International Journal of Urban Sciences
Publication details, including instructions for authors and subscription information:
http://www.tandfonline.com/loi/rjus20

The just city
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Published online: 19 Sep 2013.

To cite this article: Susan S. Fainstein (2014) The just city, International Journal of Urban Sciences, 18:1, 1-18, DOI: 10.1080/12265934.2013.834643
To link to this article: http://dx.doi.org/10.1080/12265934.2013.834643

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The just city
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(Received 23 April 2013; revised version received 7 August 2013; accepted 12 August 2013)

Justice has always been a major topic within political philosophy. Within the behavioural social sciences, however, scholars writing since the 1950s largely avoided normative statements, instead adhering to a positivist methodology that aimed at scientific rigour. In the 1960s and 1970s, though, stimulated by the uprisings against urban renewal, police brutality, bureaucratic inflexibility, and inadequate public services in many cities, scholars contested the dominance of positivism. They critiqued it for a bias towards political conservatism in the guise of objectivity. In their view, the ostensibly factual basis of empirical analysis disguised ideological support for an unjust status quo. Even while not explicitly developing a concept of justice (Sayer & Storper, 1997), they attacked injustice within cities and sought to demonstrate how spatial manipulation underlay the disadvantages suffered by residents of poor neighbourhoods. Operating on both a theoretical and empirical level, urban scholars on the left contested conventional analyses and injected a moral dimension into their work. The theoretical basis for much of this discussion was developed by the French theorist Henri Lefebvre (inter alia, 1968, 1970, 1996, 2003), who defined space as being constituted by social relations rather than, as had been the case until the 1960s, by its territorial, physical, and demographic characteristics. Under this reading, space ceased to be a container of buildings, population and production but instead became a constituent of the relations of production and reproduction and a contributing source of inequality and

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by implication injustice. Using a definition of the city as constituted by social relations led to a new critical urban scholarship (Zukin, 1980).

During the 1970s, a group of theorists who were influenced intellectually by Lefebvre and practically by the uprisings that occurred in European and American cities during the preceding decade broke away from the types of analysis constituting the mainstreams of their disciplines and applied a political-economic epistemology to the study of urban development. Underlying their investigations was antagonism to the injustices arising out of capitalism, especially as it affected urban development. Many of these thinkers were based in the Research Committee on the Sociology of Urban and Regional Development of the International Sociological Association (RC21), which was established in 1970. Although the auspices of the research committee were within the discipline of sociology, membership was highly interdisciplinary, and many of the founders of the research committee were neo-Marxists who aspired to inject a spatial element into Marxist theory. Among the founders of this group were Manuel Castells, Michael Harloe, David Harvey, Peter Marcuse, Enzo Mingione, Chris Pickvance, and Edmond Preteceille (see Pickvance, 1976; Harloe, 1977 for anthologies of essays by these and other authors sharing this perspective). Hailing from a number of different, primarily European countries, these scholars developed a critical approach to the relatively recent field of urban studies and started a journal, the *International Journal of Urban and Regional Research*, edited for many years by Michael Harloe, that published articles reflecting their viewpoint.

Two books coming from this group proved most influential in setting the course of later work in which justice constitutes the evaluative criterion: Manuel Castells’s *La Question Urbaine* (1972, 1977) and David Harvey’s *Social Justice and the City* (1973). Castells, who subtitled his book *‘A Marxist Analysis’* and does not actually use the term justice, places the examination of urban change within the context of structuralist theory. He identifies the city as the site of social reproduction and thereby breaks away from orthodox Marxist explanations of social inequality within the mode of production. Instead he highlights questions of distribution, in particular as arising from the role of the local state in providing the means of subsistence or collective consumption (i.e. goods and services provided outside the market, usually under the aegis of state bureaucracies). Within this framework, the important societal agents became state actors and urban social movements demanding benefits from bureaucratic institutions rather than mobilized workers seeking to take over the means of production. In *Social Justice and the City* Harvey, who is generally considered to be the most prominent geographer of the latter half of the twentieth century, describes how he moved away from more conventional analysis to a focus on the relationship between urban space and the social situation of residents. He argues that space, social justice and urbanism must be understood in relation to each other and that ‘it is, of course, the power of Marx’s analysis that it promotes such a reconciliation among disparate topics’ (1973, p. 17). In other works, he (1985a, p. 101) refers to Engels’s essay on *The Housing Question* (1935), which argues that the bourgeois solution to housing the poor is to displace them, an operation being repeated in contemporary urban renewal. For both Castells and Harvey, the crucial issue for study is how power relations (as determined by the interaction between state authority, economic ownership, and urban residents) affect urban outcomes and, in particular, how spatial relations reinforce injustice.

Unlike Castells, who limited himself to analysis rather than advocacy, Harvey openly states that his project is achieving a more just society (even while maintaining that justice cannot be defined as an abstract principle). He does not, however, identify an agent of change beyond general references to the role of the working class and to potentially revolutionary social movements. Rather, *Harvey (1985a, Chapter 2)* focuses on the logic
of capital, especially as it circulates through the financial and real-estate sectors in cities, regions, and the globe. He shows also how investment in the built environment produces crises of accumulation that lead to rapid disinvestment and consequent impoverishment. He points to contradictions within the capitalist economic framework and sees these contradictions as undermining the system. Harvey (1985b, pp. 51–61) uses the term the ‘spatial fix’ to describe how capitalists shift investment across spatial boundaries or import workers from low-wage countries so as to circumvent crises of profitability in any particular place.

