

The Practice of Spatial Justice in Crisis¹

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“Your view of the world, your ideology, was not right, was not working?”

“That’s precisely the reason I was shocked, because I have been going for forty years or more with very considerable evidence that it was working exceptionally well.”

[*U.S. Congressman Henry Waxman questioning former U.S. Federal Reserve Chairman, Alan Greenspan, October 2008*]

The Wall Street Journal has declared the end of Wall Street; a Nobel laureate economist has questioned the difference between a Ponzi scheme and the workings of finance capital in the pages of the New York Times; former Chairman of the U.S. Federal Reserve Alan Greenspan has recanted—with the apparent force of a crisis of faith—his allegiance to the core tenets of neoliberalism: that markets are self-regulating and that private self-interest will safeguard the public welfare.² At the time of this writing, more than two trillion U.S. dollars in Federal reserve loans have been used to shore up the faltering financial institutions in the United States: home values have plummeted; a growing number of people owe more on their houses than they are worth; home foreclosures are estimated at 10,000 per day; “7.3 million homeowners are expected to default on mortgages during 2008-10 with 4.3 million losing their homes;” more people lost their jobs in 2008 than in any year since 1945, with more than half a million in

¹ I wish to thank the organizers and audiences at “Spatial Justice/Justice Spatiale,” University of Paris, Nanterre, especially Philippe Gervais-Lambony.

² “The End of Wallstreet,” *The Wall Street Journal*, September 23, 2008; Paul Krugman, “The Madoff Economy,” *The New York Times*, Opinion Section, December 19, 2008; Edmond L. Andrews, “Greenspan Concedes Error on Regulation,” *The New York Times*, Economy Section, October 23, 2008.

December alone.³ This is just to sketch in brief the contours of the financial and economic crisis in the United States, increasingly described as the most severe since the depression of the 1930s—which is to say nothing of the force with which the financial crisis continues to ramify throughout the global financial system. With the growing insolvency at the centers of neoliberal finance, many have begun to declare that neoliberalism itself is finally bankrupt.⁴ But what is neoliberalism?⁵ And what does its apparent de-legitimation promise for a consideration of spatial justice? In what follows I use the work of political theorist Wendy Brown as a framework for a consideration of spatial justice in the context of a “wounded” neoliberalism, keeping in mind that neoliberalism in the U.S. has long been shadowed by a neoconservatism that inures it to crises of legitimation. In ways that I elaborate below, Brown argues that the combined force of neoliberalism and neoconservatism is producing a “new political form,” the effect of which is the radical de-democratization of the United States; I explore the spatial registers of this new political form, for what it suggests for the practice of spatial justice in a time of crisis.⁶

³ RGE monitor estimates that home prices will continue to fall until 2010, “pushing 40 percent of mortgages (5 million) into negative equity (of over 30 percent),” *RGE Monitor*, December 30, 2008, http://www.rgemonitor.com/80?cluster_id=6077; Michael Crittendon and Jessica Holzer, “Relief Nears for 3 Million Strapped Homeowners,” *Wall Street Journal*, A3, October 30, 2008; Mark Pittman, “Fed Refuses to Disclose Recipients of \$2 Trillion,” *Bloomberg*, Dec 12, 2008, <http://www.bloomberg.com/apps/news?pid=20601109&sid=apx7XNLnZZlc&refer=home>; Julia Gordon, “Letter Re: Section 102 of the Emergency Economic Stabilization Act of 2008”, National Consumer Law Center, October 28, 2008, http://www.consumerlaw.org/issues/foreclosure/content/Treasury_comment102908.pdf; Rich Miller and Shobhana Chandra, “U.S. Payrolls Hemorrhage is Likely to Persist After 2008 Drop”, *Bloomberg*, <http://www.bloomberg.com/apps/news?pid=20601087&sid=ayRiTqF7A5Ag>.

⁴ See Joseph Stiglitz, “The End of Neo-Liberalism?” *Project Syndicate*, July 7, 2008, <http://www.project-syndicate.org/commentary/stiglitz101>.

⁵ In taking up the spatial logics of neoliberalism as a political rationality, this paper seeks to contribute to an understanding of the spatial registers of governmentality. Margo Huxley has recently claimed, “it is only recently that conceptions of the productive rationalities associated with the making of liberal freedom have been connected to the spatial concerns of geography.” Margo Huxley, “Geographies of Governmentality,” in Jeremy W. Crampton and Stuart Elden, eds., *Space, Knowledge and Power: Foucault and Geography* (Hampshire, England and Burlington, VT: Ashgate Publishing, 2007), 193.

⁶ Here I adapt a quote by Thomas Lemke, “‘The Birth of Bio-politics’: Michel Foucault’s Lectures at the College de France on Neo-liberal Governmentality,” *Economy and Society* 30: (2001), 190-207. Lemke is describing neoliberalism; I use it here it to describe both neoliberalism and neoconservatism.

Anti-democracy

Wendy Brown approaches neoliberalism not primarily as a set of free-market economic policies that dismantle the institutions of welfare states, nor as a political-economic reality, but—following Foucault—as a specific form of “political rationality,” a specific kind of “normative political reason [that organizes] the political sphere, government practices, and citizenship.”⁷ Neoliberalism is a constructivist project; it endeavors to create the world it claims already exists. It not only aims to govern society in the name of the economy, but also actively creates institutions that work to naturalize the extension of market rationality to all registers of political and social life. Market-rationality—competition, entrepreneurialism, calculation—is thus not presumed by neoliberalism as an innate human quality, but is rather asserted as *normative*, and as something that must be actively cultivated. The practice of governance in the neoliberalizing regime is precisely to cultivate such market rationality in every realm. Thus, crucially, what many have called the “roll-back phase” of neoliberalism—the dismantlement of the institutions and policies of the Keynesian welfare state—does not amount to the withdrawal of the state or its power from the social sphere. Rather, neoliberalism’s so-called “roll-back” marks the expansion and recalibration of the techniques of governing.

A chief technique (as well as product) of such a mode of governance is the entrepreneurial or “responsibilized” citizen—the citizen who manages his or her own well-being through the prudent application of rational self-interest; and thus, neoliberalism “shifts the regulatory competence of the state onto ‘responsible,’ ‘rational’ individuals,” encouraging them to “give their lives a specific entrepreneurial form.”⁸

[Neoliberalism] is a formation made possible by the production of citizens as individual entrepreneurial actors across all dimensions of their lives, by the reduction of civil society to a domain for exercising this entrepreneurship, and by the figuration of the state as a firm whose products are rational individual subjects, an expanding economy, national security, and global power.⁹

⁷ Wendy Brown, “American Nightmare: Neoliberalism, Neoconservatism, and De-democratization,” *Political Theory* 34, no. 6 (2006): 693.

⁸ Wendy Brown, *Edgework: Critical Essays on Knowledge and Politics* (Princeton: Princeton University Press, 2005), 44; Brown is citing Lemke, “The Birth of Bio-politics,” 202.

⁹ Brown, *Edgework*, 56-57.

Neoliberalism seeks to establish the conditions under which “the state leads and controls subjects without being responsible for them.”¹⁰ The critical point is not (merely) *that* subjects are controlled through their freedom—the premise of governmentality—but the *kind* of citizen that neoliberalism seeks to constitute, and the consequences for what *kind* of state.¹¹ The entrepreneurial citizen is a profoundly de-democratized citizen, the construction of which enables a fiercely anti-democratic state form.

In addition, neoliberalism represents a radical “de-politicization” of structural inequality, along with an increased tolerance for it. Social inequalities are not seen as structural or political problems, but are rather seen to be the result of imprudent choices individuals have made, without regard to anything that might constrain those choices. “A permanent underclass, and even a permanent criminal class, along with a class of aliens or non-citizens are produced and accepted as an inevitable cost of such a society, thereby undermining a formal commitment to *universalism*.”¹² Moreover, the production of the citizen as entrepreneur evacuates the civic realm of substantive meaning. As Brown explains, “A fully realized neoliberal citizenry would be the opposite of public-minded; indeed, it would barely exist as a public. The body politic ceases to be a body but is rather a group of individual entrepreneurs and consumers.”¹³

As Brown importantly reminds us, as a mode of political rationality, neoliberalism thus represents not a return to the ideals of political liberalism, but rather their (as yet incomplete) foreclosure. In the neoliberalizing state, economic liberalism is *substituted* for political liberalism. In contrast to classical liberalism which “articulated a distinction and at times even a tension between economic actions, societal obligations and individual moral reason,” neoliberal political rationality “erases the discrepancy between economic and moral behavior by configuring morality entirely as a matter of rational deliberation about costs, benefits, and consequences.”¹⁴ Thus neoliberalism works to close the “modest ethical gap” between the political and the economic in liberal

¹⁰ Brown, *Edgework*, 43, citing Lemke.

¹¹ See Barbara Cruikshank, *The Will To Empower: Democratic Citizens and Other Subjects* (Ithaca, NY: Cornell University Press, 1999).

¹² Brown, “American Nightmare,” 695.

¹³ Brown, *Edgework*, 43.

¹⁴ *Ibid.*, 42.

democracy: “The saturation of the state, political culture and the social with market rationality effectively strips commitments to political democracy from governance concerns and political culture.”¹⁵ Neoliberal political rationality is not scandalized by disclosures of the inequitable distribution of rights, instances of injustice, unequal life chances, or breaches of democratic morality on the part of governing officials, but rather incorporates these as the necessary costs of what it now takes as its political, cultural and social—not merely economic—imperative: fostering “economic growth.” Thus, “growth” is called upon to legitimate both the extension of state power and the withdrawal of state provision.

To anticipate a point I will elaborate more fully below: “growth” is an abstract economic ideal; to function as a legitimating strategy, it must be made concretely intelligible in the everyday lives of citizens subject to neoliberal rationality. This is where the urban scale becomes so very central—if fully under clarified in Brown’s analysis—to the expansion of the neoliberal state project. In the last three decades, “growth” has become naturalized as the newly built: gleaming office towers, big box stores, ever-larger houses in outer-ring suburban neighborhoods: these are routinely invoked as evidence of “growth.”¹⁶ I will return to this in a moment.

Brown further argues that emerging alongside neoliberalism is an increasingly potent neoconservatism —enabled by the devaluation of democratic institutions created by the figuration of the citizen as entrepreneur and of the state as a firm. Neoconservatism is avowedly particularist, authoritarian and imperial. Neoconservatism promotes a strong authoritarian state that actively intervenes in the lives of its citizens, and actively seeks to advance its civilizationalist aims both domestically and abroad. It expressly seeks to right the perceived wrongs of the new social movements—to promote a normative family and to sanction familial forms that would deviate from that norm, to “defend” marriage, and to use the state explicitly to

¹⁵ Brown, “American Nightmare,” 695.

¹⁶ I refer here to the “growth machine” hypothesis, the classic articulation of which is Harvey Molotch, “The City as Growth Machine: Towards a Political Economy of Place,” *American Journal of Sociology* 82 (1976): 309-32. See more recently Andrew E.G. Jonas and David Wilson, *The Urban Growth Machine: Critical Perspectives Two Decades Later* (Albany: State University of New York Press, 1999) and John R. Logan and Harvey L. Molotch, *Urban Fortunes: The Political Economy of Place*, Twentieth Anniversary Edition (Berkeley: University of California Press, 2007). A central conceptual weakness of the “growth machine” as a critical paradigm is that it often leaves unchallenged the core problematic: that the built *is* growth, instead of the merely built.

reward individuals for adherence to that norm, and punish those who would deviate from it. Unlike traditional conservatism, which guards against the encroachment of the state on individual moral freedom, neoconservatism actively enlists the power of the state to “restore” the threatened nuclear family to an imagined former primacy.¹⁷ As Brown argues, neoconservatism cultivates a citizen who is receptive to authoritarian state power, and who is inured to deliberative reason and primed to receive declarative, even counter-factual assertions of moral truths founded on a certain concept of “the West”.¹⁸ Neoconservatism cultivates a citizen who is hostile to claims of political liberty and to formal egalitarianism and thus furthers the hollowing out of the political, while bolstering the power and resurgent moral agency of the state. Brown argues that the contemporary convergence of neoliberal and neoconservative political rationalities is producing a “new political form” whose effects are the increasing de-democratization of the United States.

