

partment, and other public services, there is often an impact and inefficient imbalance in the density and quality of services among different areas.

In the context of a large-scale and interdependent economic system under the control of private capital, "autonomy becomes a lead weight for the majority of cities, with only the most affluent towns able to create privilege from their formal independence. The political autonomy of places, as well as the planning power this entails, reproduces and exaggerates the inequalities between places rather than leveling them" (Logan and Molotch, 1987, p. 152).

These injustices have their primary source in the structural organization of decisionmaking. While all of the problems of city life I have discussed in this section involve distributive issues, the full extent of oppression and domination they involve can be understood only by considering culture and decisionmaking structures as they affect city geography, activities, and distributions.

EMPOWERMENT WITHOUT AUTONOMY

I have agreed with many participatory democratic theorists that democratization of governmental and corporate decisionmaking is necessary to undermine domination and oppression. Many theorists of participatory democracy identify such democratization with the decentralization of urban decisionmaking and the creation of small autonomous local communities. In this concluding section I shall challenge this model of democracy, and argue instead that social justice involving equality among groups who recognize and affirm one another in their specificity can best be realized in our society through large regional governments with mechanisms for representing immediate neighborhoods and towns.

To solve the problems of the domination of cities by state and corporate bureaucracies, Gerald Frug (1980) recommends legal, economic, and social reforms that would vest in municipalities autonomous local control over most of the activity within their borders. Decentralizing power and giving real power to cities requires, in his view, the municipalization of control over economic enterprise; the split between private and public corporate power should be transcended, and cities should have real autonomous control over the major productive, financial, and commercial entities within their borders. As a first step, Frug recommends that control over banking and insurance institutions be turned over to cities, which thereby would gain real power over investment decisions and the direction of building and development, as well as revenue sources in profit-making institutions. The purpose of such economic control, however, is to decentralize state power, and create autonomous political entities inter-

mediate between the individual and the state, which provide individuals the opportunity for genuine participation and self-determination.

Murray Bookchin, to take another example, also calls for the municipalization of economic activity and the creation of small decentralized autonomous local communities, where people experience the rewards of citizenship through face-to-face interaction, discussion, and decisionmaking. The tendency toward urban sprawl, corporate internationalism, and political centralization and bureaucratization should be reversed. Municipal power should be institutionalized in a system of small-scale organic communities linked only by confederative agreements, over which no central state power is sovereign (Bookchin, 1987, pp. 245-70). Some other writers do not call for completely abolishing the state, but nevertheless take decentralized local autonomy as a priority (e.g., Sunstein, 1989, pp. 24-26; Elkin, 1987, chap. 7).

There is much compelling about such visions, which are common among democratic theorists critical of the hierarchy, expertism, and bureaucracy of contemporary advanced industrial society. Democratization requires the development of grass-roots institutions of local discussion and decisionmaking. Such democratization is meaningless unless the decisions include participation in economic power. Investment and land use will often cause or reinforce oppression when they are dominated by private corporate interests (see Elkin, 1987, pp. 174-80). Nevertheless, I wish to question the common identification of democracy with decentralized power vested in autonomous local communities. It is necessary to distinguish local empowerment from local autonomy.

Writers who call for the creation of decentralized municipal units with legal and economic autonomy rarely define precisely what they mean by autonomy. For the sake of this discussion I will give it the following strong meaning: An agent, whether individual or collective, is autonomous to the degree that it has sole and final authority to decide on specific issues and actions, and no other agent has the right to interfere. Autonomy implies sovereignty. A vision of decentralized democracy composed of small municipalities exercising autonomous local control, then, would mean at least *prima facie* that citizens in each municipality decide their form of government, what their rules and laws are, how their land and economic resources will be used and invested, the character and extent of their public services, and so on.

There are serious problems, however, with this vision of decentralized democracy, which engage the deepest issues of social justice. I have already discussed how the existing autonomy of municipal zoning functions in many municipalities to exclude low-income people as well as the jobs they might wish to have close to home. The autonomous choice by many municipalities not to run public transportation systems also excludes or

isolates poor and old people. The autonomous character of suburban communities allow those communities to exploit the benefits of the city without providing anything in return.

If the whole society were to be organized as a confederation of autonomous municipalities, what would prevent the development of large-scale inequality and injustice among communities, and thereby the oppression of individuals who do not live in the more privileged or more powerful communities? Can an adequate level of social and welfare services be guaranteed for all individuals, for example, if one increases local autonomy (cf. Frankel, 1987, pp. 34-49)? Greater local autonomy would be likely to produce even more exaggerated forms of the inequities that current decentralization produces: the concentration of needy people in those locales that provide the more extensive social and welfare services, putting an increased burden on them which their productive and resource base cannot meet, while other municipalities turn their backs on what they do not consider their problem. What, moreover, is to prevent the economic exploitation of one municipality by another? If one municipality has a large source of water in an otherwise arid farming district, and the others have nothing that municipality wants in return for use of the water, they are likely to pay dearly, both in money and in political independence.