Castells regards social movements rather than political parties or classes for themselves as the principal force for change. In a later work (Castells, 1983), he develops a theory of grass-roots movements in which he characterizes urban social movements as struggling for a city where production meets people’s needs, citizens participate in decision-making, and culture is an authentic expression of life experience. Nevertheless, he is pessimistic that, despite the ways in which grass-roots movements respond to and reflect wider social currents, they can have more than a local effect. The book presents case studies of both historic and contemporary urban social movements, drawing from them generalizations about the reasons for success and failure. Underlying his depiction of movements is his clear sympathy with their goals of these movements, but he refrains from abstracting a conception of justice from them. In fact, in a work written at the end of the twentieth century, he writes:

I have seen too much misled sacrifice, so many dead ends induced by ideology, and such horrors provoked by artificial paradises of dogmatic politics that I want to convey a salutary reaction against trying to frame political practice in accordance with social theory, or, for that matter, with ideology. Theory and research … should be judged exclusively on their accuracy, rigor, and relevance. (Castells, 2000, p. 390)

Thus, neither Harvey nor Castells, despite their foundational role in moving urban studies towards a more normative disposition, endorses developing explicit criteria for justice except as arising out of action. In contrast, Susan Fainstein (1999) contends that justice claims are only made when people have a vision of what should be done, and John Friedmann asserts:

There are always limitations on purposive action – of leadership, power, resources, knowledge. But if we begin with these limitations rather than with images of the desirable future, we may never arrive at utopian constructs with the power to generate the passion necessary for a social movement that might bring us a few steps closer to the vision they embody’ (2000, p. 463; see also Friedmann, 2011, Chapter 8).

Foundations for normative criteria in empirical research

The two themes of property development and community struggle developed by Castells and Harvey became the preoccupations of later works by a variety of authors concerned with urban justice. Although these later scholars continued to work within the framework of a critical political economy, they did not usually define themselves as Marxists. Even those who, like Castells, began as Marxist theoreticians, with the exception of Harvey, typically moved away from Marxist terminology and became theoretically eclectic. At the same time, many geographers retained an allegiance to Lefebvre, especially to his concept of the right to the city (see, inter alia, Purcell, 2008; Smith, 2003; Soja, 1989), which became equated with a transcendent ideal of justice that went beyond distributional issues to the right to participate in the creation of the city (Marcuse, 2009).
The discussion around urban justice in the terms described above arose primarily among researchers within wealthy, Western countries, who in particular were reacting against the depredations of state-sponsored programmes for highway construction and urban redevelopment (or, in British terminology, regeneration) that had the effect of destroying the housing and communities of low-income communities. Among the many works describing such involuntary displacement are Herbert Gans’s *The urban villagers* (1962), which chronicles the demolition of Boston’s predominantly low-income Italian West End and its replacement by luxury apartment buildings; Jane Jacobs’ *Death and life of great American cities* (1961), which calls redevelopment programmes the rape of cities; Alan Altshuler’s *The city planning process* (1965), that depicts the annihilation of an African-American neighbourhood to allow for an expressway; and Parkinson, Foley, and Judd’s *Regenerating the cities* (1988), which presents a group of case studies drawn from the UK and US urban renewal experiences. Initial concerns over the razing of neighbourhoods and their replacement by high-end residential or commercial structures shifted to the identification of economic development approaches subsidizing wealthy property developers (Fainstein, 2001; Le Galès, 1991) and to the transformation of neighbourhoods achieved through gentrification (Hamnett & Randolph, 1988; Lees, Slater, & Wyly, 2008; Smith & Williams, 1986).

Another thread of research picked up on the question of agents of change. A number of works traced the effects of urban social movements (Fainstein & Fainstein, 1974; Mayer, 2010; Piven & Cloward, 1971, 1977). Davidoff (1965) argued that planners should be advocates for disadvantaged groups, and Norman Krumholz (Krumholz & Forester, 1990) contended that even planners employed by governments could engage in ‘equity planning’ for the benefit of poor and minority communities. The role of citizen groups in promoting more just cities was examined by Alan Altshuler in his book on demands for ‘community control’ (Altshuler, 1970); later Stoecker (1997) criticized the institutionalized citizen participation that developed from these demands as essentially co-optive.

Critical analysis of urban change was, as noted above, carried out in an interdisciplinary framework. Nevertheless, scholars from different disciplines had different emphases. Geographers used the term ‘uneven development’ to depict the way in which capital flowed in and out of different parts of the city, region, and nation, continually creating relative wealth and relative poverty (Smith, 1991). Sociologists particularly noted the persistence of segregation by race and class (Massey & Denton, 1993) and focused on the social basis of power within cities (Logan & Molotch, 1987). Political scientists analysed power differentials and identified pro-growth coalitions of business elites as the force behind the destruction of low-income communities and the subsidization of commercial interests (Mollenkopf, 1983; Stone, 1989). Planners were especially concerned with the exclusion of low-income communities from the planning process (Armstein, 1969). As will be discussed below, many of these works assumed a normative standard of justice against which public actions were measured but did not usually make this standard explicit.

