Following Rittel to the Urban 'South-East'.
Dirty Hands, and The Contestation of Space and Ethics in Planning

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In spite of politics, planners have to concede to ethics. This struggle between political expediency and ethical accountability exposes the planner to the prospect of doing wrong even while doing right, which is the problem of dirty hands. But this problem of dirty hands cannot be resolved by appealing to any 'dark side' *Realrationlität*, because planning is also an ameliorative process towards the good city that can become corrupt by employing dubious means for allegedly desirable ends. In our paper, we rely on a case study of urban contestation in Singapore to demonstrate that the contestation of space should also involve a contestation of ethics. We argue that the formation of a moral society must ultimately involve a commensurate process of moral conflict—for this conflict is able to explicate values that can guide planning[3].

Keywords: Ethics; Dirty hands; Contestations; Right to the city; Singapore.

Introduction: The Problem of Dirty Hands in Planning

Planning is a component of politics (Rittel & Webber 1973: 169). But at the same time, planning also has to concede to ethics (Campbell 2012). Normatively, both politics and ethics require the planner to be responsible. Yet while politics may consent the planner to, 'when the act accuses, the result excuses' (Walzer 1973: 175), from no ethics in the world can it be concluded when and to what extent ethically good ends justify ethically dangerous means and ramifications (Weber 1981: 121). In other words, if the planner follows the consent of politics, he would be found guilty by ethics. But if the planner commits to innocence, then he is likely to face the wrath of politics.

This unyielding struggle between political expediency and ethical accountability amid complexity constantly exposes the planner to the risk of doing wrong even when doing the right thing (Protzen & Harries 2010: 229), which is also known as the problem of dirty hands (Walzer 1973, Parrish 2007). In dirty hands, it is possible to do wrong while doing what one ought to do (Walzer 1973: 164): a moral dilemma where there is nothing one can do that will not qualify as morally wrong in some aspect (Parrish 2007: 4).

There is therefore a need to address the problem of dirty hands as a substantive problem in planning ethics. However, the problem of dirty hands cannot be resolved by a simple appeal to the 'dark side' theory of *Realpolitik* (Flyvbjerg 1996): learning how and when 'not to be good'. The Machiavellian evil promised to end all evils as a resolution for dirty hands (Parrish 2007: 267) is not an option for planning. This is because planning is fundamentally an ameliorative act of making the good city (Friedmann 2011): an enterprise that would surely become corrupt by employing dubious means or behaviours for allegedly desirable ends. Planning as a public institution must remain committed to ethics despite political struggles (Healey 2007: 81). And so the problem of dirty hands persists in planning.

The Planning Context between the 'North-West' and the 'South-East'

We argue that this problem of dirty hands in planning is further complicated by the complexities of the 'South-East'—a planning context different from the 'North-West' (Yiftachel 2006, Watson 2012).

In reviewing the vast and growing literature on the urban 'South-East' in planning, the urban 'South-East' can be generally characterized by their: (i) informality (Roy 2005); (ii) insurgent patterns of urbanization (Miraftab 2009); (iii) signs of hypergrowth (Hall & Pfeiffer 2000, Watson 2009); (iv) continuous changes that elude or confound planning (Lim 2005: 30-32); (v) weak institutionalization (Watson 2003), and specifically, the lack of trust in official channels (Watson 2012). While these clear characterizations may satisfy a simple dialectic between the urban 'South-East' and the urban 'North-West', they mask the extent that complex hybridities can exist within and between the urban 'South-East' and the urban 'North-West'. For example, one is reminded by the thesis of splintering urbanism (Graham & Marvin 2001) that even within the urban 'South-East' there can be premium infrastructures and practices of the urban 'North-West'. At the same time, aspiring cities of the global South in becoming 'world class cities' persistently challenge the clarity of a world divided into global capitalism and postcolonial regions (Ong 2011). In this more complex picture ruled by the logic of competitive cities for global capital and talents, there is more homogeneity—but not simple similarity—between the urban 'South-East' and the urban 'North-West' than normally imagined: an isotopic urbanism of office buildings, malls, and exclusive communities incessantly reproduced by capital (Lefebvre 2003: 128). Nonetheless, this aspiration to a 'world class' status then results in urban projects that are compatible with elite tastes and consumption, and a consequential urban form that reinforces growing social and spatial exclusions (Watson 2012: 3). We hypothesize that this form of urbanism can result in urban contestations.