One profound implication of the fiercely anti-democratic political culture that emerges at the conjoining of neoliberalism and neoconservatism is the shifted politics of legitimacy of the state: to the extent that neoliberalism justifies its authority via claims to growth, the absence of democratic structures does not lead to legitimation crises, for neoliberalism does not derive its legitimacy from them but rather from the promise to create structures that enhance and guarantee economic growth. Moreover, the apparent absence of “growth” does not necessarily provoke a legitimation deficit for a strictly neoliberalizing regime. A “growth crisis”—such as the one we are now experiencing—will likely intensify the call for growth at any cost. Thus, even as the financial crisis inspires demands for the re-regulation of finance capital (which was never de-regulated, but was, rather subject to neoliberal regulation), the crisis will not stall the core process by which responsabilization takes place. To the contrary, the financial crisis and broad-scale economic hardship will likely ratchet up the call for growth and further entrench the process by which market rationality and entrepreneurialism is expanded to every domain. In addition, as a mode of political rationality, neoconservatism also does not seek to legitimate its authority in democratic institutions; rather, it asserts its legitimacy through a moral righteousness backed by and expressed through the exercise of power,

¹⁷ See Stephanie Coontz, *The Way We Never Were: American Family and the Nostalgia Trap* (New York: Basic Books, 2000).

¹⁸ Wendy Brown, “American Nightmare,” 696-698.

and is emphatically and explicitly hostile to democratic egalitarianism. Thus, this “new political form,” this anti-democracy taking shape at the conjunction of neoliberalism and neoconservatism inures itself to crises of legitimation by oscillating between authority and power—by appealing to the alibi of economic growth and by cultivating fear. Growth legitimates the authority of the neoliberal state project; fear legitimates the expansion of unaccountable state power. The conjoined force of neoconservatism and neoliberalism is profoundly shifting the terrain of the politics of state legitimacy in the U.S., with profound implications for the contours of political mobilization in this time of global economic crisis.

Spaces of neoliberalism

Brown does not address the spatial registers of this emergent anti-democratic political form. Yet her emphasis on the importance of understanding neoliberalism as a normative, constructivist project—a project “that endeavor[s] to create a social reality it suggests already exists”—would seem to underscore the centrality of the built environment, of physical constructions and of the spatial scale of lived experience in the effort to produce the truth-effects of this “new political form.” A review of the key socio-spatial transformations over the last three decades reveals that the urban scale is a central spatial register within which and through which the responsabilization and de-democratization of citizens takes place. A brief and non-exhaustive summary of these transformations includes: the rise of entrepreneurialism as the primary mode of urban governance, resulting from and producing increased competition and “place-marketing” between cities within regions, between regions, and between cities competing in an increasingly global(ized) economy; the emergence of new actors and new institutions which constrain the political autonomy of urban governance, such as bond-rating agencies, public private partnerships, privatization of public assets, and tax increment financing schemes; the increased power of the real estate sector within the urban landscape, such that real estate is, as Jason Hackworth has argued “the leading edge of neoliberalism on the urban scale in the United States”; the shift from urban planning to urban mega-projects, or what Peter Marcuse has aptly termed “deplanning” which removes urban spatial transformation even further from democratic accountability; the intensification of spatial division, and the emergence of the “quartered” or “layered” city:

fortified enclaves, ghettos of exclusion, and center-city citadels of capital; the increased “securitization” through official and unofficial policing of the disparate zones of the divided city; the increased salience of anti-immigration and anti-homelessness law, and the emergence of the legal category of the “illegal” person”; the rescaling of the state function or what Neil Brenner terms “state spatiality” from the Keynesian welfare state, which emphasized the horizontal distribution of state spatiality across the national territory, to the “multi-scalar recalibration” of spatiality which puts renewed emphasis on the urban scale as a command center in the operation of global capital.¹⁹

The extreme responsabilization of the citizen happens by way of and at the spatial scale of responsabilized, entrepreneurialized, and increasingly de-democratized urban spaces. Indeed, David Harvey argues forcefully that the fiscal crisis in New York City in the mid-1970s and the success with which the crisis enabled financial institutions to transform urban governance in New York functioned as a kind of policy-incubator, honing a process that was later exported to other cities in the United States and to whole countries, through the instrumentalities of neoliberal finance.²⁰ Brown’s analysis importantly augments the socio-spatial accounts of neoliberalism, as she urges us to understand these material transformations not as the Neoliberal Real, but rather as spatially-embedded strategies by which neoliberalism—as a political project—attempts to create the reality it claims already exists.

The responsabilization of cities—the de-democratization of and in the urban scale—presents particular challenges for the practice of spatial justice, for cities are increasingly less powerful than they look, in this sense: gleaming towers and big boxes are touted as the accomplishments of neoliberal urban governance. As signals of the achievements of neoliberal governance, however, they are also signs of the loss of

¹⁹ There is an extensive and growing literature on the spatial forms of neoliberal urbanization, in critical urban theory, and political economic geography. I invoke here, especially, the work of Neil Brenner and Nik Theodore, *Spaces of Neoliberalism: Urban Restructuring in Western Europe and North America* (Oxford and Boston: Blackwell Publishing, 2002); Neil Brenner, *New State Spaces: Urban Governance and the Rescaling of Statehood* (Oxford and Boston: Oxford University Press, 2004); Jason Hackworth, *The Neoliberal City: Governance, Ideology and Development in American Urbanism* (Ithaca: Cornell University Press, 2006); David Harvey, *A Brief History of Neoliberalism* (Oxford and New York: Oxford University Press, 2005); Erik Swyngedouw and Andy Merrifield, eds., *The Urbanization of Injustice* (New York: New York University Press, 1997).

²⁰ David Harvey, *A Brief History of Neoliberalism*. See also Jamie Peck et al., “The City as a Policy Lab,” AREA Chicago, July 7, 2008, <http://www.areachicago.org/p/issues/city-as-lab/city-policy-lab>.

political autonomy and the diminishment of the capacity of democratic institutions at the urban scale—the capacity that is a necessary precondition of the re-direction of urban policy toward different, more egalitarian aims. The gleaming towers and big boxes do not signal the expanded capacity of urban governance *itself*, but increasingly are signs of the *impotence* of the capacity of urban governance relative to the forces that have captured public institutions and assets for private gain, forces which increasingly do not operate at the urban scale. Yet the apparent self-evidence of the built as “growth” provides a principle alibi for the extension of neoliberal political rationality. Moreover, the responsabilization of the city has meant that the city is a core spatial register within which the de-politicization of socio-spatial inequality takes place. Cities are left with decreased capacity to manage the political, social and economic problems neoliberalization produces; moreover, these problems are de-politicized—they are not viewed as a political symptom of systemic failures, but as the result of the poor choices made by individual cities, by individual neighborhoods within cities, or by individuals within those neighborhoods. The ongoing fiscal crisis will only escalate the process of inter-urban competition, as extreme fiscal discipline is imposed on states, cities and individuals, as all compete for shrinking funds as state governments and municipalities contend with budget shortfalls, drastic losses in tax revenue, and increased social need. It remains an open and critical question whether the ongoing financial crisis will trigger a *re-politicization* of social inequality or whether the crisis and resulting economic distress will continue to be seen as personal failures caused by bad choices made by imprudent individuals.

Securities and insecurities

If socio-spatial theory has amply elaborated “spaces of neoliberalism,” it has not attended to the “spaces of neoconservatism” to nearly the same degree, nor has it attended to the ways in which the two are contingently if also powerfully mutually re-enforcing. Socio-spatial theorists have not described the spatial registers upon which neoconservatism relies, but tend instead to see neoconservatism as an ideology that

floats above, or lurks within, neoliberal spatial transformations.²¹ Yet, if we accept with Brown that neoconservatism is a distinct mode of political rationality—one that chaffs against neoliberalism in certain key respects—so too must neoconservatism produce a landscape, so too must it work through (and produce) distinct spatial forms, that only contingently bolster the social force of neoliberalism—and potentially disrupt it. Thus, I turn now to ask: what are the spatial practices that are critical to neoconservatism’s constructivist project? What are the key spatial registers through which neoconservatism works to create a landscape in its own image, through which it works to construct that which it claims already exists? And how does this landscape work with that of neoliberalism to produce what Brown terms a “new political form,” one that cultivates a de-democratized citizenry—the “abject, unemancipatory, and anti-egalitarian subjective orientation amongst a significant swathe of the American populace”?²²

As outlined earlier, neoconservatism is a mode of authoritarian nationalism in which home and homeland are mutually constituted as under siege, and in which the defense of a fiercely normative understanding of the family is yoked to and becomes a modality of the defense of the imperial mission of United States—and vice versa.²³ The spatial registers critical to the construction of neoconservatism as a political rationality are thus those that help to produce *as axiomatic* the juridical, spatial, and psychic relay between (patriarchal) “home” and (imperial) “homeland.” This logic can be seen in an extreme form in the anti-immigration activism of the “Minuteman Civil Defense Corps,” which describes itself as a “national citizen neighborhood watch, securing the American

²¹ Lisa Duggan, for example, sees neoconservatism as the “cultural politics” of neoliberalism, in *The Twilight of Equality? Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston: Beacon Press, 2003). David Harvey refers to the neoconservative elements within neoliberalism as a “neoliberal pragmatism,” even as he sees the political transformations in the U.S. in the 1990s “Contract with America” as a key and decisive moment in the neoliberal shift. But the Contract with America was a decisive moment in the consolidation of the new right as such. See David Harvey, “Neo-liberalism as Creative Destruction,” *Geografiska Annaler: Series B, Human Geography* 88, no. 2 (2006): 149. Harvey elaborates further: “It is, however, interesting to look more specifically at how the process unfolded in the U.S., since this case was pivotal in influencing the global transformations that later occurred. In this instance various threads of power intertwined to create a very particular rite of passage that culminated in the Republican Party takeover of Congressional power in the mid-1990s, vowing what was in effect a totally neoliberal ‘Contract on America’ as a programme of domestic action.”

²² Brown, “American Nightmare,” 703.

²³ Brown, “American Nightmare,” 696-697. See also Anne Norton, *Leo Strauss and the Politics of American Empire* (New Haven: Yale University Press, 2005).

border.”²⁴ The organization promotes itself as the “nation’s largest neighborhood watch group,” explicitly linking residential-scale crime prevention initiatives designed to reduce home break-ins to the work to secure the geographic borders of the nation. The Minuteman and other border defense organizations seek to incite the state to enact a more virulent defense of borders—to build the border wall, faster, taller, higher; a “full-on Israeli-style Security Fence.”²⁵ These border enforcement activist groups also organize to defend a broad range of other locations which they define as a series of internal borders under siege—from day-laborer pick-up stations to residential zoning laws to taxes policy—which are depicted as the front-lines in the war with those who would “destroy sovereign America.” The call to defend the nation’s borders, which depicts a homeland broadly under siege, has become a powerful mobilizing ideology of the “new” new right which has consolidated and reorganized after 9-11. In addition, at least since Mike Davis’ *City of Quartz*, critics have described the emergence of “Fortress America”—an increasing proliferation of walls, gates, and home-security devices along with new forms of social organization in single-family neighborhoods, and new forms of private government, such as common interest developments (CIDs) and residential homeowner associations (RHAs). These otherwise varied landscapes cohere around the effort to secure the home against external forces of instability and insecurity.²⁶

The alarm-rigged house, the gated community, the securitized urban street, the bordered nation: these are spatial forms that have arisen in the context of the broad neoliberalization of the U.S., but they cannot be said to cultivate precisely an *entrepreneurial* subject. Isin Engin has recently identified the home/homeland nexus as a key domain in the production of a subject whose conduct is governed not through its

²⁴ “The Minuteman Civil Defense Corps: National Citizens Neighborhood Watch Securing the American Border,” <http://www.minutemanhq.com/hq/local.php>. Even as border defense grows as a way to coordinate the new right the Minutemen organization is, as of this writing, in internal turmoil, over controversies stemming from the use of funds pledged for the rebuilding. See Zvika Krieger, “Time’s Up: The Minutemen Turn on Each Other,” *The New Republic*, November 19, 2008.