The problems of atomism are the same whether the atoms are individuals, households, or cities. At least since Hobbes it has been clear that without a sovereign authority to mediate and regulate relations between agents, there is nothing to prevent domination, exploitation, and oppression. Bookchin's suggestion that a set of marketlike contracts or confederative agreements can prevent such domination and oppression presumes something even less true of municipalities than of individuals: that they are equal in power, capacity, and resources. Where there are diverse and unequal neighborhoods, towns, and cities, whose residents move in and out of one another's locales and interact in complex webs of exchange, only a sovereign authority whose jurisdiction includes them all can mediate their relations justly.

I do not mean to suggest that there is no room at all for local autonomy as I have defined it. Certainly there is reason for a wide latitude of individual autonomy—a sphere of decisions which individuals have the sole right to make, without interference from other agents, including state authority. There is also reason for collectivities to have such autonomy over a certain range of decisions and activities. Clubs, production facilities, stores, political parties, neighborhood committees, and towns all should have autonomy over certain actions. For both individuals and collectivities one should apply a modified Millian test. Agents, whether individual or collective, have the right to sole authority over their actions only if the

actions and their consequences (a) do not harm others, (b) do not inhibit the ability of individuals to develop and exercise their capacities within the limits of mutual respect and cooperation, and (c) do not determine conditions under which other agents are compelled to act. These conditions make the limits of autonomy narrow indeed—narrower, I suggest, for collectivities than for individuals. For the actions of collective agents are more likely to affect other agents in these ways than are the actions of individuals.

The range of autonomous action defined by these conditions is necessarily much narrower than the range our current legal system grants to private corporations and municipalities. It is also much narrower than that recommended or implied by most theorists of decentralized democracy. Such limitation of autonomy need not be a limitation of freedom or power, however, provided the bodies regulating the actions of individuals and collectivities are democratic and participatory. The principle is simple: whenever actions affect a plurality of agents in the ways I have specified, all those agents should participate in deciding the actions and their conditions.

The writers I have referred to call for decentralization and local autonomy as a means of countering hierarchical domination, alienation, and powerlessness. But it is democratization that confronts those problems, and democratization does not entail decentralization into small units of autonomous local control. Governmental authority should become more empowering but also more encompassing than municipal government is now.

Autonomy is a closed concept, which emphasizes primarily exclusion, the right to keep others out and to prevent them from interfering in decisions and actions. Autonomy refers to *privacy*, in just the sense that corporations are private in our current legal system. It should be distinguished from *empowerment*, which I define as participation of an agent in decisionmaking through an effective voice and vote. Justice requires that each person should have the institutionalized means to participate effectively in the decisions that affect her or his action and the conditions of that action. Empowerment is an open concept, a concept of publicity rather than privacy. Agents who are empowered with a voice to discuss ends and means of collective life, and who have institutionalized means of participating in those decisions, whether directly or through representatives, open together onto a set of publics where none has autonomy.

Empowerment means, at minimum, expanding the range of decisions that are made through democratic processes. Even if nothing else changed about the American political system, for example, extensive democratization would occur if the regulations and policies currently made by executive governmental authority were opened to democratic partici-

patron. If the use of major capital resources, to take a different example, were decided through discussion and democratic decisionmaking, this would represent a major change in power relations.

Dismantling the bureaucratic hierarchies of governmental and corporate power and bringing decisions such as these under democratic control, however, does also mean that participation must become more immediate, accessible, and local. Theorists of decentralized local democracy are right in their conviction that democratic participation means that authority cannot be concentrated in a center, far away from the majority of people who are affected by it. It does mean that there must be local institutions, right where people live and work, through which they participate in the making of regulations. Thus, along with many other theorists of participatory democracy, I imagine neighborhood assemblies as a basic unit of democratic participation (cf. Elkin, 1987, p. 176; Bay, 1981, pp. 152-60; Jacobs, chap. 21), which might be composed of representatives from workplaces, block councils, local churches and clubs, and so on as well as individuals. Despite my earlier criticism of his communitarianism, I find Barber's proposals about the role and functioning of such assemblies very good (Barber, 1984, pp. 269-72). Their purpose is to determine local priorities and policy opinions which their representatives should voice and defend in regional assemblies. The jurisdiction of neighborhood assemblies might correspond to existing municipalities, and there might be several in large metropolitan areas. But in such a scheme of restructured democracy municipalities as we now know them would cease to have sovereign authority.