The Planning Context of Singapore, and Aims and Contributions of this Paper

In this paper, we present a case of urban contestation in Singapore to illustrate how such a contestation of space also implicated a contestation of ethics. Further, this contestation also involved the problem of dirty hands in planning. Normative accounts of urban contestation neither focus on the contestation of ethics nor the problem of dirty hands.

Recently, Singapore has been assessed to be the richest in the world, with a per-capita GDP of $56,532 USD (2010) (The Wealth Report 2012). This report if taken at face value would characterize Singapore as an example closer to the urban 'North-West' rather than to the urban 'South-East'. However as argued, complex hybridities exist between the ideal-types of 'South-East' and the 'North-West', and Singapore, we suggest, fits in this category of complex hybridities.[4]

In Singapore, the facade of neoliberal economic success further reinforced by a prototypical 'North-West' urbanism is being challenged by a growing number of critiques revealing the challenges for present and future planning (Chua 2011, Lim & Wong 2011, Lim & Wong 2012, Tan 2012, Teo 2012, Vadaketh 2012). All these critiques reveal a set of stark and 'wicked' choices seemingly ominous for dirty hands to emerge. Consider that as the built environment becomes denser on a small island, change in one location impacts other locations and more inhabitants in uneven ways (Teo 2012). And as Singapore as a nation matures, the population develops greater attachments to historical landmarks that evoke culture and heritage. But constant urban redevelopment to accommodate new needs for the city threatens these landmarks (Lim & Wong 2011), further exacerbating the question of national identity (Vadaketh 2012). As the demographic shift to an older population is underway, Singapore demands a corresponding spatial change to accommodate this demographic shift. Yet this spatial change cannot be enacted without strong buy-in from the stakeholders (Tan 2012), further aggravated by a rigid and utilitarian planning process committed to economic growth at the expense of the growing sentiment on the 'right to the city' expressed by the people of Singapore (Lim & Wong 2012). In all the anticipated planning decisions that can emerge from these issues, any decision that the planner may make could be seen as wrong to some stakeholders.

Here, we suggest that the stakes of spatial contestation are high: not only does the contestation of space affect the subsequent land-use and spatial practices, but the quality and result of this contestation will also impact the ethos of the community (Bell & de Shalit 2011), and ultimately, the ethical outlook of the stakeholders involved. Therefore implicit in the contestation of space is also a contestation of ethics. But accounts on spatial contestations so far do not include accounts of ethical contestation. To produce substantively good and just outcomes in planning, ethical considerations are necessary (Fainstein 2010: 166). Indeed, the long range question that concerns planning may not be so much the kind of environment society desires, but what kind of individuals society prefers (Harvey 2009: 86).

But we do not pretend to have answers to the problem of dirty hands. Instead, our study illustrates the need to uncover the ethical contestations that occur in planning, and moreover, highlight the potential ramifications of such ethical contestations whenever they implicate dirty hands. In so doing, we hope to contribute to the discourse of the urban 'South-East' through planning ethics. In the urban 'South-East', planning problems are anticipated to be more intractable not only because of the limitations of the 'North-West' planning epistemology for the 'South-East' (Yiftachel 2006), but also because of the prospect of moral relativism in the diverse urban 'South-East' settings (Watson 2003, Campbell 2012: 14).

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[4] This argument is built on earlier work by Dale, who suggested that, 'Singapore does not even fit into a pluralist Western model' (Dale 1999: xi).

