THE JUST CITY:
A CRITICAL DISCUSSION ON SUSAN FAINSTEIN’S FORMULATION

Adel Khosroshahi
Supervisor: Stefano Moroni
Faculty of Architecture and Society
Polytechnic University of Milan

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Urban societies of the 21st century have to manage dealing with many environmental, social, political, economic, and governance issues. Of those, the issue of justice can be considered as one of the oldest concerns that urban scholars had to deal with through the modern history of civilized societies. When justice comes to Urban Planning, we have to consider its very contemporary history of institutional efforts that has been translated into various approaches in order to deal with systematic reproduction of unjust outcomes.

Critical urban theories in the recent decades, have explored the progress of urban planning in western democracies, looking for the determining elements in achieving social justice. Although there are various reads on the concept of justice and there is not a unique definition of a ‘just city’, but there has often been enough common ground to build an argument of a just city and investigate possible roots of injustice. Justice in the context of urban planning tends to address issues related to the distributive justice rather than of individual freedoms and liberties and thus is very much based on social sciences, as well as dependent on historical and local context of any specific urban area.

Planning schools tried to address the issues of injustice through the second half of the 20th century. From New Urbanism to Communicative approach, different solutions have been tried through various planning efforts in order to revitalize the living conditions of the least advantaged. However, they have also been widely criticized for both their means and ends for not resulting into appropriate just outcomes.

Communicative planning has played a determinant role in the discourse of planning over the past three decades. Its focus on the democratic and deliberative process have introduced a progressive work of planning, which theoretically include citizens in the
decision-making process and makes no privileged priority for participants based on their merit or background. Not to deny the importance of insisting on the process to be held democratically, as a pillar of social justice, Planning for Justice, takes democratic participation and deliberation as a mean toward just ends, while in communicative planning - justice for planning- democratic participation has been realized as an end itself.

*New Urbanism* in the United States was so much popular during the 80’s as a planning effort to revitalize the living environment of the middle-class, which have been affected highly by the car oriented developments in American suburbs. While the attention was mostly focused on physical planning in the *New Urbanism*, Communicative planning’s doctrine focused on the democratic process of decision-making. Since planning process based on deliberation is very much time consuming, it was assumed that while the process is gradually evolving to make the consensus and thus, its result fits the best for the whole community’s advantage, it is worth trying. However, many critics have targeted communicative approach for its ignorance toward the sources of power and its outcomes that are not necessarily just.

Susan Fainstein, who has devoted her scholarship to investigate a model of ‘just city’, puts her philosophical basis of justice on John Rawls’s conception of fairness. She criticize such contemporary planning approaches as New Urbanism and communicative planning for their inability to realize their premises and not achieving just outcomes, and thus concludes in favor of the Capabilities Approach, based on the works of Sen and Nussbaum. It suggests a list of capabilities that are considered necessary for a just city and make assessments on the level of justice, based on evaluations related to her list of capabilities. The advantage of Fainstein’s work lies in her conception of a just city in the first place. In comparison the former formulations, Fainstein goes further than just criticizing the existing system and provides a set of strategies and policies to be followed by planners and policy makers, in order to achieve more just outcomes. She suggests *Diversity, Democracy* and *Equity* as components of a just city by defending her choice based on the existing literature on the issue of justice and related to the planning doctrine in the western world. Moreover, after evaluating New York, London and Amsterdam in this term, she analyses their urban governance by providing examples of urban governance. Finally, she concludes for Amsterdam as the ‘just city’ and takes that as a role model for other cities.
Chapter 1: Introduction

In this study, Fainstein’s works over the subject of just city will be presented initially, and it will be investigated to see the extent that her formulation of just city is supported or not.
Susan Fainstein has been concerned with the issue of just city for some 30 years of scholarship through an intense research. From the early 70’s she devoted her scholarship work to study the contemporary history of urban planning in the west and concerned mostly about seeking a model of just city. In *New Directions in Planning Theory* (2000), she points to the shifting concern from logical positivism to ethics and public policy. She writes:

“Planning theorists have reframed their debates over methods and program to encompass issues of discourse and inclusiveness. During the 1970s and 80s proponents of positivist scientific analysis battled advocates of materialist political economy. While the divide between positivists and their opponents persists, other issues have come to define the leading edge of planning theory. Contemporary disagreements concern the usefulness of Habermasian communicative rationality, the effect of physical design on social outcomes, and the potential for stretching a post-Marxist political economy approach to encompass a more complex view of social structure and social benefits than was envisioned by materialist analysis. While discussions of communicative theory and political economy have transpired within academic journals and books, the body of planning thought concerned with physical design has grabbed public notice and received considerable attention within popular media”(Fainstein 2000).
There Fainstein examines three approaches of planning – The Communicative Model, The New Urbanism and The Just City model- of which she concludes in favor of the latter, and brings a modified form of the political-economy mode of analysis over it. (Fainstein 2000)

Considering different contemporary approaches towards justice, those of which concerned themselves either with the outcomes (Planning for Justice) or with the process (Justice for Planning), she pick two of the most mainstream schools, plus a “just city” model which has been widely developed by herself, although the critical urban theory behind it has been already existed in the works of many urban scholars such as Henry Lefebvre, David Harvey, and others who were against the existing capitalist logic of market, and therefore, criticizing the process and result of planning in the western world; Fainstein tries to develop a realistic framework of planning to lead it into more just outcomes. In the first two chapters of her book – The Just City, 2010- she brings a wide range of philosophical arguments over the issue, along with criticizing them or modestly responding to critics over her previous works. She vastly relies on the works of John Rawls as the theoretical basis to evaluate liberal political doctrine of policy making. She condemns contemporary approaches of urban planning, such as Communicative Planning and the New Urbanism either by their principles or by their outcomes and concludes in favor of Capabilities Approach to build her evolving framework of strategy adoption and public policy. In order to comply with a realistic understanding of her Just City, Susan Fainstein rely on her ‘justice’ indicators – Equity, Diversity and Democracy - to evaluate three cities of New York, London and Amsterdam and the she suggests a practical framework for planners toward her defined just city in the conclusions. In this study, it will be tried to present a clear overview of Fainstein’s work – The just city – at the core, and then to refer to some other scholars, in order to evaluate her formulation of the just city. The city of Amsterdam, as it is introduced by her: a comparatively just city will be investigated through the existing literature to examine the extent to which can be relied on, as a reference of a just city among other cities.

Since Fainstein’s work is deeply rooted in the theory of justice and very well developed from a planner’s perspective, it worth studying in terms of taking a practical approach towards the just city.
In this study, an overview over her conception of the just city will be brought and then it will be investigated according to other scholars if Fainstein’s formulation can be challenged with others critics.

By considering ‘Justice’ as the first evaluative criterion used in policy-making, Susan Fainstein criticizes contemporary theories of urban justice. In the first chapter of ‘The Just City’, she particularly shows interest to investigate the relationship between democratic processes and just outcomes and argues that there is no guarantee for the just outcomes, relying on the democratic processes by themselves.

Fainstein considers radical urban theories on the necessity of changing the system; and thus argues for a model of justice that accepts the possibility of ‘Non-reformist Reforms’\(^1\). Through an overview of David Harvey’s point of view, who usually adopts an all-or-nothing position, that anything short of systemic transformation merely props up existing structures of injustice, Fainstein instead agrees somehow with Erik Olin Write:

> “[Alternative] institutional designs can become part of pragmatic projects of social reform within the capitalist society. There are many possible capitalisms with many different ways of interjecting non-capitalist principals within social and economic institutions”. (Fainstein, 2010)

At the same time she worries that much recent debate over social justice in general, and progressive planning in particular seems too often to offer only a single remedy to all that hurts the city “a more open, more democratic process” which she argues is inadequate because it “overly idealizes open communication and neglects the substance of debate” (Fainstein 2010). Indeed, this remedy “fails to confront adequately the initial discrepancy of power, offers few clues to overcoming co-optation or resistance to reform, does not sufficiently address some of the major weaknesses of democratic theory, and diverts discussion from the substance of policy” which may or may not aim to increase equity, diversity, and democracy. In other words, although the

\(^1\) ‘Non-reformist’ or ‘Structural’ Reforms, stands against ‘Reformist’ Reforms. The distinction is that the
An epistemological approach can be known as a reaction to the top-down, technocratic approach, calling for open processes and caused an intense focus on the process of communication, Fainstein argues that insisting on the premises to take much care of the planning process, and ignoring the outcomes accordingly, their work has only been resulted into a general set of standards for urban planning, and that is more transparency and communicative urban planning.

Fainstein explain the relationship between inclusive deliberation, equity and justice, and she slides over the question of whether in an existing historical context citizens are good judges of their own interests or the public good. Unlike many current writers, Fainstein does not reject the notion of “false consciousness” out of hand, adopting instead a more nuanced argument -linked to a Gramscian notion of hegemonic ideology- that argues all manner of vested interests, parochial or not, may intercede between individual and collective knowledge and desire and any “public good.” “We cannot deny out of hand,” she argues, “that insulated decision making may produce more just outcomes than public participation.” (Fainstein 2010).

After critiquing a range of theoretical positions (from Harvey to Young, whom Fainstein oddly associates with “post structuralism”), Fainstein argues that within the context of urban planning the “most fruitful” approach to justice is the “capabilities approach” associated with Sen and Nussbaum. Under such an approach, judgments about particular policies or planning actions “would be based on whether their gestation was in accord with democratic norms (although not necessarily guided by the structures of deliberative or deep democracy), whether their distributional outcomes enhanced the capabilities of the relatively disadvantaged, and whether groups defined relationally achieved recognition from each other”.

Fainstein also concern herself with introducing justice as an evaluative criterion in policy-making, further than critiquing the existing literature of planning. She follows her empirical analysis by discussing urban development in the last 30 years among three metropolitan areas – New York, London, and Amsterdam-which are examined with respect to their political regimes and development outcomes. Then she identifies strategies that resulted in more just outcomes (Fainstein 2010).

In the following order, Fainstein devotes the first chapter of her book to discuss about conflicting views of equity, democracy and diversity; then she concerns with the moral issues raised by urban revitalizing programs in the second chapter along with studying
applicability of theories of justice to their implementations and then she tries to comparatively study revitalizing efforts in the three cities. To conclude the book, Fainstein examines a number of the issues raised by case studies and provides a series of principles to govern policy with the aim of furthering the goal of the just city.

2.1 From Communicative Planning to Capabilities Approach

Being concerned with the just outcomes of planning, Fainstein addresses the relation between democratic processes and just outcomes, by bringing the ‘communicative model of planning’ into the foreground and investigates the differences between the two approaches – as if to maintain the democratic process at the core of ‘just city planning’ or to consider its outcomes prior to the processes through which public policy manages. An intense focus on the process of communication holds the premise that blocked voices of citizens have resulted in the inequitable impacts the technocratic top-down approach. However, calls for open processes to achieve a more open, more democratic outcomes have been failed to confront adequately the initial discrepancy of power so far. Fainstein initially lays down the supporting arguments for communicative planning and then present her critique against the model’s assumption that a just process necessarily produces a just result.

Pointing to the Communicative Model, Fainstein argues that through an epistemological approach, it has been denied to take an objective (Value-free) methodology; instead, its rationality is based on the post-positivist thesis that ‘no identifiable objective’ reality exists, but rather only interpretations of reality (Fainstein 2010, 25). and thus we should regard policy making and planning as argumentative practices not as quasi science. According to the epistemology of post-positivism, Fainstein raises the concern as how knowledge is communicated and to an acceptance of a variety of ways of conveying an argument.

Through discussing the practice orientation of communicative planning, communicative rationality and neopragmatism converge in planning theory when used to provide a guide for action, as both emphasize on the importance of process in determining the ‘rightness of choices’ and hesitate to provide abstract criteria for evaluating the content of decisions. The concept of communicative planning starts with the proposition that
decisions should be made by an intersubjective effort at mutual understanding that refocuses the practices of planning to enable purposes to be communicatively discovered (Healey 1996).

While following ‘best practices’ approach of pragmatism would seemingly imply a judgment as to outcomes, it deals the issue by avoiding the development of a guide to what is “best”.

Since communicative planning has been widely appreciated among the New Left and social movements of the 60’s and 70’s, social scientists were searching for concepts that would support a vision of democracy extending beyond periodic voting and simple preference aggregation. Thus, the theory of Deliberative Democracy emerged within political science to counteract the dominance of the interest-based public choice paradigm. Theorists of deliberative democracy deny that individuals have fixed preferences, based on self-interest that can simply be registered; instead they claim that people’s views are informed through interaction with others. However, it does not adequately confront the constraints on democracy in a society where resources are privately owned and controlled.

2.1.1 False Consciousness and Communicative Planning

Communicative theorists assume that processes with unjust consequences must not have been genuinely open or else participants were inadequately informed as a result of distorted communication. The model assumes that participants know their own interests, or at least will discover them through the process of debate, and that by discussion they will transform the structures producing the background conditions necessary for deliberation. Marx’s concept of False Consciousness, in which unequal social relations structure people’s perceptions and Antonio Gramsci’s description of a hegemonic ideology come into play (Fainstein 2009). She continues her argument by explaining the concept of False Consciousness as not only a left-wing concept, but also an accepted theory between conservative theorists. The notion that policy makers could be above the political fray and make decisions based on an abstract formulation of the public good arose from a perception that people would choose policies based on short-range selfish considerations. Although this can provide a rationale for authoritarianism and privileging the interests of elites, it cannot be simply dismissed. Citizens, like elites, can
be misguided and self-serving as indicated by the prevalence of NIMBY²-ism within forums of popular participation.

Through communicative planning it has been emphasized to keep the process of planning democratic. The ideal that everyone’s opinion should be respectfully heard and that no particular group should be privileged in an interchange is an important normative argument; but it is not a sufficient one. To believe that a democratic process by itself necessarily result to a just result is not accepted by Feinstein. Every democratic process is a defected theory without keeping accurate and enough economic assumptions. To point to the importance of this issue, scholars have reported deliberative democracy with a weak outcome in inequitable economic situations so far.

Fainstein argues that by emphasizing on electoral participation toward a just end, while ignoring the reality of structural inequality and hierarchies of power may not be a sufficient view. She concludes that democratic deliberation functions only in situations of equal opportunity.

Fainstein criticizes communicative theorists because they concern themselves with the establishment of institutions that are to open interchange when they are to answer how to overcome structural impediments to democratic processes. But they will not evoke much enthusiasm for institutional transformation unless they can point to a substantive outcome beyond democracy itself as a consequence (Fainstein 2010).

2.1.2 Relationship Between Inclusive Deliberation, Equity and Justice

²NIMBY is the abbreviation for Not in my backyard. This phrase is used to describe the response that is made by neighborhoods and communities to proposed changes or developments close to them.
“What the neoliberal project requires are decision-making practices that are widely accepted as ‘democratic’ but that do not (or cannot) fundamentally challenge existing relations of power. Communicative planning, insofar as it is rooted in communicative action, is just such a decision-making practice” (Purcell 2009, 141).

Socialist theory in its Marxist form, on the other hand, do concern with the problem of equity in terms of ownership through redistributive attempts of the means of production. However, the failures of socialism, as they existed in the Soviet Union, caused the social democratic parties to moderate their egalitarian programs. Although many scholars such as Young (2001) and Nancy Fraser (1997), rely on the effectiveness of the democratic process itself, Fainstein cast doubts about the common belief as if demands for greater democracy, undistorted discourse, and recognition of difference seem to promise greater equality as a consequence of the stronger representation of the interests of non-elite groups; while the production of just outcomes has no predetermined program behind it as to indicate the content of justice or designating which participants in the discussion hold the moral high ground (Fainstein 2010).

An ideal democratic ‘process’, in which everyone’s idea is respectfully heard and no particular group is privileged in interchanges, is an important and a necessary normative argument; however, it is not sufficient in order to meet just outcomes through that process. Deliberative democracy operates poorly about social and economic inequalities and by considering the necessity of a democratic process to function well, it has to be tied to an economic program. While the analysis is purely political rather than political-economic, discussions within political and planning theory focus on democratic procedures without considering the problem of overcoming enormous inequalities of wealth and power. To put it in her own words:

“...In an unequal society democracy and justice are frequently at odds. My criticism of the proceduralist emphasis in planning theory is not directed at its extension of democracy beyond electoral participation but rather at a faith in the efficacy of open communication that ignores the reality of structural inequality and hierarchies of power...After deliberation has run its course, people may still make choices that are harmful to themselves or to minorities” (Fainstein 2010)

In Europe, with a more centralized form of power, corporatist bargaining has been institutionalized, and thus, locally based interest groups are less able to block state
action, the devolution of planning power to stakeholders and their assent to a plan is more likely to produce tangible results. Even there though, agreement by participants to a document does not necessarily mean that anything will happen. Hence, to be mentioned, another problem of communicative planning is the lengthy time required for such participatory processes, leading to burnout among citizen participants and disillusion as nothing ever seems to get accomplished (Fainstein 2000).

Moreover, there is this assumption among communicative theorists, that processes with unjust consequences must not have been genuinely open or else participants were inadequately informed as a result of distorted communication. In other words, the communicative model assumes that participants know their own interests, or at least will discover them through the process of debate, and that by discussion they will transform the structures producing the background conditions necessary for deliberation. That argument, of course, might be countered by Marx’s concept of “False Consciousness” in which unequal social relations structure people’s perceptions: The condition in which individuals are free to express their ideas to each other, but yet remain limited of existing social relations, institutions, and ideologies that cause them to accept programs contrary to their own long-term interests. Marcuse (1969) argues that as well as a consequence of capitalist hegemony, tolerance- that is, allowing the free play of ideas- can be repressive through marginalizing all discourse outside the mainstream. In addition, communicative theorists reject the possibility of desirable outcomes through paternalism and bureaucratic modes of decision making; some evidence of the desirability of such decision making process can be seen in the European welfare states, those of which whom ensuring health and security programs with a little reference to the interested public.

