

Rebuilding the planning system: The transition towards professional antagonism in the uphill battle of Madrid Nuevo Norte

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Abstract: This paper takes as a case study Madrid Nuevo Norte (MNN), a redevelopment scheme launched in 1993 by the national railways in association with a private developer, and that remained inactive for many years, until an agreement with the local government was publicly disclosed in 2017. The agreement got wide political support from most of the city councillors, but faced sharp criticism from residents and some influential local planners. These planners pointed out that the agreement would do little to address the residents' concerns about the massive construction of office space and its associated risks for gentrification and displacement, and would further accelerate the spatial and social segregation between the north and the south of the city. They called for strengthening the much weakened legal planning framework in Madrid, and for making better use of technical expertise in the decision-making process. The approach of these planners is to empower the public to participate at the public debate through the provision of factual evidence and legal advice. These planners do not seek centrality or hegemony in public deliberation. In this sense, they would exemplify a particular neo-pragmatic turn in planning.

Keywords: Planning ethics; planning theory; complexity; antagonism

Introduction

Planning theory debates can be of interest beyond the academic community. They can provide useful tools to analyse complex processes and decisions in cities. This is illustrated by the case of Madrid Nuevo Norte (MNN), the main development scheme currently under discussion in Madrid. MNN illustrates how stakeholders navigate the under-regulated, antagonistic environment of urban development in Madrid; it shows the limits and traps of the agonistic approach privileged by the progressive local government in office between 2015 and 2019, and provides some evidence on the revival of activism among planners critical with the planning process and its outcomes.

The central hypothesis in this paper is that, under certain conditions, understanding planning as an agonistic process can lead to further weakening the prospects for a better, long-term future. And that the answer of some critical planners is to reaffirm the need of a normative framework in planning that can refocus public deliberation on the public interest. In the absence of this, the agonistic deliberation in planning risks to substitute the maximisation of the financial value created for the common good, and to exclude from public deliberations those critical voices that do not accept such replacement. As a reaction to the deliberative principle requesting participants to abide to the “best argument”, the

agonistic understanding of deliberation does not put particular conditions to the contents of the arguments to be exchanged, and in this way, tends to put feelings, beliefs and reasons on the same level. While this may provide a more realistic picture of public deliberation in our cities, it also tends to downplay the value of technical knowledge, and to open the door to the legitimisation of purely traded or bargained planning, in which stakeholders merely impose their power above others. On the other hand, the focus of agonistic planning on the *present* may diminish the relevance for planners of a strategic, long-term vision, and underestimate the capacity of the normative framework to produce long-term changes. If norms are merely seen as flexible rules of the game that can be changed by the participants in order to facilitate the achievement of tactical agreements among adversaries, it is difficult to see how non-hegemonic agents and visions incompatible with the interests of hegemonic stakeholders can be preserved.

This potential bias of agonistic planning can be illustrated by recent developments in the MNN scheme, which help to understand why a local government deeply committed with radical democracy principles could ratify a planning option based of the maximisation of financial value creation and the dubious vision of a business centre for a globalised metropolis. There seems to be a lack of alternative, strategic vision on behalf of a municipal action dominated by short-sighted tactics, and an inability to define the public interest beyond the utilitarian realm of financial costs and benefits.

This potential contradiction can be explored by analysing the similarities and differences between the competing influences of agonism (Laclau & Mouffe, 1985) and deliberation (Habermas, 2000; Rawls, 1973) in planning. There are key similarities between both: respect for some common rules, the centrality of citizenship; there are also key differences: the consideration of rationalism, the value of consensus, interaction among stakeholders understood as deliberation or bargaining, and the consideration of the public interest. These dimensions were already developed by John Dewey (1927) in the first third of the XX century, and were recently revisited at the end of the century by so-called neo-pragmatists such as Richard Rorty (2000).