Case Study and an Overview of the Planning Process in Singapore

20% of Singapore's population will be 65 years or older by 2030 (MCYS 2006). As part of the state's preparations for this drastic demographic change, studio apartments, nursing homes and care facilities for the elderly are being planned in residential estates nationwide. However, not every resident readily accepts these facilities near their homes. In the past year, there have been at least five cases of objections towards these planning proposals (see Table 1). In all these cases, a vocal minority had petitioned against the proposed facilities, which in turn led to a growing public awareness on these issues.

Case A Bukit Batok Ren Ci Nursing Home at Bukit Batok Street 51 Contested site: Exercise court Proposal: 10-story, 250-bed nursing home	Client: Ren Ci Authority: Ministry of Health (MOH) People's rep: Chua Chu Kang GRC MP Ms. Low Yen Ling Contesting public: Some residents of Bukit Batok and Bukit Gombak	Sep 2011 – Jan 2012 Status: Concluded; construction delayed expected to be completed by 2014
Case B Woodlands Eldercare Day Center at Blocks 860 and 861, Woodlands Street 83 Contested site: Void decks Proposal: 570m² daycare facility	Client: Sree Narayana Mission Authority: MOH People's rep: Sembawang GRC MP Ms. Ellen Lee Contesting public: Almost all of the residents living in Block 861 and some from Block 860	Feb – Aug 2012 Status: Concluded; construction was delayed for consultation but to proceed nonetheless
Case C Toh Yi/ Bukit Timah Studio Apartments at junction of Toh Yi Road and Toh Yi Drive Contested site: Recreational area and adjacent green field Proposal: A block of 130-unit studio apartments for elderly	Client: Housing Development Board (HDB) Authority: HDB People's rep: Holland-Bukit Timah GRC MP Ms. Sim Ann Contesting public 1: 230 residents suggested an alternative location in the petition against it	Jan – Mar 2012 Status: Concluded; 4 alternative sites suggested were rejected by HDB – construction to proceed as planned

	Contesting public 2: 50 residents living near the suggested site petitioned for it to be located elsewhere	
Case D _Mountbatten Rehabilitation Facility_ at Blocks 10 and 11, Jalan Batu, Tanjong Rhu Contested site: Void decks Proposal: Rehabilitation facilities that would take up ~30% of the void deck spaces	Client: St Hilda's Community Services Center Authority: MOH People's rep: Mountbatten SMC MP Mr. Lim Biow Chuan Contesting public 1: 130 residents petitioned against the plans Contesting public 2: 500 mostly elderly residents petitioned for the plans (partly out of fear that another more popular public area would be considered instead)	May 2012 – present Status: Under review; consultation ongoing
Case E _Bishan Nursing Home_ at Bishan Street 13 (bounded by Blocks 175, 181, 182 and 186 on three sides) Contested site: 3000m² (75m x 40m) rectangular green field used as soccer field Proposal: 260-bed nursing home; projected to be 6-8 stories high	Client: Lions Home for the Elders Authority: MOH People's rep: Bishan-Toa Payoh GRC MP Mr. Wong Kan Seng Contesting public: 40 residents from the area	May – Sep 2012 Status: Concluded; alternative sites rejected; design of the building to be capped at 6 stories

Table 1. Overview of Case Study. Source: Authors.

