveighed against... We need all the understanding we can get, but what we very much need now as well –particularly in the rich capitalist democracies- is a new revolutionary militancy.” (p 228) See Kai Nielsen, *Socialism and Egalitarian Justice*, (James P. Sterba (ed.), *Social and Political Philosophy*, New York, N.Y.: Routledge, 2001), pp 205-230. See also Cohen, G. A., *If You’re an Egalitarian, How Come You’re So Rich?*, (Cambridge, Mass.: Harvard University Press, 2000).

<sup>2</sup> We can understand the trade-off between equality and efficiency as an example of the Rawlsian egalitarian conception of justice, *justice as fairness*; a trade-off between two free and equal individuals, A and B, would be fair enough both to A and B if they agree upon it. In this perspective, justice as fairness would necessarily require democratic collective consent.

<sup>3</sup> We want to point out two things here; first, it is continuously and vigorously argued that the downtown Montreal still needs the priority of city investments and more investment projects. We are not quite sure that the Montreal downtown can continue to accommodate large-scale projects without loss in its quality of life. Second, the downtown priority would inevitably imply the sacrifice of other urban priorities. The MCM City Plan identified many sites for the PPU (Plan particulier d’urbanisme or detailed planning for development) scattered throughout all the districts; the PPU was proposed to improve either the quality of life or the economic potential of those sites. The PPU ambition could to a large extent not be fulfilled mainly because Montreal had put its priority of investment in the downtown areas. The priority of the downtown, much unquestioned in Montreal, may be regressive in terms of redistributive justice.

<sup>4</sup> As the CDP building was nearing completion, it faced a public critique on its construction costs and lavish spending for its office furnitures. A response to that critique suggested that the building had an exceptional architectural value, which was needed to beautify the Montreal downtown. The building also produced another public debate. La Joute, a fountain that Jean-Paul Riopel (who signed, along with Paul-Émile Borduas at the dawn of the Quiet Revolution, the *Refus global*) had created, had been located in front of the Olympic Stadium in Hochelaga-Maisonneuve, a working-class neighbourhood. It was moved to a new public square in front of the CDP building. Gilles Vigneault, poet-singer and a prominent patriot, and his friends manifested their objection to the move.

---

<sup>5</sup> The CNTU (Confederation of National Trade Union) advocated, from 1968, the establishment of CAPs (Comité d'action politique), which would have a trade union base, serve the workers and concentrate on neighbourhood, municipal and school board problems. In 1970 the CNTU called for a "second front" of political action; it was argued that "unionised workers lose through the rising cost of living what they gain through negotiated pay increases." The first FRAP congress was held in August 1970, elected Paul Cliche, a CNTU leader, as President, and adopted a program on four main fronts: labour, housing, education and consumer cooperatives. A month later the FRAP would face the October crisis and the October 25 election. The editors of *Our Generation* wrote: "The October crisis and War Measures split FRAP wide open. First there was the problem of what position to take on the FLQ. The FLQ, after all, said little more than what other left-wing nationalists groups had been saying for years. The radical elements in FRAP condemned the leadership for being wish-washy, while Drapeau and his allies took every opportunity to smear FRAP as subversive. The War Measures Act provided the Montreal police with a golden opportunity to suppress opposition to Drapeau. Two FRAP candidates were arrested, held incommunicado and released without charge shortly before the municipal elections. By promoting public paranoia in the crisis and then by cashing in on it, Drapeau won easily and the the Civic Party swept every council seat, even though FRAP picked up 17 per cent of the popular vote." (pp 7-8) The FRAP event was probably one of the saddest moment in the history of democracy in Montreal. Source of information: Editors, The Montreal Citizens' Movement, *Our Generation*, Vol. 10, No. 3, 1974, pp 3-20. For more about the history of civil societies in Montreal and the rise and fall of the FRAP, see, for example: Donald McGraw, *Le développement des groupes populaires à Montréal (1963-1973)*, (Montréal, Qc : Éditions coopératives Albert St-Martin, 1978), pp 133-152; Pierre Hamel, *Logement et luttes urbaines à Montréal (1963-1976)*, (Montréal, Qc. : Faculté d'aménagement, Université de Montréal, 1983), pp 11-20.

## APPENDIX 1 - THE PLEX MARKET IN MONTREAL

Towards the end of the 20th century, housing builders began to produce a type of popular urban housing known to Montrealers as the “duplex” or the “triplex” depending upon the number of floors. It is this housing market, which we will call the “Plex market,” that the mass of workers and immigrants could be housed in the rapidly industrialised and urbanised Montreal. The “Plexes” had been the dominant mode of urban housing both for the low and middle-income classes before the suburban bungalow and multi-family apartment blocks replaced it during the post-war housing boom in the 1950s. Today, along with an increasing demand for housing in the inner-city neighbourhoods such as the Plateau, the Plexes market is coming back.

The Plex environment provides several advantages: first, the orthogonal layout<sup>1</sup> of the street grid and the lots minimises land consumption; the layout is efficient also in terms of the provision of municipal infrastructure and services; the Plexes are relatively cheaper to build and energy-efficient by their shared party walls. By its energy efficiency and density the Plex subdivision and housing type should be one of the best urban forms ever invented for a sustainable environment in modern times. Another advantage of the Plexes is that it facilitates owner occupation; indeed, the owner of the Plexes frequently occupied one of the units, usually the ground floor unit.

The Plex market was overwhelmingly dominated by ‘small producers.’ It appears that, beginning in the 1960s, ‘big developers’ became the main players in the housing market.<sup>2</sup> To the extent that housing producers are small and neighbourhood-based, we can expect that they would most likely be a neighbour well-known to the community, not the enemy as they were perceived to be in the redevelopment market of the 1960s. In the Plex market, a consumer was likely to have a relatively greater influence over the product, in a relatively simple sphere of transactions.



Fullum Street



Coursol Street



Laurier Avenue

Today, the sphere of transaction is complex; the producers now includes diverse agents in the market such as a developer, an equity investor, a financial institution, contractors, sub-contractors, even a building-permit broker and public-hearing organiser and so on. The last two agents, which we begin to see in Montreal, are the manifestation of the increasingly complex entanglements between the market, politics and governmental regulations which characterise urban property markets. Between the producer and the consumer, there are mortgage lenders, mortgage brokers, real estate agents, insurance brokers, lawyers, notaries and many others. Those match-makers and intermediary markets tend to grow and the consumer would probably have to pay the bill

at the end of a long chain of match-making and brokerage.

Given the local dimension of the Plex market and social convention that guided the market, we expect that market information would be a common currency between the producer and the consumer to optimize their mutual interests, not a private good to maximize one's own interest. Equal information could be a good reason why the market functioned relatively well without intermediaries and brokers and such information could also be a good source of avoiding external bads and social conflicts.

We observe that there were invisible social norms for housing layouts, styles, structures, furnishing, etc., which silently ruled the reproduction of the Plex environment in Montreal over the first half of the last century. Those norms involved an unwritten convention between the producer and the consumer that guided the realisation of the aesthetic possibility that the Plex environment offers.<sup>3</sup> It was with such a social convention that Montreal, as well as other North-American cities, could be built and decorated during the early days of the last century. Today, the social convention is simply sacrificed by the capitalist logic of maximum profits.