In order to solve the problems of cities I identified in the previous section, the lowest level of governmental power should be regional (Lowi, 1969, chaps. 9 and 10; Harvey, 1973, pp. 110-11). I conceive a region as both an economic unit and a territory that people identify as their living space. A region is the space across which people commonly travel to work, shop, play, visit their friends, and take the children on errands, the span of a day trip. It is the range of television and radio transmission. The expanse of a region thus varies with culture, geography, economic base, and primary modes of transportation. Regions usually have a city or cluster of cities as a focus of their activity and identity, but include less densely populated suburban and rural areas. While hardly economically self-sufficient, regions nevertheless count as units of economic interdependence, the geographical territory in which people both live and work, in which major distribution occurs, much of it of products made in the region.

Not even regional governments should have complete autonomy, but their power would be extensive, matching or exceeding the present powers of local municipalities: powers of legislation, regulation, and taxation,

significant control over land use and capital investment, and control over the design and administration of public services. Such regional government should be composed of representatives from neighborhood assemblies, which hold those representatives accountable. Neighborhoods and workplaces would have considerable powers of implementing regional policy and administering public services. At the level of regional government, finally, the system of representation for oppressed groups that I recommended in Chapter 7 would operate. Workplaces, neighborhood assemblies, and other collectives might choose to have group-based causes, but at the regional level group representation would be guaranteed by right. These provisions of local participation in the discussion and implementation of policy would empower individuals and social groups at the same time that policy would regulate perhaps millions of people in a wide jurisdiction.

This discussion of the levels and forms of government raises the question of whether state and federal government as they currently exist in the United States are appropriate forms. Many metropolitan regions now spill into several states, and the fact that a region is ruled by different state laws often leads to contradiction and irrationality. It would take us too far afield to consider this question of the role or appropriateness of state and national government. The arguments I have made about the dangers of autonomy would seem to indicate, however, that several levels of government are necessary to coordinate social relations and promote justice. Nevertheless, justice might require a fundamental reorganization of state and national government.

Besides making rules and laws, the primary functions of regional government would be planning and the provision of services. Only regionally scaled planning and service provision can solve the problems of domination and oppression which typify urban life today.

Democratized regional-level investment decisionmaking would end corporate monopoly of the productive capital of the region. With control over many investment decisions, regions could plan to meet their industrial, commercial, housing, transportation, and recreational development needs, not with an eye to private profit for absentee owners, but with an eye to what is needed and useful. In democratized regional planning many disagreements and conflicts would often no doubt occur among diverse sectors, groups, and interests about how best to use large capital resources, and the decisions would perhaps not always be the wisest or most rational. But it is unlikely that when a region already has five huge shopping malls, a democratic public would decide to construct another right across the highway from one of them, with the primary purpose of drawing business away from it. Nor would democratic investment planning be likely to result in the construction of additional luxury office space in a city

with a surplus of offices. Broad democratic planning is more likely to result in rational and just distributive decisions, that is, than hundreds of autonomous public and private units attempting to maximize their perceived interests.

Regional-level service provision can solve many of the problems of injustice that I have identified as currently endemic to urban life. A primary task of regional government would be to provide regionally (and perhaps nationally) standardized services many of which are now paid for and run by individual municipalities: schools, libraries, fire and police protection, health and welfare services, highways, transportation, sanitation, and so on. As I mentioned earlier, while standards and policy would be regionally based, they would be administered locally. Regional standardization of services would build on a trend already exemplified in our society by public transportation systems and health maintenance organizations. Regionally run public services maximize efficiency in those systems. It is silly and artificial for fifteen small municipalities to maintain their own fire departments when each uses its three trucks only twice a year. But the major benefit of regionally based public services is that they best promote justice. Regionally standardized and regionally financed schools, for example, would reduce the motivation for "white flight" and the resultant degradation of schools in the inner city. Such regionally administered schools should go together with school councils that seriously empower parents and teachers to make policy for their own schools (see Bastian et al., 1986, chap. 6). Regional democratically developed and administered transportation services would reduce the isolation of certain populations, and thereby reduce their marginalization.

Regional planning and service provision would have to attend to the problems of structural injustice that Harvey (1973) discusses: the fact that the location of facilities and services can advantage some and disadvantage others; the fact that some groups may be better able to adapt to urban change than others; and the fact that some groups may have more power and influence than others. With traditional forms of interest-group bargaining and brokering there is no reason to think that regional policies would fare any better in countering structural injustices than current city policies. But with restructured processes of democratic participation that include provision for the effective and specific representation of oppressed and disadvantaged groups, such injustices would be much less likely to be reproduced as a matter of course.