### Spatial justice in the developing world

The literature so far discussed critically examines the relationship between spatial phenomena and social justice largely within the context of cities with large economic surpluses. Concern with the distributional effects of policy evolved from the perception that in prosperous metropolitan areas there was more than enough wealth to allow everyone a decent standard of living. Within poor countries the issue of spatial justice takes on a different form.
While framed also within an understanding that spatial relations contribute to immiseration of low-income communities within peripheral nations, most theoretical scholarship on developing countries analyses the region and the nation rather than the city (see, e.g. Wallerstein, 1974). Thus, dependency theory attributes continued, widespread poverty to the domination by core countries of peripheral areas (Amin, 1976; Cardoso & Faletto, 1979). Recently, however, theories of uneven development have been broadened to apply to the relations among cities in the non-Western world (Sassen, 2012), and analyses of neoliberalism’s effect have been extended to East Asia (Park, Hill, & Saito, 2012; see below for a definition of neoliberalism).

At the urban level, the issue of displacement, particularly the uprooting of squatter settlements, is the subject of considerable analysis (Ramsamy, 2006), as is the growth of isolated enclaves of privilege (Angotti, 2013; Libertun, 2009; Shatkin, 2011). Examination of the distribution of benefits from tourism development also contributes to knowledge concerning urban policies that disadvantage low-income residents symbolically as well as materially (see, e.g. Su, 2011). Studies of urban social movements in poor cities and participatory budgeting within Latin America are also manifestations of a focus on justice within the urban context (Maricato, 2009; Novy & Leubolt, 2005; Roy, 2011; Sousa, 1998; Souza, 2006). Concern over the use of eminent domain as the vehicle for land grabs has produced schemes for land readjustment that would preserve assets for the original owners while making more land available for development (Sanyal & Deuskar, 2012).

Making the implicit explicit

Although there is a rich literature in planning and public policy prescribing appropriate decision-making processes, these process-oriented discussions rarely make explicit what policies would produce greater justice within the urban context. At the same time, most policy analysis concerns itself with best practices or what ‘works’ in relation to specific goals like producing more housing or jobs without interrogating the broader objectives of these policies. As Charles Taylor (1991, p. 19) comments, ‘Social science explanation … has generally shied away from invoking moral ideals and has tended to have recourse to supposedly harder and more down to earth factors….’

Thus, while until the 1990s much urban literature has as a subtext a critique of injustice and a normative standard on which the critique is based, only David Harvey actually uses the word ‘justice’ in developing his analysis, and he manifests considerable ambivalence towards the term. On the one hand, he declares: ‘We cannot do without the concept of justice for the simple reason that the sense of injustice has historically been one of the most potent seedbeds of all to animate the quest for social change’ (Harvey & Potter, 2009, p. 41). On the other, he sees all concepts of justice as embedded in power relations and rejects ‘idealist specifications of rights and of justice’ (Harvey & Potter, 2009, p. 41). It is not clear, however, from where oppositional concepts derive if not from idealist specifications, albeit filtered through existing social practices.

During the 1990s, urban scholars finally begin to address the topic of justice explicitly. Iris Marion Young, although a philosopher by discipline, taught in an urban planning department at the University of Pittsburgh. Her book, Justice and the politics of difference (1990), specifically addresses the issue of justice within the city. Her identification in that book of injustice with types of oppression leads her to define justice as the absence of forms of domination (exploitation, marginalization, powerlessness, cultural imperialism, and violence), an approach later adopted by other theorists. Harvey’s concern with social justice and the
city prompted a conference and then the publication of a book (Merrifield & Swyngedouw, 1996) on the occasion of the twentieth anniversary of his *Social justice and the city*. The intent of this initiative was to bring to the fore the issue of social justice which, the editors opined, had been ‘relegated to the hinterlands of academic inquiry’ (1996, p. 2).

Considerable effort has been made since the beginning of the new millennium to define justice and identify approaches to realizing it within the urban context. Where earlier, scholars had not specified the value system underlying their critiques or offered prescriptions for more just policies, they began to hold conferences, produce books, and start journals that named justice as their objective (Brenner, Marcuse, & Mayer, 2012; Hayward & Swanstrom, 2011; Marcuse et al., 2009; the French journal *Justice Spatiale/Spatial Justice*). In doing so, they looked to political philosophy for guidance since philosophers, unlike social scientists, have long discussed the lineaments of a just society. Mostly, however, philosophers avoided making practical recommendations for its realization.

The most important twentieth century book developing a theory of justice is by John Rawls. Famously Rawls argued that the allocation of goods in a society should be governed by the ‘difference principle’, whereby policies should only improve the situation of those better off when ‘doing so is to the advantage of those less fortunate’ (Rawls, 1971, p. 75). Rawls posits that in the ‘original position’, behind a ‘veil of ignorance’ that prevents individuals from knowing what will be their ultimate position in society, they will opt for a more egalitarian distribution of goods. By this logic egalitarianism is a rational choice for individuals. Although Rawls does not address justice within the city, his argument for a just society defined by greater equity stimulated much later work within political philosophy that in turn filtered into urban social science. In particular, the writings of Jürgen Habermas as well as Henri Lefebvre and Iris Marion Young influenced urban theorists.