Architectural resources that were used to make up the Plex façades were diverse, incorporating the various architectural traditions of Montreal. Montreal was first built by the French traditions before the colonial war; we can see the traditions well preserved in Old Montreal. Modern Montreal was much influenced by the British traditions including

the fashionable Neo-Victorian styles, as well as the imposing office buildings in the old financial centre of Old Montreal. We also invented our own architecture adapted to the reality of the new world and the new immigrants came with their respective aesthetic resources. The architectural possibility of the Plex environment is certainly limited but its formal languages were indeed rich in variety.<sup>4</sup>

Zoning bylaws came into existence for the first time in New York in 1924 and in Montreal in 1935 for the Quartier Saint-Louis; therefore, a good part of the Plexes in Montreal built before 1945 were done so without a zoning bylaw. There have been various measures of public control over the Plex environment such as: party walls to retard the spread of fire; both back and front stairs for fire escapes; flat roofs sloping to the rear to prevent icicles forming and falling on people's heads; regulations concerning set-backs, openings and other servitudes between adjacent buildings. However, the Plex environment was essentially a product of the market, a market that was probably restrained by ethical constraints and social conventions that today's market does not have; the Plex environment appears far better-ordered, more public, more beautiful and more sustainable than many of the residential environments that today's market produces.

Housing is a bundle of goods including neighbourhood goods such as commercial, cultural and community facilities. By its density and location, an old Plex neighbourhood is most likely to offer more complete and diverse housing goods than a new suburban neighbourhood: you might have a grocery on a corner of your block; you might also have



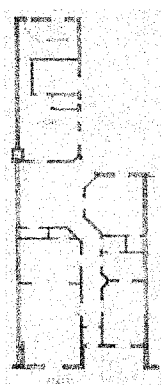
a commercial strip within walking distance. By living in the Plex neighbourhood you would realise personal savings in travel costs and, of course, social savings in terms of better environmental quality. The most important part of the public good that the Plex market produces is its sustainable density; 40 units per acre in the Plateau, for example, is good enough for a complete and diverse bundle of housing goods and services as well as a sustainable environment.

In parallel with the Plex market, there were large-scale attempts to house the urban population in Montreal: the first typical suburban layout and subdivisions were carried out to build the Town of Mount-Royal by Canadian Northern Railway in 1912, as part of its industrial strategy; the Garden City of Tricentenaire was planned and partly implemented in Rosemont, shortly before the 2<sup>nd</sup> World War, to house the French Canadian population; the Federal Government built veteran's houses in various parts of Montreal after the war.<sup>5</sup> However, these attempts remain the exception rather than the rule for the pre-war period; the small-scale and neighbourhood-based Plex markets were the main mechanism by which the mass of the working poor could be sheltered in the rapidly industrialising and urbanising Montreal.

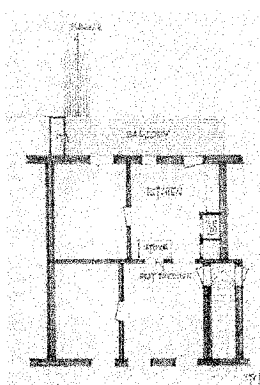
We have tried to portray the social benefits of the Plex market. The Plex market is a rental market, where urban market capitalism was born and, consequently, social confrontations between the landlords and the renters emerged. Montreal is like a huge rental market; even today, more than 70 % of its population still lives in rented

apartments, mainly in the Plex market. Many Plexes in low-income areas provide a minimum of space such as the layout on Wolfe Street in the illustration, which is not at all adequate for a family with several children; we would not see many differences between the housing conditions of the Plateau that we read about in Tremblay's novels<sup>6</sup> and those of the Jerry Builder's housing in England that Engels described in his work, *Condition of the Working Classes in England in 1844*.

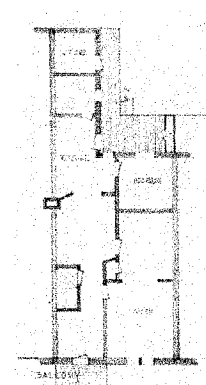
**Figure: Examples of Apartment Layout in the Plex market**



Coursol Street



Wolfe Street



Hôtel-de-ville Street

It is in the downtown Plex neighbourhoods that Montreal observed, beginning in the 1960s, the formation of the *Comités des citoyens* (Citizens' committee) that carried the tenants' battles against the landlords and the redevelopment market<sup>7</sup>; it is through those battles that the tenants would gain better housing rights and more equal rights to

citizenship. We also want to recall that, because of disinvestment in maintenance and renovation, the Plex housing stock has been subject to rehabilitation since the first program in Little Burgundy, in 1968. The City of Montreal and the Quebec Government still provide a joint subsidy for renovation both to preserve the stock, which is indeed a great urban heritage, and to keep the post-renovation rents accessible to low-income tenants.

## NOTES

<sup>1</sup> Our attempt to rationally understand the orthogonal urban grid can undermine other economic, political and cultural meanings that that geometrical grid, conceived and imposed prior to geographical or historical conditions, might have. For a fascinating study on how American west was 'preconceived' by a geometrical grid, see André Corboz, La dimension utopique de la grille territoriale américaine, (*Journal of the Society for the Study of Architecture in Canada (JSSAC)*), Vol, 28, N. 3, 4 (2003), pp 63-68).

<sup>2</sup> A study for the Province of Quebec shows that 81 % of new housing units were produced by the 'big producers,' who produced, by definition, more than 20 units annually, while the 'small producers' (less than 20 units annually) produced only slightly more than 13 % of the new units. The small producers represented only 38% of the total product in the region. For more about the developers in the Province of Quebec, see Robert Gravel, *Les entrepreneurs en construction au Québec (Annex 11, Rapport du groupe de travail sur l'habitation)*, Québec, Qc.: Éditeurs officiels, 1976. In 1961, some fifteen years earlier, we observe that 52 % of the new units (financed in terms of the National Housing Act program) were produced by the 'small developer' (less than 15 units) who counted for more than 90 % of the total beneficiaries at that time. Source of data: CMHC, *Housing Statistics*, 1961.

<sup>3</sup> For a theoretical discussion on building typologies, see for example: Colquhoun, A., Typology and Design Method (Gutman, R. (ed), *People and Buildings*, New York, N.Y.: Basic Books, 1972, pp 394-405); for a practical application of building typologies in design, see C. Alexander, S. Ishikawa and M. Silverstein, *A Pattern Language Which Generates Multi-Service Cent*, (Berkely, Ca.: Centre for Environmental Structure, 1968).

<sup>4</sup> For a general discussion on the architectural heritage of the Plexes in Montreal, see, for example: Phyllis Lambert, The Architectural Heritage of Montreal: a Sense of Community, *Arts Canada*, 202-203 (Winter 1975-1976), pp 22-27; Jean-Claude Marsan, *Montréal, en evolution*, (Montréal, Qc: Édition Leméac, 1974); *Montréal, une esquisse du future*, (Québec: Institut québécois de recherche sur la culture, 1983). For a detailed study on the architectural language of the Plexes, see, for example, François Dufaux, *Façades et deventures: Guide de renovation des bâtiments commerciaux* (Québec, Qc.: Ministère des affaires municipales, Gouvernement du Québec, 1987).

<sup>5</sup> See, for example, Jeanne Wolfe, *The Progress of Housing Reform: Three Early Experiments in Montreal* (Montreal, Qc: McGill University, 1981).

<sup>6</sup> Michel Tremblay, *La grosse femme d'à côté est enceinte*, Montréal, Qc : Leméac, 1978; *Thérèse et Pierre à l'école des Saints-Anges. Chroniques du Plateau Mont-Royal*, 2, Montréal, Qc : Leméac, 1980; *La duchesse et le roturier. Chroniques du Plateau Mont-Royal*, 3, Montréal, Qc : Leméac, 1982.