To conclude, consider some principles that regional representatives ought to follow. First, regions should promote liberty. Major capital investment decisions, development, construction, and planning decisions, I have said, should be public, democratic, participatory, and regional in scope. This does not preclude any and all manner of "private enter-

prise"—individuals and collectives engaging in a diversity of activities of their choosing for ends they privately determine. Government at whatever level—whether regional, state, or national—should protect and encourage the liberty of individuals and collectives to do what they choose within the limits of regulation and planning decisions. Individuals and collectives should not only be able to do what they want, but they should be able to do it *where* they want, as long as their activity does not harm other agents or inhibit their ability to develop and exercise their capacities. This means a reformation in the meaning and function of zoning (cf. Hayden, 1983, pp. 177–82; Sennett, 1970, chap. 4). The ideal of differentiated city life means in principle that people should not have power or authority to exclude persons or activities from public territory. People should be able to set up a store or a restaurant, build whatever dwelling they wish, set up a production facility, make a park, operate a religious center or counseling service for any population, without zoning regulations that limit their location choices. Potential neighbors must be free to discourage them, but they must not have the authority of law to exclude unwanted activities or constructions.

Second, as a matter of principle, regional planning decisions should be aimed at minimizing segregation and functionalization, and fostering a diversity of groups and activities alongside of and interspersed with one another. Fostering multiuse neighborhoods maximizes convenient access to goods, services, and public spaces for residents, and thereby minimizes some of the oppressions of marginalization. Fostering diversity of space and land use, moreover, rather than the functionalization of space, tends to make any facility more attractive and human. A production facility situated near residences, a day-care center, and a public park is more likely to regulate its polluting effects and make its building moderately attractive than one out of sight in a suburban industrial park, which invisibly endangers the health of nearby residents.

Regionally based public policy, planning, and service provision, finally, should be committed to fostering public spaces—assembly halls, indoor and outdoor plazas, wide sidewalks, recreation facilities and parks. Such spaces should be open to all activities, except perhaps selling things, and closed to vehicular traffic. There must be easy access to their use, with permits required only for the sake of safety and fairness, so that, for example, one group does not dominate a whole park or plaza day after day. Speechmaking, sign-carrying, and other modes of expression should be possible at any time, without a permit, as should the assembly of small groups.

In this chapter I have criticized a predominant tendency in participatory democratic theory to deny or think away social difference by appeal to an

ideal of community. I have tried to fill out the implications of a politics of difference by envisioning an ideal of city life as a being together of strangers in openness to group difference. This ideal cannot be implemented as such. Social change arises from politics, not philosophy. Ideals are a crucial step in emancipatory politics, however, because they dislodge an assumption that what is given is necessary. They offer standpoints from which to criticize the given, and inspiration for imagining alternatives.

PREFACE

International Justice

I SHALL CLOSE with an opening.

Because I conceive critical theory as historically and socially situated, I have restricted discussion of social justice in this book to Western welfare capitalist societies, particularly the United States. Precisely the position of the United States in relation to the rest of the world, however, obliges any theorist of social justice to ask about justice in the rest of the world, both between and within countries. For the United States occupies a position of privilege in relation to much oppression in the world, and actions originating with state or private institutions in the United States contribute to much of that oppression.

The principles, categories, and arguments I have developed in the preceding chapters cannot be simply extended or applied to the context of international relations, or to issues of justice within many countries of the Southern or Eastern Hemispheres. Many of these principles, categories, and arguments, however, are also not irrelevant to understanding social justice in these parts of the world. Issues similar to those I have discussed in the context of the United States arise in other parts of the world, within and between nations. Treating them appropriately in relation to those other contexts might require modifications in the formulation of the issues, principles, categories, or arguments. In these few closing pages I explore ways in which the issues of this book may be extended to an international context, and to contexts of justice in societies other than Western welfare capitalist societies. Once again, this is meant as an opening, to raise questions for further research, rather than any definitive statement about international justice.

Normative theorizing about international justice is in its infancy, at least among Anglo-American writers. The literature on international justice that has emerged so far, however, tends to fall within the distributive paradigm of justice. In his excellent book on international morality, for example, Charles Beitz (1979) concentrates most of his discussion of justice on issues of the distribution of wealth and resources among nations, and particularly whether redistribution of resources from rich to poor nations is morally required. Distributive issues are perhaps even more important in a world context than in the context of single societies, especially relatively affluent Western welfare states. The vast inequalities in living standards between nations, owing to unequal access to resources, the leg-