**The Just City**

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**Abstract**

In multiple writings on the concept of the “Just City,” Susan Fainstein (2000; 2005; 2009; 2010) draws on political philosophy to develop an urban theory of justice that can be used to evaluate city planning and development policies. Recognizing that justice takes on different meanings depending on the social, geographical, and historical context, Fainstein explores the relationship between just outcomes and equity, democracy, and diversity, as well as the tensions among each of these values. Fainstein (2010: 33) argues that this articulation of justice based on widely shared values has the potential to shift public consciousness of urban decision-making and mobilize collective action that can shape the adoption of policies that improve the lives of urban residents (Fainstein 2010: 33).

**Keywords**

Democracy; ethics, justice, and human rights; ethnicity and race; governance; inequality; equity; diversity; political economy; political philosophy; urban politics.

**Intellectual and Social Context**

The close of the twentieth century in the United States and Western Europe witnessed the increasing devolution of responsibilities to local governments and a shift from managerial to entrepreneurial urban governance (Brenner 2004), leaving urban policy driven overwhelmingly by a focus on economic competitiveness and growth. The emphasis on economic growth as the overriding priority for urban policy contributes to what Fainstein (2009) describes as an increasing “modesty” in the practice of urban planning, essentially serving the interests of real estate development without articulating a vision of what the city ought to be. Critical urban theory challenges individual instances of this capitulation to capital, Fainstein argues, without articulating a comprehensive framework to evaluate what would constitute more just urban planning and policy in practice. Fainstein has repeatedly asked what criteria would enable consistent evaluation of what urban outcomes would truly be better for city residents, and under what conditions conscious action can produce a better city for those residents. In *The Just City*, Fainstein contends that justice in the urban context should be understood to encompass dimensions of democracy, equity, and diversity and that all public decision making should privilege justice. To justify this formulation, Fainstein turns to political philosophy.

The liberal tradition of political philosophy can be traced to Jean-Jacques Rousseau’s and John Locke’s contract theory of government, with the state as guarantor of individual rights. Jeremy Bentham’s and John Stuart Mill’s articulation of utilitarianism adds guidance to decision making by encouraging the selection of whichever policy alternative most contributes to “the greatest happiness of the greatest number.” But as John Rawls (1971: 26) points out, in this utilitarian calculation it does not matter “how the sum of satisfactions is distributed among individuals” and thus whether benefits accrue disproportionately to those already advantaged. In *A*
Theory of Justice, Rawls (1971) advances a conception of justice as fairness, through his now well-known concept of the original position in which individuals choose principles of justice from behind a veil of ignorance, unaware of their status in society, and thus, acting rationally, choose a rough equality of primary goods. Rawls emphasizes the value of individual liberty coupled with a principle that social and economic inequalities, where necessary, should be distributed to benefit the least advantaged. Rawls has been often critiqued for presenting an atomistic, universal vision, which overlooks the significance of community, and the fact that standards of justice derive from and vary by context. Amartya Sen (1999) and Martha Nussbaum (2000) draw from Rawls and his critics to articulate a capabilities approach to justice that values group recognition and situates the individual within a network of affiliations. These capabilities represent not what people actually do, but what they have the opportunity to do, and Nussbaum (2000) emphasizes, at a minimum, life, health, bodily integrity, access to education, and the ability to maintain political and material control over one’s environment. These capabilities represent nontradeable, inalienable opportunities to which every person is entitled.

From this capabilities approach, Fainstein (2010: 55) begins to articulate a theory of urban justice, asking whether actions are consistent with democratic norms, whether their outcomes enhance the capabilities of the comparatively disadvantaged, and whether they recognize and respect self-chosen group identifications. In the place of narrow cost-benefit analysis, Fainstein argues, we must ask exactly who benefits from a policy and how that policy contributes to or undermines the capabilities of the relatively disadvantaged.

Fainstein’s articulation of the Just City is also an intervention into a longstanding tension in urban theory between an emphasis on justice as process, rooted in communicative rationality, and an emphasis on justice as outcome, rooted in an analysis of political economy. Inspired by John Dewey and Jurgen Habermas, the communicative rationalist stream of planning theory generally foregrounds equal participation in decision-making as a prerequisite for justice. The political-economic stream of planning theory, by contrast, generally emphasizes the need for a more egalitarian redistribution of wealth and reorganization of production before democratic participation can be truly effective.

For communicative rationalists, planning decisions should be made through “an intersubjective effort at mutual understanding … [that] refocuses the practices of planning to enable purposes to be communicatively discovered” (Healey 1996: 239). Planners should therefore focus on creating ideal speech conditions in which equal participation and democratic planning are possible, with attention to the ways in which arguments are constructed and knowledge communicated. Emphasizing the situatedness of knowledge, theorists of the communicative model often reject positivism’s claim to objectivity, arguing that quantitative data obscures the normative judgments involved in determining what is worth measuring and how whatever is measured should then be analyzed.