Choosing justice as the norm for urban policy represents a reaction to the growing inequality and social exclusion arising from the use of neoliberalism as the template for urban public policy (Brenner & Theodore, 2002). ‘Neoliberalism’ refers to the doctrine that market processes produce the most efficient allocation of resources, provide incentives that stimulate innovation and economic growth, reward merit, and consequently are conducive to the greatest good of the greatest number. For the market to work, state action that distorts prices and interferes with rewards to investors must be minimized; rather the local state needs to offer incentives to investors if it is to compete within the world system of cities. Within this ideological framework, policies to reduce inequality and provide advantages to minority groups hinder the workings of the market’s invisible hand and cause the economy to perform at a suboptimal level. Under this governing principle, efficiency becomes the single criterion for evaluating public policy, and cost–benefit analysis becomes the tool for its realization.

The use of cost–benefit analysis to assess policy derives from philosophical utilitarianism. Its governing principle of maximizing the greatest good for the greatest number underlies the types of calculations generally used for choosing among policy alternatives. Despite its prevalence it has been strongly criticized for failing to take into account the impacts of policies on minorities and its blindness to questions of distribution (Campbell & Marshall, 2002; Rawls, 1971). Thus, to take the example of urban redevelopment programmes, displacement of residents is justifiable if the majority benefits even marginally, regardless of the serious costs to those displaced and the likelihood that the displaced are already the most disadvantaged. Further, it usually involves a quantification of benefits that is biased in favour of the already well off. For instance, investment in commuter rail, if it adds to time savings by high-income individuals, will have a greater pay-off than expenditures on buses for low-income people whose time has less monetary value. The counter-argument to the advocacy of utilitarian metrics is that justice as the yardstick for measuring public policy
effectiveness does not negate efficiency as a goal but instead requires the policy-maker to ask to what end efficiency applies. If a policy serves the goal of assisting the most disadvantaged without wasting resources, in line with Rawls’s difference principle, then the policy is efficient even if it does not maximize an aggregate benefit–cost ratio.

Democracy, diversity, and equity
Three main approaches to the issue of justice in the city characterize recent writing on the subject; the differences among them are primarily a matter of emphasis. Most prominent during the latter part of the twentieth century within planning theory is communicative rationality (Forester, 1993; Innes, 1995), sometimes referred to as the collaborative approach (Healey, 2006). Derived from Habermas’s philosophical concept of the ideal speech situation, the emphasis here is on democratic decision-making and represents a reaction to the high-handed technocratic methods underlying urban renewal programmes. It is assumed that the stronger the role of disadvantaged groups in policy decisions, the more redistribu- tional will be the outcomes; thus, broad participation and deliberation should produce more just outcomes.

Deliberation
Communicative rationality starts with an abstract proposition. According to Patsy Healey (1993, p. 237; ital in orig.):

*Communicative rationality … [w]ould shift perspective from an individualized, subject-object conception of reason to reasoning formed within intersubjective communication …. [It] has parallels within conceptions of practical reasoning, implying an expansion from the notion of reason as pure logic and scientific empiricism to encompass all the ways we come to know and understand things and use that knowledge in acting.*

Within communicative theory, the planner’s primary function is to listen to people’s stories and assist in forging a consensus among differing viewpoints. Rather than providing technocratic leadership, the planner is an experiential learner, at most providing information to participants but primarily being sensitive to points of convergence. Leadership consists not in bringing stakeholders around to a particular planning content but in getting people to agree and in assuring that, whatever the position of participants within the social-economic hierarchy, no group’s interest will dominate. Among political scientists, this viewpoint is generally captured in the term deliberative democracy and assumes that through interaction participants will modify their ideas and reach a consensus. The theory of deliberative democracy developed to counteract the dominance of the interest-based public choice paradigm within political science and its conservative tendency. Theorists in this tradition deny that individuals have fixed preferences, based on self-interest, that can simply be registered; rather, they claim that people’s views are informed by interaction with others. Its proponents consider that we should regard policy-making and planning as argumentative practices not as quasi-sciences (Fischer & Forester, 1993, p. 2). As such the process is socially constructed and its resolution is the result of the interaction of the parties involved. Within a democratic community each party should have its say, and no privileged hierarchy, whether based on power or technical expertise, should exist. As a riposte to economistic thinking within social analysis, this represents a progressive move.
Its weakness is in its failure to deal with social hierarchy and political power in existing circumstances.

The debate over how much importance to attach to democratic decision-making as opposed to the differential impacts of policy boils down to a dispute over the importance of process versus outcome. Analytically separating the terms democracy and equity (or justice) allows process and outcome to be used as separate evaluative standards. In Nancy Fraser’s words (1997, p. 79): ‘Liberal political theory assumes that it is possible to organize a democratic form of political life on the basis of socioeconomic and sociosexual structures that generate systemic inequalities.’ She stipulates instead that criteria of justice must be applied.

Critics of communicative rationality or the deliberative approach contend that initial conditions of inequality cause any consensual outcome that results to reflect the interests of the most powerful (Campbell & Marshall, 2006; Flyvbjerg, 1998; Huxley & Yiftachel, 2000). They consider that bringing about changes favouring relatively disadvantaged groups necessarily involves conflict (Purcell, 2009). Healey (2003, p. 114) herself, despite her advocacy of collaborative planning, writes that the results of argumentative processes can be ‘liberating and creative, but they may also be oppressive’. In my own work, I claim that planners whose aim is justice need to intervene in the planning process, calling for policies that favour low-income and minority groups (Fainstein, 2010). Democratic processes can lead to exclusionary practices, since a situation in which all social classes are proportionally represented will rarely occur. Furthermore, even when representatives of the poor do participate, they may be co-opted or manipulated. Because, however, planners have little independent power, they will only succeed in improving the situation of the less powerful when they have political backing from either grass-roots movements or progressive politicians.