---

<sup>7</sup> For a critical study on housing discourses during the first part of the 20<sup>th</sup> century, see Marc H. Choko, *Crise du logement à Montréal (1860-1939)*, (Montréal, Qc: Éditions coopératives Albert Saint-Martin, 1980). For citizens' struggles and movements in Montreal in the 1960s and 1970s, see Chapter 2, Note 5, in this thesis.

## APPENDIX 2 - RESIDENTIAL SEGREGATION BY INCOME CLASSES IN MONTREAL

In this appendix, we will attempt to measure the extent of residential segregation between the low-income and the *non*-low-income populations in Montreal<sup>1</sup>. In the real world of the housing market, we expect various sub-markets along the income scale within the non-low-income group, such as upper-class enclaves, the middle-class suburban market, the modest-income rental market and so on. In this study, we will not look at the ethno-cultural influence on residential location<sup>2</sup>; the ethno-cultural influence can be an important factor in explaining the extent of residential segregation in a multicultural city such as Montreal.

We propose to assess three different indexes to represent the extent of residential segregation by income class<sup>3</sup>. One simple - and the most popular - index is the proportion of the low-income population living in an area. The low-income proportion, LP, can be obtained by:

$$LP = L / T$$

Where: L – Total low-income population in the district;  
T – Total population in the district

The LP score represents the weight of the low-income population in the district but

the score does not say anything about how the low-income population is distributed within the district. To indicate the low-income distribution, we can draw a boundary of low-income area by delimiting census tracts with certain LP score such as 40%, for example. The low-income area is a good representation of the low-income segregation.

The Dissimilarity Index, DI, can be used to capture the uneven distribution of the low-income population within a district. The DI score for the district can be estimated by the following formula<sup>4</sup>:

$$DI = \frac{1}{2} \sum_{i=1}^k |Li/Lt - Ni/Nt|$$

Where:  $Li$  – Low-income population in the  $i$  th tract (1, 2, 3,  $i$  th, ...  $k$ );  
 $Lt$  – Low-income population in the district;  
 $Ni$  – Non-low-income population in the  $i$  th tract (1, 2, 3,  $i$  th, ...  $k$ );  
 $Nt$  – Non-low-income population in the district.

The DI is also called the ‘Displacement Index.’ The score of the DI indicates the proportion of the low-income population who would have to be ‘displaced’ from their tracts of residence in order that each tract’s proportion of the low-income population would be the same as that of the non-low-income population. If the low-income proportion is equal to the non-low-income proportion in each tract, that is,  $Li/Lt = Ni/Nt$ , the DI score will be 0, which indicates a complete residential mix, the absence of residential segregation; if one of the two household groups is absent in each tract, that is,  $Li/Lt = 0$  or  $Ni/Nt = 0$ , the DI will yield a score of 100, a complete residential

segregation. The DI score is distributed on a single continuum from 0 to 100.

We can also use the AIC (Asymmetric Inter-group Contact) index<sup>5</sup>, which expresses the sum of the probabilities that the district low-income population live with the non-low-income group in each census tract of the district. We expect that the higher the AIC score, the lower the segregation of the low-income population. The formula for the AIC index for a district can be expressed as follows:

$$AIC = \sum_{i=1}^k Li/Lt \times Ni/Pi$$

Where: Li – Low-income population living in the i-th tract (1, 2, 3, i th, ...k);  
 Lt – Total low-income population living in the district;  
 Ni – The non-low-income group living in the i-th tract (1, 2, 3, i th, ...k);  
 Pi – Total population in the i th tract (1, 2, 3, i th, ...k).

The DI score is insensitive to the LP score; an identical distribution for each of the low-income and the non-low-income populations between two districts will yield exactly the same DI score irrespective of their relative weight of the low-income population<sup>6</sup>. The AIC score reflects the LP score; we expect that the higher the LP score, the lower the non-low-income proportion is and the lower the AIC score tends to be. The following Table A presents the LP, DI and AIC scores for most districts of the City of Montreal<sup>7</sup>, using the 1991 census data.

The DI scores imply that, by displacing 11% of the population distribution in the



Plateau at the lowest level and 26% in the Ville-Marie district at the highest level, we can achieve a perfect income mix. We might expect that the DI scores are higher and the scores more sensibly vary from one another; in theory, we expect the DI values to be distributed between 0 and 100. As the average household incomes indicate, Montreal harbours relatively larger low and modest-income groups and we would not expect an intense residential segregation between the low-income group and the modest-income classes.

**Table A: Residential Segregation of Low-Income Population in Montreal, 1991**

<i>District</i>	<i>Distribution*</i>	<i>Household income (\$)**</i>	<i>LP</i>	<i>DI</i>	<i>AIC</i>
<i>Ahuncic/Cartierville</i>	6.9	39261	26.6	16.8	70.7
<i>Villeray/St-Michel</i>	11.9	27961	40.3	15.8	57.7
<i>Rosemont/Petite-Patrie</i>	10.0	33062	30.5	21.2	66.0
<i>Plateau Mont-Royal (d)</i>	7.3	29615	38.2	10.9	60.4
<i>Ville-Marie (Centre)</i>	2.5	37920	41.8	25.9	52.0
<i>Hochelaga/Maisonneuve (f)</i>	6.9	24838	34.5	22.8	61.5
<i>Notre-Dame-de-Grace (NDG)</i>	3.4	41891	26.5	23.6	69.5
<i>Côte-des-Neiges (CDN)</i>	7.1	35953	38.3	23.3	57.6
<i>Sud-Ouest</i>	4.9	29995	37.6	18.5	59.8
<i>Westmount***</i>	0.4	107107	10.7	16.8	87.5
<i>Outremont***</i>	0.8	66239	16.5	18.1	81.4

\* District share of the low-income population of the Montreal Urban Community in %

\*\* Weighted mean income

\*\*\* These are rich enclaves, which were not part of the City of Montreal in 1991.

The City of Westmount is one of the richest and most exclusive neighbourhoods in the Montreal metropolitan area; about 11% of its population was under the low-income

line and its DI score was about 17, one point higher than the score for Villeray/St-Michel, one of the poorest neighbourhoods in Montreal. What the DI score in these examples misses is the residential segregation between these two neighbourhoods and the relative proportion of low-income population within each neighbourhood; the former is concerned with the question of how to define territorial contiguity and the latter with the question of how to cope with the relative weights of the low-income population in measuring residential segregation by income class.

Table B presents the segregation indices for Parc-Extension, which is the poorest enclave within the Villeray/St-Michel district; its DI score is 3.3%, suggesting almost no income segregation within the enclave. Geographical contiguity plays an important role in determining the DI score; the Parc-Extension factor reduces the DI score for the district by 4 points and raises the AIC value by 4 points.

**Table B: Effects of Parc-Extension on Residential Segregation of Villeray/St-Michel**

<i>District</i>	<i>LP</i>	<i>DI</i>	<i>AIC</i>
<i>Parc-Extension</i>	53.0	3.3	46.9
<i>Villeray/St-Michel (without Parc-Extension)</i>	36.9	11.8	61.6
<i>Villeray/St-Michel (with Parc-Extension)</i>	40.3	15.8	57.7

Its LP ratio suggests that Parc-Extension is indeed a ‘low-income area’ that is highly segregated from other neighbourhoods. A segregation index would have to reflect the low-income weight in the area; the AIC score reflects that weight, while the DI does

not. Equally in our Westmount-Villeray/St-Michel comparison, the AIC score for Westmount is 35 points higher than the score for Villeray/St-Michel; that difference explains the relative absence of a low-income population in Westmount. From this perspective, the AIC is undoubtedly an interesting tool for measuring residential segregation.