Taking the both possible outcomes – just and unjust- of a benevolent despotism, Fainstein points to the character of the state as an important contextual variable that needs to be accounted for in any prescription for deliberation; The planning process at all levels is highly connected to the role of the state, its powers and resources (Fainstein 2010).

As a critique against deliberative approach of planning, Fainstein considers the relationship between speech and action; that means words will not prevail of unsupported by a social force carrying with it a threat of disruption. In other words, there is a mutual relationship between the social movements and the consciousness that
is gained through formulating of ideas. To put ideas into practice, it takes leadership and mobilization of power, not simply people reasoning together. The disadvantage of the communicative theorists, as Fainstein says, sets in their vision toward the results: While they look for “democracy” as a consequence, they promote establishment of institutions that are conductive to open interchange; but they will not evoke such enthusiasm for institutional transformation unless they can point to a substantive outcome beyond democracy. Mark Purcell takes a similar position to Fainstein in this case. Through criticizing collaborative approach of planning, he writes:

“We should reject the argument that the proper aim of democratic decision-making is to achieve consensus and/or the common good […] the common good ethic restricts the political options of disadvantaged and marginalized groups […] the most effective way for them to overcome their disadvantage is to organize and advocate for their own interests. A social-movement model where disadvantaged groups come together to pursue democratic outcomes that best meet their particular interests” (Purcell 2008).

However, Fainstein takes Purcell’s viewpoint into challenge, pointing that by conflating democracy with economic equality, it redefines democracy away from its normally accepted meaning. While Purcell is imposing “Equity” rather than participation as the criterion to judge decision-making, his formulation derives from a logic that says without fairly substantial economic equality, formal democracy excludes from genuine influence. Although more open processes have become more popular recently, we see growing inequalities as a consequence of decision-making efforts. Thus, Fainstein believes, applying the criterion of “Equity” seems to be necessary, in order to evaluate and develop a formulation of the just city (Fainstein 2010).

To sum up, Fainstein’s criticism against communicative approach can be outlined as follows:

i. Real issues are avoided in order to achieve a nominal consensus that does not reflect reality

ii. Action/implementation is often a problem because the parties in this process are not honest about their intentions.

iii. It ignores the role of the powerful and their capacity to stall the implementation of agreed actions
iv. If the planner acts as a facilitator only, new and creative thinking can be stifled.

v. The process is usually too drawn out and resource hungry and can lead to cynicism and its being viewed as a ‘talking shop’.

vi. The NIMBY (Not In My Back Yard) effect can take hold among stakeholders that changes the status quo in too extreme a manner will be excluded.

vii. There is evidence that experts acting on their own often come to better solutions than stakeholders operating in a collaborative process.

2.1.3 The Capabilities Approach

Fainstein casts some doubts about the functionality of communicative planning in terms of its outcomes. She clearly distinguishes between keeping the best of democratic process and the possible just outcomes of such a deliberative approach: even if we consider the communicative planning process is held in its ideal democratic form, yet there is no guarantee for it to be resulted in just outcomes. It is possible to imagine a case of perfectly held democratic decision-making, which is affected by distorted communication and false consciousness and thus provides no just outcome. Other scholars such as Uitermark and Marcuse also criticize the communicative planning theory by pointing to its ignorance against the relations of power and authority.

Fainstein, however, suggests capabilities approach that is mostly based on the works of Sen and Nussbaum. Relying on John Rawls’ conception of justice as fairness – which is an accordingly widely accepted formulation of justice among contemporary philosophers- She offers an idea of justice that is based on three components of Diversity, Equity, and Democracy and urge planners to keep these evaluative normative in order to assess on the level of justice that cities are committed to.

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3 Although Fainstein suggests for Growth and Sustainability in addition to these three components in her earlier works, but they are not investigated through in ‘the just city’.
She credits the capabilities approach as the most fruitful of the various philosophical strategies regarding justice applicable to urban governance. After discussing about existing tensions among equity, diversity, and democracy, she mentions that there is not any general solution for such tensions; instead suggests to start with broadly applicable norms and spell them out as appropriate to particular circumstances. The capabilities approach can be considered an extension of liberalism in its emphasis on the development of the individual. It begins with a set of normative assumptions and places the individual within a network of affiliations. So instead of describing how people actually function, it explains what opportunities they have to do (Fainstein 2010).

Under capabilities approach, judgments about particular policies or planning actions would be based on whether their gestation was in accord with democratic norms (although not necessarily guided by the structures of deliberative or deep democracy), whether their distributional outcomes enhanced the capabilities of the relatively disadvantaged, and whether groups defined relationally achieved recognition from each other. So, the goodness of the capability set should be judged in terms of the quality as well as quantity of available opportunities (Clark 2005).

Capabilities do not describe how people actually behave, but what they have the opportunity to do; and they cannot be traded off against each other. Thus, it can be regarded as a communal ethic rather than individualistic and would protect urban residents from having to sacrifice quality of life for financial gain. Fainstein states that a commitment to justice over technical efficiency in evaluating the content of policy would shift the balance in favor of the disadvantaged. Moreover, some sort of capabilities (e.g. being able to live long) do not appear to involve a very meaningful notion of choice, while others (e.g. Housing) depend more on public action and social policy than individual choice, that are a subject of discussion in terms of seeking the just city (Fainstein 2010, Clark 2005).

Referring to Martha Nussbaum’s list of capabilities, Fainstein list a set of values necessary for the just city and require that each reach a minimum level. Those are democracy, diversity, equity, sustainability and growth. However, they might be traded off against each other to some extent (Most obviously, it happens among growth and equity, and growth and sustainability) (Fainstein 2005).

Since capabilities approach can be understood as an extension of liberalism, Fainstein builds her argument on John Rawls’ *Justice as Fairness* and calls for an understanding
toward the just city, relying on the existing potentials and possibilities within the Western Capitalist world. The advantage of Fainstein’s work would be that without taking a virtue-ethical position, she initially frame a believable concept of social justice based on common social norms, and then she investigates the path toward realizing such a just city. Although some other urban scholars such as David Harvey have investigated more critically the sources of injustice in the existing system and have reflected their serious criticism against the reproductive machines of injustice, yet they failed to propose clearly what has to be done, and how it might take place, if we want to change the existing defected system.

2.2 Qualities of the just city and their relationship

Fainstein looks over the short history of city planning and brings an overview on the characteristics of different approaches of planning over time. Much of urban planning has been regarded the nature of a good city instead of investigating the way ideals derive or the means to attain them. Although there were some efforts during the first part of the twentieth century to take care of the process of planning among American progressive reformers, in order to divorce public policy determination from political influence, but yet, the content of good policy was expected to be a result of good procedures.

Through the contemporary history of planning, along with the rationality, planners’ claim was based on an ideal of comprehensiveness by looking at living societies as a whole region, city or neighborhood; so planners could coordinate different elements of urban development by using modern statistical and analytical tools. However, both rational model and the ideal of comprehensiveness have been subjected to serious criticism. Charles Lindblom (1959) argues that the combined desire for rationality and comprehensiveness is both impractical and undesirable, since he characterizes the actual planning and policy making process as a progressive work based on a muddling through strategy (Fainstein 2010, 58-62).

The intellectual current of the 60’s and 70’s have questioned planning processes by condemning them to be influenced by the elite and upper middle class instead of the disadvantaged. For them, the moral justification of planning shifted to remedying the disadvantages produced by poverty and racial discrimination instead of producing a
public interest maximizing plan. However, critics against planning tradition— from progressive planners to Neo-Marxist paradigm— were not necessarily converging into conclusions. The more practice-oriented attempts presented some policies but without describing and justifying the underlying value positions and conditions that could produce the desired results.

Fainstein takes three principles of Democracy, Diversity and Equity as the moral basis of planning and policy-making to evaluate a just city.

2.2.1 Democracy

Through advocacy planning efforts in the second half of the twentieth century, calls for democratic control over planning decision makings arose in the 60’s and 70’s; because then planners and social welfare workers made decisions affecting citizens without any significant regard to their interests, knowledge and opinions. However, as Fainstein states:

“Citizen participation was to overcome the injustices caused by lack of responsiveness and failures of empathy, as well as being a value in its own right through its furtherance of democracy” (Fainstein 2010).

The purpose of inclusion in decision-making processes should be to have ideas represented fairly, not to value participation in itself. Taking justice as a goal, the requirement of democracy is mainly instrumental and without it, those with less power are likely to be treated badly.

Sherry Arnstein argues that for achieving a redistribution of benefits, it is necessary to have a redistribution of power. So community groups demanded power and consequently “Community control” became a central goal of urban activists during the 60’s and 70’s. However, more contemporary observations shows that highly mobilized protests faded both in the United States and in Europe; instead, public-private partnerships between business and government came into the foreground.

According to the outcomes of NRP (Neighborhood Revitalization Program) in Minneapolis, two considerations are noteworthy about collaborative planning efforts:

i. The equity outcomes of citizen deliberations may vary according to the particular values of active participants.
ii. Planners can affect the character of deliberation and move participants toward a greater commitment to just outcomes.

Moreover, while the primitive incentive for applying a democratic process of planning is usually to benefit the disadvantage groups of citizens, experience shows that such efforts are usually more interesting for the middle class residents based on its economic results (Fainstein 2010).

Institutional citizen participation, of course, increases the information available to policy makers through the local knowledge and should be embraced as long as it can provide a training ground for developing leadership skills and a path of upward political mobility. But it should not be seen as an end itself just to participate citizens. There is no guarantee that the more open participation necessarily results into more equitable outcomes.

2.2.2 Diversity

Jane Jacobs praised diversity as a source of economic productivity as well as its appealing functioning for a city, and in a wider perspective, because it brings creativity. Iris Marion Young, on the other hand, regardless of economic productivity, concerned more about the outcomes of diversity and its resulting social justice. Similarly, Leonie Sandercock regards urban diversity as a basis for a just city. Fainstein writes: “Still, despite the seeming unanimity of urban theorists on the merits of diversity, they differ substantially concerning the kinds of environments planners should aim to produce” (Fainstein 2005).

Post culturalist thought as a political formula gives rise to demands for language autonomy and acknowledgement of particular customs and in its call for the recognition of difference, it is emancipatory in pressing for the end of discrimination and acknowledgement of the positive aspects of other customs. Recognition has been regarded as a necessary component of a just society along with redistribution (Fainstein 2010).

To put “Recognition” into account, it is important to note that neither liberal nor Marxist arguments have been concerned with the recognition of the “other” and thus they have been targeted for the criticism in this term. Axel Honneth (2003) even goes
Further to assert “Distributional injustices must be understood as the institutional expression of social disrespect- or better said, of unjustified relations of recognition”.

However, liberal democratic theory ignores the rootedness of people in class, gender and cultural relationships by treating individuals atomistically. Fainstein argues that a further objection to the liberal formulations from Lock to Rawls could be that they unconsciously universalize the standpoint of the theorists – white males- and define interests solely in selfish terms. According to Manbridge (1990) liberty may remain as the first principle but should be redefined the human nature based on altruism rather than selfishness (Fainstein 2010).

Moreover, while much of attention has been paid to address economic inequalities through socialism, experience shows that abolition of private property may not dissolve ethnic and gender antagonism since it can increase the importance of symbolic differences.

Fainstein confirms what post-culturalism provides as corrections to both liberal and Marxist theories by incorporating context and group differences into the understanding of the meaning of justice. However, Fainstein argues, it can lead to essentialism and new forms of conflict rather than to the mutual respect and reduction of surplus repression. Of course recognition issues that has been translated into inclusion and exclusion, may help us into dealing with inequalities, either by group differences or as it has been discussed, economic.

Since diversity is becoming a new orthodoxy in urban planning, it is now claimed that ensuring diversity attracts human capital, encourages innovation and ensures fairness and equal access to a variety of groups.

According to Lofland (1998, 238-9), in the preindustrial city, “given the clear visual signaling of identities and a rigidly controlled system of hierarchy, diverse individuals and groups, despite sharing the same space at the same time, not only did not intersect socially, they often did not see one another”. In the present era, use of spatial symbolism and zoning has become instrumental in maintaining separation of dissimilar groups as courts have limited the employment of vagrancy laws and other mechanisms for sweeping away undesirables (Fainstein 2005).

Unlike democracy, urban scholars are not converge in crediting “diversity” as a moral value by itself, but as a leverage that may support equity to be reached through planning.
processes. Even Fainstein, whom take Diversity as one of the three criteria to evaluate the just city mentions the problematic use of this term. However, she supports the idea that even if inclusion/diversity does not hold a value by itself, but is very much related to the idea of justice. In response to Marcuse, whom believe diversity is only a value for outs and not the ins, Fainstein states:

“Diversity is a lesser value than equity; however, in an era of massive spatial mobility and consequent heterogeneity as streams of migrants move into urban areas around the world, diversity at the metropolitan scale becomes a necessary virtue” (Fainstein 2010, 68).

From Jane Jacobs to Richard Florida to Leonie Sandercock and Iris Marion Young have appreciated the possible outcomes of diversity in their works. Although they have addressed social diversity through different terms such as “recognition of the other” and “inclusion”, yet they converge in crediting diversity in its positive outcomes for the community. To explain the complexity of the concept of diversity, Fainstein adds, the relationship between diversity and equity as components of justice is not straightforward and there are tensions among diversity and other criteria of the just city.

In the formulation of diversity, it is important to note that inclusion does not mean that every space should be open to everyone all the time, but when needed, planners can limit access to some spaces. By providing the limited access of adults to the children’s playground, Fainstein mentions that the key factor would be to limit “Behavior” and not the “People”. Of course it might be a place of conflictual discussions, especially if color people are included in the discourse.

Another significant issue about diversity becomes visible when planners call for neighborhoods to encompass a broad income range and forbid discrimination on the basis of race, ethnicity and so forth. However, “requiring people to move against their will in order to achieve racial balance is counterproductive and an infringement on liberty” (Fainstein 2010).

Fainstein brings examples to highlight the tensions among diversity and other components of the just city. After reviewing the case of CHA (Chicago Housing Authority) in which they plan to demolish high-rise project and disperse their occupants, she writes:
“The achievement of diversity may come at the cost of other values. If people are moved against their will, then democracy and equity are not served. If neighborhoods become diverse as a consequence of gentrification, then the remaining low-income residents may lose their sense of ownership of the area even if they receive improved services [...] Diversity as a planning doctrine reflects an aspirational goal; at the same time the desirability of pressing for it depends very much on the process by which it is achieved and the class and racial/ethnic context in which it operates”.

(Fainstein 2010, 73-74)

Fainstein raises the issue of authenticity as well: “Although authenticity has become a goal for seekers of the diverse city, of all concepts within the critical literature on urbanism, it is perhaps the most difficult to pin down [...] While it is difficult to find a definition of authenticity in the literature on cities, there is an implication that the authenticity that underlies a genuine diversity apparently can be attained only spontaneously. Nonetheless, if this is the case, how can one make that happen? Moreover, is there a rationale for the requirement of genuineness? If the amenities of contrived authenticity satisfy users and generate economic growth, are there for dismissing it?” (Fainstein 2005)

2.2.3 Equity

Fainstein clearly distinguishes between the two terms of “Equity” and “Equality”, by explaining equity as it refers to 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. Further, it does not require that each person be treated the same but rather treatment be appropriate.

For that choice, Fainstein brings two clear reasons, first of which concerns with the term to be realistic to be objective in the context of capitalist cities, and thus, equity makes a better sense to Fainstein in order to provide an evaluative standard by which to judge urban policies. Secondly, because Equity implies fairness, that is a broadly accepted value than equality and so it has the power to gain wider political support than terms that explicitly target the better off. In the support of pro-equity movements, she writes:
“Urban policies, which are typically under the control of pro-growth regimes would require that the distributional outcomes of programs be measured in terms of (i) who benefits from them? (ii) to what extent? A pro-equity program favors the less well off more than the well to do. That is, it should be redistributive, not simply economically but also, as appropriate, politically, socially, and spatially” (Fainstein, 2010: 36)

While the usual basis for policy analysis lies in liberal political theory of utilitarianism – the greatest happiness of the greatest number – it says nothing about the happiness of those not among the majority. Considering fairness, distributional equity represents a particular concept in which policy aims at bettering the situation of those who without state intervention would suffer from relative deprivation.

In a contradiction between liberal formulation of utilitarianism and John Rawls’ conception of justice as fairness, Fainstein correctly points to arguments by Rawls in which he criticizes utilitarianism. Although, Rawls commit himself to build his theory on the liberal contract basis, Fainstein believes that he implies accordingly a ‘Realistic’ utopianism: the expectation is not of eliminating the material inequality, but rather of lessening it (Fainstein 2010).

Liberal tradition of political theory set forth principles for democratically forming a government that protects the rights of the individual. Jeremy Bentham and John Stuart Mills’ Utilitarianism provides guidance within that tradition for governmental decision making that incorporates an ideal of equity through establishing the public interest. Based on the theory of Utilitarianism, the selection of the “best” policy is a simple matter of calculation of the sum of individuals’ utilities. In other words, benefitting the “majority” means toward equity in this formulation of rights. However, this trend can be criticized, as it had been by Rawls, that in the Utilitarian view of justice, it does not matter, unless indirectly, how the sum of satisfaction is distributed among individuals. In practice, for example, as long as tenants can receive compensation for they loss, it does not matter if they lose their homes (Fainstein 2010).