²⁵ Chris Simcox, “An Update from the Minuteman Fence Project Manager,” *MinutemenHQ*, <http://www.minutemanhq.com/bf/schedule.php>.

²⁶ There is a growing literature on the privatization of urban and residential development in the United States; see Mike Davis, *City of Quartz: Excavating the Future in Los Angeles* (New York: Vintage Books, 1992); Margaret Kohn, *Brave New Neighborhoods: The Privatization of Public Space* (New York: Routledge, 2004); Setha Low, *Behind the Gates: Life, Security, and the Pursuit of Happiness in Fortress America* (New York: Routledge, 2003); Don Mitchell, *The Right to the City: Social Justice and the Fight for Public Space* (New York: Guildford Press, 2003).

responsibilization—not by appealing to the subject’s capacity to manage its own well being through the prudent application of market-rationality, but through its “neuroticization,” by appealing to the subject’s capacity to manage its “fears, anxieties, and insecurities.”²⁷ Isin terms this subject the “neurotic subject” and suggests that it emerges along side the neoliberal subject, indeed is mutually determining of it. Isin sketches the contours of a neurotic subject, and identifies the home-homeland relay as a particularly symptomatic domain for the cultivation of the “neurotic citizen.”

Being continuously neuroticized in other domains, the home perhaps becomes the last remaining domain in which the subject can manage and stabilize anxieties and insecurities cultivated in them [sic]. So the home is caught in a double movement of neuroticization: first, it gets constituted as a domain through which anxieties and insecurities are managed and stabilized; second, that it is constituted as a domain of stability and security generates increased anxieties about its creation and maintenance as such a domain. So, the very home that is constituted as a domain of serenity and stability also produces more anxieties that it was constituted to ameliorate in the first place. Out of this double movement emerges a subject whose conduct is governed through its neurosis: the target of government is not a reasonable and calculating subject but a neurotic citizen who invests itself in the production of a stable home in the service of his homeland (the nation).²⁸

My point here, in drawing on Isin, is to emphasize that the spatial practices of “home defense” cultivate a different subjective orientation than the entrepreneurialized, calculating subject of neoliberalist political rationality: these practices of “home defense” cultivate an anxious, insecure, and increasingly *angry* subject, a subject cultivated by what Isin terms “neuroliberalism” as mode of governmentality. The neurotic citizen

²⁷ Engin Isin, “The Neurotic Citizen,” *Citizenship Studies* 8, no. 3 (September 2004): 217. Isin provides a sympathetic critique of the work of sociologist Ulrich Beck and others who have named the present a “risk society.” As Isin points out the risk society thesis cannot in itself be called upon to explain how some dangers come to be subjectively experienced or understood as risks.

²⁸ Isin, “The Neurotic Citizen,” 231. Isin argues that alongside the “neoliberal” subject (rationalized, calculating in an ever-increasing domain), is the anxious subject of a “neuropolitics.” Whereas the “bionic,” entrepreneurialized citizen is governed through its freedom, the “neurotic” citizen is governed through its anxieties. The work of neuroticization as a technique of governmentality, aims not for the elimination of neurosis (or neurotic fear) but for its management.

demands “absolute security as a right,” even as it expects others to be responsible for themselves. This neuroticization furthers the shredding of the body politic as it cultivates a citizen who demands rights, but fears democracy.

Yet, if “home security” cultivates a neoconservative subject, the “home as security” is at the core of the neoliberal regime as it has been worked out over the last three decades. If the neoconservative subject is compelled to “invest in the stability of the home” as a hedge against psychological insecurities, the neoliberal subject is enjoined to invest in a *house* as a hedge against material insecurity—to use a house to purchase access to futurity itself, in the absence of any other social or collective guarantee of such. And thus we can amend the maxim of the form of governmentality inaugurated by the “roll-back” phase of neoliberalism to include “financialization,” in this sense: the dismantling of welfare statist structures of social support, which, as we have seen, constituted not the withdrawal of the state from the social but a technique of governance, also inaugurated a process of the intensification of the webs of finance capital over everyday urban life. The withdrawal of the state from the social provision of goods necessary to the maintenance of well-being—education, health care, shelter, caring for the elderly and children—meant that people were increasingly required to purchase these social goods on the private market—most often on credit.²⁹ Given that wages have remained largely stagnant in real dollars over the last decade while house prices have more than doubled, one can see that neoliberalization has meant more than merely the “pacification through cappuccino” as Sharon Zukin has termed it; it was pacification through debt—as people increasingly began to “use their house as an ATM machine.”³⁰ Thus “the private house” can be seen as a core spatial register within which neoconservatism and neoliberalism are powerfully conjoined in the United States: the house grounds the spatial practice of “home,” and stands as a physical expression of family; it also is the seat of the autonomous entrepreneurial subject, and a core asset utilized to enable and promote individualized self-care through the debt-finance consumption of well-being. “The home” is thus a key to both the responsabilization and

²⁹ For a full elaboration of this dynamic, see, for example, Randy Martin, *The Financialization of Daily Life* (Philadelphia: Temple University Press, 2002).

³⁰ Sharon Zukin, *The Culture of Cities* (Oxford: Blackwell Publishers, 1995), 28. Noriel Roubini reports that the debt to income ratio rose from 70% in the 1990s to 100% in 2000, to over 140% at the end of 2008. *GME Monitor*, December, 2008.

the “neuroticization” of the citizen. It is here, in the home—in the very heart (the factory) of modern privacy—that the spatial techniques and practices of neoliberalism and neoconservatism align. If Brown has described the “forces of de-democratization produced at the intersection of neoliberal and neoconservative rationalities,”³¹ it would seem that the house-as-home sits at—enabling?—that intersection.

But what is a house? A house is only phantasmatically de-linked from municipal scales that define the city, no matter how de-centralized, suburbanized or even ruralized the urban sub-strate yoking one “house” to Others.³² The “house” is thus both cipher and screen, at once concealing and revealing the forces of production and reproduction that produce the private “individual”—and vice versa. This was made astonishingly clear by the fact that it was “the house”—the securitization of non-prime loans in an over-valued housing market—that triggered the ongoing collapse in the global financial system, to reveal a structural crisis of global capital. While private home ownership emphatically is not the *cause* of the global financial implosion, it is a core instrument through which working and middle class people became entangled in—and put at risk by—the instruments of neoliberal finance.³³

At home in public

In this paper’s final section I turn to ask: what are the implications of Brown’s understanding of the political present for the practice of spatial justice, especially now that the present has revealed (itself as constituted by) a structural crisis in global capitalism? Brown’s emphasis on neoliberalism and neoconservatism as contingently linked modes of political rationality refocuses spatial justice as the work to develop and promulgate a *counter*-rationality: spatial justice becomes the practice of cultivating subjects who resist entrepreneurialization, refuse moral authoritarianism, and re-

³¹Brown, “American Nightmare,” 691.

³² For a trenchant discussion of “isolation,” see Mark Wigley’s reading of the unabomber’s isolated cabin, “Bloodstained Architecture,” in *Post, Ex, Sub, Dis: Urban Fragmentations and Constructions*, edited by the Ghent Urban Studies Team (Rotterdam: 010 Publishers, 2002). “Isolated” is an urban concept.

³³ Neoliberalism is driven by and is, in certain key ways another name for, financialization more generally. See John Bellamy Foster, “The financialization of capitalism and the crisis,” *Monthly Review*, April 2008. <http://monthlyreview.org/080401foster.php>. More than 85 percent of the current oversupply of houses, part of the spiraling devaluation of the real estate bubble, are single-family structures. See Nouriel Roubini, *RGE Monitor’s Newsletter*, January 7, 2009.

politicize social inequality. Her focus on the techniques of responsabilization and de-democratization also prepares us to greet with deep skepticism the cries that neoliberalism is coming to an end—the confessions of Alan Greenspan notwithstanding. The processes and techniques improvised in the name of neoliberalism have been unleashed: bond rating agency powers, tax increment financing schemas, housing policy vouchers systems, public-private partnerships, and a host of ever-more inscrutable instruments (collateralized debt obligations, credit default swaps) of neoliberal finance. The fiscal crisis alone will not retract the processes and institutions through which market-rationality increasingly permeates all domains of life. To the contrary, the deepening fiscal crisis will most certainly be invoked as a *justification* for the further entrenchment of neoliberal institutions, and the further responsabilization and entrepreneurialization of cities, regions, and citizens, as each is made to compete for increasingly scarce funds, disappearing jobs, and tightened credit. The practices and institutions—not simply the doxa—of neoliberalism have to be dismantled, and counter-institutions and counter-practices put in their place.

Thus, the practice of spatial justice must include—indeed begin by—cultivating a counter-rationality to that of the neoliberal and neoconservative projects; it must foster, in Brown's phrase, "a different figuration of human beings, citizens, economic life, and the political"³⁴—which is also to say, a fundamentally different figuration of the city. Such a practice cannot confine itself to "public space," but must be willing to trespass on the "private" in several senses. The ongoing force of neoliberalism has been to empower private and pseudo-public institutions with the work of regulating the social, the economic and political. The work of spatial justice must be to pry open these institutions to meaningful democratic accountability and decision-making, as well as to cultivate new modalities of social provision that can effectively challenge the dominance of finance capital over urban everyday life. Growth is the core justification as well as alibi of the neoliberal project; thus one critical locus of spatial justice practices must be to re-frame the question and content of growth, and to refute its apparent self-evidence in the built environment. Even or especially in the midst of financial crisis it is imperative to challenge the mechanisms by which neoliberal political rationality has been able to annex the built to support its further proliferation through the largely-unchallenged claim

³⁴ Wendy Brown, "Neoliberalism and the End of Liberal Democracy," *Theory and Event* 7, no. 1 (2003), <http://muse.jhu.edu/journals/tae/v007/7.1brown.html>.

that the built represents “growth.”³⁵ Throughout the last three decades, “growth” has been applied to describe transformations of the built environment no matter what sort or to what effect: shining towers, manicured parks, along with walled-off poverty and imprisoned despair, are critical parts of the mechanisms by which neoliberalism produces the reality it claims already exists. Will now the half-built skyscrapers and acres of single-family houses built “on spec” be enlisted as evidence that further concessions to neoliberal finance are required? Or will the claim that these represented growth in any meaningful sense finally be refuted, replaced with a more nuanced evaluation of the relationship between the transformations in the built environment and the enhanced capacity at the urban scale, and fuel the solid but under-represented efforts of “accountable development,” and “smart growth” for working families.³⁶ A practice of spatial justice must also work to de-link the built not only from the mystifying discourse of growth, but also from its as-mystified antithesis, decay.