With these methodological nuances in perspective, we want to make the following additional comments:

- The Ville-Marie district including the downtown area appears, by all the indicators, to be the most segregated area. Its relatively high DI score is influenced by the presence of high-income condominium or rental enclaves in the downtown neighbourhoods, particularly in the Golden Square Mile;
- While the Plateau has one of the highest low-income rates, it observes the lowest DI score among the districts compared. That score shows that the Plateau is exceptionally mixed in terms of income groups. Its relatively high AIC score in spite of a high LP score also conforms that the Plateau has low residential segregation;
- Almost 12% of the MUC low-income population is in Villeray/St-Michel and more than 40% of the district population is under the low-income line; this

district is one of the poorest areas in Montreal. As we remarked, its relatively low DI score would indicate that the residential segregation between the low-income and modest-income groups appears less evident;

- Both the NDG and the CDN neighbourhood have relatively high and comparable DI scores; both neighbourhoods are composed of highly unequal income classes and housing sub-markets. However, the CDN neighbourhood has 12 points more than the NDG in their AIC values, reflecting their respective LP score; this difference in the AIC scores seems to better depict our intuitive observation;
  
- It appears that the low-income groups in Westmount and Outremont, two rich municipalities, are not so unevenly distributed as we might expect; this suggests that there might be poverty pockets.

All three instruments are useful in measuring residential segregation by income groups. From the perspective of program delivery, the definition of poverty areas using the LP is indispensable. The DI was used for inter-city comparative studies; it can be misleading if the DI is applied to the intra-urban context, because of the contiguity problem. We think that the AIC is an interesting indicator of residential segregation; it reflects both the absolute weight and the relative distribution of low-income population and we can apply it to relatively small sector analyses.

## NOTES

<sup>1</sup> Statistics Canada defines the low-income population as comprising those who are under the so-called "low income cut-offs," which take into account the minimum expenditure for basic necessities (food, shelter and clothing), differentiated by family size and degree of urbanisation. See Statistics Canada, *Cat. No. 95-330*, p 730-731.

<sup>2</sup> Residential segregation by ethnic and cultural groups interacts with income segregation. In Montreal, we have predominantly single ethnic and cultural enclaves, while we also have multi-ethnic low-income areas such as the Côte-des-Neiges and Parc-Extension neighbourhoods. It seems that these two forces work in an interacting manner; if you are poor, you will be forced to live in a low-rent neighbourhood even if you prefer a particular ethnic enclave. See, for an inter-city comparison of both income and ethnic segregations in Canada including a good review on methodological issues in measuring residential segregation, Abdolmohammad Kazempur and Shiva S. Halli, *The New Poverty in Canada: Ethnic Groups and Ghetto Neighbourhoods*, (Toronto, Ont.: Thompson Educational Publishing Inc., 2000); for the influence of the economic status of households on residential segregation in American cities, see, Zelder, R., Racial Segregation in Urban Housing Markets, *Journal of Regional Science*, Vol. 10, No. 1, 1970. Here, we will simply assume that market prices are the single important discriminator of residential segregation.

<sup>3</sup> See, for a review of several segregation indexes, for example: Duncan B. and O. Duncan, A Methodological Analysis of Segregation Indexes, *American Sociological Review*, XX, No. 2, 1955; Taeuber and Taeuber, op. cit., Appendix A; Reiner, T. A., Racial Segregation: A Comment, *Journal of Regional Science*, Vol. 12, No. 1, 1972.

<sup>4</sup> See, for its extensive use in racial segregation in the United States, Taeuber, K. E. and A. F. Taeuber, *Negroes in Cities*, 1965; according to Taeuber and Taeuber, the original version was used by John, J., C. Schmid and C. Schrag, The Measurement of Ecological Segregation, *American Sociological Review*, XII, June 1947.

<sup>5</sup> See Erbe, B. M., Race and Socioeconomic Segregation, *American Sociological Review*, Vol. 40, p 801-812, December 1975. According to Erbe, the AIC index was proposed by Bell, W., A Probability Model for the Measurement of Ecological Segregation, *Social Forces*, Vol. 32, pp 357 – 364, 1954.

<sup>6</sup> See examples in Erbe, op. cit., p 802.

<sup>7</sup> A district was defined by taking into account geographical, sociological and administrative needs among other factors; it has more or less one hundred thousand persons. See, for a detailed study on how the districts were defined during the MCM Administration, Ville de Montréal, *Mémoire sur le découpage administratif du territoire de la Ville Montréal*. The boundary of the districts studied in Table A does not always correspond to the official definition of the boundary: we excluded the South-East neighbourhood from the Plateau and the Mercier from Hochelaga/Maisonneuve; we separated NDG from CDN to better reflect both sociological and housing market realities.

## BIBLIOGRAPHY

- Alexander, C., S. Ishikawa and M. Silverstein, *A Pattern Language Which Generates Multi-Service Centres*, Berkely, Ca.: Centre for Environmental Structure, 1968.
- Alonso, W., *Location and Land use*, Cambridge, Mass.: Harvard University Press, 1964.
- Andrew, C. I. and D. H. Merriam, Defensible Linkage, *Journal of the American Planning Association*, Spring 1988, pp 199-209.
- Aubin, H., *City for Sale*, Montreal, Qc: Éditions l'Étincelle / Lorimer, 1977.
- Arneson, R. J., Equality and Equal Opportunity for Welfare, Pojman, L. P. and R. Westmoreland (eds), *Equality: Selected Readings*, Oxford, G.B.: Oxford University Press, 1997, pp 229-241.
- Ashton, P. J., The Political Economy of Suburban Development, in Tabb, W. and L. Sawers (eds.), *Marxism and the Metropolis: New Perspectives in Urban Political Economy*, New York, N.Y.: Oxford University Press, 1978, pp 64-89.
- Babcock, R. F., *The Zoning Game: Municipal Practices and Policies*, Madison, Wis.: The University of Wisconsin Press, 1966.
- Baierle, S., The Case of Porto Alegre : The Politics and Background, Roussopoulos, D. and C. G. Benello (eds), *Participatory Democracy : Prospects for Democratizing Democracy*, Montreal, Qc: Black Rose Books, 2005, pp 270-286.
- Baiocchi, G., Participation, Activism, and Politics: the Porto Alegre Experiment and Deliberative Democratic Theory, Madison, Wis.: University of Wisconsin-Madison, 1999.
- Baiocchi, G., Emergent Public Spheres: Talking Politics in Participatory Governance, *American Sociological Review*, Vol. 68 (February), 2003, pp 52-74.
- Baker, J., Democratic Deliberations, Equality of Influence, and Pragmatism, C. J. Misak (ed), *Pragmatism*, Calgary, Alta.: University of Calgary Press, 1999, pp 253-272.
- Barry, Brian, Sustainability and Intergenerational Justice, Light, A and H. Holston III (eds), *Environmental Ethics: An Anthology*, Oxford, G.B.: Blackwell Publishing, 2003, pp 487-499.
- Beatley, Timothy, *Ethical Land Use: Principles of Policy and Planning*, Baltimore, Md.: The John Hopkins University Press, 1994.