The position of some of the critical voices to the NMM scheme in Madrid can be qualified as neo-pragmatist, in the sense that, following the Deweyan tradition, they (1) focus public deliberation on the concept of the common good, (2) they consider education and information provision as a key instrument to empower the public (and particularly the residents and those with poor access to the public space), and (3) they ask for rebuilding the system of checks and regulations in the planning system as a way to level the playing field in the city.

This paper is structured in three sections, besides this introduction. The next section reviews some deliberative, agonistic and pragmatic considerations that have influenced current planning practice. The third section provides a description of the MNN scheme in Madrid, and analyses the limited relevance of technical considerations, the role left to the residents in the process and the weakening of the legal planning system on behalf of a particular vision of the city aligned with the needs of global financial investors. The final section provides some conclusions of how to avoid the “agonistic trap” the local government of Madrid fell into by reclaiming some virtues of the planning tradition like the robustness of the legal framework, minimum quality standards for technical studies, and the right scale and size of

the development area under discussion, avoiding too large, rigid schemes that neglect both the urgent social needs in the city and the concerns of residents.

Agonism, deliberation and pragmatism in planning

The philosophical framework: the task of democracy

It is well known that planning theory has been strongly influenced since the 1980 by the broader political discussion on democracy. Two elements of this political discussion can be useful for the purpose of this paper: on the one hand, the discussion on the foundations of democracy; on the other hand, the discussion on the role of conflict in democratic societies.

In the liberal tradition, the recognition of value pluralism does not impede to look for a link between democracy and rationalism. Liberalism is regarded as resting on a belief in certain universal values and fundamental human rights. It is the case of those liberal thinkers, like Isaiah Berlin, more interested in negative liberty, i.e., in preserving the freedom of the individual from undue restrictions; this pluralism does not take Berlin to outright relativism: there are actions that are to be considered as unacceptable, and Berlin (1988) could not accept to sacrifice individual freedom for the sake of abstract, uncertain political goals, as a certain sense of *human decency* should remain as a common ground at the basis of pluralism. In the liberal tradition of John Rawls (1973) or Jürgen Habermas (2000), positive liberty, i.e. freedom to act politically to achieve certain goals, is central, and political deliberation becomes crucial to agree on the goals to be achieved. As political deliberation is grounded on reason, the ideal conditions for reason-based deliberation are explored by both thinkers. For Rawls, these conditions are met under the veil of ignorance, when the participants in the deliberation cannot anticipate the personal consequences of the options at hand; for Habermas, these conditions are met under a discourse ethics to which rational participants adhere, abiding to the best argument, as the core nature of democracy is deliberative.

The necessary link between rationalism and deliberative democracy has been challenged on different grounds. Building upon Derrida's concept of the radical singularity of the other, and upon Carl Schmitt's focus on antagonism, Laclau and Mouffe developed their concept of agonistic pluralism: Political deliberation takes place between antagonistic participants, who do not aim at reaching consensus, but at gaining hegemony (Mouffe, 2000). Passions are as relevant as rational arguments in this interaction. Instead of Schmitt's authoritarian solution, it is possible to redirect antagonism among enemies towards agonism among adversaries through a democratic process respecting some rules; the agonistic process does not moves towards consensus, but towards the provisional hegemony of a certain group of participants, at the expense of the others; however, this hegemony is provisional and contingent, so that other participants can provisionally accept the results, in the hope of gaining hegemony in the future to impose their preferences.

The grounds, contents and purposes of political deliberation become central in this discussion. It cannot be a surprise that this discussion spills beyond the realm of political philosophy to reach the more practical areas of public policies, and in particular, planning.

The anti-foundational trend that rejects the necessary link between rationalism and democracy looks for alternative, softer commonalities to avoid to fall into plain relativism and to try to keep together the individuals within a democratic community: Isaiah Berlin referred loosely to some sense of "human decency"; Richard Rorty (1989) refers to the avoidance of all forms of cruelty; John Dewey referred occasionally to some empathy as a basis for the political community; for Derrida, the field of politics offers an alternative to the risk of structural lack of determination or chaos that results from the

singularity of the individual that is irreducible to politics (Mouffe 1996). Pragmatists such as Dewey or Rorty would avoid these metaphysical waters in their navigation, even at the price of getting into trouble to explain how the political debate should take place: whereas accepting rationality as the basis for democracy facilitates the trip towards the acceptance of rational arguments as the contents of deliberation, losing the rational foundations implies the additional burden of rethinking what deliberation consists of.