Just as neoliberalism’s core lever at the urban scale has been to force cities to become ever-more entrepreneurial and to de-politicize and individualize inequity, the practice of spatial justice must work to resist entrepreneurialization’s corrosive force, and to re-politicize social inequity by insisting on and demonstrating the collective origins of individual and social well-being, and by forging practices of solidarity between regions, between cities, and between neighborhoods in cities. The process of creating counter-institutions of trans-urban solidarity will no doubt become increasingly difficult as the deepening fiscal crisis pits region against region in competition for both federal funds and private investment. But it is crucial to keep in mind that, as Jamie Peck et al. argue, neoliberalism’s broad range of strategies did not emerge fully-formed, and neither are its processes complete:

Neoliberalism is a political project that is continually being made and remade. It didn’t spring into life fully formed, some inevitable outgrowth of globalization. It is a work in progress—and a site of struggle. Cities are sites of experimentation, and they are the command centers of neoliberalism—the places where policy ideas come from. At the same time they are the places where the contradictions are most apparent, where the

³⁵ The practice of spatial justice must challenge not only the largely unchallenged axiom that “urban growth” axiomatically represents “economic growth” but also that “economic growth” (as measured by aggregate profit-generation) is axiomatically a measure of the public good.

³⁶ See Good Jobs First, <http://www.goodjobsfirst.org/>.

destructive tendencies are most visible, and where the everyday violence of neoliberalism is played out most vividly.³⁷

Just as the neoliberalization of the city is incomplete, and continually improvises urban policy and political institutions that work to produce the city it claims already exists—so too must the practice of spatial justice actively and unceasingly improvise a set of counter-institutions and counter-techniques that help structure everyday practices as if a meaningfully democratic city already exists—improvise a set of practices that enrich and expand the collective capacity to shape urban life by those who live there.

These counter-practices must be calibrated to the scalar logics of neoliberalism, and the socio-spatial patterns of hyper-valorization and disinvestment that neoliberalism produces: the revalorization of center-cities and outer-ring suburbs and the devalorization and impoverishment of already poor neighborhoods as well as inner-ring or first tier suburbs. Projects that target the already re-invested urban core or enrich the already valorized neighborhoods may work to support not oppose neoliberalism spatial logics, and thus extend neoliberalism's vaunting of the apparent efficiencies of a market-rationalized civic realm.

This is also to re-orient spatial justice away from a concern with “public space,” and toward the work of forging democracy out of the core structures that regulate and finance collective urban life—especially those that have been allowed up to now to lurk largely in the shadows, beyond meaningful scrutiny under the guise of private institutions. These must no longer be allowed merely to (claim to) serve the public; these must be made meaningfully over into modern-day “town squares.” A crucial step in this process is to de-mystify and democratize the institutions of “development finance” at the urban scale—the work of bond rating agencies, tax increment finance schemes, transnational development firms, and finally banks themselves—and to challenge their power to shape local urban processes.³⁸ This is to democratize financial institutions,

³⁷ Jamie Peck et al., “City as a Policy Lab.”

³⁸ This has been the focus of the critical work of Good Jobs First, <http://www.goodjobsfirst.org/>, and the long-standing, but recently defunct, Neighborhood Capital Budget Group, <http://www.ncbg.org/>.

rather than merely to nationalize them—as has so far been the direction of the \$700 billion under-writing of the faltering U.S. financial system.³⁹

Yet not only growth but also fear and a cultivated insecurity animate and legitimate the extension of the de-democratizing structures that the conjoining of neoliberalism and neoconservatism enable. Thus the practice of spatial justice must also work to de-link neoliberal from neoconservative political rationalities, to exploit the tension between them, and to counter the latter on its own terms. The practice of spatial justice must be to effectively counter the fortressing of America as *productive* of insecurity not a remedy for it. This involves not only active resistance and de-naturalization of the many forms of wall-building, border-fortifying and prison-making, but also attending to the meaning and practices of home as the core domain within which de-democratization gets *produced*. One must work to challenge and refuse—on every available ground—the structures and strictures through which house-based and residence-based urbanisms seek to phantasmatically, juridically, and economically de-link from the broader urban-scale and region-wide networks that enable and sustain them.

Finally, the practice of spatial justice must be grounded in—and make central—the cultivation of a different figuration of the citizen. As we have seen, neoliberalism and neoconservatism are profoundly de-democratizing, and not primarily in the policing of downtowns or the privatization of public squares, but because these (and other) spatially-embedded practices cultivate a de-democratized citizen and a tolerance for ever-more-intensified forms of moral, state and economic authoritarianism. The de-democratic constitution of citizens is not somehow prior to, outside of, or otherwise immune to the radical spatial restructuring we analyze: “Democratic politics is not out

³⁹ On the need to de-mystify tax-increment financing, bond-rating agencies and other key institutions of neoliberal finance, see especially Greg LeRoy, *The Great American Job Scam: Corporate Tax Dodging and the Myth of Job Creation* (San Francisco: Berrett-Koehler Publishers, 2005) and Jason Hackworth, *The Neoliberal City: Governance, Ideology and Development in American Urbanism* (Ithaca: Cornell University Press, 2006); David Harvey and others have called, for example, for “much of the \$700 billion bail-out for financial institutions to be diverted into a Reconstruction Bank, which would help prevent foreclosures and fund efforts at neighborhood revitalization and infrastructural renewal at municipal level” (39). See Harvey, “The Right to the City,” *New Left Review* 53 (September October 2008): 23-40. Leo Panitch and Sam Gindin report, “Even the Financial Times now warns in its editorials that it may not be possible to avoid much longer the issue of really taking the whole banking system into public ownership, given its current disfunctionality. Indeed, there has long been a strong case for turning the banks into a public utility, given that they can’t exist in complex modern society without states guaranteeing their deposits and central banks constantly acting as lenders of last resort.”

there, in the public sphere or in a realm, but in here, at the very soul of subjectivity.”⁴⁰ The spatial production of the de-democratized citizen is not merely epiphenomenal to the re-organization of capital and U.S. imperial ambition but is rather one of its central modalities. Unless it is actively opposed by a counter-figuration of the citizen, the financial crisis will only heighten the de-democracy taking shape at the intersection of neoliberalism and neoconservatism. Having debt-financed their way into a precarious socio-economic well being, an increasing number of people in the U.S. find that they owe the bank more than their houses are worth, that their access to credit is blocked, and their jobs are threatened or gone. If they demand rights, will they also hate democracy? Thus the practice of spatial justice must be to cultivate a different figuration of political belonging and human collectivity than that offered by both the neoliberal and neoconservative projects; a citizen who not only expects but also *practices* democracy as constituted through embodied spatial practices of shared power and collective freedom, and who will challenge not only the legitimacy of the neoliberalizing project, but also the extension of authoritarian power. This is to cultivate a citizen who demands a freedom that can only be collectively maintained and a security that is visibly and explicitly understood as socially produced—a citizen who is only fully “at home” in public.⁴¹

To conclude, I titled this essay “the practice of spatial justice after liberal democracy” to underscore that justice (like democracy) is a practice, not a “thing” and also to name the challenges to that practice by the radical foreclosure of the institutions of liberal democracy being accomplished by the effective conjoining of neoliberalism and neoconservatism. Writing in the immediate run-up to the ongoing financial crisis, Brown argued that, as “the institutions as well as the political culture comprising liberal democracy are passing into history, the left is faced both with the project of mourning what it never wholly loved and with the task of dramatically resetting its critique and

⁴⁰ Cruikshank, *The Will to Empower*, 124.

⁴¹ I invoke here the work of political theorist Thomas Dumm, who asks about the connection between democracy and homelessness: “For many people, fear of democracy is associated with a desire for home. . . Democracy is connected to a form of homelessness, in that it requires that one overcome the desire to be at home. Home, in our contemporary democracy, is comprehended as a private place, a place of withdrawal from the demands of common life, a place of fixed meaning where one is protected from disorientation, but also from the possibility of democratic involvement.” Thomas Dumm, *United States (Contestations)* (Ithaca: Cornell University Press, 1994), 155.

vision in terms of the historical supersession of liberal democracy.”⁴² She urges an understanding of political praxis that does not hinge on a (tacit) expectation that neoliberalism’s excesses will encounter their limits in a crisis of legitimacy for the state. A practice of spatial justice must move decisively and emphatically beyond a “politics of awareness” calibrated to expose as *illegitimate* in (liberal democratic terms) the use of state and economic power: denouncing the use of urban surveillance, documenting a growing socio-spatial segregation, revealing the scope of the private acquisition of public infrastructure, outlining the proliferation of gated communities, or deploring the mounting militarization of national and municipal borders; as important as these are, if they do not also address the de-democratization of the subject, these strategies remain ones which seek to provoke a no-longer liberal democracy into keeping promises it no longer recognizes as such, and to engage de-democratized citizens into demanding an accountability of political power that they no longer expect. As I have hoped to make clear, practices of justice cannot assume a public that will be scandalized and spurred to action, even or especially in a time of financial crisis and extreme fiscal restraint. Instead, the practice of spatial justice must be to cultivate such a public, understood not as a space, but a people. This is to work within what remains of political liberalism, to “grasp the implications of its waning” not in order shore up its abstract promises—of rights without capacity—but to work in the waning of liberal democracy and in the turmoil of a wounded neoliberalism, to shape what will come after. This is to use the language of the right to the city, as Lefebvre understood it: the right to the city must be more than the right merely to inhabit a pre-made city—to choose between the gated enclave, the barricaded citadel—but the right to the capacity to shape the habitations of our collective life.⁴³

Reference

⁴² Brown, “American Nightmare,” 691.

⁴³ The growing “right to the city” movement is another powerful location for this work. See the U.S.-based Right to the City Alliance, <http://www.righttothecity.org/>, and the Habitat International Coalition’s Right to the City campaign, <http://www.hic-net.org/indepth.asp?PID=18>. See also David Harvey, “The Right to the City,” *New Left Review*. *New Left Review* 53 (September-October 2008): 23-40.

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The city and spatial justice¹

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The specific term “spatial justice” has not been commonly used until very recently, and even today there are tendencies among geographers and planners to avoid the explicit use of the adjective “spatial” in describing the search for justice and democracy in contemporary societies. Either the spatiality of justice is ignored or it is absorbed (and often drained of its specificity) into such related concepts as territorial justice, environmental justice, the urbanization of injustice, the reduction of regional inequalities, or even more broadly in the generic search for a just city and a just society.

All of these variations on the central theme are important and relevant, but often tend to draw attention away from the specific qualities and meaning of an explicitly spatialized concept of justice and, more importantly, the many new opportunities it is providing not just for theory building and empirical analysis but for spatially informed social and political action.

My aim in this brief presentation is to explain why it is crucial in theory and in practice to emphasize explicitly the spatiality of justice and injustice, not just in the city but at all geographical scales, from the local to the global. I will state my case in a series of premises and propositions, starting with an explanation of why the specific term spatial justice has emerged from literally nowhere in just the past five years and why it is likely to continue to be the preferred term in the future.

Why spatial ? Why now ?

1. Whatever your interests may be, they can be significantly advanced by adopting a critical spatial perspective. This is the premise that lies behind practically everything I

¹ Paper prepared for presentation at the conference *Spatial Justice*, Nanterre, Paris, March 12-14, 2008.

have written over the past forty years and is the first sentence in *Seeking Spatial Justice*, the title of a book I am currently writing.

2. Thinking spatially about justice not only enriches our theoretical understanding, it can uncover significant new insights that extend our practical knowledge into more effective actions to achieve greater justice and democracy. Obversely, by not making the spatial explicit and assertive, these opportunities will not be so evident.

3. After a century and a half of being subsumed under a prevailing social historicism, thinking spatially has in the past decade been experiencing an extraordinary diffusion across nearly all disciplines. Never before has a critical spatial perspective been so widespread in its recognition and application—from archeology and poetry to religious studies, literary criticism, legal studies, and accounting.

4. This so-called spatial turn is the primary reason for the attention that is now being given to the concept of spatial justice and to the broader spatialization of our basic ideas of democracy and human rights, as in the revival of Lefebvre's notion of the right to the city, of particular relevance here in Nanterre. Whereas the concept would not have been easily comprehensible even five years ago, today it draws attention from a much broader audience than the traditionally spatial disciplines of geography, architecture, and urban and regional planning.