Based on an initial study of these five cases, we have also created an abstraction of the planning process broken down into various stages shown in Figure 1 (see Figure 1). This planning process has been suggested as a form of 'decide-announce-defend' approach (Hartung 2012), where key decisions were decided before the residents' inputs. After announcing these decisions, the planners then have to continuously 'defend' against the residents' subsequent resistance to these decisions.
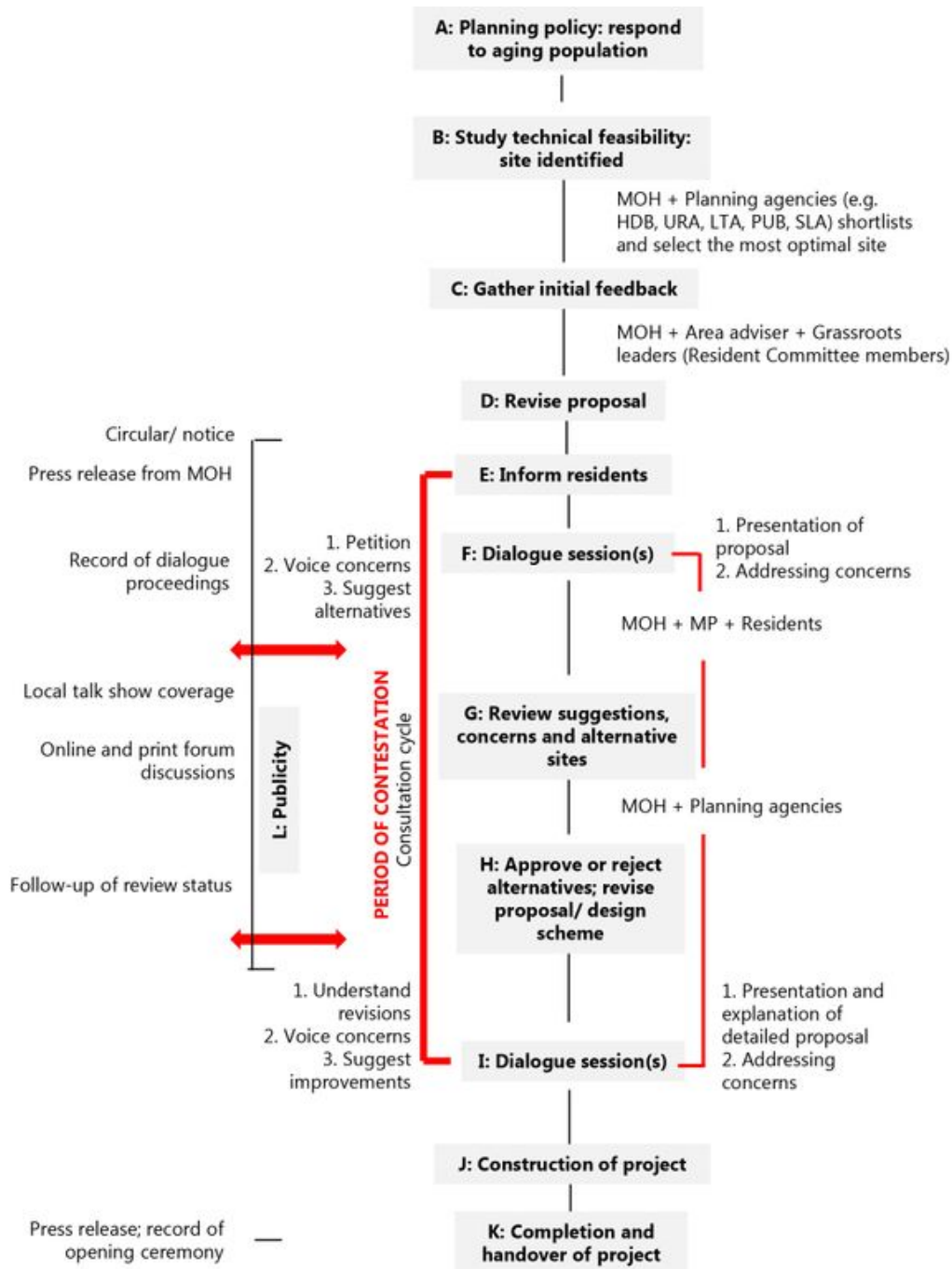
Figure 1. An Overview of the Planning Stages. Source: Authors.

In general, policy-making and site-selection (i.e., Stage A & B respectively) were publicly opaque and involved only the various authorities and planning agencies. Selective opinion gathering began at Stage C involving the Resident Committee (RC) members. The inclusion of a larger group of stakeholders only took place at Stage E, when they were informed on the decisions made in the initial stages. At this point, contestations took place.