The expectation of consensus or mutual understanding does not characterize all contemporary democratic theorists. Thus, Young (2000) expects irresolvable conflicts of interest; Chantal Mouffe (2000, 2005) develops a theory of ‘agonistic democracy’, where the only consensus is on acceptance of basic democratic institutions. Mark Purcell offers a ‘radical pluralist’ model of democratic planning that overcomes the weaknesses of the deliberative approach through recognizing the inevitability of speech distortions and power relationships. He (2008, p. 77) explicitly rejects ‘the argument that the proper aim of democratic decision-making is to achieve consensus and/or the common good’ (see also Purcell, 2013). Instead he opts for ‘a social-movement model where disadvantaged groups come together to pursue democratic outcomes that best meet their particular interests’, arguing that only through such action is it possible to redress inequality. His theory echoes the argument made by Zucker (2001, p. 1), who develops a substantive theory of democracy in which ‘the just distribution of economic resources is a defining characteristic of democratic rule’.

The weakness of Zucker and Purcell’s formulation is that by conflating democracy with equality, they redefine democracy away from any normally accepted meaning. They are imposing equity rather than participation or deliberation as the criterion by which to judge decision-making. It is intended to counter the institutional-proceduralist conception of democracy in which elections force rulers to respond to citizen needs. But, while these theorists recognize the problems of the deliberative approach, their attempt to make democracy the sole governing value does not overcome issues of consciousness formation. Although radical democrats would argue that it is only through mobilization of disadvantaged publics that more just outcomes can be obtained, they refuse to specify the substance of desired outcomes. The assumption is that through mobilization marginalized publics will acquire consciousness of their true interests, but the history of grass-roots movements that make retrogressive demands undermines this position.
Diversity

Among philosophers, Rawls has been criticized for his individualistic approach to society. The critique centres on his seeming obliviousness to group identity (Young, 1990), and his insensitivity to nonmaterial forms of discrimination (Honneth, 2003). The most common criticism from feminist and cultural perspectives of liberal and Marxist arguments is that they are unconcerned with recognition of ‘the other’. According to this viewpoint, discrimination against groups defined by their colour, cultural inheritance or sexual preferences cannot simply be collapsed into a manifestation of material inequality. The thesis is presented most strongly by Honneth (2003, p. 114), who reverses that outlook and subsumes material inequality within a hierarchy based on subjective characteristics; thus, he asserts that ‘even distributional injustices must be understood as the institutional expression of social disrespect – or, better said, of unjustified relations of recognition’.

In perhaps the most influential book within the discipline of philosophy regarding the significance of group differences and the inadequacy of liberalism in dealing with them, Young (1990, p. 47) states:

I believe that group differentiation is both an inevitable and a desirable aspect of modern social processes. Social justice … requires not the melting away of differences, but institutions that promote reproduction of and respect for group differences without oppression.

She considers that a social group is defined by a sense of shared identity and that a liberal contract model of social relations only conceives of associations based on common interests and fails to take account of groups arising from shared identity (Young, 1990, p. 44). Under this conception, the argument for justice shifts from a fair distribution to ‘social differentiation without exclusion’ (Young, 1990, p. 238). Emancipation, for Young, lies in the rejection of the assimilationist model and the assertion of a positive sense of group difference wherein the group defines itself rather than being defined from the outside. (Young, 1990, p. 172)

Liberal democratic theory, by treating individuals atomistically, ignores the rootedness of people in class, gender, cultural, and familial relationships. In doing so and by placing liberty at the top of its pantheon of values, it fails to recognize the ties of obligation that necessarily bind people to each other and also the structurally based antagonisms that separate them. In her feminist critique of the liberal tradition, Hirschmann (1992, p. 10) comments:

To assert that all men are inherently free and equal was an important contribution to political thought … . But it is one thing to conclude from this that divine right and patriarchy are illegitimate; it is quite another to conclude that each separate and individual human being must decide for herself which obligations – political and otherwise – she will assume.

Hirschmann’s point is that necessary obligations exist, and a political philosophy based on voluntarism fails to recognize the moral dilemmas of human existence. Jean Jacques Rousseau, a contract theorist but not a liberal, did not, in The Social Contract (1968), call for the freedom enjoyed by natural man but rather asked what could make social bonds legitimate. In recognizing the benefits of civilization, he was leading up to the stance taken by multiculturalists – that people do not exist outside of culture and that stripping them of their social relations is both denying history and robbing individuals of their existential security.6

A further objection to much of liberal thought, arising from feminist and multiculturalist viewpoints, is that the concepts of reason and of rights, defended by theorists ranging
from Locke to J.S. Mill to Rawls, from Locke to J.S. Mill to Rawls,⁷ is based on a masculinist conception of adversarial democracy. Proponents of this critique argue that theories justified in terms of individual rights unselfconsciously universalize the standpoint of white males, value disputation, and define interests solely in selfish terms:

The procedures of adversary democracy have the great advantage of making decisions possible under conflict. But the theory has both prescriptive and descriptive weaknesses. Because adversary democracy takes preferences as given, and because it assumes both self-interest and irreconcilable conflict, it does not meet the deliberative, integrative, and transformative needs of citizens who must not only aggregate self-interests but choose among policies in the name of a common good. (Mansbridge, 1990, p. 9)

This critique represents a modification within liberalism that retains liberty as a first principle but redefines human nature in terms of altruism rather than selfishness. In its feminist form, however, it makes nurturance rather than freedom the governing standard of human relations (Held, 1990). Thus, the feminist/culturalist critique of the liberal tradition condemns it on the grounds of atomism, assumptions of homogeneity, and the desirability of assimilation.