- Beauregard, R., Capital Restructuring and the New Built Environment of Global Cities: New York and Los Angeles, *International Journal of Urban and Regional Research*, Vol 15, 1991, pp 90-105.
- Bell, C., On Housing Classes, *A.N.Z.J.S.*, Vol. 13, No. 1, 1977.
- Benevolo, L., *The Origins of Modern Town Planning*, Cambridge, Mass.: The M. I. T. Press, 1971.
- Bennett, A. (ed), *Shelter, Housing and Homes: A Social Right*, Montreal, Qc.: Black Rose Books, 1997.
- Borduas, P.-É., *Refus global et autres écrits*, Montréal, Qc.: Édition TYPO, 1997.
- Bowles, S. and Gintis, H., *Democracy and Capitalism: Property, Community, and Contradiction of Modern Social Thought*, New York, N.Y.: Basic Books, 1986.
- Bowles, Gintis and Gustafsson (eds), *Markets and Democracy: Participation, Accountability and Efficiency*, Cambridge, G.B.: Cambridge University Press, 1993 (Ch. 1 pp 1-10 and ch 18 pp306-315).
- Braybrooke, D. and C.E. Lindblom, *A Strategy of Decision: Policy Evaluation as a Social Process*, New York, N.Y.: The Free Press, 1970.
- Brown, P.G., *Restoring the Public Trust*, Boston, Mass.: Beacon Press, 1994.
- Buchanan, Allen, "Efficiency Arguments For and Against the Market", in Arthur, J. and W. H. Shaw (ed), *Justice and Economic Distribution*, Englewood Cliffs, N. J.: Prentice-Hall, 1978, pp 184-197.
- Buchanan, Allen, *Ethics, Efficiency, and the Market*, Totawa, N. J.: Rowman and Allanheld, 1988.
- Buchanan J. M. and G. Tullock, *The Calculus of Consent: Logical Foundations of Constitutional Democracy*, Ann Arbor, Mich.: The University of Michigan Press, 1962.
- Calavita, Nico, and Kenneth Grimes, Inclusionary Housing in California: The Experience of Two Decades, *Journal of the American Planning Association*, Vol. 64, No. 2, Spring 1998, pp 150-167.
- Laurence Carlo, *Gestion de la ville et démocratie locale*, Paris, France: Éditions L'Harmattan, 1996.
- Carreau, S., *Analyse du phénomène de l'abandon, son ampleur, ses causes et les possibilités d'intervention (Annexe 8, Rapport du groupe de travail sur l'habitation)*, Québec, Qc. : Éditeur officiel du Québec, 1976.

Castel, M., *La question urbaine*, Paris, France: François Maspero, 1975, more particularly IV-4-II Le rapport entre lutte urbaine et lutte politique : les expériences québécoises et chiliennes, pp 430-470.

Charbonneau, F., P. Hamel and M. Barcelo, *L'étalement urbain dans la région montréalaise : politique et tendances*, Montréal, Qc.: Institut d'urbanisme, Université de Montréal, 1991.

Charney, M., *Parcours : la cité incontournable | The Intractable City*, Melvin Charney, *Parcours de la reinvention | About Reinvention*, Caen, France: Frac Basse Normandie, 1998, pp 119-161.

Chermayeff, S. and C. Alexander, *Community and Privacy: Toward a New Architecture of Humanism*, New York, N.Y.: Anchor Books, 1965.

Choko, M., *Crises du logement à Montréal (1860-1939)*, Montréal, Qc.: Éditions coopératives Albert Saint-Martin, 1980.

Choko, M., *Crise du logement et capital immobilier: Montréal – Le redéveloppement du centre-ville de 1957 à nos jours*, Thèse de doctorat de 3<sup>e</sup> cycle, Institut d'urbanisme – Université de Paris VII, 1981.

Christiano, T., The Significance of Public Deliberation, J. Bohman and W. Reh (eds), *Deliberative Democracy: Essays on Reasons and Politics*, Cambridge, Mass.: The M.I.T. Press, 1999, pp 243-277.

Cohen, G. A., On the Currency of Egalitarian Justice, *Ethics* 99, July 1989, pp. 906-44.

Cohen, G. A., *If You're an Egalitarian, How Come You're So Rich?* Cambridge, Mass.: Harvard University Press, 2000.

Cohen, G. A., Incentives, Inequality, and Community, S. McMurrin (ed.), *The Tanner Lectures on Human Values 13*, Cambridge, G.B.: Cambridge University Press, 1991, pp 261-329.

Cohen, J., Procedure and Substance in Deliberative Democracy, Benhabib, S. (ed), *Democracy and Difference: Contesting the Boundaries of the Political*, Princeton, N.J.: Princeton University Press, 1996, pp 95- 119.

Cohen, J., Deliberation and Democratic Legitimacy: Moral Pluralism and Political Consensus, Copp, D., J. Hampton, and J. Roemer (eds), *The Idea of Democracy*, Cambridge, G.B.: Cambridge University Press, 1993, 270-91.

Collin, J.-P. and J. Godbout, *Les organismes populaires en milieu urbain : Contre-pouvoir ou nouvelle pratique professionnelle*, Montréal, Qc. : INRS-Urbanisation, 1972.

Colquhoun, A., Typology and Design Method, Gutman, R. (ed), *People and Buildings*, New York, N.Y.: Basic Books, 1972, pp 394-405.

(La) Commission mondiale sur l'environnement et le développement, *Notre avenir à tous*, Montréal, Qc.: Éditions du fleuve, 1988.



Conseil du trésor du Canada, Guide de l'analyse avantages-coûts (mimeo.), 1976.

Corboz, A., La dimension utopique de la grille territoriale américaine, *Journal of the Society for the Study of Architecture in Canada (JSSAC)*, Vol, 28, N. 3, 4 (2003), pp 63-68.

Dahl, R., *Democracy and Its Critics*, New Haven, Conn.: Yale University Press, 1989.

Dansereau, F., A. Germain and C. Éveillard, Le quartier Angus, un exemple de mixité sociale programmée? *Plan Canada*, Vol. 36, No. 1, 1996, pp 33-38.

Dansereau, F., A. Germain and C. Éveillard, Social Mix: Old Utopia, Contemporary Experience and Challenges, *Canadian Journal of Urban Research*, Vol. 6, No. 1, 1997, pp 1-23.

Dansereau, F. et al., *La Mixité sociale en habitation*, Montréal, Qc.: INRS-URBANISATION, CULTURE ET SOCIÉTÉ, 2002.

Dansereau, F. et D. L'Écuyer, *Réanimation, reconquête, conversion*, Montréal, Qc. : INRS – Urbanisation, 1987.

Dasgupta, P., S. Marglin and A. Sen (United Nations), *Guidelines for Project Evaluation*, New York, N.Y.: United Nations, 1972.

Daniel, N., *Justice and Justification: Reflective Equilibrium in Theory and Practice*, Cambridge, G.B.: Cambridge University Press, 1996.

Dennis M. and S. Fish, *Programs in Search of a Policy: Low Income Housing in Canada*, Toronto, Ont.: Hakkert, 1972.

Doré, J., *For Montreal*, (A. Bennett (tr.)), Montreal, Qc.: Guernica Editions, 1986.

Dubois, R., The Perils of Adaptation, Kepes, G. (ed), *Arts of the Environment*, New York, N.Y.: George Brazuller, Inc., pp 32-39.