5. Thinking about space has changed significantly in recent years, from emphasizing flat cartographic notions of space as container or stage of human activity or merely the physical dimensions of fixed form, to an active force shaping human life. A new emphasis on specifically urban spatial causality has emerged to explore the generative effects of urban agglomerations not just on everyday behavior but on such processes as technological innovation, artistic creativity, economic development, social change as well as environmental degradation, social polarization, widening income gaps, international politics, and, more specifically, the production of justice and injustice.

6. Critical spatial thinking today hinges around three principles:

a) The ontological spatiality of being (we are all spatial as well as social and temporal beings)

b) The social production of spatiality (space is socially produced and can therefore be socially changed).

c) the socio-spatial dialectic (the spatial shapes the social as much as the social shapes the spatial)

7. Taking the socio-spatial dialectic seriously means that we recognize that the geographies in which we live can have negative as well as positive consequences on practically everything we do. Foucault captured this by showing how the intersection of space, knowledge, and power can be both oppressive and enabling. Building on Foucault, Edward Said states the following:

“Just as none of us are beyond geography, none of us is completely free from the struggle over geography. That struggle is complex and interesting because it is not only about soldiers and cannons but also about ideas, about forms, about images and imaginings.”

8. These ideas expose the spatial causality of justice and injustice as well as the justice and injustice that are embedded in spatiality, in the multi-scalar geographies in which we live, from the space of the body and the household, through cities and regions and nation-states, to the global scale.

9. Until these ideas are widely understood and accepted, it is essential to make the spatiality of justice as explicit and actively causal as possible. To redefine it as something else is to miss the point and the new opportunities it opens up.

On the concept of spatial justice/injustice

1. In the broadest sense, spatial (in)justice refers to an intentional and focused emphasis on the spatial or geographical aspects of justice and injustice. As a starting point, this involves the fair and equitable distribution in space of socially valued resources and the opportunities to use them.

2. Spatial justice as such is not a substitute or alternative to social, economic, or other forms of justice but rather a way of looking at justice from a critical spatial perspective. From this viewpoint, there is always a relevant spatial dimension to justice while at the same time all geographies have expressions of justice and injustice built into them.

3. Spatial (in)justice can be seen as both outcome and process, as geographies or distributional patterns that are in themselves just/unjust and as the processes that produce these outcomes. It is relatively easy to discover examples of spatial injustice descriptively, but it is much more difficult to identify and understand the underlying processes producing unjust geographies.

4. Locational discrimination, created through the biases imposed on certain populations because of their geographical location, is fundamental in the production of spatial injustice and the creation of lasting spatial structures of privilege and advantage. The three most familiar forces shaping locational and spatial discrimination are class, race, and gender, but their effects should not be reduced only to segregation.

5. The political organization of space is a particularly powerful source of spatial injustice, with examples ranging from the gerrymandering of electoral districts, the redlining of urban investments, and the effects of exclusionary zoning to territorial apartheid, institutionalized residential segregation, the imprint of colonial and/or military geographies of social control, and the creation of other core-periphery spatial structures of privilege from the local to the global scales.

6. The normal workings of an urban system, the everyday activities of urban functioning, is a primary source of inequality and injustice in that the accumulation of locational decisions in a capitalist economy tends to lead to the redistribution of real income in favor of the rich over the poor. This redistributive injustice is aggravated further by racism, patriarchy, heterosexual bias, and many other forms of spatial and locational discrimination. Note again that these processes can operate without rigid forms of spatial segregation.

7. Geographically uneven development and underdevelopment provides another framework for interpreting the processes that produce injustices, but as with other processes, it is only when this unevenness rigidifies into more lasting structures of privilege and advantage that intervention becomes necessary.

8. Perfectly even development, complete socio-spatial equality, pure distributional justice, as well as universal human rights are never achievable. Every geography in which we live has some degree of injustice embedded in it, making the selection of sites of intervention a crucial decision.

Why justice ? Why now ?

1. Seeking to increase justice or to decrease injustice is a fundamental objective in all societies, a foundational principle for sustaining human dignity and fairness. The legal and philosophical debates that often revolve around Rawls' theory of justice are relevant here, but they say very little about the spatiality of justice and injustice.

2. The concept of justice and its relation to related notions of democracy, equality, citizenship, and civil rights has taken on new meaning in the contemporary context for many different reasons, including the intensification of economic inequalities and social polarization associated with neoliberal globalization and the new economy as well as the transdisciplinary diffusion of a critical spatial perspective.

3. The specific term "justice" has developed a particularly strong hold on the public and political imagination in comparison to such alternatives as "freedom," with its now strongly conservative overtones, "equality," given the impact of a more cultural politics of difference, and the search for universal human rights, detached from specific time and place.

4. Justice in the contemporary world tends to be seen as more concrete and grounded than its alternatives, more oriented to present day conditions, and imbued with a symbolic force that works effectively across cleavages of class, race, and gender to foster a collective political consciousness and a sense of solidarity based on widely shared experience.

5. The search for justice has become a powerful rallying cry and mobilizing force for new social movements and coalition-building spanning the political spectrum, extending the concept of justice beyond the social and the economic to new forms of struggle and activism. In addition to spatial justice, other modifiers include territorial, racial, environmental, worker, youth, global, local, community, peace, monetary, border, and corporeal.

6. Combining the terms spatial and justice opens up a range of new possibilities for social and political action, as well as for social theorization and empirical analysis, that would not be as clear if the two terms were not used together.

A geohistorical look at the concept of spatial justice would take us back to the Greek polis and the Aristotelian idea that being urban is the essence of being political; it would take us through the rise of liberal democracy and the Age of Revolution, and eventually center attention on the urban crises of the 1960s, with its most symptomatic and symbolic moments taking place here in Nanterre. Paris in the 1960s and especially the still understudied co-presence of Henri Lefebvre and Michel Foucault, became the most generative site for the creation of a radically new conceptualization of space and spatiality, and for a specifically urban and spatial concept of justice, encapsulated most insightfully in Lefebvre's call for taking back control over the right to the city and the right to difference.

The trajectory of these developments of a critical spatial perspective was both extended and diverted by David Harvey's *Social Justice and the City*, published in 1973. Never once using the specific term spatial justice in this book as well as in everything else he has written since, Harvey chose to use the term territorial justice, borrowing from the Welsh planner Bleddyn Davies, to describe his version of the spatiality of justice. In his 'liberal formulations' Harvey advanced the spatial conceptualization of justice and his view would shape all Anglophonic debates on justice and democracy ever since. Despite his recognition of Lefebvre's contributions as a Marxist philosopher of space, Harvey's Marxism moved him away from spatial causality and from a focus on justice itself, and he would rarely mention the term territorial justice again, although the

notion of the urbanization of injustice would be carried forward and Harvey, very recently, would write again on the right to the city.

The first use of the specific term 'spatial justice' that I can find is in the unpublished doctoral dissertation of the political geographer John O'Laughlin, entitled *Spatial Justice and the Black American Voter: The Territorial Dimension of Urban Politics*, completed in 1973. The earliest published work I have found using the term in English is a short article by G.H. Pirie, "On Spatial Justice" in 1983, although almost there in 1981 was a book by the French geographer Alain Reynaud, *Société, espace et justice: inégalités régionales et justice socio-spatiale*. From the 1980s to the turn of the century, the use and development of the term spatial justice became almost exclusively associated with the work of geographers and planners in Los Angeles...and this takes me to my conclusions.

Los Angeles has been a primary center not just in the theorization of spatial justice but more significantly in the movement of the concept from largely academic debate into the world of politics and practice. I believe it can be claimed, although it is almost impossible to prove conclusively, that a critical spatial perspective and an understanding of the production of unjust geographies and spatial structures of privilege have entered more successfully into the strategies and activism of labor and community groups in LA than in any other US metropolitan region. Spatial strategies have played a key role in making Los Angeles the leading edge of the American labor movement and one of the most vibrant centers for innovative community based organizations. New ideas about community-based regionalism, locational discrimination, electoral redistricting, and environmental justice have propelled such organizations as SAJE (Strategic Action for a Just Economy), the Los Angeles Alliance for a New Economy, Justice for Janitors, and the Labor/Community Strategy Center (one of the leading figures having written on Henri Lefebvre) into the forefront of contemporary struggles over spatial justice and the city.

Perhaps the most dramatic example of the impact of specifically spatial approaches in the search for justice is the Bus Riders Union, an organization of the transit-dependent immigrant working poor that successfully challenged the locational biases of

the Metropolitan Transit Authority and their plans for creating a multi-billion dollar fixed rail system that would primarily serve relatively wealthy suburban population at the expense of the more urgent needs of the inner city working poor, who depend on a more flexible bus network given their multiple and multi-locational job households. A court order was issued in 1996 that demanded that the MTA give first budget priority to the purchase of new buses, reduction of bus stop crime, and improvements in bus routing and waiting times. Similar civil rights cases based on racial discrimination had been brought to court in other cities and failed. In LA, the notion of spatial and locational discrimination, the creation of unjust geographies of mass transit, was added to the racial discrimination arguments and helped to win the case. There are many complications to the story, but the end result was a shift of billions of dollars of public investment from a rail plan that would benefit the rich more than the poor, as is usually the case in the capitalist city, to an almost unprecedented plan that would benefit the poor more than the rich. The bus network today is among the best in the country and is being used as a model of efficiency in other cities.

More recently and of special relevance here, Los Angeles and in particular the Urban Planning Department at UCLA has become the site for the building of a national movement centered on the notion of the rights to the city. Informed by Lefebvre and others espousing a critical spatial perspective, the local movement has been joined at the global scale by the World Social Forum, which in 2005 presented a World Charter of the Rights to the City.

I hope I have been of some help in explaining why, after thirty or so years of relative neglect Lefebvre's passionate ideas about *le droit à la ville* have been so actively revived.

Rawlsian universalism confronted with the diversity of reality

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How can we account for the diversity of the world, its multiplicity, and still be able to see humanity's unity through the variety of cultures? How can we assess facts morally when social practices vary through time (history matters) and space (geography matters too)? How can we work beyond a merely empirical approach based on observation, to make sense of what we observe in an intelligible, coherent and rational way?

Clearly, we need a theory which offers an interpretive framework for social organisations and allows an ethical assessment. This paper suggests that John Rawls' thought, as presented in *A Theory of Justice*¹, provides such a framework and may enable us to assess on universal grounds as well as understand specific situations.

1. The apparent incompatibility between universalism and the particular

The tension between a diverse reality and an abstract concern for universality can be interpreted in several ways. It could reflect the difficulty that arises from trying to concile values specific to different cultural environments. In some views, there should be some shared values one could draw on to avoid conflicts. Others might question that such

¹ RAWLS John, *A Theory of Justice*, Harvard University Press, 1971.

RAWLS John, *Justice et Démocratie*, Paris, Le Seuil, coll. La couleur des idées, 1993, 387 p.

RAWLS John, *Political Liberalism*, New York, Columbia University Press, 1993.

RAWLS John, *Justice as Fairness, A restatement*, The Belknap Press of Harvard University, 2001.

common values be compatible with the reality principle. These diverse points of view underline the necessity to articulate the universal and the particular.