In their attack on the Marxist position (and its various political-economic derivatives), multi-cultural theorists fault its economism, which tends to delineate social stratification entirely in class terms and which defines interests wholly materially. From this perspective, there are three serious problems with the logic that economic inequality subsumes all forms of subordination. First, both theory and empirical evidence point to the contrary argument. Thus, as Simmel (1950) alleges, even after the introduction of socialism, individuals would continue to express ‘their utterly inevitable passions of greed and envy, of domination and feeling of oppression, on the slight differences in social position that have remained …’ Group enmities would likely also endure. Recollections of persecution of one group by another or feelings of group superiority based on colour, nationality, or religion will not go away simply because of economic equality. Socialism as it really existed demonstrated that abolition of private property does not dissolve ethnic and gender antagonism and may even increase the importance of symbolic differences.

Whereas liberal political theory has sought ways by which people with differing interests or life styles can remain dissimilar and live peacefully together, socialist thought has typically aimed at dissolving differences and thus has not been concerned with the problems of governing antagonistic groups. Liberal thinkers are always vulnerable to the argument that their institutions and procedures function to perpetuate and disguise inequality. But showing that the governance systems of liberal democracies are biased against the poor and minorities does not mean that greater equity would result from their dissolution. The liberal aim of finding the means for individuals to live peacefully together may incorporate biases against the powerless, but some means of maintaining order must be found and, as the quotation from Simmel above indicates, greater equality does not eliminate hostility. Harvey (1992, p. 600) recognizes this issue when he declares that ‘a just planning and policy practice must seek out non-exclusionary and non-militarized forms of social control to contain the increasing levels of both personal and institutionalized violence without destroying capacities for empowerment and self-expression’. His simple statement of the problem, however, does not suggest any simple solution.

Philosophers like Young, Fraser, and Seyla Benhabib aim at enlarging the concept of justice to accommodate group affiliation without neglecting economic inequality. The combining of the goals of material equity and recognition of difference has led to the vocabulary of social inclusion and exclusion, which acknowledges multiple forms of oppression and
which has become part of the language of the European Union. In the USA, the terminology shifts from recognition to diversity. Inclusion and diversity, however, are trickier concepts than equity, because their multiple dimensions can be in contradiction and, when carried too far, can undermine other forms of justice.

Towards the end of the twentieth century, the concern among philosophers with recognition of the other converged with an emphasis among urbanists on diversity. As used by urbanists, the term has a variety of meanings (Fainstein, 2010). Among urban designers, it refers to mixing building types; among planners it denotes both mixed uses of land and social heterogeneity of residential buildings, neighbourhoods, and public spaces. Jacobs (1961) was particularly influential in her call for a physical heterogeneity that would promote a corresponding social mixing. She maintains that such diversity will prove beneficial not only for producing attractive cities but for making cities economically productive. Her reasoning anticipates the widely publicized argument of Florida (2002) that diversity stimulates creativity and in turn economic growth.

A number of urban scholars regard the merit of diversity not in its promotion of economic growth but rather in enhancing the right to the city. Sandercock (1998) terms her ideal city ‘Cosmopolis’ and depicts a metropolis that gives people from a variety of ethnic and racial backgrounds equal rights to city space and ‘the pleasures of anonymity’. Richard Sennett (1970, 1990), who long ago championed ‘the uses of disorder’, similarly praises the benefits of difference and even of conflict. New Urbanists, who both write about and actually design communities, aim to achieve social diversity through a variety of building types, while land-use planners call for inclusionary zoning that requires new development to provide for low-income housing.

For those who make diversity their primary value, the glory of cities lies in their capacity to bring together strangers, allowing people to move beyond the ‘familiar enclaves’ of families and social networks ‘to the more open public of politics, commerce, and festival, where strangers meet and interact’ (Young, 1990, p. 237). The claim that diversity is excluded while its illusion is created underlies the accusation that unlike the cities of old, new urban projects lack authenticity – cities are contrived theme parks rather than genuine evocations of social heterogeneity (Sorkin, 1992). Whether the projects contain new structures resembling old ones or genuinely old, adaptively reused buildings, their sameness to each other, artificiality, and omnipresent security forces reflect marketing strategies rather than real cosmopolitanism.

The achievement of diversity, however, may militate against other values. The condemnation of artificiality risks falling into an elitist snobbery that disregards the enjoyment that many people receive from theme parks (Fainstein, 2001). Moving people against their will in order to produce diversity, as has occurred in American programmes to replace public housing with mixed-income projects (Goetz, 2003, 2005), is contrary to democratic norms of self-determination. Furthermore, there is a tension between heterogeneity and community. According to Putnam (2007, p. 137):

> immigration and ethnic diversity tend to reduce social solidarity and social capital. New evidence from the US suggests that in ethnically diverse neighbourhoods residents of all races tend to ‘hunker down.’ Trust (even of one’s own race) is lower, altruism and community cooperation rarer, friends fewer.