Dufaux, F., *Façades et aventures: Guide de renovation des bâtiments commerciaux*, Québec, Qc.: Ministère des affaires municipales, Gouvernement du Québec, 1987.

Dworkin, R., What is Equality? Part 1: Equality of Welfare, *Philosophy and Public Affairs* 10, Summer 1981, pp 185-246.

Dworkin, R., What is Equality Part 2: Equality of Resources, *Philosophy and Public Affairs* 10, Fall 1981, pp 283-345.

Dworkin, D, *Taking Rights Seriously*, Cambridge, Mass.: Harvard University Press, 1977.

Editors, The Montreal Citizens' Movement, *Our Generation*, Vol. 10, No. 3, 1974, pp 3-20.

- EZOP-Quebec, *Une ville à vendre*, Montréal, Qc: Éditions cooperatives Albert Saint-Martin, 1981.
- Ferber, R. and W. Z. Hirsch, *Social Experimentation and Economic Policy*, Cambridge, G. B.: Cambridge University Press, 1982.
- Finkel, A., *Social Policy and Practice: A History*, Waterloo, Ont.: Wilfred Laurier University Press, 2006, Chapter 10 (Housing and State Policy, 1945-1980), pp 221-247
- Forrester, J., *Planning in the Face of Power*, Berkeley, Ca.: University of California Press, 1989.
- Forrester, J., *The Deliberative Practitioner: Encouraging Participatory Planning Processes*, Cambridge, Mass.: The M.I.T. Press, 1999.
- Frieden, B. J. and L. B. Sagalyn, *Downtown, Inc.: How America Rebuilds Cities*, Cambridge, Mass.: The M.I.T. Press, 1989.
- Friedman, M. and G. J. Stigler, Roofs or Ceilings? The Current Housing Problem, *Rent Control: A Popular Paradox*, Vancouver, B.C.: The Fraser Institute, 1975, 87-102.
- Gariépy, M., G. Domon and P. Jacobs, *Développement viable et évaluation environnementale en milieu urbain : essai d'application au cas montréalais*, mimeo, Faculté de l'aménagement, Université de Montréal, 1990.
- Gret, Marion and Yves Sintomer, *Porto Alegre: l'espoir d'une autre démocratie*, Paris, France: Éditions de la découverte, 2002.
- Grigsby, W., *Housing Markets and Public Policy*, Philadelphia, Pa.: University of Pennsylvania Press, 1963.
- Grigsby, W. and Louis Rosenberg, *Urban Housing Policy*, New York, N.Y.: APS Publications, 1975.
- Habermas, J., Modern and Postmodern Architecture, Leach, N. (ed), *Rethinking Architecture*, London, G.B.; Routledge, 1997, pp 227-235.
- Hall, P., *Cities of Tomorrow* (3<sup>rd</sup> Edition), Oxford, G.B.: Blackwell Publishers Ltd., 2002.
- Hamel, P., *Logement et luttes urbaines à Montréal (1963-1976)*, Montréal, Qc. : Faculté d'aménagement, Université de Montréal, 1983.
- Hamel, P., *Action collective et démocratie locale : Les mouvements urbains montréalais*, Montréal, Qc: Les Presses de l'Université de Montréal, 1991.
- Harvey, D., *Social Justice and the City*, Baltimore, Md.: The John Hopkins University Press, 1973.

- Harvey, D., Social Justice, Postmodernism and the City, *International Journal of Urban and Regional Research*, Vol. 16, 1992, pp 588-601.
- Harvey, D., *Justice, Nature and the Geography of Difference*, Oxford, G.B.: Blackwell Publishers Inc., 1996.
- Hausrath, L.L., Economic Basis for Linking Jobs and Housing in San Francisco, *The Journal of the American Planning Association*, Spring 1988, pp 210-216.
- Hayek, F.A., *The Constitution of Liberty*, Chicago, Ill.: The University of Chicago Press, 1960, Chapter 22 (Housing and Town Planning), pp 340-357.
- Heidegger, M, Building Dwelling Thinking, Krell, D. F. (ed), *Martin Heidegger: Basic Writings*, New York, N.Y.: HarperCollins, 1977.
- Hanley, J. and Serge, L., Putting Housing on the CED Agenda; Eric Shragge and Michael Toye eds, *Community Economic Development: Building for Social Change*, Sydney, N.S.: Cape Breton University Press, 2006.
- Hendler, S. (ed.), *Planning Ethics: A Reader in Planning Theory, Practice, and Education*, (New Brunswick, N.J.: Rutgers, The State University of New Jersey, 1995.
- Hill, M., *Planning for Multiple Objectives; An Approach to The Evaluation of Transportation Plans*, Philadelphia, Pa. : Regional Science Research Institute, 1973.
- Hirschman, A., *Exit, Voice and Loyalty: Responses to Decline in Firms, Organisations, and States*, Cambridge, Mass.: Harvard University Press, 1970.
- Jacobs, J., *The Death and Life of Great American Cities*, New York, N.Y.: Vintage Books, 1961.
- Jencks, Christopher, *Homeless*, Cambridge, Mass.: Harvard University Press, 1994.
- Kazemipur, A. and S. S. Halli, *The New Poverty in Canada: Ethnic Groups and Ghetto Neighbourhoods*, Toronto, Ont.: Thompson Educational Publishing Inc., 2000.
- Keating, W. D., Linking Downtown Development to Broader Community Goals : An Analysis of Linkage Policy in Three Cities, *Journal of the American Planning Association* 52 (2), p 133-141, 1986.
- Kostof, S., *The City Shaped: Urban Patterns and Meanings Through History*, London, G.B.: Thames and Hudson Ltd., 1991.
- Krumholz, N., J. M. Cogger and J. H. Linner, The Cleveland Policy Planning Report, *AIP Journal*, September 1975, pp 298-304.
- Kuhn, T., *The Structure of Scientific Revolutions*, Chicago, Ill.: University of Chicago Press, 1962.

- Kymlicka, W., *Finding Our Way*, Toronto, Ont.: Oxford University Press, 1998.
- Kymlicka, W., *Contemporary Political Philosophy: an Introduction*, Oxford, G.B.: Oxford University Press, 1990.
- Lambert, P., The Architectural Heritage of Montreal : a Sense of Community, *Arts Canada*, 202-203 (Winter 1975-1976), pp 22-27.
- Lamonde, P and Y. Martineau, *Désindustrialisation et restructuration économique : Montréal et les autres grandes métropoles nord-américaines, 1971-1991*, Montréal, Qc: INRS-Urbanisation, 1992.
- Latendresse, A., La réforme municipale et la participation publique aux affaires urbaines montréalaise; Rupture ou continuité?, Jouvé B. and P. Booth (eds), *Démocraties métropolitaines*, Québec, Qc: Presse de l'Université du Québec, 2004.
- Latendresse, A., The Case of Porto Alegre : The Participatory Budget, Roussopoulos, D. and C. G. Benello (eds), *Participatory Democracy: Prospects for Democraticising Democracy*, Montreal, Qc: Black Rose Books, 2005, op. cit., pp 287-291.
- LeCorbusier, *Manière de penser l'urbanisme*, Paris, France: Éditions Gonthier, 1946.
- Lefèvre, H., *Le droit à la ville*, Paris, France: Éditions Anthropos, 1968.
- Lefebvre, H., *The Production of Space*, Donald Nicholson-Smith (trans.), Oxford, G.B. : Blackwell, 1991.
- Léveillé, J., *Développement urbain et politiques gouvernementales urbaines dans l'agglomération montréalaise 1945-1975*, Étude en science politique n. 1, Société canadienne de science politique, 1978.
- Léveillé, J. and J.-F. Léonard, The Montreal Citizens' Movement Comes to Power, *International Journal of Urban and Regional Research*, Vol. 12, No. 4, pp 567-580, 1988.
- Lichfield, N., Cost-Benefit Analysis in City Planning, *Journal of the American Institute of Planners*, 26-4, November 1960, pp 273-279.
- Lichfield, N., Cost-Benefit Analysis in Plan Evaluation, *Town Planning Review*, 25-2, July 1964, pp 159-169.
- Lindsey, G. and G. Knaap, Willingness to pay for Urban Greenway Projects, *AIP Journal*, Summer 1999, pp 297-313.
- Linteau, P.-A., *Histoire de Montréal depuis la Confédération*, Montréal, Qc: Boréal, 1992.
- Little, I. M. D., *A Critique of Welfare Economics (Second Edition)*, London, G.B.: Oxford University Press, 1950.