According to the Ministry of Health (MOH) in charge of health infrastructure in Singapore, citizen consultation at Stage F, in the form of dialogue sessions held a 'few months before construction' (Poon 2012). But this would mean that the fundamental decisions for planning and construction have been made independent of the residents' and stakeholders' inputs.

In the five cases, dialogue sessions were conducted after the petitions were submitted. These sessions then became venues for diffusing consternation towards the plans rather than a communicative session where stakeholders' inputs were substantively integrated to transform the decision-making process. During these sessions, residents could broach matters such as 'traffic concerns, design features and the services' of the facilities (Poon 2012). This again demonstrated that the fundamental decisions have already been made, leaving the residents and stakeholders to only the discussion of peripheral and derivative issues. And in every case, residents' concerns and suggestions brought up during these dialogues would then be reviewed by relevant authorities and planning agencies (i.e., Stages G & H).

The outcomes for closed cases (i.e., cases A, B, C, & E) are similar: facilities are to be constructed at the original proposed sites. Only the architectural design and service features were altered where possible to reflect the residents' requests as a form of planning *quid pro quo*. In sum, these five cases should be contextualized within an unprecedented policy to build more than one hundred elderly care facilities in the next three years till 2016—inclusive of at least ten nursing homes, twenty-one senior care centres and forty-five senior activity centres. The overall plan will call for every neighbourhood to have its own elderly care facilities (Khalik 2012).

Analysis of the Case Study: Planning Rigidities and Ethical Contestations

The ethical intentions of the planners are commendable and clear: to anticipate the demographic change by planning for the dignified care of elderly citizens near to their children and within an existing community that they are familiar with rather than to ghettoize the elderly elsewhere.

However, we suggest that this ethic of care was ironically undermined by the planners' utilitarian ethic in planning. In other words, the planners' ethical intentions were subverted by their equally strong moral commitment towards utilitarianism.

Through the case study, we also suggest that Singapore's current planning process—confined to the rigidities of 'decide-announce-defend'—may be unequal to the task of complex planning today, especially in this hybrid 'South-East' context. Further, these rigidities have a tendency to lead planners in a direction that was unintended and also undesirable. In turn, this evolved into further decision-making that implicated dirty hands.

Planning Rigidities: Deference to the Master Plan and Horst Rittel's idea of 'Sachzwänge'
Firstly, the overriding authority of the Master Plan was used to justify the decision of predetermined site selection. The Master Plan had zoned the selected sites for 'healthcare and medical care use' (Hussain 2012). By default then, the planners had already predetermined not only the type of facility but also where it should be located before consulting the stakeholders. And by the same argument, other sites that were subsequently counter-proposed by the stakeholders were rejected because they have already been reserved for other developments by the Master Plan. This deference to the Master Plan can be interpreted as overly rigid because the Master Plan, even as statutory (Dale 1999: 76), is reviewed every five years to ensure optimal land-use. And therefore unlike the advisory Concept Plan that guides planning in Singapore into the far future, the Master Plan is at best only a middle-range planning tool that should be amendable to modifications under conditions of sufficient reason in these cases (Lim & Wong 2012).

Considering the actual extent of the stakeholders' consternation from the predetermined site selection and their late involvement in the process, the planners could have at least reviewed the need to insist on following the Master Plan.

To have deferred to the Master Plan without considering other socially productive options can be seen as a form of planning pathology that Rittel calls 'Sachzwänge', or coercive fact (Protzen & Harries 2010: 219). In cases of 'Sachzwänge', planners tend to act rightly or properly on dubious or worse, wrong reasons. Referring to the Master Plan was right and proper; after all, the Master Plan is designed to guide planners. But in this case, complete deference to the Master Plan at all social and political cost was unjustified.