Young (2000) supports neighbourhood homogeneity within a metropolitan context of porous borders and multiple groups because of the need to recognize difference and to understand that living among those like oneself provides existential security.
Equity

Soja (2010) has highlighted the concept of uneven development in his investigation of spatial justice. Like Iris Marion Young and David Harvey, he begins with a depiction of injustice and considers that geography is ‘a significant causal force in explaining [inequitable] social relations and societal development’ (2010, p. 63). He argues that the pursuit of justice requires gaining control over the processes producing unjust urban geographies. He does not identify specific programmes to reduce spatial injustice but rather looks to coalitions of groups demanding the right to the city as the vehicles for achieving both greater material equity and also greater respect for marginalized populations. He describes such coalition building in Los Angeles and also the teaching of spatial justice practice at the University of California at Los Angeles as strategies for reaching a more just city.

In my book The just city (2010), I argue that the values of equity, diversity, and democracy may be in conflict and give equity priority among them. My particular concern is with planning and redevelopment decisions made at the city level, which I examine through an investigation of the cases of New York, London, and Amsterdam. I identify Amsterdam as the most equitable and democratic of the three and consider that New York has been most successful in absorbing immigrants. London is an intermediate case with regard to equity. Novy and Mayer (2009, p. 104), however, criticize me for holding up the social democratic cities of Europe as a model, contending that it ‘distracts from and, worse, naturalizes the inequalities and injustices which mark them …’.

The ultimate intent of my book is to specify policies that would benefit relatively disadvantaged social groups, as defined by income or marginality. To this end, its conclusion lists programmes that enhance equity, stressing housing development for low-income households, preventing involuntary displacement, giving priority in economic development programmes to the interests of employees and small businesses, and lowering intra-urban transit fares. In furtherance of diversity, they encompass ending discriminatory zoning, insuring that boundaries between districts remain porous, providing widely accessible and varied public space, and mixing land uses. Policies supporting democracy include the use of advocates to represent groups that do not participate directly in decision-making, consultation of target populations in areas to be redeveloped, and broad consultation for areas that are not yet developed but are under development pressure. I contend, however, that, if the aim is justice, the purpose of inclusion in decision-making is to have interests fairly represented, not to value participation in and of itself. This further value may well underlie a vision of the good city, but it is not necessary for my definition of the just city.

An important difference between my view and David Harvey’s is that I am willing to embrace reform through existing political-economic processes rather than viewing greater justice as unattainable under capitalism. In Harvey’s view this approach is ‘constrained to mitigating the worst outcomes at the margins of an unjust system’ (Harvey & Potter, 2009, p. 46). He calls capitalist liberal democracy a régime of rights and asserts:

My objection to this régime of rights is quite simple: to accept it is to accept that we have no alternative except to live under a régime of endless capital accumulation and economic growth no matter what the social, ecological, or political consequences. (Harvey & Potter, 2009, p. 43)

At the root of our disagreement is the question of whether or not the capitalist state within a political democracy can be an instrument for redistribution. Harvey, in line with Marx’s dismissal of the capitalist state as the executive committee of the bourgeoisie, expects little from it. Furthermore, consonant with Marx’s emphasis on production rather than distribution as the basis for inequality, he looks to restructuring the relations of production
and the processes of spatial development rather than to enlarging the state’s role in providing a social wage as key to creating ‘the city of one’s heart’s desire’ (2009, p. 40). For Harvey, to begin with a prescription for policy outcomes rather than with a strategy for transforming power relations is a losing proposition. Harvey, however, provides no short-run prescriptions for making cities more just, and he, like Marx himself, refuses to specify what form the desired city will take.

**Tensions among values**

Arguments for equity and democracy are frequently elided – nineteenth century opponents of extending the franchise feared expropriation of property would follow as an inevitable result, while contemporary democratic theorists consider greater democracy will lessen inequality. The theoretical move towards a deliberative rather than an aggregative form of democracy (i.e. democracy manifested by majority rule expressed through periodic elections) reflects a perception that, as well as reinforcing inequality, mass democracy frequently leads to demagoguery, chauvinism, and the trampling of minority rights. Unfortunately, the argument that widening democratic inclusion will break the vicious circle supporting inequality seems overly sanguine, as there is no necessary link between greater inclusiveness and a commitment to a more just society.

Young, Mouffe, Purcell, and others consider that a pluralistic, decentred form of democratic participation, in which social movements press strong demands, will incorporate equity demands and thereby reduce injustice. It should be obvious, however, that all depends on the content of those demands. If we look, for example, at the bases of anti-immigrant sentiment in the USA and Europe or the anti-abortion movement, we do not find that corporate interests are the force behind them. To argue that populist aims are misguided because of distorted communication is naive when the path to political power lies precisely in making emotional appeals. The goals of democracy, equity, and diversity are difficult to combine in the real world of politics, where popular sentiment for the latter is often lacking. By defending strong group identifications and simultaneously opposing spatial exclusion, advocates for multiculturalism may be endorsing a situation in which antagonisms are openly expressed and which may easily result not in increased understanding of the other, but in cycles of hostile action and revenge.