Moreover, utilitarianism seems to be more problematic when it comes to practice. Calculation of the net satisfaction utilities remained a challenge insofar, for example, if they are calculated based on subjective responses then consensus on value usually becomes impossible. According to Iris Marion Young (2000), the assumption that each person’s interest should be given an equal weight regardless of one’s needs might be
faulted. For that matter, Fainstein regards Rawlsian logic for evaluating policy measures, in which we have to ensure that the less well off will gain the most benefit. At the same time, Fainstein argues, we can add the economic impact of policies to our evaluation (Fainstein 2010).

Although Marxian interpretations and Liberal formulations have brought their conceptions of justice, the capitalist economic system continues to generate crisis and inequality. However, arguments from liberalism and Marxism are no longer suffice as validations for a position regarding justice since both have been targeted for critics based on their failure to identify sources of oppression.

Equity usually becomes an issue in the planning when it comes to housing. Through a general comparison between European mentality of housing provision and that of the United States, Fainstein argues that “while U.S policy was successful in providing decent housing for a substantial proportion of the working class, but it contributed to urban sprawl, discriminated against minorities and caused public housing to be considered as a shelter for the last resort, thereby isolating and stigmatizing its low-income occupants”.

Moving from the post war era to the contemporary approaches of public housing provision, public-sector housing production declined both in the U.S and in Europe. With an exception of Northern European countries, market forces rather than democratic decision-making, determine the size and location of housing investment in the abovementioned continents. However, the abandonment of government-owned housing does not necessarily represent a move away from regarding housing as a basic right. Not to mention that in comparison to the late 20th century, the demand for social housing has been decreased along with a higher ownership rates.

The issue for American policy makers who wish to create greater equity is “how to even out the benefits to renters and owners in a way that makes housing more affordable for those in lower income ranges and allows them some of the privileges of ownership” (Fainstein 2010, 77-80).

2.3 From New York to London to the Just City of Amsterdam

2.3.1 New York
To evaluate the city of New York, Fainstein refers back to three criteria of equality, diversity, and participation; where the plan does best on diversity, calling for mixed-use and mixed-income development. It does so in the context of combined forces of immigration and gentrification, which over the last several decades have caused more neighborhoods to be mixed by income and ethnicity. The plan, which rezones low-income tracts for high-rise development, will encourage further gentrification, resulting in an unstable situation in parts of the city. At the same time, however, the continued existence of rent regulation and the presence of public housing mean that most areas housing low-income people will continue to retain at least some of that population (Freeman and Branconi 2004). Black-white segregation diminished little in the city between the last two decades and will be affected by the new plan primarily to the extent that formerly homogeneously black areas like Harlem are becoming more racially mixed. Although the city promotes mixed-income housing through incentives and builds affordable housing out of its own capital budget, no requirements exist to insure that income mixing will occur. Still, the continued influx of immigrants means that much of the city will become even more ethnically diverse.

In relation to equality, the plan emphasizes development in all five boroughs of the city, promotes the creation of affordable housing, and calls for additional parks and waterfront access in poor neighborhoods. But, while parts of it reflect sensitivity to the concerns of low-income communities, its major projects utilize huge sums of public money and tax forgiveness for endeavours that radically transform their locations, stir up local opposition, and threaten to sharpen the contrast between the rich and the poor.

The components of the plan are restricted to land use and development; it does not link these initiatives to education, job training and placement, or social services (Marcuse). The overall context in which the plan has been framed is one where tens of thousands of housing units are being withdrawn from the affordable housing stock, the middle class is shrinking, and inequality is increasing, while the city is seeing breath taking levels of wealth acquired by the elite. In terms of citizen participation the plan is extremely uneven, with its major projects insulated from public oversight. New York’s charter mandates community boards to advise on redevelopment projects conducted by the city.
The government has evaded the requirement for local participation by placing large schemes in the hands of New York State’s Empire State Development Corporation, which is not bound by this stipulation and has powers to override city zoning and to exercise eminent domain. Thus, while there may be endless meetings and citizen input into arrangements for a small park, there will be nothing but pro forma hearings for the construction of a stadium or a megaproject in central Brooklyn. But, even when public consultation takes place, it does not necessarily protect those being targeted for removal. Thus, in the conversion of the Bronx Terminal Market from an agglomeration of locally owned, ethnic food wholesalers to a retail shopping mall owned by the city’s largest speculative developer and populated by chain stores, the community board approved the action (Fainstein 2007), indicating the way in which deliberation does not necessarily promote equality (Fainstein, 2009).

In Fainstein’s “the just city”, she clearly addresses the possible tensions among different indicators of justice in the city as she builds her argument on them. It is important to note that such values as democracy, equity and diversity may require different social activities to be fulfilled, of course, they can be contradicting against each other at some points; which would result into conflicts between different parties. According to Richard Sennett, people will consent to new arrangements if they are required to experience them. To force the experience, however, is to override democratic and possibly to cause a ratcheting up of animosities (Soja 2009).

2.3.2 London
In 2004 the Mayor published the London Plan (Mayor of London 2004), which subsequently received parliamentary approval and thus, unlike New York’s plan, is binding. As well as guiding growth and requiring the construction of housing to accommodate predicted population increase, it concerns itself with affordable housing and promoting policies for education, health, safety, skills development and community services, and tackling discrimination. Thus, at least in intention, it is directed toward social as well as physical issues.
The principal thrust of the plan is toward accommodating growth. While there are sections related to all areas of the city, the main initiative is the redevelopment of the Thames Gateway, an area encompassing the poorest districts of London but also stretching eastward out to the border of Kent and including a variety of residential, commercial, and industrial sites, as well as brownfields and flood plains. This emphasis can be interpreted in two ways: as an effort to upgrade the most disadvantaged part of the city, providing jobs and housing for its present population as well as making provision for further influxes; or as a means of diverting development from the resistant, well-to-do areas that surround central London, where residents are hostile to higher densities (Edwards 2008).

Generally the plan has a much stronger commitment toward equality than New York’s, as befits the product of a Labor government. Under Section 106 of the UK Town and Country Planning Act, local authorities bargain with developers for “planning gain”. Whereas the Thatcher administration had opposed requiring developers to provide community benefits except to mitigate the direct effects of development, the succeeding Labor government strongly encouraged the use of planning gain to force developers to provide amenities and social programs as well as affordable housing. It became central government policy that all new developments in London with more than 15 units of housing had to provide 50 percent affordable units (50% market, 35% social rented, and 15% intermediate housing). Some of these would be achieved through cross-subsidy by market-rate units, but in addition substantial sums were available through the nationally funded Housing Corporation to support construction by housing associations. On the criterion of equality then, London’s spatial planning far surpasses New York’s. Confronted by the same issues of gentrification, minority group poverty and unemployment, and soaring housing prices as New York, London shows far greater commitment to overcoming disadvantage. Furthermore, even though it similarly encourages economic development based on expansion of advanced service sectors, it does not do so through the provision of large public subsidies to developers and firms. Nevertheless, its policies are not altogether benign in respect to the beneficiaries of public investment. The primary tool for stimulating business development is transport infrastructure provision, which has positive economic and environmental effects. However, although low-income people do receive accessibility benefits from investment in public transit, they must pay substantially for them. Transport for London
relies heavily on user fees, causing travel within Greater London to be very costly (Soja 2009).

London like New York has an extremely diverse population with immigrants from everywhere in the world. It has nothing like New York’s black-white divide, but South Asians do cluster in a number of its wards. The housing plan for London, by requiring that all new developments contain affordable housing, represents a step toward increasing income diversity and, given the likelihood that the low-income units will be taken by immigrant households, ethnic diversity as well. The plan, however, probably will do little to halt gentrification in boroughs like Islington nor will it have a transformative effect on existing upper class areas, either within central London or the suburbs.

The Mayor’s Office claims to have consulted very broadly in developing the plan and expects that its implementation will be carried out by partnerships among local authorities, private business, and community organizations. For many years now the government at both national and local levels has emphasized such partnerships, which have proliferated across London and which unquestionably play a significant role in development. They are, however, heavily reliant on private investment; consequently, developers and business firms can easily override citizens by simply refusing to invest. On the other hand, the private sector takes it for granted that it will have to provide a public benefit in order to obtain planning permission and devotes considerable time and energy to wooing local residents with promises of recreational facilities, training institutions, and job commitments. Community participants may not get their way, but they are not shut out of the planning process, as is often the case in New York (Fainstein 2010).

2.3.3 Amsterdam: The Just City
Of the three cities Amsterdam offers the most equality, diversity, and participation. Between 1945 and 1985 about 90 percent of all new housing in the city was comprised of social rented housing (van de Ven 2004). John Gilderbloom takes Amsterdam as an example of how a capitalist city can meet the essential needs of citizens, such as health, housing, safety, individual freedom, sustainability and transportation. (Gilderbloom 2008, 18) and Fainstein calls it a realistic utopia (Fainstein 2010, 139).
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Through her comparative study among New York, London, and Amsterdam, Fainstein declares that Amsterdam is holding a considerably greater level of equality. It offers substantial public amenities, excellent, cheap transit and extensive social services. The city did well economically during the 90’s and 2000’s and unlike the American and British case studies; the immigrant flow has not been significantly curtailed.

History of planning in Amsterdam plays a significant role in their outcomes as well. The specific geographical characteristic of the city, which requires construction projects with drainage and landfill and consequently higher expenses, makes individual developers dependent on governmental authority to decide which areas to be developed. The municipality would own the land and private developers could only obtain leasehold rights to their property; and thus the public would gain from increases in land values. The post-war planning focused on housing provision to deal with its severe housing shortage. Accompanied by a strict rent control program, the city’s government provided a considerable amount of affordable housing. 90% of the new developments between 1945 and 1985 were for publicly assisted rental dwellings. During the 60’s the economy expanded and consequently an immigration wave flowed into the city from Turkey and Morocco. Growth in household size and the demand for housing caused a move to the suburbs by white middle-class households. In 1975, the Dutch colony of Surinamese became independent and a large number of immigrants settled in the newly developed Bijlmermeer, producing an ethnic concentration (Fainstein 2010).

However, by the end of the 70’s, along with economic crisis in the Netherlands, Amsterdam was particularly affected and thus, similar to New York and London, Amsterdam involved recovery from severe fiscal crisis and a restructuring of welfare system during the 80’s and 90’s. Nevertheless, city’s commitment to housing support policies was continued through construction of additional housing and also rent subsidies while emphasizing on economic growth and entrepreneurship. By the 2000’s, the majority of the city’s residents still lived in social housing and a further group enjoyed rent control in private rental housing.

2.3.3.1 Pillarization
Pillarization is a unique Dutch system on which the distribution of welfare payments and social services depends. That allowed state money to be guided through religion-based organizations as well as through secular philanthropic, cultural or political groups. So each pillar has its own schools, hospitals, housing corporations, trade unions,
social work agencies, political party, sport clubs and so on and a strong sense of solidarity exists within each pillar. According to Cross and Entzinger:

“Inter-pillar contacts were virtually absent in the private sphere; in the public sphere they took place only between elites; hence the metaphor of pillars jointly carrying their roof. The major function of the system was to guarantee each cultural or religious grouping a substantial degree of autonomy. At the same time their internal solidarity proved to be very effective in achieving better chances for the less privileged members of each group” (1998).

As a consequence of pillarization, public services are more likely to be delivered to citizens, regardless of existing spatial segregation among neighborhoods.

2.3.3.2 Urban Renewal
Through a period of twenty years - between the mid 60’s to the mid 80’s- urban social movements in Amsterdam were aiming at transforming the city in accordance with their libertarian goals. Two distinguishable braches of the Left were fighting each other in this regard and urban renewal became a focal point of the struggle. On one side, the city council that was dominated by a Left coalition of traditional socialists, assumed that the city could be renewed by vast demolishing of its older districts and by expansion of motorways and constructing office buildings at central historic sites. However, the planned engineering of the city did not get much credit from the public, instead, small-scale, affordable housing tended to become a new catchphrase in urban renewal. Fainstein states:

“In comparison to London’s Coin Street rebellion, the protest against urban renewal in Amsterdam had much greater scope. Rather than simply turning around a single project, it succeeded in reversing the entire approach to planning for a quarter of century” (Fainstein 2010: 148).

The method for redeveloping inhabited areas tend to turn from being top-down and modernist, and involved demanding community input, emphasizing preservation and operating on a small scale; and in the same time, egalitarian aims of the original strategy, such as seen in the commitment to social housing, remained (Fainstein 2010: 148-149).
2.3.3.3 Social Housing

From the 90’s, development of the social housing by the government has dropped off according to fitting the expenditures and revenues based on European Union regulations. At the same time, the associations were permitted to sell housing units and allowed to follow the market to keep the renting price. However, qualified low-income tenants were protected from rising by continuation of rent subsidies. Although many fear that the commitment to justice is diminishing under the assault of globalization and anti-immigration sentiment. Nonetheless, although the move toward less government support of social housing is a move away from egalitarianism, a slippage from 90 percent to 50 percent social housing still puts Amsterdam way ahead of both New York and London in terms of commitment to equity (Fainstein 2009).

Although from the 2000’s policies were directed to encourage home-ownership, but Fainstein takes a supporting side, stating that developing housing for owner occupation was to create more socially integrated neighborhoods. Although the location would be an issue for them, displaced renters will however continue to receive a housing subsidy, which enables them to live in a decent housing somewhere. The Dutch housing reform, in comparison to the British case (Thatcher Right-to-buy program), did not result in the total marginalization of the social housing stock, of course, because it did not promote large-scale housing (Fainstein 2010, 151-153).

2.3.3.3.1 The Bijlmermeer

The complex of Bijlmermeer that originally constructed in the 60’s and 70’s, was intended to provide housing expectedly for around one hundred thousand residents within forty thousand dwellings and targeted working and middle-class families. The scale of the structures, despite the high quality of the apartments, made them unattractive to the native Dutch working class, who were originally envisioned as the occupants. While it never became as homogeneously black as a typical American ghetto, the Bijlmermeer nevertheless was perceived as an undesirable area. Although the original plan was very much dependent on modernist...

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Figure 2: The Bijlmermeer
doctrine of planning, right after the construction started, planning wisdom had moved away from the principles on which it was designed; and thus the development shifted from being exclusively composed for social rented housing to a more diverse mix.

In 1985 signs of failure showed up with a 25 per cent vacancy rate and with half of the buildings remained to be completed. Consequently it became the home, mainly of ethnic minorities (especially Surinamese) and the drug market, which have been cleaned up from the city center, moved to the Bijlmermeer.

In the late 80’s the area decided to be reconstructed by the city officials. Revitalization was predicated on a commitment to multiculturalism and community participation, and involuntary displacement was avoided. This shift has been criticized by some for betraying the socialist origins of the project and for resulting in gentrification. Many residents of the new, more expensive units, however, moved into them from the original buildings, express satisfaction at being able to stay in the area, and praise the opportunity to live in a multicultural environment (Baart 2003). A shopping center and office buildings directly adjacent to the housing complex was designed as a part of redevelopment plan. The local council increased its numbers of minority members in order to make the development plan more inclusive and the black residents who initially resisted the plan, turned to become its supporters and Surinamese residents, appreciated the opportunity to stay in the development by purchasing houses and flats in the new low-rise structures (Fainstein 2010).

To put it in Fainstein’s words: “What is particularly striking about the redesigned project is that it retained its ethnic mix. In fact, the promotional strategy for the area targeted middle-class cosmopolitans by plating up the strengths of existing diversity, and its multicultural character was one of its attractions to home buyers” (Fainstein 2010).

Highlighting the case of Bijlmermeer, Fainstein calls it a particular Dutch approach to urban development; in which policy makers seek a rational solution to any existing problem. A high level of flexibility exists through the common trend of implementation: once the realization does not fit the initial expectations, it is restudied and rethought. However, she adds that in 2008, it was not still clear whether the revitalization was a complete success. Crime and unemployment remained as issues and the youth complain of boredom. Despite these facts, the area was substantially improved over its former
self, and the revitalization was predicated on a commitment to multiculturalism, egalitarianism, and community participation (Fainstein 2010, 156-159).

In a paper entitled “Can we make the cities we want?” (1999), Fainstein used Amsterdam as an example of the extent of practicable possibility, arguing that its successes allow a grounded utopianism. Even though it is the product of a particular historical path that cannot be precisely replicated elsewhere, it nevertheless indicates the potential for a move toward greater social justice without indulgence in an abstract utopianism that is easily dismissed as unrealistic (Fainstein 2001).

Under a concluding part of her Amsterdam chapter, Fainstein sum up the evaluation by which the city stands above than New York and London in the just city ranking.

Diversity:

i. The city succeeded in achieving inclusion of immigrant groups: through increasing spatial integration of big immigrant groups as well as improved educational performance and labor market participation.

ii. The population of the city is diverse through most of the neighborhoods and public spaces of Amsterdam.

Democracy:

i. Democratic participation is encouraged.

ii. Decentralization of governance to the district level: Districts hold responsibilities for planning, zoning, public services and cultural activities.

iii. Districts are governed by elected councilors and there are sufficient financial means to certainly represent neighborhood interests.

iv. Districts are much smaller compared to New York’s community districts and London’s boroughs.