For theorists of political-economy, planning decisions should be made primarily in light of their distributional outcomes, asking who benefits and who is harmed. Democracy must perpetually wrestle with the danger of domination by economic elites and the oppression of disfavored groups. While Rawls would argue for decision-making that starts from rough material equality and prevents excessive concentrations of wealth, a Marxian analysis would suggest that economic democracy is crucial for true political democracy, that the development of a revolutionary class consciousness and collective control over the means of production are essential for truly democratic decision-making. Whether considered from the liberal perspective or the Marxist, however, equity criteria are the starting point for just decision-making.

Fainstein seeks to chart a productive path between these two camps, recognizing the importance of democratic decision-making but also the necessity of greater material equality, while also adding the importance of group recognition. She argues that political concerns cannot be separated from economic ones and that democracy is unlikely to lead to justice under conditions of either significant social or economic inequality. Recognizing that disempowered social groups have
been further marginalized by the refusal to recognize nonmaterial forms of oppression, Fainstein draws on Young (1990) and Fraser (2003) to argue for the recognition of value in social differentiation on the basis of categories such as race, ethnicity, gender, sexuality, and religion, as well as the need for robust anti-discrimination principles. As Iris Marion Young (1990: 47) has suggested, “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.”

Through her intervention in the ongoing discussion in planning theory between schools of communicative rationality, political economy, and post-structuralism, Fainstein (2010:19) seeks to “shift the conversation within discussions of planning and public policy toward the character of urban areas, lessen the focus on process that has become dominant within planning theory, and redirect practitioners from their obsession with economic development to a concern with social equity.”

**Major Dimensions**

The Just City framework operates as a normative bridge between the universal philosophical constructs of justice that Fainstein reviews and particular on-the-ground problems in cities. It “enumerates types of policies that are conducive to social justice in cities without spelling out the…institutional forms or legislative mandates by which they would be accomplished” (Fainstein 2010: 171). In order to establish criteria against which these policies can be evaluated, the Just City framework outlines three principal metrics: equity, diversity, and democracy.

*Equity* is defined within the Just City framework as “a distribution of both material and nonmaterial benefits derived from public policy that does not favor those who are already better off at the beginning.…[I]t does not require that each person be treated the same but rather that treatment be appropriate” (Fainstein 2010: 36). Further, an evaluation of equitable distribution is understood to apply not only economically, but also spatially, socially, and politically. Based on her observations of the results of redevelopment around Battery Park City in New York, Stratford in London, and Amsterdam’s Western Garden Cities, Fainstein argues that equity is among the most pressing concerns arising from urban programs that “mainly involve transformation of the social composition of the affected areas and are aimed at higher income groups” (Fainstein 2010: 173). In order to further equity, urban policies should include requirements that new development include housing that is permanently affordable to those with incomes below the area median; minimal displacement of existing populations; economic development tools that support local small businesses; low cost public transit; and strong institutionalized advocacy for the less well-off.

*Diversity* is the second element of the Just City framework. Drawing upon broader theories of cosmopolitanism, Fainstein focuses on diversity because ensuring that people are not “excluded according to ascriptive characteristics such as gender, ethnicity, or homelessness” is the basis for taking “seriously the value of the lives of others, including taking an interest in the practices and beliefs that lend them significance” (Fainstein 2010: 174-175). Diversity is operationalized as a criterion against which to measure urban plans and policies by ensuring that households are not forced to move; zoning is inclusive; boundaries between zones are porous (allowing for easy movement and barely visible transitions); there is ample open space where many types of people can interact; there are frequent areas of mixed land use; and public authority is leveraged to increase access for historically excluded populations.

*Democracy* is the third element of the Just City framework. This is perhaps the most complex of the three criteria against which plans and policies should be evaluated. Fainstein sees democratic processes as necessary to just policies, but rejects the notion that robust democratic processes alone will necessarily lead to just outcomes. The purpose of democratic processes, for Fainstein (2010: 175) is to “have interests fairly represented, not to value participation in and of itself.” In order to ensure democratic representation, the Just City framework therefore necessitates attention to advocacy together with those groups who are not already well-represented; participation
on the part of residents in areas to be redeveloped, with their preferences balanced against citywide
and regional needs; and broad consultation for plans in undeveloped areas.