One inspiring path to follow is Laclau's and Mouffe's discourse theory, building upon their idea of politics as "decision taken on an ungrounded terrain". Under these premises, the role of conflict in democratic societies becomes paramount. Conflict is mostly avoided by those considering liberty from a negative perspective (as in Berlin): when liberty is understood with a focus on the individual, the opportunities for conflict are reduced, and individual freedom is protected by the state. For those understanding liberty from a positive perspective (liberty to undertake action in society), conflict is managed through rational-based discussion (as in Habermas).

Another inspiring contribution in Mouffe's and Laclau's (1985) understanding of political deliberation is their consideration of the relevance of passions/feelings in social relations. They pay more attention to the differences at the base of conflicts (stressing their inevitability and constitutional character, following Derrida's deconstructionism), thinking of politics as a way to negotiate differences, rather than to overcome conflicts (and reach consensus). From what they claim to be a real-life, non-foundational perspective (following Gramsci), conflict is negotiated through hegemonic relations, in which certain positions prevail.

It is worth to remind that this philosophical construction is developed around the concept of national states, and could be referred to as the "constitutional level". Planners have had a stubborn tendency to transfer these constitutional discussions to their particular realm of public policy, i.e. spatial planning. Obviously, planning discussions do not take place at the constitutional level, but in the context of concrete public policies; they do not have a foundational character, but rather aim at identifying useful tools to deal with normative, analytical and practical questions. For example, Mouffe (2014) makes it clear that her agonistic project is thinking at the national state level. However, she admits that it could provide some clues if applied in an analogic manner to the local level. Moroni (2019) considers that planning problems should be analysed sequentially "from the basic structure of society to the development and subsequent implementation of increasingly focused principles, laws and policies", moving from the constitutional to the post-constitutional levels and identifying the appropriate principles and criteria suited at each step.

Seen from this post-constitutional level, Laclau's and Mouffe's agonism has been useful in planning to balance the deliberative focus on consensus-building with recognition of the pervasive conflicts among social groups in planning practice, and to consider how conflicts can be negotiated in the absence (or beyond the limits) of rational deliberation. It enriches, rather than replaces, the paradigm of collaborative planning with a conflictual dimension and an expansion of deliberation to complement reason with passion.

Three questions can be relevant to planners from the agonistic revision of the deliberative paradigm: (1) the relevance of the normative framework defining the participants and the limits of deliberation; (2) the identification of the public interest; (3) the contents of the deliberation, and the comparative relevance of rationality and emotional positions from the participants. The relevance of these questions grow as we move down to the post-constitutional level of public policies, and in particular to planning discussions. At a time in which agonistic deliberation seems to dominate planning processes, to the benefit of the most powerful stakeholders and to the weakening of local governments and the dilution

of the public interest, it can be useful to look for a fresh way to revisit these three questions. Neo-pragmatism provides some valuable elements for this: On the one hand, neo-pragmatism avoids the foundational character associated to the critical tradition; on the other hand, neo-pragmatism replaces deliberation by the more flexible concept of persuasion: whereas keeping the exchange of reasons and arguments at the heart of the public debate, it leaves room for non-rational exchanges, putting empathy in the middle of the scene (see e.g. Rorty, 1998). Furthermore, the neo-pragmatic consideration of democracy as an on-going project in which regular citizens must be engaged offers a strong argument to pay careful consideration to the normative framework in which planning operates. Finally, it is also useful to recall Rorty's insistence in the relevance of the vocabulary that is chosen for the framing of questions: This can be a major contribution of planners (Wicks, 1993), beyond the discussion on the public-private split: the need to create the appropriate language to deal with the problems at stake. The conflictual nature of public deliberation in a democracy can be accepted without renouncing to the search for a definition of the public interest. Furthermore, utilitarian rationality can be rejected as the sole basis of deliberation and even a non-foundational concept of democracy can be embraced, without being compelled to enter a deliberation based mostly on emotions and fantasy: fact-based knowledge can save deliberation from the Scylla of utilitarian value-creation and the Charybdis of the global metropolis phantasies.