And for equity Fainstein refers to the Gini index of the city comparing to the case of United States, Britain and Northern European countries, that shows a higher level of equality among Amsterdammers.

Moreover, pointing to the principal cause of injustice in the city (the absolute shortage of available housing), Fainstein argues that it affects all population groups, of course not all equally. Social housing continues to shelter the majority of residents, and rent subsidies ensure that everyone has access to shelter somewhere.
However, Fainstein explains that “much of that city’s success, results from postwar planning that did not consciously commit itself to the [just city components]. When it did not, as in the 1980’s efforts to carry out wholesale urban renewal in its 19th century ring, fierce opposition stopped the government’s program…The underpinning of successful planning in Amsterdam is a national housing policy that equalizes access to housing among different income and ethnic groups. The municipality, which administers the use of housing funds, does not prevent clustering by ethnicity. It does however, make sure that no neighborhood is totally homogeneous” (Fainstein 2005, 15).

By keeping the case of Amsterdam as an exemplary one in relation to the components of just city, Fainstein adds: “Amsterdam may not be the ideal city, and it is less egalitarian than in the past, but still represents a model to which others might aspire” (Fainstein 2010, 164).

2.4 Moving Toward The Just City

Fainstein’s concluding part of The Just City is mainly devoted to provide policy guidelines and strategies to fulfill the progress towards planning for justice. Regarding her conceptualization of the problem, she refers back to her primary questions, those on which Fainstein’s argument are based on. To answer the last of four mentioned questions4, she initially try to scheme a set of strategies and policies to be followed. To this extent, she points out Harvey’s criticism over her approach in which Harvey believed “Acting within the existing capitalist regime of rights and freedoms…[can only result in] mitigating the worst outcomes at the margins of an unjust system”

4 Four questions are:

i. What are the qualities comprising a just city within the wealthy western world?

ii. To what extent, have the qualities of a just city been realized in the recent history of western cities?

iii. What are the economic and social forces, politics, planning, and policies that have shaped this history?

iv. What strategies can be followed at the subnational level to improve social justice and what are the institutions/social movements that might bring them about?
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(Harvey, 2009, 46) and tries to defend her set of policies toward the just city and so she implies the experienced achievements in these terms by an accordingly a similar approach to hers. (Fainstein, 2009, 164-165)

“We are obliged to search for new methods of economic organization that provide more stable frameworks for people’s employment and which are less environmentally destructive. The living wage movement in the US represents one approach in a situation of most flexible capitalism. Within Europe the French move toward limiting work hours and Dutch dependence on part-time work represent reforms under a mode of more regulated capitalism. The continued existence of the European national welfare states in the face of ideological assaults on their viability demonstrates the possibility of retaining social benefits even within the context of heightened global competition” (Fainstein 2001).

Highlighting Nussbaum and Young’s stipulations point to criteria for policy evaluation, Fainstein argues that they did not go as far as identifying what sorts of policies would bring about the outcomes they desire. She claims that her argument, rather than stating minimum standards, presses for the maximization of the tree values of equity, diversity and democracy, as expressed in a set of norms by which to direct and evaluate policy. Fainstein, goes further than to indicate how much of value is needed to be presented as a standard of justice, or just to indicate the acceptable trade-offs in this process, by seeking to identify the kinds of policies available to local decision makers that are likely to increase justice as measured by the tree criteria.

Unlike Harvey, Fainstein does not appreciate a totally revolutionary approach toward a just city; instead she calls for the principles that can move cities closer to justice under non-reformist reforms. Although there is nothing unique between different cities about their path of socio-economic development through history, but she argues: “We can imagine a movement toward a common goal on increasing equity in relation to housing, economic development, and access to public space” (Fainstein 2010, 168-171).

Fainstein’s list of capabilities is more context-dependent and much more detailed than Nussbaum’s presentation of capabilities. Of course, holding some assumptions is necessary in order to follow Fainstein’s formulation to the just city. However, assumption that our societies have a pre-existing commitment to the democratic-egalitarian norms, as well as a history of applying such norms sounds pretty realistic in
order to take action. Not to ignore the importance of national policy in terms of enabling local efforts to achieve justice, Fainstein believes that localities are more powerful in terms of mobilization and decision-making, so she does not go further than suggestions for planning and policies at the local level.

So Fainstein’s list can be summed up as follows:

**In Furtherance of Equality**

i. All new housing developments should provide units for household below the median.

ii. Housing units developed to be affordable should remain in the affordable housing pool.

iii. Households and businesses should not be relocated involuntary.

iv. Economic development programs should give priority to the interests of employees and small businesses.

v. Megaprojects should be subject to heightened scrutiny, by providing direct benefits to low-income people through employment provisions.

vi. Fares for intercity transit should be kept very low.

vii. Planners should take an active role in deliberative settings in pressing for egalitarian solutions.

**In furtherance of Diversity**

i. Households should not be required to move for the purpose of obtaining diversity

ii. Zoning should not be used for discriminatory ends but rather should foster inclusion

iii. Boundaries between districts should be porous

iv. Public space should be widely accessible.

v. Public authorities should assist groups who have historically suffered from discrimination in achieving access to opportunity in housing, education and employment.

**In Furtherance of Democracy**

i. Groups that are not able to participate directly in the decision making process, should be represented by advocates.

ii. Plans should be developed in consultation with the target group.
Fainstein then reminds the characteristics of her guidelines that are assuming to be applied in a liberal-democratic political tradition and they do require a considerable increase in governmental involvement through regulation and some increase in public ownership. So she suggests that development of affordable housing could occur through the governmental, for profit, and non-profit sectors, but at the same time, would depend on generous public subsidy and intervention. Fainstein does not insist on the public space to be owned publicly, instead, she suggest that if it is owned privately, then the public space should be subject to substantial constraints. After raising the necessity for existing a national context for the extent of public ownership, in a comparison between Europe and the United States she states:

“Europe has moved toward public private partnerships and housing privatization, but government regulation and ownership remain more prominent than in the United States, and public ownership enjoys more popular support” (Fainstein 2010).

Fainstein brings an example from the 70’s in London, which the Greater London Council sponsored small and medium-sized businesses in deprived areas. The outcome was sufficiently successful and afterwards it was able to continue without government support and belied the premise that state-created entities are incapable of efficient operations. Thus she calls for a possibility of equity participation of government in small business development.

Looking for a public-private hybrid that is less bureaucratic than the programs that are operated directly by the government, Fainstein suggests for assured funding and guarantees for their longevity. Reviewing the three case studies of Fainstein’s works, she mentions Non-Governmental Organizations (NGOs) as such players to put their public funds into implementation of housing and welfare policies; this said, NGOs tend to be crowded out of the market during boom times and then the role of the government might be more determining, as it was in the case of Amsterdam.

Moreover, Fainstein present some strategies for the achievement of the policy guidelines she provided. She refers back to Max Weber in order to highlight the only advantage of Planners and Policy Analysts against the bureaucratic and market restrictions upon their flexibility of action; that is, their control over information, based
on which their political superiors can be bent to their will. In other words, while bureaucrats are under constraints from their political superiors, they can shift the debate toward a concern of-for example-equality, using their representative tools. Of course, if so, planners will need support from a political base, that might be fulfilled through citizen activism, because citizens have an interest in knowing who is getting what. Fainstein points to the protest movements and argues that governments become more responsive to popular interests when there is a threat from below, and when there is no pressure, official participatory bodies are likely to become co-opted.

Although there are limits to what can be accomplished at the urban level, a concern of justice can at least prevent urban regimes from displacing residents involuntarily, destroying communities and directing resources at costly mega projects with few general benefits. Of course, with a more positive perspective, it can lead to policies that foster equitable distribution of governmental revenues and produce a lively, diverse, and accessible public realm (Fainstein 2010).
3 FAINSTEIN’S JUST CITY: EVIDENCE AND DISCUSSION ON THEORY AND CONCLUSIONS

Within the previous chapter an overview over Fainstein’s concept of just city have presented. Through her argument, she initially criticizes the currently dominant approach of urban planning – communicative approach- by criticizing it mostly based on its focus, that is on the process instead of outcomes. Then she explains her idea of justice, and provides criteria to evaluate a just city. Diversity, democracy and equity are those to be regarded in order to evaluate a just city. Then she investigates the extent to which those criteria have been applied in the cities of New York, London and Amsterdam and concludes for the latter as the most just city and finally she suggests strategies to be followed in order to meet just city components. In this chapter, there would be four subchapters devoted to evaluate Fainstein’s view on the just city. Initially, an overview on the communicative planning approach will be brought to compare Fainstein’s perspective against the communicative approach with other existing critics. Then, a focus will be devoted to the just city components that are presented by Fainstein. Since Fainstein goes into a synthesis between the three factors and rises the tension among them as an issue, some more considerations will be mentioned in regard to diversity, equity and democracy criteria. Finally an overview over the contemporary conceptualizations of the just city will be brought to compare against Fainstein’s formulation.
3.1 Limits of the contemporary planning approaches

In Fainstein’s analysis of communicative planning, much of attention has been paid to conclude that insisting on the democratic processes will not necessarily result in just outcomes. Communicative planning, of course, has a considerable amount of credit in terms of encouraging open processes of urban planning and deliberative decision-making and thus has pushed the boundaries of urban governance toward a more democratic planning. However, urban scholars are providing thoughtful critics against its achievements. Much of the literature on communicative planning is devoted to draw a schema of its possibilities and visions, which have not been investigated any more by Fainstein rather than to support the inclusive advantage of communicative planning as a whole; and then to criticizing the focus of communicative theorists on the theory. In this subchapter some other analysis and criticism will be presented to evaluate Fainstein’s view over communicative planning and then on capabilities approach.

3.1.1 New Urbanism and the Planning Market

By the early 80’s, the movement of New Urbanism was a serious effort to push back the defected outcomes of modernist architecture and planning in American communities. The Charter of New Urbanism was to keep the goals and aims at the top; which deliberately shows their level of commitment to a theoretical base of argument.

A very distinguishable trend to which the movement of New Urbanism shows dedication, is discouraging the society from wasting the natural resources and to raise citizen’s environmental awareness over their living vicinity; As well as encouraging diversity. It has been written in the Charter of New Urbanism: “We stand for the restoration of existing urban centers and towns within coherent metropolitan regions, the reconfiguration of metropolitan areas...”

Figure 3: This 13-page cover story in Newsweek was the first high profile recognition of the New Urbanism in a national news magazine in the U.S. (1995)
of sprawling suburbs into communities of real neighborhoods and diverse districts, the conservation of natural environments, and the preservation of our built legacy.”

Yet suggesting a positive view toward the urban life, The New Urbanism lacks a critical urban theory to rely on. Some many other movements that get affected by New Urbanism type movements were missing the critical part as well. New Urbanism focuses on bringing a new form of institutionalism rather than a new idea of planning. It was for the time period in which “Urban Planning” had started to become a widely accepted academic concept and in the same time, very money producing in its professional market. So many planning efforts have been misguided through following the rhetoric strategy to win the more public interest, which is economically feasible as well. Dedication to the radical approach loses its place to making the public “Interested” in the areas of concern that planners address to and the relationship between planners and the public tend to be more seller-buyer type rather than advocate-client. Thus, the local planning sectors have educated the public occasionally, and the tendencies were to attract more public attention rather than providing a sense of comprehensive public awareness over the issues. New Urbanism never urges to redefine its charter and preferred to follow the rule of market [of planning]. Highlighting the New Urbanism dedication from the charter: “We dedicate ourselves to reclaiming our homes, blocks, streets, parks, neighborhoods, districts, towns, cities, regions, and environment.” they do not go any further to define their philosophy of movement and their approach toward reaching their visions, nor they suggest any democratically possible and economically feasible action plan toward their public-interested projects. Nevertheless, there is no surprise if the “market” of planning follows the current economic crisis and begins to be as much inefficient as the market.

To support Fainstein criticism against the new urbanism, she refers to Harvey in her essay (Fainstein, 2000) and highlights some defections: “The movement is less convincing in its approach to social injustice. Harvey fears that the new urbanism can commit the same errors as modernism--of assuming that changing people's physical environment will somehow take care of the social inequalities that warped their lives. To be sure, with its emphasis on community, it is unlikely to commit the principal sin of modernist redevelopment programs--destroying communities in order to put people in the orderly environments that were thought to enhance living conditions. The real problem replicates the one that defeated Ebenezer Howard's radical principles in the
construction of garden cities. In order to achieve investor backing for his schemes, Howard was forced to trade away his aims of a socialist commonwealth and a city that accommodated all levels of society (Fishman, 1977). The new urbanists must also rely on private developers to build and finance their visions; consequently they are producing only slightly less exclusive suburbs than the ones they dislike. Although their creations will contain greater physical diversity than their predecessors, their social composition will not differ markedly” (Fainstein 2000).

Harvey (1997) also worries that the new urbanist emphasis on community disregards "the darker side" of communitarianism. He claims "community has ever been one of the key sites of social control and surveillance bordering on overt social repression. As a consequence, community has often been a barrier to rather than facilitator of progressive social change." He is apprehensive that the enforced conformity of community blocks the creativity arising from diversity and conflict. He thus raises issues that have been major points of debate in discussions of institutionalized community participation among supporters of redistributive measures (Fainstein 1990): advocates argue that community power raises the self-esteem of members, while opponents fear that it produces parochialism and failure to recognize broader class interests” (Fainstein 2000).

Moreover, modern planning has focused on developing strategies to be implemented through bureaucratic organizations. In the public sector, goals and objectives were to be defined by legislatures, and planning was the process of interpreting these goals and organizing the people and resources to achieve them. Changes in goals were not to come from public agencies, but rather from the political process. Peter Marcuse criticizes the current planning approach for being a tool under the control of the powerful:

“[Urban Planning] has become identified with professional planning, and professional planning has in turn become what professional planners are today allowed to do in the conventional practice of their profession by those in a position to pay them, their employers and their clients, who are overwhelmingly those that hold power in the society”(Marcuse 2009).

Thus, the bureaucratic organizational structure was highly desirable, because its very “machine-like” structure greatly reduced the likelihood of responsive policy changes within government agencies and bureaus (Westley 1995). The term “policy planning”
refers to this process of implementing broad public goals through administrative agencies and program activities. Charles Lindblom outlined the rational-comprehensive approach to policy planning: define objectives, develop alternative strategies to achieve them, develop comprehensive information for analyzing their consequences, and choose the best option. The decision criterion was “net public benefit” and usually based on some form of cost-benefit analysis. Lindblom argued that this model was unrealistic: complete information was impossible; objectives were interdependent with means; cost-benefit analysis could address only a narrow range of decision criteria; and experience was necessary to know if policies worked. His articles were widely read, but his warnings completely unheeded (Shannon 1999).

Thus, although New Urbanism can be considered as a revitalizing effort to serve the middle class in their neighborhoods, much of criticism have targeted it for not considering the role of power between the state and planning practice; and consequently it has not provided much 'just' outcomes to be recognized as an effective move toward the just city. Communicative Planning on the other hand, had promoted much concentration on the process of deliberation to be democratic and in this case can be considered as devotion toward Fainstein’s desirable criteria of justice. However, the study will move on to review the arguments against the practical side of Communicative approach to see if it can be relied in the path toward the just city.

3.1.2 Process versus The Outcome
Over the recent decades, there has been a growing debate over theoretical bases and practical possibilities of the communicative approach. Spite that communicative planning widely relies on its deliberative basis to justify the decision-making process, some urban scholars cast doubts that if insisting on a democratic process, apart from analyzing the relations of power among the state and stakeholders, would necessarily result into appropriate outcomes of a just city. Marco Huxley (2000), point to the structural problems of communicative planning, He writes:

“Habermas's location of the realm of communicative action in the life world and discursive democracy in the public sphere highlights the tensions in assumptions about the ability of the planning system as part of the state and hence the system to create forums for deliberative debate. Insofar as communicative planning theory finds part of its inspiration in Habermas's
theories of communicative action, the failure to problematize the relationship between planning practice and the state raises questions about the extent to which communicative planning can bring about the sorts of social change that communicative planning theory suggests are possible and desirable” (Huxley 2000).

However, Fainstein does not go any further to explore the relationship between the process and outcome. Peter Marcuse points to the importance of investigating the relationship between the process, and the outcome; and Connolly and Steil go even further to argue that the outcome is nothing separable from the process. They also point to the difference between planning approaches in the sense of being distributive of power or of economic resources. In their own words:

“With regard to the distribution of power in urban development processes, there is a tension within the urban planning field between efforts to achieve more equal distribution of economic resources and more equal distribution of decision-making power. The communicative rationalist stream of planning theory generally foregrounds equal participation in decision-making as a prerequisite for just economic redistribution while political-economic theorists generally emphasize the need for a reorganization of economic structure before democratic participation can be truly effective” (Steil & Connolly 2009).

According to Harvey, our inherited social process is a subject to be challenged toward achieving those particular rights we are seeking. For that, difficulties lie in the dominant social process of the existing system that of the capital accumulation through market exchange. He criticizes Feinstein for neglecting the determinant connection between the current conception of rights and freedoms and the process through which we are aiming to make a change toward a just city.