There is no general solution to the tensions among and within the values of equity, democracy, and diversity that constitute the basic elements of justice. Nevertheless, we can start with them as broadly applicable norms and attempt to spell them out as appropriate to particular circumstances. The capabilities approach, originally adumbrated by Sen (1992) and fleshed out by Nussbaum (2000), offers a way to devise rules that can govern the evaluation of urban policy and provide content to the demands of urban movements. Nussbaum goes beyond Sen’s generalized and deliberately open-ended description of capabilities to provide an explicit list; Sen (1993, p. 47), while indicating that he has ‘no great objection to anyone going on that route’, rejects it as overspecified. In developing a vision of the just city, however, it is Nussbaum’s elaboration of actual content that is most helpful.

Capabilities do not describe how people actually function (i.e. end state) but rather what they have the opportunity to do. One need not exercise one’s capabilities if one chooses not to (e.g. one can choose asceticism), but the opportunity must be available, including a consciousness of the value of these capabilities. According to this reasoning, each person must be treated as an end, and there is a threshold level of each capability beneath which human functioning is not possible. Nussbaum (2000) argues that capabilities cannot
be traded off against each other. She lists, *inter alia*, life, health, bodily integrity, access to education, and control over one’s environment (political and material) as necessary capabilities. Translated into a communal rather than individualistic ethic, the capabilities approach would protect urban residents from having to sacrifice quality of life for financial gain. Hence, for example, communities desperate for an economic base should not have to accept toxic waste sites because they lack any other form of productive enterprise. In contrast, conservative economists who support establishing market systems in pollution controls see such trade-offs as highly rational and to be desired.

The capabilities approach can be usefully applied to urban institutions and programmes. Judgments would be based on whether their gestation was in accord with democratic norms (although not necessarily guided by the strictures of deliberative or deep democracy) and whether their distributional outcomes enhance the capabilities of the relatively disadvantaged. In Sen’s (1999, Chapter 3) attack on utilitarianism, he argues against the analysis typically employed by cost/benefit accounting as it is used to justify urban capital programmes. These analyses tend to exaggerate benefits and underestimate costs (Altshuler & Luberoff, 2003; Flyvbjerg, Bruzelius, & Rothengatter, 2003), rely on aggregates, and ignore distributional outcomes. A more sensitive form of analysis asks who benefits and assesses what outputs each group in the population receives. Then, applying the difference principle amplified by the capabilities approach, such that our concern extends beyond primary goods, we should opt for that alternative that benefits the least well off or minimally does not harm them. The definition of the least well off, however, is subjective and is usually categorized according to social group affiliation. What we do know is that the group most lacking in political and financial power is least likely to prevail. A commitment that justice rather than efficiency should be the evaluative standard applied to the content of policy would shift the balance in their favour.

**What is possible?**

It is not within the power of municipal governments to achieve transformational change. Only the nation state has this kind of leverage, and the more egalitarian cities of Europe are in fact underpinned by strong national welfare programmes. At the same time, local policies make life better or worse for people. There are many decisions, especially involving housing, transport, and recreation, made at the local level that differentially affect people’s quality of life. The extent to which these decisions have responded to the needs of the relatively disadvantaged has been the result of local political pressures and the ways in which problems are framed. The hope underlying the discussion of the just city is that it can change the rhetoric around urban policy from a single-minded focus on competitiveness to a discourse about justice.

**Notes**

1. See Saunders (1986) for an incisive analysis of the early work of Castells and Harvey.
2. As will be discussed later, proponents of communicative rationality and deliberative democracy expect that genuinely democratic processes will result in just outcomes. They, therefore, focus on processes of participation and methods of negotiation rather than the content of policy or the character of the desirable city (Fainstein, 2005).
3. A few planning scholars have specified progressive institutions and policies, although they have typically not placed their recommendations within a broader theoretical context (Clavel, 1986; Mier, 1993). In a 1993 article in the *North Carolina Law Review*, which I co-authored with Ann Markusen, we attempted to specify particular urban programmes that would increase social justice. Leonie Sandercock in her two books *Toward Cosmopolis*...
(1998) and Cosmopolis II (2003) has sought to spell out the characteristics of a city responsive to difference. Gutmann and Thompson (1996), who attempt to provide substantive content to deliberative democracy, apply principles of deliberative democracy to such specific policy areas as health care and earnings, which intersect with urban issues; however, they do not adopt a specifically urban perspective.

4. Shapiro (1999) goes even farther in ascribing a substantive content to democracy, arguing that participation is valuable but nevertheless a subordinate good to justice, which he defines as overcoming domination.

5. See Benhabib (2002, pp. 49–81) for a discussion of the origins, meaning, and contradictions of the concept of recognition.

6. Rousseau, however, rather than opting for cultural pluralism, considered that genuine democracy could only exist within small communities of like-minded people.

7. The critique applies partially to Habermas, whose concept of intersubjectivity is consonant with the views of these critics but whose emphasis on rationality in discourse is at odds with them.

8. Dahrendorf (1959) similarly argues the inevitability of hierarchies of power and social differentiation.

9. This criticism was most strongly expressed by Weber (1958) in ‘Politics as a Vocation’, when he contrasted the ethic of responsibility with the ethic of absolute ends.

References