If Samuel Huntington has drawn our attention to the risk of a « clash of civilizations »², it is undeniable that universalism, claimed by some and challenged by others, could well perpetuate the domination of one culture over others: how universal is a moral value if it is not universally accepted as such? This is one of the issues of globalization in our world as it is (and not as it can be imagined in the abstract). Globalization may be understood not only as a process of economic integration through trade, foreign direct investments, the rise of financial instruments and multinational corporations, but also, and this is crucial, as the worldwide spread of certain cultural values and social practices. The asymmetric nature of the process reiterates the dependency of the weaker states and people on more powerful ones. In other words, to state a well-known fact, globalization is also a process of Westernisation, though this statement probably needs to be qualified. Indeed it is an equally well-known fact, that hardly needs restating, that globalization also triggers a backlash, a quest for identity that may go as far as cultural isolationism, a rejection of the other and forms of religious fundamentalism. This backlash is radicalized if people feel threatened by this universal or humiliated by the strength deployed to bring about their submission to it. All we have then is a particularism maskering as universal, and imposed as such to other cultures by confrontation or sheer violence.

The world is astir with reactive identities which function as refusals to fall for such a trick. Formerly colonized people aspire to cultural decolonization after gaining political decolonization. Minds need decolonizing as much as countries did, and independence is of little avail if formerly colonized people retain the values of former colonizers, if acculturation has made it impossible for them to return to their cultural roots. But if this « return to the roots » implies a uncritical return to an imagined and reinvented past, is it really a liberation or yet another alienation? While this alienation is self-inflicted, it restricts people to a mythical past which makes it impossible to think ahead into the future. Religious fundamentalism is one instance of this danger, of which the Islamic Revolution in Iran, against the Shah's regime, is illustrative: it was a refusal of a

² HUNTINGTON Samuel, the Clash of Civilizations and the Remaking of World Order, Simon & Schuster, 1996.

modernization which was felt to betray the culture and promote alien values and ways of life.

Refusing the universal brings one up against a wall: moral and political philosophy, when it posits the universalism of certain values, is denounced as a fruitless intellectual speculation devoid of connexion with reality. Such a posture would indeed be untenable since moral and political thought necessarily has to provide instruments to reflect and act on society. Were it to renounce this objective, the contradiction would be obvious and failure unavoidable.

There is no alternative in accepting one's refusal of the universal and proclaiming moral particularisms. The danger there is relativism and communitarianism. If an ethic were to be group-specific, then specific social practices would gain normative authority, and acts could be assessed only in reference to the mores of the group in which they take place. That is doubly dangerous: on the one hand, because it tends to legitimize anything on the mere grounds that it exists, and, on the other hand, because it locks an individual into the practices of the place and time where (s)he happens to have been born, and denies his or her freedom. The first risk entails that of conservatism: if ethic is based on what exists, it is therefore right not to change what exists, or to change it only within the limits of what is socially acceptable for the community. Every community has its own boundaries between what is just and unjust. But clearly, in holistic societies in which the group is given priority over the individual, collective heritage validates standing practices and confers on them a cultural and moral legitimacy incompatible with the idea of progress. This is beneficial to the strictest conservatism: why change since tradition sanctions what has been until now in conformity with the norms, and since what exists is rooted in the culture and identity of the group? In this perspective, inequalities in living conditions belong to cultural heritage and, as such, deserve to be preserved. Gender inequality is also legitimate since past norms established it as normal. The line of argument becomes circular, as it claims that something exists because it has reasons to exist and its very existence confers moral legitimacy on it.

Communitarianism thus denies individual freedom and circumscribes each person within the values of his or her own society, which serve the assertion of a collective identity, but not of individual identities.

2. the very diversity of reality makes a universal theory all the more necessary

We can reverse the reasoning presented above and argue in favour of the necessity of universal values.

One milestone of such a stance is the *universal* Declaration of Human Rights put forward in 1948 by the United Nations. In this text of declarative value, member states acknowledged the existence of principles above and beyond their respective legal frameworks. Therefore, the respect for legal hierarchy demands that laws in each country conform to these universal principles. Following Mireille Delmas-Marty³, we could see this as a dialectics of ethics and law, since ethics inspire law and law dictates a norm. The ethical qualification of acts inspires their legal qualification and presses in the direction of further recognition of rights by law. Hence a notion such as « crime against humanity », the result of a process which could be emulated for other crimes or the recognition of other rights. The issue of justice is never far from such processes, since they are opportunities to assert the universalism of certain values.

At this stage, it is important to raise a crucial question: on what grounds can the universal claim legitimacy?

An answer to this question is to be found in the process of enunciation of the principles of justice. A rule grounded in the social practices of a group does not qualify as universally legitimate, not even within that very group. That would be a form of communitarianism and a limit on people's freedom since they would be denied a faculty of judgement. It would be totalitarian to grant such a rule a normative value for other groups, since they would have values imposed on themselves from the outside. In either case, moral autonomy is denied and reason abdicated. The only justification would be the imposition of a transcendent reason: this religious perspective obviously fails the test of universalism since religious belief is not necessarily shared.

How then to think justice and derive principles from it, if not rationally, as John Rawls attempts to do in his *Theory of Justice*? Much as Kant did when establishing his

³ DELMAS-MARTY Mireille, *Les forces imaginantes du droit. Le relatif et l'universel*, Paris, Le Seuil, 2004.

principles of morals, Rawls aims for principles of justice of universal value, and it is the process whereby they are stated which confers this quality on them. The process is abstract (« *My aim is to present a conception of justice which generalizes and carries to a higher level of abstraction the familiar theory of the social contract as found, say, in Locke, Rousseau and Kant* »⁴) and rational process, which Rawls qualifies as « pure procedural justice », which means that the procedure whereby justice is stated is such that it can only produce just principles.

I do not intend to explain Rawls' theory or his method. However, it is necessary to state briefly what makes it universal and why it is fruitful for social sciences, and geography in particular. What founds the universality of Rawls' principles is the « veil of ignorance » between the subject and the real world, in such a way that an « original position » is gained from which to rationally state fair rules for « social partners », that is, rules that will ensure « the appropriate distribution of the benefits and burdens of social cooperation » For Rawls, the best division of material and immaterial goods is the one that serves best the most disadvantaged social partners (maximises the share of those who have the minimum : principle of the *maximin*). He does not posit that egalitarianism (the equality of all in all aspects of social life) would be the most efficient way to attain that objective. However, he gives priority to the principle of equality over the principle of the *maximin*, in terms of people's intrinsic value and rights. Rawls's system therefore articulates and establishes a hierarchy between the principle of equality and the principle of difference.

I feel uncomfortable that I have to summarize Rawls's *Theory of Justice* in a few sentences, and maybe simplify it excessively. But the aim here is not to unfold his theory, just to reflect on his theory's ability to account for the diverse situations of the real world. I will therefore just emphasize this essential point: the universalism of Rawls's principles owes to their rational procedure of enunciation.

Grounding justice on reason and reason alone means the autonomy of the rational being is reasserted, as is his or her place as « social partner » of a human community sharing common values, of which all members are rational beings. The phrase « human community » used here goes against the idea of communitarianism. It emphasizes what

⁴ RAWLS John, *A Theory of Justice*, op. cit. p. 10.

all human beings have in common, i.e. reason, rather than the specificity or culture of each or each group. Hence two propositions. The first is inspired by the hierarchy of norms in the legal sphere, according to which an inferior norm cannot contravene to a superior norm. In the moral sphere, social practices specific to each community are legitimate only inasmuch as they do not contravene to universal values of the human community. Confronting the particular to the universal would therefore mimic, in the moral sphere, the conformity check in the legal sphere. The second proposition is that the idea of universalism of values is crucial to the idea of the unity of the human species: that is implicit in the notion of mankind or the phrase used here, « human community ».

3. Rawlsian universalism makes concrete situations intelligible

Does Rawlsian universalism enable us to make sense of the diversity of the real world?

While some readings of the *Theory of Justice* claim that it does not account for real world situations because of its level of abstraction⁵, I posit that its very abstraction confers its universal validity on it. Saying that it is abstract does not mean it comes from nowhere, but means it is a product of reason: it is its very rationality which makes it universal if we accept the idea that human beings, beyond their differences, share a common condition as rational beings, or, to quote Rawls himself, *moral persons*. Because principles of justice have a rational grounding, they can be used in reasoning. Assessing real-world situations with a concern for principles of justice therefore does not mean measuring the departure between the real and imposed norms, as would be the case in a situation of moral heteronomia, but measuring the world up to the rationality that the human community holds collectively and in each of its members.

One could object that John Rawls himself is a product of his specific culture, and that, according to some of his critics, his theory is not independent from the time and

⁵ SANDER Michael, *Liberalism and the Limits of Justice*, Cambridge, University Press, 1982

WALZER Michael, *Spheres of Justice, A Defense of Pluralism and Equality*, Oxford, Blackwelle, 1983.

place in which it was formulated, but shaped by the specific values of his own background. Rawls would therefore merely be echoing social-democratic values, and by no means producing a universal theory. While it is true that social democracy is probably the most adequate form of social contract to implement Rawlsian principles today, that does not necessarily imply that his system is a by-product of social democracy, or that other forms of social or political organisation could not, in different conditions, prove to be more conform to Rawlsian principles.

To ground one's work in those principles is therefore not a contribution to the Westernization of the world: it shows concern for the compatibility of the particular and the universal. The object is not to measure the distance between non-Western civilizations and a Western civilization set up as a model. It is to measure the gap between real-world practices and the principles of *justice as fairness* everywhere, including in the Western world.

4. Rawlsian universalism enables real-world action

Understanding the world is all very well. There is however a responsibility on the part of intellectuals to change it too, not by abandoning their role as intellectuals, but by playing it fully : thought produces understanding, but this understanding induces actions on things, on people and places, in the case of specialists of space such as geographers. What then can we derive from the notion of *justice as fairness* that could be an inspiration for action? Is it in fact useless, and are John Rawls's hands clean because he has no hands, as was once quite unfairly said of Immanuel Kant? It will be clear by now that such is not my belief. Quite otherwise: I argue that precisely because the *Theory of Justice* is abstract and not based on any real-world situation, it can apply to all real-world situations. Furthermore, one test of the theory's intellectual validity is its efficiency in furthering universalism in the world.

The matter is, no less, to order pluralism in conformity with the universal. It becomes necessary to choose the lesser of two evils: one that would consist of respecting universal principles without taking cultural realities into account, the other of giving up on the universal in the name of cultural diversity. But arbitrating between the two must remain a dynamic process and aim to submit reality to universal principles, even if we know it is virtually impossible. Reality as transformed in direction of universal values

tends towards *justice as fairness* along an asymptotic curve: John Rawls's theory may be considered as an utopia, but a positive utopia, which shows a path to improvement for world organization, without providing ready-made solutions, and which calls for public debate. Establishing a dialogue between civilizations is probably the most plausible method, because principles of justice take multiple forms in different cultural contexts, and because considering social partners as rational beings implies they are able to find a consensus by a convergence between initial positions.

In other words, understanding the world and transforming it are two sides of the same coin in Rawls' philosophy. He distinguishes the *good* and the *right* by defining *good* as what a rational being can hope for and *right* as what is in conformity with principles of justice enounced through a rational procedure. It is therefore logical to consider the *right* as *good* since the *right* gives a satisfaction which is a *good*. The priority of the right over the good ("*in justice as fairness, the concept of right is prior to that of the good*" ⁶) means both are related, through the happiness a rational being derives from acting in conformity with reason.

What matters therefore is to connect the understanding of the world with action in the real world, the sphere of thought and that of the political: how indeed could one act on a world one does not understand, and how not to act if the understanding of the world shows it is dysfunctional with regard to what one's reason perceives as fair?

So what can geography gain from the *Theory of Justice*, if we bear in mind that John Rawls never mentions space, but that such a sharp thought is bound to prove useful in all fields of knowledge and action? One important aspect of *justice as fairness* is the idea of optimizing inequalities to benefit the poorest: maximize the share of those who have the minimum, the principle of difference summarizing in the word *maximin*. Peoples and their talents being diverse, there are inequalities which produce justice in the sense that they contribute to the welfare of the deprived more than egalitarianism would. It is important to clarify the fact that while this is both possible and desirable, it is hardly ever the case, and inequalities in the real world are mostly unjust because they do not conform to the principle of the *maximin*. It is also important to reassert the first

⁶ RAWLS John : A Theory of Justice, op. cit, p. 347.

principle of justice, which is the equal dignity of social partners as rational beings, and which is therefore, as stated above, a principle of equality.