3.1.3 Communication and False Consciousness

Huxley (2000) raises the issue of communication and consciousness, as well as Fainstein who discusses about the concept of ‘False Consciousness’ when it comes to analyzing the process of communication. Huxley indicates that toward achieving a consensus, we should be aware that it is not achieved automatically but by sources of
systematically distorted communication in systematically unequal social structures, and by creating ideal speech situations in which self-reflexive, communicatively competent, and rational human subjects can achieve consensus on matters that affect their life worlds. He refers to the nature of power relations, and their role in communicative planning. Possibilities of strategic action and force in the process of transformation cannot be discounted, since it is unlikely that dominant interests will always be persuaded by the force of better argument to engage in communicative practices. In Habermas conception of communicative rationality, we see that practicing communicative rationality is somehow under a threat by the state power.

Bengs (2005) hold the idea that communicative planning is contrary to the idea of public interest since it takes the economic interests of investors as a starting point, and not as an issue among others to be addressed through the communicative process. He argues that though communication is sought in communicative planning, but the issues are not regarded as the need of the public, but rather takes the economic interest of developers.

Communicative rationality involves acceptance of the social construction of meaning, the social embeddedness of ways of thinking and acting in varied discourse communities, and the interpretive nature of the world (Healey, 1997; Innes and Booher, 1998). It involves collaborative and reflexive processes of building consensus around shared meanings and understandings, which are grounded in dialogue. Thus it is dramatically opposed to instrumental rationality and its processes of creating knowledge and ascribing value.

Mark Purcell (2009) ignores the idea of deliberative approach of planning, by pointing out the inevitability of speech distortions and power relationships. Instead, he offers a social movement model where disadvantaged groups come together to pursue democratic outcomes that best meet their particular interests. And he argues that only through this way, it might be possible to redress inequality.

3.1.4 Power Relations: Role of the State, Citizens, and Planners
In a process of communicative planning, planners are assumed to be people of good will who worry about ethics, inclusion, and equality and are blessed with unusual reflexivity and insight in to the constraints on their own and other people's understandings and actions. The use of institutionalist-ethnographic or ethno methodological research
strategies then tend store in-force this bracketing of interests, power, and inequality. These theoretical starting points parallel those of Habermas's theory of communicative action, which influences much of the planning literature, while at the same time, research methods parallel pragmatist perspectives, which do not necessarily share the transformative aims of critical theoretic projects.

Communicative conceptualizations of planning tend to gloss over the theoretical and practical difficulties of conceptualizing a planning practice that aims to foster democratic deliberations in the public sphere while working in relation to the state and the formal economy.

But the boundaries between the state and the public and domestic spheres are more permeable than liberal theory or Habermasian communicative action holds, thus opening up spaces for theoretical debate and development. Within the general communicative planning turn, more theoretical work is required along the lines suggested by Fraser (1990) in rethinking a "post-bourgeois" public sphere in relation to the regulative and productive powers of the state. The possibilities for oppositional- let alone transformative- action need to be argues for, rather than assumed, and this involves questioning assumptions about the possibility of communicative planning itself.

Pauline Mcguirk, represents criticism against communicative approach that more focus on the form of its process rather than to analyze it by its goals and aims. Through studying planning approaches in the U.K and Australia, he points out two main criticisms against it. Which can be then related to the works of Harvey and Marcuse in the sense of analyzing the rule of power and authority in the body of planning. Firstly, it is argued that Communicative Planning Theory (CPT) pays insufficient attention to the practical context of power in which planning is practiced thereby assuming away, rather than engaging with, the politics- and power-laden interests that infiltrate planning practice. Secondly, it is argued that CPT abstracts planners from their positioning in a nexus of power, knowledge and rationality, which validates expert forms of knowing/reasoning/valuing, and thus underestimates the challenges of asserting alternative forms (McGuirk 2001). Then he concludes that it should move away its goals from consensus building-that is a defining feature of communicative approach- and account for the irreducible nature of power and difference.
Huxley concludes: “In the communicative planning literature, the assumption appears to be that planning practice, with its structures for public participation can and should act as a forum for discursive democracy. The planning system and planning practitioners are assumed to be capable of bracketing away, or alleviating through institutional structures, distorted communication and the naturalized forms of strategic and instrumental action that Habermas sees as characterizing state and economy in capitalism” (Huxley 2000).

Jeng Tang takes a similar position as Mcguirk’s and claims that Habermassian view behind the communicative approach tends to demonstrate a significant blindness to the role of power. While communicative planning concerns with how planning should be, and the role of planner is subjected to that of a mediator, it is not clear as to who hold the power of making the decision. He also believes that the communicative planning may represent a perfect intrinsic logic of communicative rationality if only limited people participate in the forum. Even when participation in the process of planning is witnessed, communication is not guaranteed.

Inserting communicative rationality at the core of planning would create a new form of practice that would aim to ensure that forms of knowledge, reasoning and representation beyond those central to instrumental rationality are brought into the process. This communicative planning practice would nurture deliberation between discourse communities, understood as being framed in varied cultural systems of meaning. Through a social process of rational argumentation in which 'ear, voice and respect' (Dryzek, 1990) are ensured for all stakeholders and value systems, the 'force of better argument' outwaits, would enable new understandings and new consensual systems of meaning to be generated communicatively.

3.1.5 Conflict Hesitation

Participatory planning started to experience some new aspects of the planning process and evolved based on its constitution to provide necessary ground for a democratic communicative planning and emphasized on collaborating with the entire community in the planning process of decision-making and management. “Participatory planning aims to harmonize views among all of its participants as well as prevent conflict between opposing parties. In addition, marginalized groups have an opportunity to participate in the planning process” (McTague, C. & Jakubowski 2013). Incrementalism decided to
focus on the process rather than on the accuracy of their approach, either scientifically or practically. However, “generally, conflicts have, of course, been viewed as dangerous, corrosive, and potentially destructive of social order and therefore precisely in need of being contained and resolved by some standby reserve supply of community spirit” (Hirschman 1994).

Participatory planning and the similar planning schools such as Mixed Scanning Model, then try to hesitate conflict as an inherent anti-value. With investing in the collaboration at the local level, Participatory Planning has been successful in many cases, either to hesitate the conflict, or to reach more democratic outcomes. Nevertheless, radical thinking is still neglected when it comes to defining the framework of those planning workshops and projects. Consequently, it is not a trouble to list a set of problems that Participatory planning is going to deal with in the near future.

To emphasize on the social pros and cons of “Conflicts” as a general issue, we may refer back to urban scholars who have named conflict as one of the pillars of a democratic society and has valued it either as a necessary result of an active democratic participation of citizens in decision making process, or as a cause of public awareness and further social achievements.

The importance of high dedication to the theory takes place when we willingly try to hesitate conflicts and we plan not to get trapped into a circle of conflicts, although the assumption takes it an advantage at the first place not to get through any conflict at the planning scale in which we are acting. Dubiel argues “social conflicts produce themselves the valuable ties that hold modern democratic societies together and provide them with the strength and cohesion they need. In a remarkable article, ostensibly written as a comment on Tocqueville, Gauchet undertook to show how conflict is an "essential factor of socialization" in democracies and how it is an "eminently efficient producer of integration and cohesion." He too is aware of the paradox he is thus putting forward, for he speaks of the process as the "democratic miracle." The miracle happens as, in a democracy, human beings and social groups go through all the motions of out-and-out confrontation and end up building in this odd manner a cohesive democratic order”(Hirschman 1994).

However, spite of advantages comes along with the contemporary left social scientist as a pragmatism view of planning, Fainstein insist that a democratic process does not necessarily means to a just end.
3.1.6 The Problem of American Democracy

Fainstein has relied on democracy as a component that rules in different governmental sections, as a necessity toward the just city. Although Communicative approach has been criticized for its overemphasis on promoting democratic decision-making and its ignorance toward the outcomes of such a deliberation, yet, democracy has never been disregarded and has always been praised as a necessary component for a just society.

However, there are some doubts that if western democracy is functioning as it is expected. Although the recent researches have tried to address the issue in a context of American states and thus it is a bit more than analyzing the city planning issues, but the findings are noteworthy in terms of formulating democracy, as a pillar of a democratic society in the west.

Gilens and Page tried to investigate the correctness of such a claim as democracy is to – naturally- reserve the rights of the people to choose a policy that in the end, may result in their benefit in order to help the least advantaged of the society. The result of their research reveal some facts about the functioning of the system those are obviously against the common understanding and expected function of “Democratic Participation”.

They examined whether America’s federal government adopted the policy in question within four years of the survey, and tracked how closely the outcome matched the preferences of voters at different points of the income distribution between 1981 and 2002. They discovered that when the elites’ interests (Top %10 of income) differ from those of rest of the society, it is elite’s views that count – almost exclusively. In their own words:

“It makes very little difference what the general public thinks once interest-group alignments and the preferences of affluent Americans are taken into account” (Gilens & Page 2014)

The findings of their research is considerable in the sense that it reveals unlike the common understanding of the socio-political structure of a state with “democracy” deeply rooted inside, there is no positive correlation with the votes of the public and the adopted policy when the elite have no interest in that. In other words, the public (Bottom %90), have felt democratically accountable through public decision making processes, while Gilens and Page reveal the fact that the public have no matter of
accountability in a democratic process, unless they stay on the same side as the elites stand on. It would be more crucial of thinking not only about the just outcomes of a system, but also the fairness of the process itself, where Feinstein seemed to be quite satisfied and tried to explain ‘the just processes are not necessarily going to result into just outcomes’ (Fainstein 2010). Meanwhile Fainstein is depicting an undeniable fact about the planning process, it should be noted that the probability of just outcomes is higher through just processes of planning, which are neglected in her discourse of the just city in comparison to the attention devoted to the outcomes.

Uitermark argues that through ‘democracy’, residents should be able to engage directly in the project of making their living environment. But since it is usually the state that enforces equality, it might be the danger that power is concentrated in the hands of authoritarian bureaucratic apparatus. So he argues for a precondition for the just city, that residents have control over their living environment by engaging with the polity of which they form a part, rather than passively receiving whatever provisions are allocated to them (Uitermark 2011).

Fainstein then argues against Young’s (2000) view over the positive correlation between the level of inclusion and the democracy by implying that mass democracy frequently leads to demagoguery, chauvinism, and the trampling of minority rights. Thus, the argument supporting Young’s view 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 (Fainstein 2010).

3.1.7 Capabilities Approach

Fainstein’s ‘the just city’ is very much related to the works of Martha Nussbaum on her list of capabilities. According to Nussbaum this list isolates those human capabilities

5 Headings of Nussbaum’s list of capabilities are: (1) Life; (2) Bodily health; (3) Bodily integrity; (4) Senses, imagination and thought; (5) Emotions; (6) Practical reason; (7) Affiliation; (8) Other species; (9) Play; and (10) Political and material control over one’s environment
that can be convincingly argued to be of central importance in any human life, whatever else the person pursues or chooses. It therefore provides basic political principles that should be embodied in constitutional guarantees, human rights legislation and development policy.

Over the last decade Amartya Sen’s Capability Approach (CA) has emerged as the leading alternative to standard economic frameworks for thinking about poverty, inequality and human development generally. The concept of CA is based on what people can achieve in order to increase the quality of their lives. Since achievements and consequently, the quality of life may differ based on socio-cultural backgrounds of any individual and society, we should consider how people are able to function with the goods and services at their disposal.

Although it has been addressed in some other approaches (Such as utility approach that concerns on happiness), there is a lot of space for them to be modified if we want to take an egalitarian or justice perspective. Sen points out that there is more to life than achieving utility. Happiness or desire fulfilment represents only one aspect of human existence. While it is important to take note of utility, there are many other things of intrinsic value (notably rights and positive freedoms) that are neglected by the welfare approach. This might not be a serious problem in cases where utility levels reflect personal circumstances and deprivations. However, Sen (1999) indicates that mental conditioning or adaptive expectations can easily sway utility (Clark, 2005).

These considerations lead to the conclusion that neither opulence (income, commodity command) nor utility (happiness, desire fulfilment) constitute or adequately represent human well-being and deprivation. Instead what is required is a more direct approach that focuses on human functioning and the capability to achieve that valuable functioning.

Although Capabilities Approach does not provide a fixed set of capabilities through a framework, its flexibility to determine the set of capabilities is usually considered as an advantage of this approach against others. So it leaves a manoeuvre space when it comes to strategic and practical reasoning, when the selection and weighting of capabilities depend on personal value judgments.

Sen (1999, p.77) recognizes that the CA is not sufficient for all evaluative purposes and the CA does not provide a complete theory of justice or development by itself. We need
to take note of other principles such as personal liberty, economic growth and efficiency. However, considering Fainstein’s criteria of the just city, which is based on capabilities and depends on Diversity, Democracy, and Equity to be evaluated, seems to provide an accordingly appropriate evaluative framework toward the just city.

Clark writes:

“Sen’s CA has also been praised for broadening the informational base of evaluation, refocusing on people as ends in themselves (rather than treating them merely as means to economic activity), recognizing human heterogeneity and diversity (through differences in personal conversion functions), drawing attention to group disparities (such as those based on gender, race, class, caste or age), embracing human agency and participation (by emphasizing the role of practical reason, deliberative democracy and public action in forging goals, making choices and influencing policy), and acknowledging that different people, cultures and societies may have different values and aspirations” (Clark 2005).

However, capabilities approach has been targeted for several criticisms that helped capabilities approach to evolve consequently. Most importantly, capabilities approach has been criticized based on concerns about the identification of valuable capabilities. Sen fails to supplement his framework with a coherent list of capabilities, and some authors cast doubts if the listed capabilities can simply be regarded valuable. Consequently the usefulness of CA for making inter-personal comparisons of well being in the presence of potential disagreements about the valuation of capabilities has questioned as well.

3.2 Amsterdam: A Just City or Just a Nice City?

In several of her writings, Fainstein has suggested that Amsterdam represents the “best available model of a relatively egalitarian, diverse, democratic city, with a strong commitment to environmental preservation,” a city that has managed to find a balance between the “values”—democracy, equity, diversity, growth, and sustainability. This depiction resonates with a more general image of Amsterdam as an “ideal city” which is widespread among planners and urban scholars in Europe and beyond (Novy 2009). Of course, Fainstein is not the only one who found Amsterdam interesting in terms of its
The Just City: A Critical Discussion on Susan Fainstein’s Formulation

politicized relationships toward a just, sustainable, happy city; some many other scholars have referred to Amsterdam with positive evaluations as well. Gilderbloom states: “Amsterdam, at this moment in history, might be the world’s greatest city because of its ability to ensure basic necessities, freedom and creativity.’ Most impressively, everybody can partake in this success as ‘quality housing is supplied to everyone that gives pride of place’ (Gilderbloom 2008).

Likewise Uitermark, Novy puts Amsterdam into the question that if its recent image as a desirable urban model, can be translated into a model of just city. So he argues

“The Just City approach in its current formulation unnecessarily constrains the struggle for urban social justice, sweeping alternative visions and alternative possibilities aside. Therefore it would seem to us that alternative

Figure 4: I Amsterdamned: Opposition campaign against the city's commercial campaign of "I Amsterdam". Source: Ravage, Dutch action paper
imaginaries and practices that challenge the current hegemonic order on the local level can better inform our joint struggle to achieve truly progressive urban change in the United States and beyond…Despite its past successes, Amsterdam in the current political-economic climate does not present a model that can inform strategies for realizing more just urban futures in the here and now” (Novy 2009).

Thus, he urges us to pay more attention to its current problems rather than paying too much attention to the past success of the city of Amsterdam in order to find the way towards progressive urban change of the just city.

Novy claims that in spite of Amsterdam undeniable past success in achieving a comparatively just society, it cannot be relied on as a point of reference for a model of just city. Even though in a Euro-American context, Amsterdam can be voted as the best city to achieve ‘the just city’ components, but its turn as a consequence of adopting neoliberal policies urge us to rethink Amsterdam as a role model. During the recent years “Social housing has been increasingly demolished or converted to market rate housing; cultural production has been redirected towards the promotion of tourism, leisure, and real-estate development; welfare measures relating to education and social services have been decreasing; programs and projects geared at achieving economic success in competition with other cities for investments, innovations, and “creative classes,” such as the Zuidas project, a new business district south of the city, have come to dominate the public policy agenda; inner-city neighborhoods are gentrified and differences in living conditions between groups and neighborhoods are growing. Finally, in sharp contrast to Amsterdam’s tolerant image, local research has detected a move towards “urban revanchism” as well as an emerging “culture of control” in recent years as the city seeks to reclaim its image and attract business investments and residents with higher incomes. Present-day Amsterdam thus suggests that urban Europe under current conditions might not be the most useful reference point for informing and broadening the scope of progressive activism in U.S. cities” (Novy 2009).

Spite that Fainstein’s recognition of Amsterdam as a comparatively perfect example of how a desired just city might take place, after publishing *The Just City* some other scholars started to take it into evaluation and criticized the idea that Amsterdam to be a real scheme for the so called just city. Although, their criticism is not to deny the fact that Amsterdam is currently a best example of just city, but to investigate the
construction of the city and institutional relationships as to be an ideal and with a bright foreseeable future of still being just.

3.2.1 Housing, Equity, and Diversity

Housing Policies in Amsterdam have been praised numerous by urban scholars and according to Fainstein, ‘Housing’ can be considered as a unique advantage of Amsterdam at the top, far from other case studies in just city evaluation. Considering the growing power of the state in the years after the 60’s, Uitermark mentions the government’s strategies in order to guarantee an equal and universalized accessibility to housing and classifies the governmental policies into three main courses of actions, through which equal accessibility to housing was achieved to a considerable extent.