- Logan, J. R. and H. L. Molotch, *Urban Fortunes: The Political Economy of Place*, Berkeley, Calif.: University of California Press, 1987.
- Lorimer, J., *The Real World of City Politics*, Toronto, Ont.: James Lewis & Samuel, 1970.
- Lorimer, J., *The Developpers*, Toronto, Ont.: James Lorimer & Co., Publishers, 1978.
- Lynch, K., *Image of City*, Cambridge, Mass.: The M.I.T. Press, 1960.
- Lynch, K., *A Theory of Good City Form*, Cambridge, Mass.: The M.I.T. Press, 1981, Chapter 12.
- Mallach, A., *Inclusionary Housing Programs: Policies and Practices*, New Brunswick, N.J.: Centre for Urban Policy Research, Rutgers University, 1984.
- Marcuse, P., Not Chaos, but Walls: Postmodernism and the Partitioned City, Watson, S. & Gibson, K. (Eds), *Postmodern Cities and Space*, Cambridge, G.B.: Blackwell Publishers, 1995, pp 243-253.
- Marlin, R., Rawlsian Justice and Community Planning, Sue Hendler (ed.), *Planning Ethics: A Reader in Planning Theory, Practice, and Education*, New Brunswick, N.J.: Rutgers, The State University of New Jersey, 1995, pp 141-153.
- Marsan, J.-C., *Montréal, en évolution*, Montréal, Qc: Édition Leméac, 1974.
- Marsan, J.-C., *Montréal: Une esquisse du future*, Québec, Qc: Institut québécois de recherche sur la culture, 1983.
- Marx, K., *Critique of the Gotha Programme*, Beijing, China: Foreign Language Press, 1976.
- (The) MCM Manifesto (abridged), *Our Generation*, vol. 10, no. 3, 1974, pp 10-20.
- McGraw, D., *Le développement des groupes populaires à Montréal (1963-1973)*, Montréal, Qc : Éditions coopératives Albert St-Martin, 1978.
- McNicoll, Claire, *Montréal: une société multiculturelle*, Paris, France : Éditions Belin, 1993.
- Méda, D., *Qu'est-ce que la richesse?* Paris, France: Aubier, 1999.
- Mendell, M., New Social Partnership: Crisis Management or a New Social Contract?, in Amit-Talai, V., and H. Lustiger-Thaler (eds), *Urban Lives: Fragmentation and Resistance*, Toronto, Ont.: McClelland and Stewart Inc., 1994, pp 71-92.
- Mendell, M., The Social Economy in Quebec: Discourse and Strategies, School of Public and Community Affairs, Concordia University.
- Miron, J., *Housing in Postwar Canada: Demographic Change, Household Formation, and Housing Demand*, Kingston, Ont. & Montreal, Qc.: McGill-Queen's University Press, 1988.

- Mishan, E. J., *Cost-Benefit Analysis: An Introduction*, New York, N.Y.: Praeger Publishers, 1971.
- Molotch H. and, K. Warner, *Building Rules: How Local Controls Shape Community Environments and Economies*, Boulder, Colorado: Westview Press, 2000.
- Moloughney, B., *Housing and Population Health-The State of Current Research Knowledge*, Ottawa, Ont.: Canadian Institute for Health Information, 2004.
- More, Thomas (Saint, Sir), *Utopia*, H. V. S. Ogden (ed.), Arlington Heights, Ill.: Harlan Davidson, Inc., 1949.
- Mumford, L., *The Culture of Cities*, New York, N.Y.: Harcourt Brace Jovanovich, Inc., 1938.
- Naess, A., The Deep Ecological Movement: Some Philosophical Aspects, Light, A. and H. Rolston III (eds), *Environmental Ethics*, Oxford: Blackwell Publishing Ltd., 2003, pp 262-274.
- Nagel, T., *Equality and Partiality*, Oxford, U.K.: Oxford University Press, 1991.
- Neutra, R., *Survival through Design*, New York, N.Y.: Oxford University Press, 1954.
- Newman, O., *Defensible Space: Crime Prevention through Urban Design*, New York, N.Y.: The Macmillan Co., 1972.
- Nielsen, K., *Equality and Liberty*, Totowa, N.J.: Rowman & Allanheld Publishers, 1985.
- Nielsen, K., *Ethics without God*, Amherst, N. Y.: Prometheus Books, 1990.
- Nielsen, K., Global Justice, Capitalism, and the Third World, J. Arthur and W. H. Shaw (eds), *Justice and Economic Distribution*, Englewood Cliffs, N.J.: Prentice Hall, 1991, pp 228-241.
- Nielsen, K., *Naturalism without Foundations*, Amherst, N.Y.: Prometheus Books, 1996.
- Nielsen, K., On Being a Secularist All the Way Down, *The Proceedings of the Twentieth World Congress of Philosophy* (1999), Vol 4, pp 29-50.
- Nielsen, K., Socialism and Egalitarian Justice, James P. Sterba (ed.), *Social and Political Philosophy*, New York, N.Y.: Routeledge, 2001, pp 205-230.
- Norberg-Schulz, C., *Existence, Space and Architecture*, New York, N.Y.: Praeger Publishers, 1971.
- Nozick, R., *Anarchy, State, and Utopia*, Oxford, G.B.: Basil Blackwell, 1974.
- Okun, A. M., *Equality and Efficiency: The Big Trade-off*, Washington, D. C.: The Brookings Institution, 1975.
- Olson, M., *The Logic of Collective Action: Public Goods and the Theory of Groups*, Cambridge, Mass.: Harvard University Press, 1965.

Pateman, C., *Participation and Democratic Theory*, Cambridge, G.B.: Cambridge University Press, 1970.

Perks, W. T., J. Bilkhu and D. SA. Thompson, *The Integration of Environmental Assessment and Municipal Planning*, Toronto, Ontario: ICURR Publications, 1996.

Polanyi, K., *The Great Transformation*, Boston, Mass.: Beacon Press, 1944.

Pretty, L., *Achat et restauration par les citoyens des milieux populaires (Annex 6. Rapport du groupe de travail sur l'habitation)*, Québec, Qc. : Éditeur officiel du Québec, 1976.

Proulx, Marc-Urbain, L'organisation des territoires au Québec, *L'Action nationale*, Vol. LXXXVIII, n 2, février, 1998, pp 101-160.

Rawls, J., *A Theory of Justice*, Cambridge, Mass.: Harvard University Press, 1971.