MNN: The facts and why this development is relevant for our discussion

In some cases, participation and decision-making in planning have significantly deviated from democratic practice. Beyond the constitutional, ontological discussion on what democratic practice is about, certain minimum conditions are generally accepted. In this section, the key facts and figures are presented together with the critical views of some planners, highlighting whether some minimum conditions concerning normativity, the concept of public interest and the deliberation process are respected in MNN. These critical views can be characterised as a particular case of professional activism, making use of technical knowledge that, contrary to any technocratic position, tries to build up a more democratic view of urban development policies in Madrid.

Chamartin railway station is based on railway plans developed in the 1930s, although the station was not opened until 1967. It was expanded in 1970-1975 to include commercial and leisure space, reserving the surroundings of the station for future expansions, that the subsequent decline in long-distance rail traffic made unnecessary, resulting in the blight of the area, owned by RENFE, the public rail company (to be split into two organisations, RENFE and ADIF, in 2004).

In the 1990s, new plans to expand the high speed rail network and the suburban rail services called for the expansion of the railway station. This expansion would need only a fraction of the land owned by RENFE, and RENFE saw an opportunity to intervene as an urban developer with the remaining land, dedicating the expected benefits to its plans to expand the suburban rail network in Madrid. RENFE considers that it needs a financial partner to secure the development plan, and launches the process leading to the MNN scheme in 1993, as summarised in Table 1.

Table 1: Key dates in the development of Chamartin Railway Station in Madrid

1993-1994	A public call is made and DUCH (Desarrollo Urbanístico de Chamartin) is selected as financial partner. DUCH is owned by a public-owned bank, with a minority share owned by a medium-size real estate developer. The contract is signed in 1994.
1997	The Local Plan of Madrid is approved, including the general guidelines for the area (300 ha).
1994-2004	DUCH lobbies to increase the built-up density of the area, and the municipality approves to raise it from 0.6 to 1.05 m ² /m ² . A development plan is subsequently prepared by it fails to get the support of the national government, which changes hands in 2004, on the basis of not taking sufficiently into account the needs of the railway system.
2009-2015	A new agreement is reached among ADIF, DUCH and the municipality in 2009, but the subsequent development plan is partially cancelled by the Court in 2013. A revised development plan is prepared, but cannot be approved before the local elections gives way to a different party.
2016	Based on public consultations, the local government publishes a draft document with the guidelines for the development of the area. It substantially modifies the scheme that failed to be approved in 2015. DUCH and ADIF are initially opposed to the document, but they agree to enter a negotiation process with the local government, outside the public participatory process.
2017-2019	A new agreement is reached in July 2017, raising the built density of the area. Grassroots organisations are critical to the concept; a low-profile public consultation procedure is completed in December 2018. The development plan is challenged at the Court by grassroots organisations, and the local government cannot get it approved before new local elections take place in May 2019.

The main stakeholder in MNN is ADIF, the public rail infrastructure manager, under the control of the national government through the Ministry of Transport. ADIF’s objectives are to enlarge and modernise the rail station, and to obtain a net profit of some € 1 billion, to be dedicated to rail investments in Madrid. For this, it joined a partnership with DUCH, a private developer, since 1994. DUCH’s strategy is to increase the area dedicated to high-quality office space as much as possible, and to keep the control of all development stages.

The objectives of the local government have fluctuated following the changes at the local elections. Relevant objectives have included (1) developing a modern downtown to compete internationally; (2) to improve the urban motorway network in the area; (3) to obtain a fair share of the benefits, through the mechanisms established in the law. Although these mechanisms were envisaged to facilitate an affordable housing policy, they have been used by municipalities to finance many other actions.