Instead of seeking productive engagements that could produce socially just spatial outcomes, these planners sought a complete deference to the Master Plan, which must also be the systems pitfall of 'seeking the wrong goal' (Meadows 2008: 138). This ironically resulted in the sub-optimality of disconcerting land-use decisions and a strained relationship between the planners and the stakeholders when the driving force behind the Master Plan has always been the goal of optimality.

Planning Rigidities: 'Decide-announce-defend' and the Erroneous Path down NIMBY

Secondly, the rigidities of the planning process were also seen in the 'decide-announce-defend' model that the planners consistently employed in all the five cases. These rigidities are most apparent in the late involvement of the key—rather than representative (i.e., only members of the RC)—stakeholders in the planning process. When the key stakeholders were informed at Stage E, their immediate response was to counter-propose alternative sites for the elderly care facilities—thereby externalizing these facilities to other sites close to residents in the same housing estate who were hitherto not immediately involved in this planning process. This externalization led to a corresponding chain of externalizations by other residents who perceived that the elderly care facilities had been brought nearer to them without prior notice. Consequentially, what was simply a later involvement of key stakeholders then led to a widespread and consolidated resistance of stakeholders wherever the facility was proposed near to their homes. By this point, the larger public sphere had become aware of the planning issues involved. In turn, this led to a series of public discourses on different public forums (see Figure 1). The plural voices heard on these different public forums further complicated planning. But rather than admitting that the planning process was inadequate to address these emerging issues that now involved a larger public sphere, these five cases were quickly characterized as clear examples of Not-In-My-BackYard (NIMBY) (Li 2012), which then placed the onus on the residents and stakeholders alike to undergo attitudinal corrections.

When issues are framed as NIMBY, planners usually respond by either reducing opposition or changing the perception of the stakeholders (Schively 2007: 263). In our study, we found evidence that planners attempted to change the attitudes and behaviours of the stakeholders through dialogue sessions. However at this phase, only the placatory approach of planning *quid pro quo* was possible. Characterizing these cases as strictly attitudinal or behavioural NIMBY rather than acknowledging the inadequacies of planning was not only to commit a form of fundamental attribution error, but it created bias on the part of the planners that then altered the nature of subsequent communications with the stakeholders.

Generally, the residents' dissatisfaction over the siting of the elderly care facilities was directed at the criteria and process of site selection rather than the actual nature of the elderly care facilities. However by approaching the issue as if contestation was about the resistance towards the nature of these facilities, planners were unable to respond satisfactorily and instead increased distrust and doubts over their intentions and ability to address the residents' needs (Wong 2012).

After all, there were residents who genuinely accepted the moral necessities of these elderly care facilities (Wong 2012). But when trust is absent, any placatory *quid pro quo* could be misunderstood as further attempts by the planners to impose something detrimental into their community.

Here, we argue that this concatenation of events emerging from the rigidities of a simple planning model, unequivocally designed to reduce uncertainties (Christensen 1985), ironically led to greater uncertainties that in turn complicated planning. The reactions of the stakeholders towards these rigidities further led to the perception of NIMBY, which then short-circuited the communicative potential of planning to the narrow confines of planning *quid pro quo* in order to encourage attitudinal corrections.

On this we suggest that the planners should have framed the planning issue as a problem of Locally-Unwanted-Land-Use (LULU), which then would entail consensus building and risk communication, rather than the frame of NIMBY, which usually entails placatory compensation and modifying project proposals (Schively 2007). NIMBY may indeed emerge from a LULU issue; but to quickly deduce a case of NIMBY from what was actually a LULU case was unwarranted. Through this erroneous framing, planners were inadvertently solving the wrong problems while at the same time leaving the rigidities of planning unchecked—further leading themselves into the territory of dirty hands where there may be no right thing to do.

Utilitarianism and its Contradictions for Planning in the Neoliberal City

As argued earlier, cities of the 'South-East' in their drive to attain 'world class' status are driven to create an urban environment that reflects elite tastes and consumption on the one hand (Watson 2012), and on the other hand, consequentially a neoliberal city obsessed with economic growth dominated by corporate urban development (Mayer 2012).