For geography, which deals with spatial differentiations (as a form of knowledge), and for planning, whose object is to transform space to conform to a social project (it is a policy), the *Theory of Justice* proves a fruitful basis. It allows to think the diversity of the real world, and first and foremost inequalities in levels of development. The issue which arises is the following: are these inequalities injustices, and, if so, does the *principle of redress* apply to them? We cannot expand on this aspect here, but let us posit that inequalities are not a mere by-product of the development process, but that development is necessarily inequal, as the term itself suggests⁷. This hypothesis makes it possible to understand some spatial inequalities as right while others are wrong. The core-periphery model⁸ provides a useful way of reading inequalities, and also to define planning objectives likely to produce justice. The question boils down to this: does the core lead its periphery in a dynamics of development of which inhabitants of the periphery benefit (in which case the inequality is right), or do we have an exploitation of the periphery by the core, depriving it of its resources, its production factors and reducing it to inefficiency (in which case inequality is wrong)? In view of the complexity of reality, this way of putting things may appear simplistic, but one could also argue that, the more complex the reality, the more one needs simple principles on which to base one's reasoning, to avoid getting lost. The same applies for planning: because it is a complex policy, a clear objective must be defined (to produce justice), to avoid losing one's compass.

Additional difficulty derives from geographic discontinuities, such as frontiers. Sharing the *benefits and burdens of social cooperation* is difficult in a world fragmented by state limits which create territories with each their own legislations in fiscal, social and environmental areas. Within states the same questions arise, with limits between territorial units, some with a large autonomy for setting their own rules. There is therefore no consistency between the scales of *benefits* and the scales of *burdens*. A

⁷ SEN Amartya, *Development as Freedom*, Alfred Knopf Inc, 1999.

SEN Amartya, *Repenser l'inégalité*, Paris, Le Seuil, 2000, 287 p.

⁸ REYNAUD Alain, *Société, espace et justice*, Paris, PUF, 1981, 263 p

risk is that those limits be used to internalize benefits and externalize burdens: an apparent justice could be produced benefitting integrated peripheries, while costs fall on exploited peripheries. Is that the case in the current situation? There are too many debates surrounding that question. But merely asking it points in one possible direction: could the relative well-being of the working-classes in countries of the global North be paid for in part by the exploitation of countries of the global South? This question is very sensitive, and we must beware of instrumentalizing territories and of exonerating the ruling classes of countries of the North of their responsibilities. It is however a question that must be addressed in order to understand what is at play between the social and the spatial; only then will we be able to delineate what is at stake, measure the forces in presence, formulate a project and define political alliances.

The diversity of the world goes further than inequalities in development: cultural differences also challenge universalism. The *Theory of Justice* deals with this, by combining a respect for cultural difference with action in favour of justice, though the application of principles is always difficult and sometimes impossible: but the reality principle should not overcome principles of justice.

Conclusion

Many other aspects of the *Theory of Justice* deserve to be addressed, since it is as manifold as the world is complex and riven with injustice! By no means did this paper aim to be comprehensive, just to open up a few questions and strands of thought. It mentioned space, but we should probably also mention, following John Rawls, the importance of time. Justice can only be understood in all its dimensions, the historic dimension as well as the social dimension and spatial dimension. The idea of sustainability is crucial to environmental justice through time. Produced by a reason deliberately abstracted from reality, *justice as fairness* encounters people, their histories, their territories and proves to be theory which can account for the world, and because it is rational, can also transform it.

Spatial Justice: Derivative but Causal of Social Injustice

Peter Marcuse, Columbia University

“Spatial justice is the ultimate goal of many planning policies,” says the manifesto of this new journal. It is a true statement, as an empirical fact; one might even hope that it would further be true that “spatial justice is part of the goal of every planning policy.” But either statement raises at least two questions: 1) what is spatial justice, and more generally, what is its relation to social justice. And 2) what remedies are there for spatial and social injustices that we would wish planning to adopt. I will take the first (what is justice and what is its role in planning) in the context of a forthcoming book¹, and the second (the role of space) in the context of issues I am struggling with some time, under the title: putting space in its place.

What is justice? What is its role in planning?

There is an on-going discussion, in the United States and elsewhere, on the concept of the Just City as the ultimate goal of planning: the ultimate goal, not only one goal among others, and of all planning, not only of many plans. Susan Fainstein was one of those that has pressed this idea of the Just City for some time, and in the spring of 2006 we held a conference on that theme at Columbia University², with a number of interesting contributions, which a group of doctoral students in our program are editing in volume to be called: Searching for the Just City, which Routledge will publish this spring. The Introduction, by James Connolly Ingrid Olivo, and Justin Steil, three of the

¹ Marcuse P., Connolly J., Novy J., Olivo I., Potter C., Steil J. (dir.), *Searching for the Just City: Debates in Urban Theory and Practice*, Routledge, (à paraître en mai 2009).

² « Searching for the Just City » Conference, Graduate School of Architecture, Planning and Preservation, Columbia University, 29 avril 2006.

editors, reviews the status of the Just City debate, and the lead essay is by Fainstein. It opens with a discussion of “what is justice,” with all the usual suspects: John Rawls, John Stuart Mill, Iris-Marion Young, and Martha Nussbaum, whom Fainstein favors. Her opening essay takes up a specific case: that of New York City’s pre-emption of a large wholesale food market in the Bronx, run largely by immigrants and in the center of a poor and working class community, by a major developer in the city with good political ties who will construct a large shopping mall on the site.

David Harvey follows with a piece, on which Cuz Potter, another of the editors, collaborated. He argues that injustice is so integral to the capitalist system, a system fundamentally unjust in itself, that any attempt to achieve a Just City within the bounds of capitalism is doomed to failure. He argues that the problem for planners is not the philosophical definition of justice, but rather the specific historical analysis of the neo-liberal phase of capitalism which today is responsible for obvious and manifold injustices. Harvey contends therefore that a concept of justice in a Just city that assumes that justice is achievable within a capitalist society, and that does not address the need for structural change in that society, is inadequate. Given the triumph of neo-liberalism today, he argues that direct confrontation with its underlying political economy is needed, and suggests “dialectical urbanism” as a better approach.

I have an article in the book also, in which I argue that distributive justice is a necessary but not sufficient aspect of a normative pitch in planning, which is badly needed. But, while necessary and needing buttressing, it fails to address the causes of injustice, which are structural and lie in the role of power. The Just City sees justice as a distributional issue, and aims at some form of equality. But a good city should not be simply a city with distributional equity, but one that supports the full development of each individual and of all individuals, a classic formulation. I argue that such a concept should lead to a recognition of the importance of utopian thinking but as well to the direct confrontation with issues of power in society. I use the jingle about *the Goose and the Commons*, from 16th century England:

The law locks up the man or woman
Who steals a goose from off the common,
But leaves the greater villain loose
Who steals the common from the goose

And I use it to argue, not for planning to deal with goose, but for Commons Planning, to deal with the underlying common social problem.

Margit Mayer, with Johannes Novy, argues from a European perspective that the Just City concept is peculiarly American, and developed in the context of United States neo-liberal policies, and must be read differently – and the role of justice as a concept read differently – in the social movement battles around welfare and urban policies in most European countries.

Setha Low deals with public space as revealing some of the issues of injustice in the urban setting, and argues that justice needs to include, not only the distribution of material goods, but also interactional quality and procedural democracy as desiderata.

Greta Goldberg introduces the concept of care, and argues it should be added to the discussion of the Just City and that planners and other social actors should strive for a Just Caring City. Justice and care are often seen as dichotomies. Justice is signified by universal rules, regulations, autonomy and impartiality, while an ethic of care employs partiality, locality, situationality, contextuality and the fostering and maintenance of relationships as its guiding principles. She uses examples from the field of biomedical ethics where a synthesis of justice and care has been adopted in practice and professional standards

James de Filippis brings in the question of scale and the relation of globalization to injustice in the city, and uses as an example struggles of community activists to deal with economic injustice.

Oren Yiftachel and Haim Yacobi introduce the concept of 'gray urbanism', referring to the increasingly conspicuous sections of urban population, who are denied full membership in city affairs and resources, and speaks of “centripetal apartheid.” He illustrates his points with case studies of Bedouins in Beer Sheva and migrant workers in Jerusalem.

Laura Wolf-Powers presents case studies of urban injustice in New York City, Justin Steil and James Connolly use the cases of brownfields development in the same city, issues involving the re-use of polluted sites of manufacturing plants which have ceased operations. Phil Thompson raises the very contemporary issue of injustice in the treatment of New Orleans residents after hurricane Katrina. And Ingrid Olivo applies the concepts of the Just City discussion to the treatment of cultural heritage in addressing cultural heritage as a politicized endeavor, instead of the traditional, isolated and limiting technical area of expertise.

In a Postscript, I argue that the next step in searching for a Just City is developing the idea and the practice envisioned in Lefebvre's *Right to the City*, with examples.

So: a book illustrating a variety of ways of approaching the issue of justice in the urban setting. It ends with a conclusion, the first part of which, by Cuz Potter and Johannes Novy, summarizes the main themes of the book, and the second part of which raises the question of "where do we go from here" to make the concept of the Just City actually useful, both as an analytic concept and as a political tool, in the real world today.

Putting space in its place

That is the question I want to raise now. I want to do it by returning to the second question I raised at the opening of this text: what is the relation of space to justice, and are there goals of planning policies that are not spatial? Putting Space in its Place, is the topic; what is the role of space in dealing with injustice.

Let me suggest five propositions to lead from a more theoretical analysis to some concrete approaches and to action. On the first three I think there will be general agreement; the fourth may be less commonly recognized.

I. There are two cardinal forms of spatial injustice:

- A. The involuntary confinement of any group to a limited space – segregation, ghettoization – the unfreedom argument.**
- B. The allocation of resources unequally over space –the unfair resources argument.**
- II. Spatial injustice is derivative of broader social injustice –the derivative argument.**
- III. Social injustices always have a spatial aspect, and social injustices cannot be addressed without also addressing their spatial aspect – the spatial remedies argument.**
- IV. Spatial remedies are necessary but not sufficient to remedy spatial injustices – let alone social injustice – the partial remedy argument.**
- V. The role of spatial injustice relative to social injustice is dependent on changing social, political, and economic conditions, and today there are trends that tend both to decrease and to increase the importance of the spatial – the historical embeddedness argument.**

I will take them one at a time.

I. There are two cardinal forms of spatial injustice:

A. The involuntary confinement of any group to a limited space – segregation, ghettoization – the unfreedom argument.

Frequently we use statistics as a measure of ghettoization, but that ignores the difference between a ghetto and an enclave. A group that wishes to live together and does so voluntarily is not ghettoized, not segregated, not being treated unjustly when it is allowed to cluster. It may in fact cause injustice, if it excludes and limits the opportunities of others, as for instance gated communities do, but not every clustering is a mark of spatial injustice. Involuntary clustering, segregation, however, is a major form of spatial injustice.

B. The allocation of resources unequally over space. – the unfair resources argument, including unjustly limited access to jobs, political power, social status, income and wealth as forms of unjust resource allocation. Justice here does not mean absolute equality, but rather inequality not based on need or other rational distinction.

One possible definition of a rational distinction is one agreed up by open, informed, democratic processes, one based on legitimate authority rather than relations of power, but that is a question that goes beyond the scope of what I can discuss here.