The profile of residents and businesses in the area is far from uniform, but they share some common concerns regarding the reduction of the barriers created by railway and motorway infrastructures, and the expansion of green open space and public facilities. They are backed by a variety of NGOs and local associations, sharing a “smart growth/ low growth” attitude. Their requests include (1) the preservation of most of the open space; (2) a substantial increase in social housing; (3) rejection of what they consider unnecessary infrastructures, such as the cover-up of the railway tracks and motorway capacity expansion; (4) substantial reduction in the provision of new office space.

Some professional planners have engaged in this debate, either individually or supporting grassroots associations, particularly since the 2015 local elections took a progressive coalition to the local government. They question the legitimacy of the positions taken by the key stakeholders: (1) ADIF’s role as a developer and its naked search for profit, (2) the involvement of DUCH in the scheme as a purely financing partner, (3) the mild commitment of the municipality with affordable housing. They also question the distribution of charges and benefits, noting that the financial partner has not undertaken any investments in the area yet, and that those investments more relevant for the residents

will be subordinated to the progress of the development process, materialising only in the long term. Another key criticism refers to the office market studies provided by DUCH and backed by the municipality. Finally, they point out to several technical shortcomings in the development scheme: the operational restraints the slab covering the railways will impose on rail operations, the scarce appeal of the green zone that can be established on the slab, and the unsustainable transport options retained to provide access to the area. Therefore, the core of the criticism of these planning activists refer to the speculative strategy of ADIF and the municipality, their subordination to the financial partner, and the dubious quality of the documents provided. This activism is of a particular nature: rather than following an agonistic character, it aims at improving the quality of the public debate, and to preserve and reinforce the legal framework that should protect the public interest.

To understand the approach of these activists, it is useful to recall the particular evolution of the legal planning framework in Spain in the last decades. Although urbanisation schemes can be implemented by the public sector, the system has increasingly relied on the figure of the private developer, who is expected to produce the planning scheme (*plan parcial*), to self-organise implementation through urbanisation boards (*Juntas de Compensación*) with the participation of land owners and the developer, and to transfer to the municipality a percentage of the urbanised land or a monetary compensation.

The potential wrongdoings of this urbanisation procedure were well illustrated in the report discussed at the European Parliament in 2009 (Auken, 2009). The core concept at the basis of the urbanisation scheme is the central figure of the developer in the capture of the value created through the urbanisation process, and the distribution of this value among the developer, the land owners and the municipality, in an excellent example of a process of “self-organisation of the powerful” (Eizenberg, 2019).

Several points are made by planning activists: first, that the existing legal framework, though weakened, does not prevent local governments from leading the urbanisation process, and this is what should be expected, whenever a large impact on the city is likely. Second, that the legal planning framework, is not built around the idea of maximising the financial benefits of urbanisation, but about attaining a “sustainable, competitive and efficient urban development”. Third, that the law also encourages the participation of the public at the preparation and approval of planning schemes, and at its environmental assessment. All these principles are at odds with the opaque negotiated process undertaken among ADIF, DUCH, and the local government: A negotiated planning process that cannot be justified on the grounds of encouraging private participation in urban development or attaining a more competitive scheme yielding higher financial benefits. By doing so, urban planning ceases to be an activity grounded on the definition and materialisation of the public-interest, to become an instrumental, profit-generating activity focusing on the capital gain created through urban development and to its distribution among the agents controlling it.

The bargaining process opens the door to twist the rules: this is illustrated in this case by the all-too-original inclusion of the land occupied by the rail tracks in the computation of building rights, and in the consideration of the slab covering them as a green zone in order to meet the minimum legal standards.

Activists point out that the bargaining approach has implied the abandonment of some of the key local government’s legal obligations: (1) accepting the framing of the problem established by the financial sector, i.e. capital gain maximisation; (2) artificially restraining the number of alternatives at hand for the development of the area (as other alternatives would merit consideration if housing, environmental quality or neighbourhood regeneration would have been included as objectives, and (3) lack of interest

on a knowledge-based, fact-founded rational deliberation, to the benefit of purely utilitarian considerations.