In the making of this neoliberal city, utilitarianism has become the guiding ethical principle for urban and regional planning (Moroni 2006: 24). To be sure, utilitarianism as an ethical principle remains a productive framework for evaluation. But utilitarianism becomes problematic when conflated with market rationality today: utilitarianism becomes problematic when it uncritically maximizes utility, however this utility is defined, regardless of this utility's moral worth (Sandel 2012: 88). And purportedly democratic in its pursuit of maximum utility for the most number of people (Dworkin 1981: 234), utilitarianism however does not challenge the hegemony of the inequitable status quo today or its corollary spatial injustice. As a matter of principle, utilitarianism could justify any economically successful neoliberal city, even if this means also accepting a widening income gap and greater spatial exclusions.

A contradiction therefore exists if planning persists in following this logic of utilitarianism. For utilitarianism can only guarantee utilitarian betterment—an increase in average or collective welfare even though the welfare of some individuals may decline. But planning should at least aim for ideal betterment, where the outcomes are substantively more just, or in some way closer to the ideal society (Dworkin 1981: 232). Therefore to maximize for utilitarian betterment without either reviewing its moral worthiness or considering the prospect of ideal betterment can be considered the seeking of wrong goals again, which inadvertently lead to dirty hands.

The Contestation of Ethics: Utilitarianism and the Right to the City

In Singapore, the utilitarian ethic of maximizing utility for the most number of people is seen by a commitment to assign the most valuable land parcels for purposes that can generate the highest potential yields.

Beyond guiding land-use, utilitarianism, or more specifically, rule-utilitarianism (i.e., following a rule that would maximize the utility for the most number) (Dworkin 1981: 95) is not only a publicly accountable planning axiom, but it is arguably also a social institution that everyone could readily agree to in land and natural resources scarce Singapore. But as explained earlier, there is now a pressing need to acknowledge the growing sentiment of stakeholdership in the city (i.e., the right to the city), and to anticipate the need to integrate these rights into planning.

Peter Marcuse defines the right to the city as a moral claim (Marcuse 2012: 35). This claim to the city views urban space as malleable, ready to be designed and shaped towards greater social justice and greater accessibility for all (Brenner 2012). Instead of a small elite who are shaping the city more and more after their own desires (Harvey 2009: 329), stakeholders of the city have a right in planning to demand for greater spatial justice and inclusiveness.

Consider the example of case E (see Table 1), where the economically valuable land parcel near to the Mass Rapid Transit (MRT) station and the town centre was unquestioningly reserved for developments that are anticipated to yield higher returns. This land-use decision was made even though this land parcel is deemed not only to be the most convenient for the elderly (Ang 2012)—hence more deserving and therefore just (Sandel 2009: 188)—but it also fulfils the residents' expectations at the same time. In other words, had this site closer to the MRT station and town centre been chosen, the planning outcome might have been more just for the key stakeholders involved.

But what in fact occurred was the opposite of this ideal outcome. In case E, the planners considered the outcome sub-optimal if the elderly care facilities were to be located nearer to the MRT station and the town centre. After all, these sites closer to the MRT station and the town centre were considered prime sites reserved for future development (Bishan East Division Citizens' Consultative Committee 2012). Thus relative to these anticipated 'prime' uses, using the site for the elderly care facilities was considered sub-optimal and the site selected—the original site—is some distance away from the MRT station. Yet an equally strong argument for sub-optimality could also be anticipated from the angle of spatial justice: the elderly (and also their family members), and the residents now have to contend with further distances and unknowable impacts on their spatial practice respectively. In all, a valuable opportunity to experiment with the right to the city in planning was missed.