So the housing allocation strategies have promoted equality by following three general trends:

i. The rights of homeowners to determine rent levels were gradually curtailed. Rent levels were calculated through the ‘point system’, in which the property value was determined based on some of its physical characteristics.

ii. The rights of owners to determine the use of their properties were gradually curtailed. From the 70’s onward, centralization and standardization of allocation happened through universal criteria of availability.

iii. Access to the centrally allocated housing supply was gradually universalized. (See Uitermark 2009)

Along with radical social movements and national housing policy, Amsterdam became a perfect example of implementing equity policies from the mid 70’s to the mid 80’s. However, from the late 80’s the policies have started to turn from holding a focal concern on equity issues. According to Uitermark: “As neoliberal ideologies pervaded

6 An in memoriam for the just city of Amsterdam, 2009
the government subsidies for social housing and housing construction were increasingly questioned. Budget-cutters of the Christian and Right-wing parties reasoned that there was plenty of scope drastically to reduce public expenditures on social housing” (Uitermark 2009).

While Fainstein regards housing policies in the city of Amsterdam as one of their determining advantages in terms of being a just city, Uitermark concerns about the future of Amsterdam, since the policies of housing have started to shift toward privatization. The general trend of bringing the housing stock under state control and of bringing the state under control of the resident movement has reversed during the 90’s in Amsterdam. Housing associations were formally privatized and transformed into housing corporations. The housing corporations were given some directives but they escape control from both the state and tenants. Discussing about the erosion of just urbanism, Uitermark argues that the policies used to make Amsterdam ‘a just city’ obviously do not work anymore and there is no evidence that the mixing of different tenure types and income groups produces a cohesive community (Uitermark et al., 2007).

He criticizes the Amsterdam government because of their “idea of scheefwonen, the notion that there are ‘too many’ affordable houses and the fear that social housing will lead to the concentration of poor ethnics— that predicated on the assumption that lower income groups should spend time on a waiting list for unpopular social housing, whereas higher income groups should have the right to instantly buy their way into the more popular segments of the city’s housing market. The conclusion that follows from this criticism is that the state has the duty, first and foremost, to address the housing shortage in the city.” (Uitermark 2009) There is no reason to assume that the transformations would have this effect in the first place, but there is also some research—conducted by tenant organizations—that suggests the share of scheefwoners does not in fact decline through such policies.

The new housing policies were targeted for criticism as they promote housing stock segregation. A comparative analysis among the two set of housing policies in Amsterdam (from 60’s to 80’s, and from the late 80’s onward), reveal that while the old housing policies were using subsidies to make social housing available for all income groups, new policies are encouraging the middle and high class to own their homes,
using subsidies and so promotes segregation among whom living in social housing and the homeowners.

“In the late 1980s, social movements lost their momentum and, in the late 1990s, neoliberal ideologies increasingly pervaded municipal policies. Whereas urban renewal was previously used to universalize housing access and optimize democratic engagement, it is now used to recommodify the housing stock, to differentiate residents into different consumer categories and to disperse lower income households. Part of the reason that these policies meet so little opposition is that the gains of past social struggles are used to compensate the most direct victims of privatization and demolition. Future generations of Amsterdammers, however, will not enjoy a just city.” (Uitermark, 2009)

After casting doubts about the possibility of Amsterdam to remain a just city, Uitermark points to the ideas of many scholars whom commented on Amsterdam as a just or ideal city, including Fainstein, Soja and Gilderbloom. However, he suggests two preconditions\(^7\) for the just city in order to ‘demand the impossible’ right to the city. Yet, as Uitermark confirms, no city in the world can live up to the two standards of a just city, but some come closer than others. Although Amsterdam can be held as an example of a just city, but should also be viewed as an illustration of how quickly and dramatically movements struggling for the just city can lose their momentum. Thus, he suggests that Amsterdam has degenerated from a city that aspires to be just for all into a city that is nice for many. Pointing to Gilderbloom appreciation on Amsterdam as a just city, Uitermark states: “Gilderbloom emphasizes that Amsterdam outperforms American cities on criteria as diverse as prosperity, quality, tolerance, health and

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\(^7\) Two Preconditions are: creating an equitable distribution of scarce resources and to put citizens in charge of making the city instead of state administrators.
welfare. While all these features make a city nice or good, they do not necessarily make it just” (Uitermark 2009).

Fainstein, however, points to the critics against the policy to encourage development of housing for owner-occupation in the 2000’s. The claim was that even though owner occupied housing will help excluded population to experience a bit of integration, but that it will be at the expense of low-income people; whom will be displaced from affected neighborhoods, and it would be somehow impossible for them to acquire housing. However, she later explains that if there is an issue for the low-income citizens, it would be more one of location than of housing property. Thus, she recognizes a form of inequality measured by access to opportunity rather than distribution per se, which grew in the years after the shift away from social housing construction (Fainstein 2010).

Apart from the past success of the city of Amsterdam in bringing affordable housing on a universalized basis, it seems that currently the system is far different from the trend in the 60’s and 70’s which made Amsterdam a ‘just city’ for Fainstein. Uitermark particularly points to the system of calculating livability score in the neighborhoods and criticize its unjust formulation: “Residents’ perceptions are still included in the operationalization, but the score is also said to be based on ‘objective’ criteria. For example, if a neighborhood has a high share of ethnic minorities, the score goes down. If it has a high share of lower income households, the score goes down. If it has a high share of affordable housing, the score goes down. In short, what is really being measured here is not the extent to which residents can live a pleasant and affordable life in neighborhoods, but the extent to which housing corporations and governments can govern these neighborhoods and extract profits out of them” (Uitermark 2009). Renewal operations used to drastically transform the tenure composition of neighborhoods, but they typically do not affect high-income tenants. This is because such groups are underrepresented in renewal areas and because displaces will have to be offered another social housing unit.

Peter Marcuse narrates his story of Amsterdam with more or less the same perception to Uitermark against the idea of Amsterdam as a just city. Marcuse points that the right to housing, used to be apart from one’s income, background or merit in the near past; thanks to the residents’ movements. However, it seems that those movements have lost their side. He cites:
“The fragmentation of people into different market segments makes it very difficult to foster solidarity among tenants. A waiting list of 10 years has become a fact of life, where in an earlier era a waiting list of two years was considered a breach of the basic right to housing. The case of Amsterdam thus shows that it is very difficult to work towards a just city but nearly impossible to sustain it.” (Marcuse 2009)

Marcuse, of course, confirms that Amsterdam has a comparatively large housing stock that is enjoyed by tenants. It makes sense if international scholars hold Amsterdam as a successful example of welfare systems. However, when we analyze the city historically rather than comparatively, the reality looks rather different. He adds: “All the institutions that had previously decommodified the housing market and engaged residents now use their power to promote gentrification and the polarization of the housing market. Ironically, it was the residents’ movement of the 1980s that invested these institutions with the power and resources necessary to impose their view upon the city. Neo-liberalization proceeds so smoothly because the gains of past social struggles are used to compensate the most direct victims of privatization and demolition.”

Marcuse then urges urban scholars to move side by side with citizens’ movements, in order to reach such outcome of the 80’s in Amsterdam. Otherwise, the neo-liberal market will decide about the housing projects and the like.

3.2.2 The Problem of Scale

According to Castells (1977), city is the place in which citizens can acquire collective goods that make up for deficiencies in earnings. So he considers urban social movements with the potential to produce municipal revolution even if they cannot achieve social transformation. In relation to this logic, Fainstein claims that urban social movements do have transformative potential despite being limited to achieving change only at the level in which they are operating and this is the level of action in which Fainstein concerns with. However, Uitermark claims Amsterdam as down falling from being a just city and then try to find reasons of diminishing egalitarian trends among the urban processes. To put it in his own words:

“The largest part of the answer to this question cannot be found at the local level. The ascendancy of neoliberalism at the national level in the Netherlands—itself something that should be understood as part of a global
trend— was extremely consequential for those who prioritized the use value of the city” (Uitermark 2009).

Steil and Connolly present a brief historical record of urban movements and try to explain the role of planning movements against governmental bureaucracy. The challenge for community-based groups seeking more just urban environments in the context of shrinking government responsibility is not only to realize locally-based participatory democratic forms of urban governance, but also to find ways of leveraging the remaining redistributive power of the state in the name of the insurgent agendas that arise from such processes (Steil and Connolly 2009). They suggest that community-development agendas formed during the periods of disinvestment that allow relative self-determination often require new strategies to effectively challenge private market interests during periods of reinvestment.

Susan Fainstein, in response to some critics, investigates the extent to which policies and strategies toward the just city are practical in a capitalist system. In this regard, she points to the level of urban autonomy and explains that cities cannot be seen in isolation; they exist within networks of governmental institutions and capital flows. Therefore, the city level is one layer in the hierarchy of governance. Consequently, although the amount of support from other levels of government constrains the capacity of urban regimes to redistribute resources, it is still possible to develop a concept of justice relevant to what is within city government’s power and in terms of the goals of urban movements (Fainstein 2010). However, Marcuse sees urban governments’ tools too limited in order to realize a just city and thus suggests looking for causes and solutions at a larger geographical scale (Marcuse 2009).

Maricato takes even a wider perspective by which he illustrates the unjust relationship among developing countries and the developed world under a neoliberal financial colonialism; concluding that just situations at one scale may be unjust at other scales (Novy 2009). Even further, Doreen Massey takes into account the effects of globalization in terms of providing interconnectivity and interdependencies of space; and suggests us to take our responsibilities for distant places with a spatial rationality perspective. Thus, it is necessary to frame and address social justice issues not only at the local level, but also international, inter-regional and intra-regional. This framework should synthesize the local as the cradle of all concrete processes and interventions with a “global sense of place” (Massey 2005, See Appendix I).
Achievements of urban social movements in Amsterdam on one hand, and Fainstein’s suggested policies and strategies to be followed by planners and activists toward the just city on the other, local level needs to be invested in by human and economic resources in order to gain just outcomes through progressive work. Thus, it seems necessary when emphasizing on the work at the local level, to have a wide vision over causes and effects of policies at larger scales as well.

3.2.3 Urban Social Movements
The late 60’s was the period that urban social movements in Amsterdam started celebrating their achievements. Ed Soja wrote of Amsterdam as a city that fosters a culture of tolerance and civic engagement (Soja 1992).

During the 60’s and 70’s, the state as well as investors, stopped investments into inner cities because they felt the city needs to be reconstructed according to the modernist era demands. However, at the same time, “a growing number of people identified strongly with exactly those parts of the city that disgusted the modernist planners. And, equally important, those urban residents no longer perceived the government’s wishes as divine law. Criticism and imagination democratized rapidly. The authorities that had previously appeared as skillful executioners of the collective were now reinterpreted as modernist fanatics” (Uitermark 2009).

Squatting movement in Amsterdam specifically helped resident movements into being radicalized and intensified and thus they characterized as a movement against the demolition of affordable housing. Although squatters are usually disliked by the Dutch population, but during the 70’s they started to become supported naturally by residents who demanded proper housing for a reasonable price. So tenants and squatters successfully opposed modernist renewal plans and residents’ movement presented an alternative view to the city by advocating construction of new houses, maintenance of the existing stock and democratizing the planning process. According to Fainstein “The emergence of a just city was the outcome of the interaction between a radical resident movement and a national housing
policy that was designed to solve the housing shortage through massive investments in social housing” (Fainstein 2000).

Although the urban social movements were so successful in realizing their demands and in penetrating the state, but they turned into interest groups and now they only represent the interest of tenants, which means they have no formal role for the masses of people who are not inside the social sector, and are forced to pay for unaffordable rent prices. (Uitermark 2009)

“Strategies for building social capital are quite distinct from those for simply expanding public participation. The new institutions of governance that seek to utilize social capital may actually constrain participation in certain organizational locations and at certain points in the policy process. Utilizing social capital, therefore, is a strategy for effective institution building in certain circumstances, not a clean sheet for local politics. In other circumstances, quite different modes of environmental planning and associated public participation strategies may be more appropriate. Local Agenda and similar exercises in local participatory democracy have a role to play in steering the agenda of local politics, re-energizing local communities and, we hope, re-establishing a base of legitimacy for local political and community systems. For achieving policy delivery, other approaches may be needed. Of course, once institutions for effective environmental governance are established, they may make an input into the broader arena of local politics. The line of development is, however, fundamentally different. Build the effective local policy institution first, and then see if a broader political agenda emerges, rather than create spaces for local political debate out of which opportunities for policy development may arise. The lesson of social capital researchers appears to be that the former strategy is more likely to work, since political demands arise out of policy success rather than policy failure” (Rydin 2000).

The resident movement at the time, however, assumed that the state would be more subject to democratic control than civil society associations, but it seems now that they were wrong.
Eviction of Schijnheilig and Valreep

Social centers as a base for social urban movements have played a determining role through political activities of citizens from the 60’s. However, unfortunately the governmental trend to evict such centers has been criticized very much recently. In 2011, the eviction of Schijnheilig, one of the last autonomous social centers of Amsterdam took place with arresting 150 activists trying to stop authorities; and more recently, in 2014, the same happened to Valreep squatted social center. Valreep used to be an abandoned animal asylum located in the east of Amsterdam until it was squatted in 2011. The building structure belonged to a large-scale regeneration project, aiming to transform the area by creating up-scale housing, work, and commercial spaces. It had been abandoned for years and was on the verge of dilapidation when the squatting collective occupied it in 2011. However, the run-down structure and lack of built-in infrastructure (De Valreep to this date doesn’t have infrastructure for running water, gas, or electricity on-site) had made the realization of this plan too big an undertaking.

Figure 5: Eviction of Valreep, Source: Hansfoto.worldpress.com
The plan was nevertheless cancelled at a later stage, partially because of public pressure, and also due to re-evaluation of its commercial viability. Through a remarkable collective effort, a community was brought together at the animal asylum to transform the derelict site into a lively social center that hosts a diversity of programs on a regular basis and appeals to a variety of publics. The eviction of Valreep as the most recent act against urban social movements and their centers, which is counted as a base for such movements may alert us about the overcoming logic of neoliberalism in the city. Tolerance that was once considered as a characteristic of the just city of Amsterdam now loses its place to direct actions operated by government against social activity and the creative class. Since the local level is an emphasized level of action by Fainstein, it seems necessary to care more for such top-down decisions that affects the hard earned achievements of citizens’ movements at the local level.

3.3 Moving toward the Just City, Considerations

Through criticizing the contemporary planning approaches, Fainstein shifts the discussion from blindfolded persuasion of values such as “democracy” to a conscious application of those values, focusing on the just outcomes as an end for urban planning. After introducing Democracy, Diversity and Equity to be regarded as policy evaluation measures and calling for planning efforts towards the just city based on them, she also note the existing tensions among different values and explain how those values might possibly contradict against each other and result into trade-off situations, with planners to decide about them. In other words, since political attempts toward fulfilling any of the desired values of a just city, might affect negatively some other values, there is usually a possibility of trade-off situation among different goals; so planners should be aware of possible and unavoidable tensions that happen among different values along with their efforts toward practicing justice components. Apart from recognition of desired values and backing them with sufficient academic references, Fainstein seeks for a framework that can correctly address the issues related to justice in cities. In regard to the populist view, which demands for greater democracy, Fainstein explains
that it usually follows two somehow separate strands. First of which pushes toward economic democracy, aimed at bringing down plutocratic elites; and the second, culturalist strand, attacks the schemes of planners that turns from the mass taste, in favor of the upper class. Thus, she argues that although many authors\(^8\) support forms of Urban Populism with the same concerns as justice seekers; but they fail to confront the genuine inconsistency that afflicts democratic theory in its effort to preserve minority rights. While they extol neighborhood homogeneity, citizen activism, religion, family, ethnic ties and home in the name of democracy and equality, their arguments can lead to a strongly illiberal, exclusionary politics (Fainstein 2010, 48-52).

So, for Fainstein, the problem is not about concerns around the subject of justice, but rather about the adopted policies and functionality of a framework with similar concerns to achieve just outcomes. She tries to bring the contemporary efforts toward justice to the fore and put them into an analysis to investigate if there have been any success through them. In other words, while many authors have condemned unjust outcomes of an existing system and called for democracy, equity, and diversity, yet they failed to address the minorities against outcomes of a defected democratic theory. Fainstein argues that within a pluralistic framework, identification of oppressed groups is an issue further than a simple matter (Fainstein 2010). Marcuse states

“The idea of justice in alliance with notions of rights has not only been a powerful provocateur in political movements but the object of an immense effort of articulation. The problem is, therefore, not to relativize ideals of social justice and of rights but to contextualize them. When we do that we see that certain dominant social processes throw up and rest upon certain conceptions of rights and of social justice” (Marcuse 2009).

However, some other known scholars, such as Harvey and Marcuse, whom are considered as more abstract thinkers, with somehow the same concerns for social justice

\(^8\) Herbert Gans’s (1968) criticism against Jane Jacobs, Harry Boyte (1980) attack on Marxism, Peter Saunders defense of Tatcher’s “right to buy program”; all of whom believe their form of populism respect minorities. (Fainstein 2010, 49-52)
as Fainstein’s, tried to address the issues with a more radical perspectives. Although they are not as much defining for the policies and strategies toward their suggested social formulations, but have penetrated deep through the political economy theory of capitalist cities and analyzed the roots of the problems with less hesitation to take a revolutionary standing point. On the other hand, Fainstein keeps her analysis and resulting suggestions as much practical/realistic and possible and tries not to be trapped in the rhetoric side of critical urban theories. In the following subchapters a brief description of radical scholars critics will be brought in order to compare them with Fainstein’s model of just city.