Rawls, J., The Idea of Public Reason, J. Bohman and W. Rehg (eds.), *Deliberative Democracy: Essays on Reasons and Politics*, Cambridge, Mass.: The M.I.T. Press, 1999.

Rawls, J., *Justice as Fairness: a Restatement*, Kelly, E. (ed.), Cambridge, Mass.: The Belknap Press of Harvard University Press, 2001.

Roemer, J., *A Future for Socialism*, Cambridge, Mass.: Harvard University Press, 1994.

Rorty, R., *Philosophy and Social Hope*, London, G.B.: Penguin Books, 1999.

Rosenburg L. and W. Grigsby, *Urban Housing Policy*, New York, N.Y.: APS Publications, 1975.

Rotrand, M., Montreal – the Rise and Fall of Jean Drapeau, *Canadian Jewish Outlook*, March 1985, pp 15-18.

Roussopoulos, D., The Case of Montreal, Roussopoulos, D., and C. G. Benello (eds), *Participative Democracy: Prospects for Democratizing Democracy*, Montreal, Qc: Black Rose Books, 2005, pp 292-324.

Ryan, C. Liberté et justice: des idéaux à poursuivre dans des conditions plus astreignantes, Bélanger Y., R. Comeau and C. Métivier (eds), *La révolution tranquille, 40 ans plus tard: un bilan*, Montréal, Qc: VLB éditeur, 2000, pp 235-244.

Sen, A., *Inequality Reexamined*, Cambridge, Mass.: Harvard University Press, 1992.

Sen, A., Equality of What? in S. McMurrin (ed), *Tanner Lectures on Human Values*, Vol. 1, Cambridge, G.B.: Cambridge University Press, 1980.

Sen, A., Environmental Evaluation and Social Choice, *Rationality and Freedom*, Cambridge, Mass.: The Belknap Press of Harvard University Press, 2002, pp 531-552

- Sévigny, M., *Trente ans de politique municipale: Plaidoyer pour une citoyenneté active*, Montréal, Qc.: Les Éditions Écosociété, 2001.
- Siegan, B. H., *Land Use without Zoning*, Lexington, Mass.: Lexington Books, 1972.
- Simon, H. A. and P. A. Simon, Trial and Error Search in Solving Difficult Problems, *Behavioral Science*, 7, pp 425-429, 1962.
- Simon, H. A., Theories of Bounded Rationality, in McGuire, C. B. and Roy Radner (eds.), *Decision and Organisation*, New York, N.Y.: North-Holland Company, 1972;
- Simon, S., *Hybridité culturelle*, Montréal, Qc: L'Île de la tortue éditeur, 1999.
- Smith, L. B., *Anatomy of a Crisis: Canadian Housing Policy in the Seventies*, Vancouver, B.C.: The Fraser Institute, 1977.
- Smith, Nancy, Diversity: the Challenge for Land Use Planning, *Plan Canada*, Vol. 40, N. 4, 2000, pp 27-28.
- Smith, Neil., Toward a Theory of Gentrification: A back to the City Movement by Capital, not People, *Journal of the American Planning Association*, Vol. 45, No. 4, October 1979, pp 538-548.
- Solidariedade, *Porto Alegre : Les voix de la démocratie, vivre le budget participatif*, Paris, France : Éditions Syllepse, 2003.
- Stone, C., Should trees have Standing? – Toward Legal Right for Natural Objects, Van De Veer, D, and C. Pierce (eds), *People, Penguins and Plastic Trees*, Belmont, Ca.: Wadsworth Publishing Co., 1986.
- Tarn, J. N., *Working-class Housing in 19<sup>th</sup>-century Britain*, London, G.B.: Architectural Association, 1971.
- Taylor, C. and others, *Multiculturalism: Examining the Politics of Recognition*, Amy Gutmann (ed), Princeton, N.J.: Princeton University Press, 1994.
- Tiebout, C. M., A Pure Theory of Local Expenditures, *Journal of Political Economy*, 64, pp 416-24, 1956.
- Tinbergen, J., *The Design of Development*, Baltimore, Md.: The Johns Hopkins University Press, 1958.
- Thomas, T. L., *A City with a Difference: the Rise and Fall of the Montreal Citizen's Movement*, Montreal, Qc: Véhicule Press, 1997.
- Trépanier, M.-O., Les défis de l'aménagement et de la gestion d'une grande région métropolitaine, Manzagol, C. and C. Bryant (eds), *Montréal 2001 : Visages et défis d'une métropole*, Montréal, Qc.: Presse de l'Université de Montréal, pp 319-340, 1998.



Turner, J. F. C., Housing as a Verb, Turner, J. F. C. and R. Fichhter (eds), *Freedom to Build: Dweller Control of the Housing Process*, New York, N.Y.: The Macmillan Co., 1972, , pp 148-175.

Turner, J. F. C., *Housing by People: Towards Autonomy in Building Environments*, New York, N.Y.: Pantheon Books, 1976.

Ville de Montréal, Mémoire sur le découpage administratif du territoire de la Ville Montréal, 1988.

Ville de Montréal (Archives-VM141-D1), Un dialogue à poursuivre: La consultation publique; énoncé de politique, June 1988.

Ville de Montréal (Archives – VM 141, D1), Comité sur l'énoncé de politique en matière de consultation publique (the 'Council Committee'). Rapport sur l'énoncé de politique en matière de consultation publique, September 1988.

Ville de Montréal (Jules Hurtubise et Daniel Arbour Inc.), Mesures compensatoires: Éléments d'une politique de contrôle des démolitions de logements à Montréal, 1988.

Ville de Montréal, *Habiter Montréal: a Policy Statement on Housing*, April 1989.

Ville de Montréal, *Les orientations et les stratégies du Plan d'urbanisme de Montréal* (General Plan), accompanied by *Les plans directeurs d'arrondissement* (9 District Plan), 1992; the principal text is available in English, under the title "*Orientations and Strategies of the Montreal City Plan*" as well as *Master Plan for District Côte-des-Neiges/ Notre-Dame-de-Grace*.

Ville de Montréal (author : Michèle Dagenais), *La démocratie à Montréal de 1830 à nos jours*, 1992.

Ville de Montréal, *Plan particulier du Canal de Lachine*, 1994.

Ville de Montréal (author : Richard Arteau), *Orimntations en matière d'encadrement urbanistique des lieux de culte à Montréal : Implantations de plein droit et dérogations* (unofficial working paper), 2000.

Ville de Montréal, *Inclusion de logements abordables dans les nouveaux projets résidentiels* (Document de consultation), 2004.

Ville de Montréal, *Les Habitations Jeanne-Mance : Étude patrimoniale*, 2005.

Warner, K. and H. Molotchn, *Building Rules: How Local Controls Shape Community Environments and Economies*, Boulder, Colorado: Westview Press, 2000.

Weil, S., *L'enracinement*, Paris, France : Gallimard, 1949.

Wolfe, J., *The Progress of Housing Reform: Three Early Experiments in Montreal*, Montreal, Qc: School of Urban Planning, McGill University, 1981.

Wolfe, J. and F. Dufaux (eds), *A Topographic Atlas of Montreal*, Montreal, Qc.: School of Urban Planning, McGill University, 1992

Young, I. M., *Justice and the Politics of Difference*, Princeton, N.J.: Princeton University Press, 1990.

Zacharias, J., Preferences for View Corridors through the Urban Environment, *Landscape and Urban Planning*, N. 43, p 217-225.