Based on her combined philosophical and empirical argument, Fainstein argues that when
priority is given to equity, diversity, and democracy in urban policies, the result will be to move
toward more just cities. Thus, widespread adoption of these criteria should be the goal of social
justice-oriented planners. She writes, “Forcing decision makers to make justice a principal
consideration in urban policies would be more than a marginal change” (Fainstein 2010: 6).

**Current and Future Work on the Just City**

Although the Just City framework can be considered as its own school of thought within
urban theory, it is also part of a broader tradition of critical urban theory. Marcuse et al. (2009) and
Brenner et al. (2012) develop this broader line of inquiry by contextualizing the Just City alongside
theoretical projects defining the “good city” and asserting the “right to the city”. DeFilippis (2009)
draws on the just city framework and critical urban theory to analyze the processes through which
economic injustice is perpetuated in urban space and the need to rebuild local regulatory capacity to
protect workers in their struggles for economic justice. Steil and Connolly (2009) theorize the role
of counter-institutions, governance networks, and heterarchy in grassroots environmental justice
efforts to realize self-determination and forestall environmental gentrification, or the displacement
of working class residents of color just as their efforts to improve their neighborhood bear fruit.

The Just City framework has proven to be a fertile starting ground for work in planning
theory about ethics and norms (Connolly and Steil 2009). For instance, Campbell (2006) has
explored the relationship between the individual and the collective and the notion of
“reasonableness” in planning policy, concluding that justice in planning is best understood through
the lens of situated ethical judgment. Hoch (2007) has articulated a defense of pragmatic
communicative action that engages with the just city framework and calls for a critical approach in
communicative rationality analyzing the consequences of collective action in the planning context.

Focusing on the recognition of difference and diversity as an important criterion for a just
city, several scholars have looked specifically at the significance of race in the contemporary city.
Song (2015) uses the Just City as a lens for advancing critical urban theory through a focus on race
as a “diagnostic and dialogic tool” for shaping urban economic processes toward realization of
Fainstein’s vision of the Just City. Rankin and McLean (2015) follow a similar path in their
examination of the means by which mixed land uses advance or hinder racial equity in Toronto’s
inner suburbs.

Fainstein notes that her “analysis is limited to what appears feasible within the present
context of capitalist urbanization in wealthy, formally democratic, Western countries” (2010: 5).
Nevertheless, several critiques have challenged the ability to define justice meaningfully within
those boundaries. Uitermark (2009) argues in parallel with Fainstein that an equitable distribution
of resources and democratic engagement are essential to the realization of a just city but contends
that, in Amsterdam, the declining power of urban social movements and the rise of neoliberalism
contributed to a recommodification of the housing stock and social stratification that undermined
what had been progress toward urban justice. Watson (2002) has critiqued the usefulness of
dominant normative planning theories in distinct urban contexts like South Africa, recognizing the
value of Fainstein’s focus on political economy but questioning the applicability of some of the Just
City ideals to contexts with more extreme inequality and more limited state capacity.

Current work on the Just City has also informed recent analyses of urban sustainability and
resilience. Fainstein (2015) demonstrates that the omission of many of the Just City criteria from the
resilience framework, and especially excessive deference to the preferences of established interests
in urban areas, enhances neither resilience nor justice. This finding is supported by Vale (2014),
who argues that the mainstream use of resilience fails to meet the equity criterion within the Just
City framework. Similarly, Schrock and colleagues (2015) examine the extent to which the
proliferation of sustainability action plans have crowded out efforts to advance equity and the Just
City. Irazábal and Punja (2009) add critical urban theory in their analysis of community gardens and other “commons” as a means for building resilience among vulnerable communities and expressing a “right to the just city.”

**Conclusion**

As income inequality within nations continues to rise, as evictions and displacement multiply and poverty becomes more concentrated, attention to justice – not only economic efficiency – as the criterion for evaluating urban policies is more important than ever. The Just City framework seeks to answer what definitions of justice should prevail and what qualities comprise a just city. As a guide for engaging in nonreformist reforms in cities, it seeks to set cities on a path toward structural change that will ensure that urban environments are characterized by greater equity, deeper democracy, and the valuation of difference. Even if it is not possible to achieve the just city, planning with these values given priority can produce a more just one.

**References**


Cambridge University Press.

Further Reading


James Connolly is an Assistant Professor of Public Policy and Political Science at Northeastern University and Associate Director of the Barcelona Lab for Urban Environmental Justice and Sustainability. His current research examines community-environmental coalitions in land use politics and local environmental stewardship practices in cities. His work demonstrates how the institutions that shape urban environmental land use policy are structured (spatially and politically) and how they are changed. Recent publications include “Organizing urban ecosystem services
through environmental stewardship governance in New York City” in *Landscape and Urban Planning* and “Networked governance and the management of ecosystem services” in *Ecosystem Services*.