3.4 Investigating Possibilities

When it comes to social justice, Leftists usually cast doubts about the possibility of working within the existing globalized capitalist system and looking for just outcomes, which is in contrast to the rules of the market. They argue that to overcome the unjust outcomes of the system, a mobilized force of the mass is necessary in order to reshape the system into a more egalitarian one. However, although calls for reformist reforms usually are based on a rich analysis of the sources of injustice by taking a transformational approach until changing the system in favor of the least advantaged, yet they lack of a detailed progressive plan to that end.

Many notable theorists, such as David Harvey and Peter Marcuse, believe that to realize a just city, it is necessary to deeply understand the sources of injustice and the process by which they are reproducing within the existing system.

David Harvey, who has developed a rich literature on the issues related to social justice, lies fundamentally on the Marxian ideas and respects very much the explanations of Henry Lefebvre. In order to seek justice, a progress needs to target the roots of injustice in every socio-political understanding of the system and denies the promised effectiveness of working within the existing regime of rights and freedoms by other scholars such as Nussbaum and Fainstein.

Harvey suggests shifting the attention away from consideration of abstract universals towards the relation of concepts of rights and of justice to social processes. Since he mentions the two dominant social processes at work within our own world, which cluster around two dominant logics of power, that of the territorial state and that of
capital (Harvey 2003, 2006), he argues that those logics are often in tension with each other. Some certain set of rights are coded within the existing system, but others are simply denied or rendered so opaque by bureaucratic fudging as to be meaningless. To bring evidence, he points to the zoning attempts, surveillance cameras, lop-sided service provision and the like (Harvey 2010).

Individual ownership and the private property are mentioned to address the conception of rights by the capitalistic logic of power by Harvey. Since the state is to guarantee those set of rights, and the need for money in that matter, Harvey links those two logics as to be tied and working with each other, and to be criticized together. Harvey explains that imperialism of some sort is undeniable under the neoliberal globalization and its institutional framework, by which we will be forced to live under a regime of endless capital accumulation and economic growth, regardless of its social, economical and political consequences; unless we do not accept that set of rights (Harvey 2003).

Highlighting the defections of neoliberalism, Harvey depicts a set of disadvantages and raise the issue that our freedoms and rights are a subject to be fought for. According to Robert Park:

“[The City is] man’s most consistent and on the whole, his most successful attempt to remake the world he lives in more after his heart’s desire. But, if the city is the world which man created, it is the world in which he is henceforth condemned to live. Thus, indirectly, and without any clear sense of the nature of his task, in making the city man has remade himself” (Park and Turner 1967).

Insisting on the necessity of “change” what we do not desire as the city, Harvey explains that we, as members of the society need to move toward our utopias by realizing them using our mobilized force (Harvey 2000). Of course, Harvey does not suggest any formulation to realize such a mobilization of power, strategies and defined policies from which we can evaluate our movement and plan the change. However, not to leave it behind, Harvey mentions Marx’s “Between equal rights, force decides”, and conclude it from a general point of view: Either by mobilization of sufficient power through political organizations or in the streets to change things. Yet, not suggests any more clear strategy in that matter.

Peter Marcuse writes:
“Those of us who teach planning need to equip our students to do the best they can within the context of real possibilities, and we should not tell them to tell others that something is realistically possible when it is not. But that does not equate with being quiet about the threat to the commons. It means rather seeking approaches that raise the larger issues as well. Certainly the undemocratic nature of the planning process can be raised, as well as the influence of money and political power in making decisions” (Marcuse 2009).

He tries to address particularly the concern about the practical side of planning after analyzing it well theoretically. Mentioning the “Critical Planning” that has emerged after the hurricane Katrina in New Orleans, Marcuse writes that it would possible to summarize the whole process of that into three steps: Expose, Propose and Politicize. He explains: “Expose in the sense of analyzing the roots of the problem and making clear and communicating that analysis to those that need it and can use it. Propose, in the sense of working with those affected to come up with actual proposals, programs, targets, strategies, to achieve the desired results. Critical urban theory should help deepen the expose, help formulate responses that address the root causes thus exposed, and demonstrate the need for a politicized response. Politicize, in the sense of clarifying the political action implications of what was exposed and proposed, and supporting organizing around the proposals by informing action. Politicizing includes attention to issues of organization strategy and day-to-day politics. And where appropriate, it includes supporting organization directly with interventions in the media and sometimes raising issues within the critic’s peer groups themselves, often academics” (Marcuse 2009).

Fainstein also tries to explore the extent to which redistribution and recognition are possible under capitalism. According to Nancy Fraser (2003), although it might be preferable to pursue transformational strategies toward justice in theory, but they are difficult to achieve in practice and thus she calls for non-reformist reforms. Non-reformist reforms would operate within existing social frameworks but they will also find their path towards more radical reforms to be practicable over time (Fainstein 2010).

Marcuse writes: “Can an alternative to capitalism really be accomplished, given the proven power of the established system? The end product is hard to imagine, but the
steps leading there are hard to see; anything now on the agenda seems trivial in such a long-term perspective. Many believe that spaces of hope, in David Harvey’s formulation (2000), can be found, and many such spaces indeed move in the direction of broader change. There is perhaps general agreement, by Marx, Lefebvre, Harvey and most thinking people, that the seeds of the future must be found in the present. But what does that, apart from the spatial conceptualization, exactly mean?” He concludes: “A critical urban theory, dedicated to supporting a right to the city, needs to expose the common roots of the deprivation and discontent, and to show the common nature of the demands and the aspirations of the majority of the people. A critical urban theory can develop the principles around which the deprived and the alienated can make common cause in pursuit of the Right to the City. How to politicize most effectively that common ground? We already have sectors of society where the commonality is visible, where action for people, not for profit, is the rule.” (Marcuse 2009)

3.4.1 The Power and the Authority

“When we understand power we see that we cannot rely solely on democracy based on rationality to solve our problems.” (Bent Flyvbjerg 1998, p. 234)

Peter Marcuse in his known work, Searching for the Just City explains the central difference between power and authority. As it is defined, power is the ability to have others do one’s bidding, even if it is against their own interest but for the benefit of the power holder, meanwhile the authority is to have others do biddings in their own interest, not for the holder of authority. The power, however, is based on social, political and economic inequalities among people that is socially created and structurally embedded. Since the holding of power involves a socially created relationship of domination and subservience among groups and individuals, it cannot be in any sense considered a characteristic of a just society. That, of course highlights the conflictual nature of injustice. He criticizes some planning approaches for taking their perspective of justice as such unjust relationship of power does not exist; or if the existence is not denied, it is still not going to be dealt within a process of planning for justice.

Marcuse writes:
“If we change the normative goal of planning from one calling only for distributive justice to one challenging the existence of those relationships of power in the society that give rise to injustice, we have to go beyond the Just City as the city of just distributions within existing relations of power. The Just City discussion should not fudge the issue” (Marcuse 2009).

To define the Just City simply as a city in which each individual case is dealt with justly, without questioning the structures and sources of power in which they are embedded, loses the forest for the trees, loses the common for the individual interest. Justice deals with everyone following the rules, a truly Just City must deal with whether the rules are just. The rules must deal with more than justice; they must contribute to the broader goals societies should achieve for all their members.

Peter Marcuse argues that spite the call for distributive justice is a necessity; it is not sufficient unless we are able to address the causes of injustice, which are structural and lie in the role of power. Going through the practice, it requires us Common Planning and thus, the discussion should not be about the definition of imaginary utopias, but rather, it should be used as a way of raising concretely the structural issues that underlie the creation and exercise of power in social relationships, power that both produces distributional injustices and more broadly inhibits the attainment of a good, humane, just city (Marcuse 2009).

Both theory and practice teach that what happens in any city is highly dependent on what happens in its region, its nation and the world. Beyond this, not only are solutions dependent on the support of other levels, but also the causes that need to be addressed are to be found at other levels. The structural arrangements creating problems within cities are determined at higher levels— national and increasingly global. Efforts for change often focus on city policies because this is today an arena in which the social forces for change have their greatest strength, and it is the arena in which urban planners and those engaged in the everyday struggles of life find themselves troubled; it is certainly the arena in which urban planners customarily operate. But it takes no controversial or sophisticated analysis to realize that questions of subsidy and redistribution, of the administration of justice, of economic regulation, of environmental controls, of war and peace, cannot be handled simply at the city level. More than justice is needed, and it is needed well beyond the city limits.
Justus Uitermark notes that Fainstein’s conception of ‘Equity’, which refers not to equal treatment of every individual, but to treatment that is “appropriate”; might not result necessarily into just outcomes. He writes: “While it is clear that different sorts of cities would be built if planners would adopt this notion of equity, the idea of appropriateness takes the sting out of the concept of justice; policy makers in Amsterdam feel it is appropriate that people with low incomes live in social housing while people with high incomes live in owner-occupied housing. Since owner-occupied housing is directly available through the market while there is a waiting list for social housing, this conception of appropriateness implies unequal treatment”.

Although it might seem a bit unrealistic – at least at the moment- to apply Uitermerk’s formulation of justice in public policy, but he argues for a precondition for the just city; that is to disconnect the distribution of scarce urban resources (In particular housing) from the distribution of income or capital. He believes that a more egalitarian distribution of resources would be resulted if we set the criteria of distribution based on waiting time, need, or a combination of both. Thus, when purchasing power or other forms of power have no determining role in the distribution of housing, it is likely that class segregation will be low (Uitermerk 2011).

By emphasizing the communicative model as the normative standard for planning and policy making, Fainstein explains that the remedy proposed trough that – a more open, more democratic process- “fails to confront adequately the initial discrepancy of power, offer few clues to overcoming co-operation or resistance to reform, does not sufficiently address some of the major weaknesses of democratic theory, and diverts discussion from the substance of policy” (Fainstein 2010).

Friedmann’s argues that attempts by planners to realize justice—or as he call it, to make “social rationality” prevail over “market rationality” —require the state. When public action involves the contravention of market principles in the name of social interests, conflict ensues in the state domain that is often resolved in favor of market actors. But in the context of wider political mobilization, he argues, planners, including planners in government, can act in and on the public domain in ways that fulfill the goal of creating more just places. This notion also lies at the core of the “equity planning” and “progressive city” literature, which highlights the accomplishments of public sector leaders who strive, within constrained arenas of power, to allocate resources and make decisions as though the interests and rights of poor and working-class people mattered.
In the two decades since Friedmann published Planning in the Public Domain, the state’s limited range of motion on behalf of broadly defined social interests (redistribution of income, environmental protection, a right to housing) has only been further curtailed, particularly in the United States. Work in geography, sociology and political science documents and laments the rise and hegemony of neo-liberal ideology as a guide for public policy and state action. The achievements of equity planners and progressive mayors are over-shadowed by the work of the global vectors of capital accumulation, as well as by more local institutions—development authorities, for example—with the power to bypass planners and subvert public process (Wolf-powers 2009). Uitermark argues that while the presence of the state is a necessity toward achieving justice, there is also a danger of investing too much power into it. He states:

“Many of the institutions that are now cooperating with the government to privatize the housing stock used to be either grassroots organizations (tenant and community associations) or were part of civil society (housing associations, social work). Their absorption into the state gave these actors the chance to translate their ideals into regulations and stipulations but it was also the beginning of a process of gradual disconnection from the grassroots. The resident movement at the time, however, assumed that the state would be more subject to democratic control than civil society associations, but it seems now that they were wrong. It is ironic that the municipality’s housing association has since its privatization made a name for itself as a ruthless demolisher of social housing. As a true Brutus, it now turns against the movement that gave it its power” (Uitermark 2009).

Communicative Planning Theory accepts that power infiltrates every dimension of planning and ‘enters the fine grain of practice' (Healey, 1997, 5). The purpose is to transform power relations by creating deliberative forums which can (temporarily) negate the power context of planning—the inequalities that stakeholders bring with them on entering participatory processes. These power-neutral forums are aimed to produce, however temporarily, a shared-power-world’ (Bryson and Crosby 1992).

Fainstein tries to explain some complexities over the idea of diversity in her works as well. Apart from finding a definition to the term “Diversity”, she points to the possible tensions by which urban users experience irritation that they might not face in the absence of it. She states: “The simple case is that of noise or cigarette smoking. Here we
can fairly easily say that when one’s habits cause discomfort to one’s neighbours, they should be suppressed, or else one should exercise them in places where other members of the public do not have to deal with them. The issue, however, becomes much more difficult when we are discussing the veiling of women, the application of religious law, or a Texan’s right to bear arms. As much as a liberal may argue that these forms of self-expression are not basic to anyone’s well-being, the groups who hold such beliefs will repudiate this argument” (Fainstein 2005).

3.4.2 Example: ‘The Right to the City’ Alliance

Fainstein’s writings on the Just City are inspired by her deep concern about the American city and the development patterns that shape it. In fact, even though her broader discussion of justice in relation to planning deals with theory and practice beyond American shores, her exploration of the shortcomings of contemporary urban development and discussion of what better cities might look like is clearly derived from developments that are intrinsically tied to American cities (Novy 2009). Right to The City Alliance is a non-profit organization that is based in New York City with notable presence in Boston, Los Angeles, and San Francisco and also has partners across the U.S that is working toward achieving the just goals such as affordable housing through practicing democratic planning processes. It has been called numerous by scholars such as Fainstein and Marcuse, as a successful example of how to realize a just city through collective efforts of citizens by using the available tools such as education and raising awareness against the sources of injustice.

“Members of the Right to the City Alliance have been active nation-wide fighting gentrification and calling for a right to land and housing free from the pressures of real estate speculation and that can serve as cultural and political spaces to build sustainable communities” (Marcuse 2009).

9 RTTC [Alliance]
In the United States, a growing coalition of groups spread out across the country has come together under the name of “The Right to the City Alliance,” including groups for the homeless, for immigrant rights, for gay and lesbian rights, and against gentrification. Their inaugural convention, in January 2007 in Miami, has been summarized in an illuminating report in which the relationship between theory and practice has been explicitly addressed.

Considering the highlights over “The right to the city alliance” among scholars, a brief report on their achievements will be helpful to understand their distinguishing characteristics that bold their activities in comparison to others. Moreover, to go more in deep with the process, an online interview has done with Lenina Nadal, the communications director of the RTTC movement. She asked for the strategies, goals, difficulties and achievements, their process of working within theory and practice and the threats and advantages of their work. I tried to ask what they think is their winning card in order to gain a just outcome through the existing socio political structure of the system.¹⁰

According to Lenina Nadal, spite that in the designed framework of RTTC there are multiple issues to be addressed through the work of the organization, “the right to housing” is the one on which there is factually more concentration. So the narrative is to push housing out of the speculative market with the goal to community control through affordable housing. Their emphasize over the issue of housing, seems to play a

¹⁰ The main areas of discussion during the interview can be listed as follow:

i. How do you translate the “Movement toward a just city” through your organization?

ii. What are your strategies to gain economic and more specifically political power in order to move toward a just city?

iii. What is your approach toward the sources of injustice, defensive or aggressive?

iv. How do you deal with theoretical “Justice” as a base of your actions?

v. What are necessities to continue your work? What are limitations and problems? What is your medium-term and long-term visions?
determinant role in order to lessen the gap between the supply and demand of the affordable housing.

Members of RTTC are practicing direct actions to make stronger relationships with communities through a radical and democratic process in order to set up autonomous communities. Thus, they are able to help particularly the cities that have been devastated through financial crisis. However, home ownership is not their final goal, but participation and the democratic process are the tools by which they empower the communities, to gain a desired outcome, that currently is concentrated around the right to the affordable housing.

Working at the local level, Nadal explained that it is important to understand the target society and the language to communicate with them. While the work at the core of RTTC is very specialised and deep, a huge number of citizens who decided to participate in their discussions have no idea over the economic system and the statistical analysis, but they just seek for their chance for housing. So, it seems crucially important to take a medium through which planners can communicate with people. Moreover, participants gradually get educated through deliberation processes and its results go further than just provide housing for the demanding. Of course, a huge amount of work is needed to educate the citizens, to empower them to be at the center of the leadership and making decisions through a progressive work.

The important point with RTTC is that they have more leverage at the local level since there is a sense of consciousness rising in communities. So they basically introduce themselves as a base for people when they have some mutual concerns with the RTTC and they try to fight for them through that organization. It seems that by working through this framework, they have been accordingly successful in mobilizing citizens toward achieving many local targets, such as affordable housing for many. While discussing openly about “Socialism” is a challenge in the socio political context that they have to deal with, the general trend is not to hold radical speeches or call for fighting back the system, but fighting for small reforms through collective action and communicative relationship with citizens. That seems to be more close to the idea of non-reformist reforms.
In order to build her argument on the just city, Susan Fainstein initially tries to explore the meaning of justice in order to frame an urban theory of justice. For that she investigates the philosophical definitions on the term ‘justice’ and refers back to various theories of justice from Marx to Mill to Rawls. Taking John Rawls’ theory of Justice as Fairness, she constructs her just city model; without going through substantial disagreements on the nature of justice, Fainstein accurately takes a valid ground for justice in order to develop her discussion further to frame a model of just city.

To bring the idea of the just city to the fore and highlight the necessity of taking it seriously in the discourse of planning, Fainstein investigates whether if contemporary planning efforts with similar concerns of ‘social justice’ have been successful in terms of achieving just outcomes. New Urbanism and derivative planning approaches were assessed to be successful neither in taking the necessary means of planning for justice nor in achieving sufficient ends to be considered important efforts toward social justice. Communicative planning approach seemed to take the correct means of democratic deliberation and communicative inclusion to make the decision making process as democratic as possible.