Here, we suggest that this valuable opportunity was missed because this ethical contestation between rule-utilitarianism and the right to the city did not emerge in planning. In other words, ethics and the values the city take as paramount never entered the horizon of the planning process. To be sure, admitting to rule-utilitarianism is to adhere to an ethic of responsibility (Weber 1981: 116) deemed proper for planners as public administrators also accountable to other constituencies beyond case E. But denying spatial justice and the right to the city—or in any case, seeking a practical compromise that was just as symmetrical as their denial—is also to relinquish the ethic of conviction deemed necessary for planners who act on the behalf of the public interest. The problem of dirty hands was once again apparent.

We do not have a solution for this specific formulation of dirty hands. However, we suggest that it may be possible to consider an ethical improvement in the planning process that is at the same time, also consistent to the ethical requirements of rule-utilitarianism maintained by all accountable public planners.

Moral philosopher William Frankena once suggested that rights and duties are correlative (Frankena 1973: 59). It is not possible to acknowledge that the right to the city exists without the correlative duty or obligation on the part of the planners to offer the platforms that make such rights plausible or operative.

In case E, even though the land in question is in fact state land and the stakeholders are residents who live in government owned public housing, we suggest that the planners nonetheless saw an obligation to acknowledge the moral right of these residents to their contiguous space.

This is clearly seen from the various attempts by the planners in initiating dialogues and offering feedbacks throughout the entire process. If the barest semblance of this acknowledgment was absent, then the planners could have dispensed with dialogues and consultations as the land was after all under their sole and legitimate discretion.

But we suggest that this acknowledgment for the right to the city based not on property rights but on moral rights did not go far enough. To ascertain this right to the city may mean that the planners have to engage in co-planning with these residents. From the angle of rule-utilitarianism, an institutional form of co-planning is a rule for maximizing utility that every rational citizen should be able to consent to. However, such co-planning demands a commensurate tolerance and patience for openness that lies at the heart of genuine and productive politics (Arendt 1998). This is yet again another obstacle that planners committed to the appeal of clarity and quick closure promised by utilitarianism[5] (Rawls 2007: 390) would have to overcome. If an opening up of planning to accommodate the growing sentiment of the right to the city may be possible, then the ominous weight of dirty hands observed in all these episodes may one day be lifted.

Conclusion: the Contestation of Space must highlight the Contestation of Ethics

In this paper, we argued that working between politics and ethics, planners are likely to confront the problem of dirty hands. Moreover in our argument, we stress that the model of neoliberal urbanization especially salient in the 'South-East' today creates planning conditions that render the problem of dirty hands stark and inescapable for the planner. Through refuting the 'dark-side' theory and explicating our case study, we further suggest that it is not possible to abandon ethics in order to rescue dirty hands. Instead, we should all the more emphasize ethics to render the contestation of ethics less tacit and more public.

As observed in the case study, the contestation of space without a commensurate and public contestation of ethics steered planning in the direction where only values most apparent for space in the neoliberal city—such as the calculable value of real estate—gained ascendancy while values paramount to the good city like justice and the right to the city were de-prioritized, or worse, completely discounted from planning. Here, we suggest that a productive contestation of ethics would readily render important values explicit and public; and should the people and the planners inexorably still decide for a version of strong utilitarianism, the city would at least know what it is giving up in exchange for this value system.

We conclude our paper with a short passage on the importance of moral conflicts for a moral society:

'And therefore a moral society must depend on moral conflict as the basis for determining morality unless, of course, a lawgiver decrees inflexible rules, the obedience to which constitutes right and wrong. Then morality would not have to make sense. In such a totalitarian society there could be conflict, but no conflict of values… …We do not live in the timeless days of a dog or sparrows. As we become aware of what we, as a society, are doing, we bear responsibility for those allocations that will be made as well as for what has been done in our names. If one understands more than before for having read this essay, one can still appreciate that tragic decisions need to be made and are not the easier for the understanding' (Calabresi & Bobbitt 1978: 198-199).

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[5] Rawls suggests that, '…utilitarianism is a single-principle conception: a conflict of first principles is impossible since there is only one such principle. This is a gain over intuitionism.' (Rawls 2007: 390).

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