The understanding of the public interest in the MNN scheme by ADIF and the local government is dismayingly shallow. In the case of ADIF, the public interest is identified with the enlargement of the railway station, in order to accommodate the growing long-distance high speed rail traffic. The costs of this reform is estimated at more than € 800 million. Additionally, new headquarters for the public railway companies (ADIF and RENFE) are envisaged, as well as new suburban railway stations serving the new developments and further improvements in the suburban rail network.

ADIF takes it for granted that any railway investments are made in the public interest. Little justification, and even less scrutiny can be found on the need for the additional platforms, the soundness of the substantial new commercial space to be developed in the new terminal or the rationale for the future headquarters. The same can be said about some of the suburban rail improvement projects anticipated, like a high speed connection with the airport, on top of the already existing one. In ADIF's logic, it seems that the public interest consists of maximising the capital-gains from the urban development scheme, in order to dedicate it in the railway system. This position raises two questions: first, whether the public interest can be better served with an alternative urban development scheme, in which capital returns for ADIF diminishes while other outcomes- be it social housing, open spaces or social cohesion- increase; second, whether all the railway investments envisaged are duly justified or, on the contrary, rail operations could be provided in the future with lower investments.

The local government has repeatedly declared that the development scheme is good "for the future of the city". This claim is supported, mainly, by market studies that consider that (1) there is a global demand for premium office space that Madrid has not addressed so far, (2) investors in the new office space will bring with them additional economic activity and jobs. The economic analysis makes the basic assumption that there is a potential demand of office-based activities that cannot materialise in Madrid due to the lack of adequate office space. This assumption is not consistent, however, with the facts of the significant rates in Madrid of both, unemployment and vacant office space. In other words: the local government is gratuitously assuming that the creation of additional office space magically generates the activities to occupy it. In doing so, the local government also fails to explore economic development alternatives that could better fit the characteristics of the economic system and the job market in Madrid.

Another argument advanced by the local government refers to the creation of new social housing. However, compared with the size of the area, the number of social housing units is strikingly low: 2,100 or just 20% of the 10,474 units envisaged. Furthermore, the surface dedicated to housing is merely one third of the total envisaged by the scheme. It can be concluded that, as ADIF, the local government has made a narrow and biased interpretation of the scope of the public interest.

In the absence of a consistent identification of the public interest, the choice of the public stakeholders is to mimic the financial logic of private developers. Interestingly, financial prospects can hardly be sustained by factual evidence. They are merely expectations, more related to passions and feelings than to rational arguments. Furthermore, the significant risks associated are transferred from private to public agents: Financial investors deal with this uncertainty by securing their position and delaying actual investments; public agents, on the contrary, have to advance their assets and investments to push the scheme forward.

Public deliberation is formally requested by planning legislation in Madrid for both, the development scheme concept and its environmental impacts. Obviously, negotiation process among the key agents that is taking place in MNN is not envisaged within the legislation, and is not subject to any conditions

regarding participation. As it is usual in these cases, the process has included long negotiations behind closed doors, followed by a well-publicised public relations campaign once the key agents reached an agreement. It is at this final stage, once the key decisions had been taken, that the developer approached residents and invited them to discuss minor suggestions regarding the design of the public space and facilities included in the scheme.

Two issues are relevant in the deliberation process: which are the participants included or excluded from it (the “adversaries” and the “enemies” in the agonistic jargon), and which is the “knowledge” (i.e. the facts and arguments) considered and dismissed in the conversation.

In the absence of more stringent rules, the map of participants has varied along the process, with three key players controlling it: ADIF, DUCH and the local government. ADIF and DUCH signed its first agreement in 1994, followed by subsequent amendments never made public until a recent (2019) Court decision requested to release them. Similarly, negotiations between DUCH and the local government were made public at the time of its formal approval, when the legal requirements for public information had to be met.