In spite of some considerable achievements that gained through communicative planning efforts, critics found such remedying efforts against unjust outcomes of the existing economic system is not appropriate enough and in line with a desired conceptualization of social justice and the just city. Planning based on deliberative democracy seems to gain some achievements and addressed urban issues through a
progressive work based on a bottom-up perspective of communication; to this extent there is nothing to be criticized but a lot to encourage. The outcomes of this approach, however, do not converge with Fainstein’s formulation of the just city and vulnerabilities of communicative planning comes to the fore when power relations and effectiveness of such policy making processes are examined. Fainstein argues that communicative planning emphasizes on the ‘process’ of planning and draws solid democratic requirements to achieve ‘justice for planning’. In spite of the fact that it achieved many notable results in the sense to hold the process as most democratic as possible, it failed to provide just outcomes as it premises. An alternative to this perspective can be ‘planning for justice’, which concentrates on the outcomes of planning as being just in order to support the least advantaged citizens by providing the living necessities to fulfill their capabilities.

Fainstein prefers to remain in the ‘Western Developed World’, which provides enough necessities to plan for justice. They have a considerable history of practicing democracy in their governments and democracy is attached into the political system; individual rights and freedoms are preserved enough to guarantee political activity and citizen activism, economic and social infrastructures have already been developed to provide growth and efficiency, and the middle-class still forms the body of the society. These constitute a standard minimum to open up the argument for seeking the just city. Albeit much of the discussion supports the higher probability of realizing the just city in the wealthy western world, but there are still fundamental criticism against the functionality of planning for justice under the neoliberal domination in extending capitalist economies. One of which points to the function of decision-making and argues that democracy is not taking place as it is prospected, some other arguments mention the inevitable role of power that prevents planning from achieving the goals that are in contrast with neo liberalist formulations of urban economics. In other words, in spite of a comparative advantage of Western countries in order to plan for a just city, yet they subject to important critics against functionality of their systems, as they do not fulfill the requirements of a just and democratic society.

Being concerned with the practical outcomes of planning for justice, Fainstein seeks for a formulation that is applicable to the existing situation of urban regimes. So, in an effort to define an evaluative ground for comparing cities based on their achievements
on social justice, she chooses Capabilities Approach after highlighting the failure of other approaches in realizing their premises.

Capabilities approach seem to fit appropriately in Fainstein’s formulation of the system and her explanation of the possibilities. Unlike Harvey, Fainstein consider it as an opportunity to take a non-reformist reform approach and act within the existing Capitalist system toward a just city. In this regard, instead of calling for a revolutionary action to re build the system, she suggest activities to be focused at the local level, and relies on their comparative autonomy to follow the needed policies and strategies. Accordingly, through capabilities approach, particular policies and planning actions would be judged based on their accordance with democratic norms.

Taking the capabilities approach, planners may converge in the first step on Fainstein’s capabilities - Diversity, Democracy and Equity- have been taken as the main components of Fainstein’s just city. Equity is vital in order to support the least advantaged groups of the society. By using the term ‘equity’ instead of ‘equality’, Fainstein credits for the practical side of this choice. Planners should be careful about making ‘appropriate’ decisions in order to support more vulnerable groups of citizens. Democracy is crucial for our modern understandings of developed societies and should be valued in order to guarantee every voice to be heard and also to support the freedom of choice for the community. Diversity supports inclusiveness of ethnic minorities into city’s urban life and that brings creativity, growth, and tolerance.

Fainstein’s criteria of justice are backed up by a rich literature of urban theorists and a deep scholarship of hers on social justice. The combination of the three values, seems to represent an area that covers a wide set of concerns about social justice: From the basic living rights such as the right to affordable housing, to address discriminatory regulations which gives a specific group an unjustified privilege over minorities, from unplanned segregation of incoming immigrants, to support the least advantaged to build their business, and from free and equal access to services for all, to realize the right to
the city; all of which serve central and critical issues of today’s urban planning and thus may be regarded as a ground for further planning for justice.

Although Fainstein has been criticized for being too much polite\textsuperscript{11} to criticize the existing system of urban governance, and for not taking a revolutionary position against the unjust relationships of power, but she has also been widely praised for taking such a practical perspective and for developing previous conceptions of just city further into proposing strategies and policies for a more just urban governance. Even if some critics exist against her exact formulation, the value of Fainstein’s works in undeniable since it expanded a historically rooted concern of the just city, and pushed the discussion one step forward in the literature of urban planning.

However, when it comes to the case studies - New York, London, and Amsterdam - Fainstein seems to be less solid against the critics. Her conclusion to recognize Amsterdam as a role model for other cities has been target for several criticisms. She mostly reminded for not providing a multi dimensional and comprehensive analysis over the actual position of Amsterdam in a course of history, but only for a sequence of time.

4.1 Amsterdam: Yesterday, Today, and Tomorrow

Through a comparative review on the contemporary planning history in New York, London and Amsterdam, Fainstein brings various examples of adopted urban policies and strategies, and compare their outcomes in relation to her criteria of just city in such a wide Euro-American context of socio-politics. In spite of various planning traditions among the case studies, Fainstein simply explores outcomes of policy making in those

\textsuperscript{11} Peter Marcuse (2009) states: “[Urban planning] is being asked to confine itself to questions of efficient urban functioning, instrumentalizing social concerns to serve growth and business prosperity. Susan Fainstein says it politely: planning has become “modest.” It could be formulated more bluntly: formal planning has become opportunistic vision-less, cautious, narrow, small-minded.”
cities and evaluate them based on her ‘just city’ components—democracy, diversity and equity—and finally claims Amsterdam as a role model for other cities, as a just city.

Planning case studies in Fainstein’s work are accurately selected and deeply investigated. She makes it clear that different tendencies in public policy will result into different social outcomes. In New York, in spite of existence of various programmes to support equal rights of housing and accessibility for citizens, the economic procedures mostly result into taking advantage over the public money through implementation of such plans. New York offers the most diverse environment but lacks applicable plans to support equity and democracy. London, relying on its democratic planning traditions, has gained better results in terms of equity and democracy, compared to New York, but yet is subject of shortcomings in monitoring the development plans, where private firms will override the strategies to support small businesses. However, it is Amsterdam that tops the ranking of just cities by achieving the best mix of democracy in decision-making, of diversity in population distribution and accessibility to urban spaces, and of equity in terms of citizen’s rights and income distribution.

Fainstein, despite of reviewing a contemporary history of Amsterdam and depiction of its process toward being a just city, freeze the situation as they are and make her assessments on quality of the just city without deeply investigating determinant power and economic relations in the future. She hesitates as well to analyze the ongoing trend within the institutional framework and thus unable to foresee a clear vision on the city of Amsterdam.

Much of the criticism against Fainstein’s picture of Amsterdam—as a just city—suggest to analyze the city and its qualities in a wider historical context, instead of evaluating the city in a limited period of time. In addition, to understand the determining social relations in a broader geographical scale rather than only at the local and urban level, and to study the power relations with an eye to international and global order as well as efforts to mobilize the power which increases effectiveness of the public at the local level. Although Fainstein’s evaluation is considerable as a guide for planners and activists toward a just city, yet, many critics call for a fuller development of the concept of just city.

Johannes Novy stands against taking Amsterdam of ‘today’ as a reference for the just city; while the idea of Amsterdam as a just city gets popular among urban scholars, it is necessary to understand that by setting the point of reference of social justice on
European cities, we might lose sight on broadening our view toward social justice as precise as it is needed to be. He states:

“[The] concern is that references to Amsterdam as a model of urban development beyond the European context lend credibility to such arguments even if many of them tend to be characterized by an idealization of European cities’ past and an insufficient consideration of their present-day problems and the roots of those problems. Further, using European cities as a point of reference for alternative and progressive visions of urban development distracts from and, worse, naturalizes the inequalities and injustices which mark them—albeit in different forms” (Novy 2009).

The city of Amsterdam undoubtedly holds a high record in terms of providing its citizens with living necessities and for supporting its population with diversity and equity. The point that Amsterdam was a city among many, with an accordingly similar economic and political background to its European compeers, but with a far different outcome to be evaluated as a just city makes it a unique case to be studied.

During the 60’s and 70’s, along with the expansion of the Dutch economy, labor shortages had dealt with importing workers from Turkey and Morocco, and following Suriname independence as a Dutch colony, another wave of immigrants flowed into Amsterdam. By the end of 70’s and the early 80’s, while the Netherlands was facing serious economic problems according to international standards, Amsterdam was also dealing with demographic decline.

From the 80’s, meanwhile recovering from fiscal crisis and a restructuring of welfare system, Amsterdam continued supporting housing policies in construction and housing subsidies. The employment level pushed up by labor market’s flexibility and even though the city government increasingly emphasized on economic growth, it was less at the expense of working-class residents (Fainstein 2010).

Consequently, the city continued to be a city of relative equality when compared to other compeers. By the 2000’s, the majority of Amsterdammers still lived in social
housing and many enjoyed rent control in private rental housing. Distribution of welfare payments through pillars\textsuperscript{12} supported minorities with equal accessibility to education and cultural activities, and pillarization functionally encouraged diversity.

Urban renewal programs accompanied by active participation of squatters’ movements and citizen activism played an important role to guarantee urban development projects being in favor of the residents. As a result, Amsterdam of today stands by far at the best of just cities.

“Comparative studies tend to place it near the low end of segregation for European cities, social contrasts appear less pronounced, and opportunities for social mobility are relatively large. Social attitudes and government policy concerning immigration and diversity have long been considered progressive, and municipal government has been praised for involving residents and community organizations in policy-making processes as well as responding with tolerance and leniency to squatters and other manifestations of radical opposition” (Marcuse 2009).

However, while Fainstein takes this Amsterdam as a just city role model, there are doubts that if its relationship with the global economy and following neo liberal policies would leave the city to function as just as it did before.

“Much of what happens in Amsterdam today conforms to developments in other parts of Europe as Keynesian and collectivist strategies have taken a back seat to neoliberal market ideologies and forces which gained prominence in Amsterdam in the course of the 1990s alongside the parallel erosion of the Dutch welfare state” (Nijman 1999).

\textsuperscript{12} See Chapter 2: Pillarization
From the 2000’s, social housing has been largely demolished, privatized, and converted into market-rate housing. Welfare measures related to education and social services have been decreasing; public policy is not as effective as before under the force of private firms, signs of gentrification and differences in living conditions between groups and neighborhoods are growing; and social centers have been increasingly threatened and evicted by the use of police force (Novy 2009). 

Considering the path Amsterdam passed from the 70’s, comparing to its current situation and with a realistic perspective toward the future, it seems that Amsterdam does not suggest a very good model for just city in the future, even if today Amsterdammers enjoy the achievements of egalitarian its past public policy.
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JOHN RAWLS AND INTERNATIONAL JUSTICE

Considering western theories of justice, and taking into account the very well connected human societies today, lead to a concept of justice that is very recent according to other theories of justice. “International Justice” which basically stands on John Rawls theory of *Justice as Fairness* is a kind of conception that the need to it has been sensed according to the very modern international relationships, in which the transferring of people and capital is at their fastest and cheapest way possible. Political borders seem to get less credit than before and technology is handling a global community of people around the world. People’s access to these technologies is less expensive and easier and so it makes more sense to develop a borderless conception of justice.

The work of John Rawls (1971) constitutes the usual foundation for discussions of justice and its relation to equality. As is well known, Rawls begins by positing an original position where individuals, behind a veil of ignorance, do not know their status in whatever society to which they will belong. Rawls’ first principle is liberty and his second, subsidiary principle is “difference,” by which he means equality. His argument is that free individuals, acting rationally, will choose a rough equality of primary goods so as to assure that they will not end up in an inferior position. Rawls has been so influential because, within a vocabulary acceptable to proponents of rational choice theory, he presents a logical argument that defends equality without resorting to natural law, theology, altruism, Marxist teleology, or a diagnosis of human nature (Fainstein 2010).

Rawls recognizes the invidiousness of difference and comments that even a redistributional welfare state fails to produce justice, because it concentrates the control of productive resources in one group and thereby produces a stigmatized disadvantaged class of aid recipients.

Rawls seeks a neutral standpoint from which to specify a universal conception of justice. He constructs a “veil of ignorance” concerning the position we might occupy in the social order and asks how we would specify a just distribution in the light of that ignorance. But he cannot presume total ignorance since nothing whatsoever could then
be said. He therefore assumes that we know the general laws of human psychology and of economic behavior, that we are familiar with the dominant social processes through which the social order is reproduced. But these are not universal truths (Harvey 2010).

Justice as fairness is Rawls's theory of justice for a liberal society. As a member of the family of liberal political conceptions of justice it provides a framework for the legitimate use of political power. Yet legitimacy is only the minimal standard of political acceptability; a political order can be legitimate without being just. Justice is the maximal moral standard: the full description of how a society's main institutions should be ordered.

Rawls constructs justice as fairness around specific interpretations of the defining liberal ideas that citizens are free and equal and that society should be fair. He holds the idea that justice -as fairness- is the most egalitarian, and also the most plausible, interpretation of liberalism's fundamental concepts.

Rawls sees justice as fairness as answering to the demands of both freedom and equality, a challenge posed by the socialist critique of liberal democracy and by the conservative critique of the modern welfare state. Justice as fairness sets out a version of social contract theory that Rawls believes provides a superior understanding of justice to that of the dominant tradition in political philosophy: Utilitarianism.

On this account, Rawls recognized as the originator of the modern dialogue on global distributive justice—not because he was the first to speak out against international inequality, but because he did not do so. Many of those who first did speak about international inequality, though, used Rawlsian ideas and concepts to do so. We can therefore proceed to examine some representative arguments used by these thinkers, to see how their cases were constructed (Zalta 2013). Beitz (1979, 151) criticizes Rawls’ conclusion on his very same assumptions:

“If evidence of global economic and political interdependence shows the existence of a global scheme of social cooperation, we should not view national boundaries as having fundamental moral significance. Since boundaries are not coextensive with the scope of social cooperation, they do not mark the limits of social obligation. Thus the parties to the original position cannot be assumed to know that they are members of a particular
national society, choosing principles of justice primarily for that society. The veil of ignorance must extend to all matters of national citizenship, and the principles chosen will therefore apply globally” (Beitz 1979, 151).

Rawlsian principles must therefore apply to the set of persons in the world as a whole, so that global institutions should manage to maximize the expectations of the globally worst-off representative individual.

Finally yet importantly, by crediting Rawls’ assumptions for developing his theory of justice, one may argue that taking justice into account should not be influenced by people’s nationalities, regarding to the veil of ignorance. Spite that Rawls himself did not develop his conception of justice into a wider extent of a global view. Spite that Rawls and Nussbaum have developed a rich background on the idea of justice in theory, neither of them have proposed the way by which their conceptions of their desired societies might take place in reality.

In the same way: David Harvey’s seminal work Social Justice and the City (1973) begins by trying to analyze urban problems from a Rawlsian liberal perspective, but fails to find satisfactory answers in this realm. Turning to a Marxist analysis, Harvey identifies unequal spatial development as fundamental to the functioning of capitalism. Instead of confronting the symptoms visible in urban decline, Harvey argues that justice demands the transformation of the processes that gave rise to urban inequality in the first place—the asymmetries of economic and political power embedded in the practices of capital accumulation. In the end, Harvey calls for the exploration of alternative modes of production, consumption, and distribution that would reorganize the class structure of society (Marcuse 2009, 25).
RIGHT TO THE CITY ALLIANCE

Statement of Principles of RTTC:

i. The right to land and housing that is free from market speculation and that serves the interests of community building, sustainable economies, and cultural and political space.

ii. The right to Permanent Public Ownership of urban territories.

iii. The right of working class communities of color, women, queer, and transgender people: To an economy that serves their interests.

iv. The right of First Nation indigenous people to their ancestral lands that have historical or spiritual significance, regardless of state borders and urban or rural settings.

v. The right to sustainable and healthy neighborhoods and workplaces, healing, quality health care, and reparations for the legacy of toxic abuses such as brownfields, cancer clusters, and superfund sites.

vi. The right to safe neighborhoods and protection from police, Immigration and Naturalization Services (INS)/Immigration Customs Enforcement (ICE), and vigilante repression which has historically targeted communities of color, women, queer, and transgender people.

vii. The right of equal access to housing, employment, and public services regardless of race, ethnicity, and immigration status and without the threat of deportation by landlords, ICE, or employers.

viii. The right of working-class communities of color to transportation, infrastructure and services that reflect and support their cultural and social integrity.

ix. The right of community control and decision making over the planning and governance of the cities where we live and work, with full transparency and accountability, including the right to public information without interrogation.
x. The right of working-class communities of color to economic reciprocity and restoration from all local, national, and transnational institutions that have exploited and/or displaced the local economy.

xi. The right to support and build solidarity between cities across national boundaries, without state intervention.

xii. The right of rural people to economically healthy and stable communities that are protected from environmental degradation and economic pressures that force migration to urban areas.

The Right to the City slogan has been, if anything, more adopted internationally than in the United States. It is a major campaign slogan for the Habitat International Coalition. Its goals include:

i. Equal opportunity for a productive and freely chosen livelihood.

ii. Equal access to economic resources, including the right to inheritance, the ownership of land and other property, credit, natural resources and appropriate technologies.

iii. Equal opportunity for personal, spiritual, religious, cultural, and social development. 4. Equal opportunity for participation in public decision-making.

iv. Equal rights and obligations with regard to the conservation and use of natural and cultural resources.

(Marcuse 2009)