Interestingly, the new local government opened for the first time the deliberation to those critical with the previous scheme (the one that failed to be approved in 2015) when they took office in mid-2015. At that time, its strategy was to de-legitimise the agreement reached by its predecessor. Once ADIF and DUCH abode to the new situation, the local government changed its strategy, excluding the critical voices and coming back to the traditional practice of entering opaque negotiations with them.

This experience indicates the insufficiency of the current legal framework, as it provides powerful stakeholders with the ability to redefine the boundaries of participation and to identify enemies to be excluded, in accordance with their changing particular interests.

The local government and other powerful stakeholders enjoy a similar discretionary capacity for deciding the considerations to be included in public deliberation. Instead of abiding to facts and knowledge-based arguments, the local municipality sets up a deliberation scene based on a fancy future of global investments and glamorous jobs. Those unwilling to share this imposed vision are excluded from the deliberation as guilty of ideological bias, incapacity to cooperate with the private sector and unrealistic visions. What is interesting in this particular framing of public deliberation is that passion and feelings dominate: the ambition of the hegemonic stakeholders to “put Madrid on the global map” is undeterred by the facts and knowledge provided by the critics regarding the public and social costs involved, the functional unbalance, the extremely long delays to those hypothetical benefits for residents to materialise, or the dubious need of some of the costly transport infrastructure investment foreseen.

Conclusions: Avoiding the agonistic trap?

Agonism is about recognising the differences among groups in a democracy and assuming that these can be negotiated through the respect of agreed-upon rules. The case of MNN illustrates how, in urban planning, agonism can easily degrade into plain legitimisation of negotiated planning *to get things done*, even for progressive local governments. This can have been the agonistic trap the local government fell into in Madrid: starting by a poor identification of the public interest, and considering planning as an agonistic process in which hegemony has to be built up, it labelled as *enemies* to be excluded from the debate those that could not share the developers’ vision of fancy office towers and that were asking for a prior re-definition of the public interest. By wrongly accepting to frame the discussion on the basis of capital-gain and value-creation, the local government got trapped in a process in which facts and

knowledge became irrelevant, a process that it could no longer control: The strategic discussion was dominated by capital-gain expectations and global competitiveness promises, not by social and spatial unbalances or poor living conditions.

This case study illustrates that an agonistic approach to planning by a local government risks to be blind to the calls of rationality (including knowledge- and fact- based considerations on infrastructure functionalities, the reasonability of future expectations or the relevance of competing city challenges) to the benefit of a purely “bargaining” process dominated by capital gains and distribution. More fundamentally, such an agonistic approach is likely to be biased while identifying the stakeholders that deserve to join the process. It risks, finally, to privilege decision and action over fairness and rationality. The reluctance of agonism towards transcendental concepts such as the public interests also facilitates for the local government to fall into a deliberation focused on capital gains and their distribution. One of the sources of these shortcomings in agonistic planning can be the result of a hurried application of concepts from the constitutional level of political philosophy to the post-constitutional level of practical public policies.

The reaction of some professional planners in Madrid, becoming enlightened activists, is not too distant from the positions of some post-Marxist planners. They (1) try to re-focus the public deliberation on structural issues (the metropolitan unbalance, lack of affordable housing, easy to implement opportunities to improve the residents’ environment, accessibility and sustainable transport concerns...); (2) they aim at changing the criteria set to establish the boundaries for the participation of agents in the debate, basing their legitimation on the public interest at stake rather than on their capacity to set up a hegemonic position; (3) they adopt a pragmatic approach in urban development, one coping with urgent needs rather than overcomplicating the scheme to maximise cash flows. A novel profile of planning activism emerges from this experience, partly taking us back to the radical democracy discussions privileged in pragmatic and neo-pragmatic thinking: based on the rule of law, good reasons, and focus on transitional processes. From this perspective, more careful attention in planning is due to laws, codes, regulations and technical savviness. Not to claim a technocratic turn, but to state that technical reasoning can be a worth alternative to pseudo-technical thinking, loosely based on utilitarian reason.

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