II. Spatial injustice is derivative of broader social injustice – the derivative argument. Addressing the causes of spatial injustice always involves addressing the causes of social injustice more generally. Spatial injustices cannot be isolated from the historical and social and political economic context in which they exist. But by the same token:

III. Social injustices always have a spatial aspect and social injustices cannot be addressed without also addressing their spatial aspect – the spatial remedies argument. The spatial aspects of social injustice are a consequence of social injustices (the derivative argument) but they also reinforce social injustice. The two are not identical, but neither can they be separated (the inseparability argument). And my final, and perhaps most controversial argument, following from the preceding logic:

IV. Spatial remedies are necessary but not sufficient to remedy spatial injustices – let alone social injustice – the partial remedy argument. This is not an all or nothing rule: remedying spatial injustice can be a major contribution to social justice, but it will always have limits unless the social injustice which underlies the creation of spatial injustice is also addressed. You will not have spatial justice in a system, political, economic, social, that is itself unjust. That is no reason not to address spatial injustices as such – only a reason to keep them in context.

V. The role of spatial injustice relative to social injustice is dependent on changing social, political, and economic conditions, and today there are trends that tend both to decrease and to increase the importance of the spatial – the historical embeddedness argument.

I will come back to this point after having considered a concrete case of spatial injustice: the case of Harlem, in New York City, illustrating the logic of the four propositions.

As to the first proposition: Harlem is a classic case of spatial injustice, revealing both of its two cardinal forms. It is spatially segregated, ghettoized: we have maps showing the extent of concentration of African-Americans in the city as a whole, in some parts almost 99% African-American, in a city which today is today about 24% African-American. This clustering in Harlem is indeed partly voluntary, as there is substantial pride in African-American culture and history and achievement in the area. So it has some characteristics of an enclave, but the pattern of housing discrimination, the unjustly limited access of African-Americans to housing, is extensively documented. Harlem was, and still is (I come to changes below) a classic ghetto. And in the second cardinal form of spatial injustice, Harlem has poorer health facilities, greater exposure to environmental hazards, higher rates of asthma and lead poisoning, more crowded schools, poorer parks, weaker security protection, than the bulk of the city of New York.

Following the second proposition, the spatial injustice which Harlem represents is part of a pattern of discrimination against African-Americans that goes back centuries in United States history, starting with the importation of slaves from Africa, white legal privilege, political power, and economic exploitation, visible in all aspects of life. The spatial injustices of segregation and resource distribution are derivative of these broader injustices.

But, following the third proposition, these broader injustices cannot be dealt with without attention to their spatial aspect. Both public and private resources are spatially allocated (schools, health clinics and hospitals, fire stations, polluting facilities, housing, and childcare). Those spatial allocations need to be addressed with spatial measures.

Yet, and this is the conclusion that flows from the fourth proposition, spatially-defined remedies are not adequate to remedy the social injustices imposed on those unjustly treated, such as the residents of Harlem. This is because these injustices are to a large part imposed on African-Americans wherever they live in New York City, and are imposed on residents of Harlem from spaces outside of Harlem. United States social policy, and here European Union policies (I am most familiar with German ones) are quite parallel: they focus on limited spatial improvements, what we call gilding the

ghetto, putting resources into the unjust space that is the ghetto but not dealing with the relationships that have caused the injustice to begin with.

The case of gentrification is a classic example of the need for non-spatial as well as spatial remedies. If gentrification, a major threat to the present residents of Harlem, is limited only in Harlem, it will surface elsewhere; the problem will only be moved around, not solved. If segregation is limited in Harlem, housing must be made available without discrimination elsewhere; otherwise African-Americans will simply be escaping from one ghetto to be confined in another. Problems of education, of health care and of environmental quality, are not confined to Harlem; they are the result of city-wide, state-wide, if not even broader, relationships. So the policies we advocate to deal with the spatial injustices confronting the residents of Harlem are not only spatial remedies – allocating resources fairly to Harlem – but also city-wide: preventing displacement and evictions all over the city, rent control limiting profits from housing and speculation in land all over, organizing and strengthening the political power of African-Americans wherever they live, social housing expanded throughout the city.

Spatial remedies are a necessary part of eliminating spatial injustices, but by themselves insufficient; much broader changes in relations of power and allocation of resources and opportunities must be addressed if the social injustices of which spatial injustices are a part are to be redressed.

A final word on what is changing in the relationship of spatial injustice to social injustice – my fifth proposition. On the one hand, again using the case of Harlem, segregation is going down; the figures are quite clear. And more resources are being invested in Harlem. Why? The control of a potentially troublesome and exploited group, poor African-Americans in the United States, has changed from simple spatial confinement in ghettos, from segregation, to a more sophisticated form of control, in which the most troublesome are simply removed and put in prison – over 2,000,000 altogether in the United States today, the highest of any developed country in the world. The working poor in the ghetto are being displaced by the process of gentrification, so incomes seem statistically to be rising, but not for the same people. And many of the older residents, and newcomers who cannot move in to replace them when they leave,

continue to suffer from all the problems of social injustice that they had before, but simply not in the same space. Spatial injustice has become a smaller component of social injustice in the ghetto.

On the other hand, the importance of space itself, and the built environment requiring it is increasing, in the global economy, for reasons that David Harvey has documented in detail. They have to do with spatially dependent loci for capital investment: ever increasing profits demand a target for investment, and that target is increasingly the built environment, spatially dependent. So while the political and social causes of spatial injustice may be attenuated, the economic causes may be increasing. Change is constant, and neither spatial nor social justice can be intelligently addressed without attention focused on the historical political, economic and social causes of all forms of injustice.

Spatial Justice and Planning

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The traditional argument for spatial planning is that it incorporates the public interest into the development of land by suppressing selfish actions and coordinating multiple activities (Klosterman 2003, p. 93). This justification has long elicited criticism for its vagueness (Lucy 2003), a problem that perhaps afflicts any higher-order norm and which will not be elaborated here.¹ Instead I examine its interpretation in contemporary planning practice. I proceed by first discussing the currently dominant direction in planning theory that stresses public participation and deliberation. Next I compare it to the just city approach and elaborate on the latter, evaluating planning in New York City, London, and Amsterdam. In conclusion, I list criteria of justice by which to formulate and judge planning initiatives at the urban level. It is assumed that social justice is a desired goal, and no argument is presented to justify its precedence. Rather, as in the work of John Rawls (1971, p.4), my argument is based on “our intuitive conviction of the primacy of justice” and also the dictum that disagreement is over the principles that should define what is just and unjust rather than the precedence of justice itself (ibid., p. 5).

Communicative Planning and the Just City

In order to overcome the bias in favor of powerful social groups, an emphasis on democratic deliberation has become central to discussions within planning theory. In this respect it echoes the enormous interest within political philosophy in forms of democracy that transcend mere voting and representative government. This direction

Thanks to Norman Fainstein and Peter Marcuse for their comments on an earlier draft.

¹ See Fischer (1980) for an argument concerning the different levels of normative judgment in policy analysis.

has evolved out of disillusion with the authoritarian tendencies of socialism as it had really existed, leading to a focus on just processes rather than egalitarian outcomes. It arose also in response to the rise of democratic movements throughout the world. It is premised on the assumption that in a democracy each person's view and opportunity to persuade others should be equal.

Democratic thought arises fundamentally from egalitarianism. Nevertheless, although nineteenth century critics of democracy feared that democratic procedures would be used to expropriate property owners, the underlying egalitarian impetus rarely results in drastic attacks on property within capitalist democracies. While democratic states can tax and redistribute, they remain always susceptible to the hierarchy of power arising from capitalist control of economic resources. When pressed, advocates of deliberative democracy will admit that it operates poorly in situations of social and economic inequality and contend that background conditions of equal respect and undistorted speech must be created in order for it to function well. Yet, oddly, discussions within political theory and within planning focus on democratic procedures and fail to indicate how these background conditions can be attained under conditions of market capitalism. To put this in other words, the discussion is purely political rather than political-economic. Thus, the tension between an equality of primary goods and political equality arises from practical rather than logical contradiction; while in theory a mobilized demos could produce economic redistribution, in actuality economic inequality constantly produces and reproduces hierarchies of power that preclude genuine deliberation.

Since the 1960s, the legitimacy of insulated technocratic decision making by planning authorities has been challenged, citizen participation in planning has become widely accepted, and concepts of deliberative democracy have been imported into planning theory. J.S. Mill's (1951, p. 108) argument concerning the importance of testing ideas against each other provides the rationale for wide participation in planning deliberations: "He [a human being] is capable of rectifying his mistakes, by discussion and experience. . . . There must be discussion, to show how experience is to be interpreted." Supporters of communicative planning are committed to Mill's emphasis on discursive interaction as the basis for planning practice and as the appropriate means for actualizing the public interest.

By now there is little more to say in relation to the debate between proponents of communicative (or collaborative) planning and their detractors. In a nutshell the advocates of a Habermasian or deliberative approach argue that the role of planners is to listen, especially to listen to subordinated groups. Acting as a mediator, the planner must search for consensus and in doing so accept a plurality of ways of knowing, of self-expression (stories, art, etc.), and of truth (Forester 1999; Healey 1997; Innes 1995; Hoch 2007).² Criticism of this outlook is not anti-democratic but rather contends that it is a proceduralist approach which fails to take into account the reality of structural inequality and hierarchies of power (Fainstein 2000a; Yiftachel 1999; H. Campbell 2006). Furthermore, the exclusive focus on process prevents an evaluation of substance and thus cannot promise just outcomes (Fainstein 2005a).

The crux of the debate rests on the ever-present tension between democracy and justice in an existing historical context. After deliberation people may still make choices that are harmful to themselves or to minorities. As Nussbaum (2000, p. 135) notes, the “informed-desire approach . . . [depends on] the idea of a community of equals, unintimidated by power or authority, and unaffected by envy or fear inspired by awareness of their place in a social hierarchy.” In other words, genuine democratic deliberation requires background conditions of equality. Marx’s concept of false consciousness, in which unequal social relations structure people’s perceptions, and Gramsci’s description of a hegemonic ideology, come into play even in situations where individuals are free to express their thoughts to each other.³ The original notion that planners could be above the political fray and make decisions based on an abstract formulation of the public interest arose from a perception that the public would choose policies based on short-range selfish considerations rather than long-range contributions to the general good. While this viewpoint obviously can provide a rationale for authoritarianism and privileging of elite interests, at the same time it cannot be

² Young (2000) supports deliberative democracy as the appropriate procedural norm, arguing that it will promote justice. She does not, however, regard consensus as a likely or desired outcome from deliberation but instead sees conflict as fruitful and unavoidable.

³ Wolff, Moore, and Marcuse (1969) argue that as a consequence of capitalist hegemony, tolerance—i.e., allowing the free play of ideas—can be repressive.

dismissed. Citizens like elites can be self-serving, as the prevalence of NIMBYism within forums of popular participation indicates.

Calls for more democratic governance raise Nussbaum's concern over background conditions for deliberation and Mill's worry over the tyranny of the majority. Demands that justice be the primary consideration for policy makers, however, are countered on the left by Marxist admonitions against revisionism—i.e., the impossibility of genuine reform under capitalism, since capitalism necessarily continuously reproduces inequality. Both prescriptions—of communicative planning (as measured by comparisons to Habermas's ideal speech situation or by openness to collaboration⁴) and of the just city⁵ (as measured by equity of outcomes)—provoke accusations of hopeless utopianism. The ideal speech situation assumes a world without systematic distortions of discourse, governed by rationality. As transferred to the schema of collaborative planning, participants are expected to redefine their interests as a consequence of hearing other viewpoints. But, although such flexibility may occur in some contexts, it is highly unlikely in those where substantial sacrifice would result. At the same time, the vision of the just city calls for rectifying injustices in a world where control of investment resources by a small stratum constantly re-creates and reinforces subordination, thus resisting attempts at reform. In sum, advocates of strong democracy consider participation a prerequisite to just outcomes; structuralists regard participants in democratic deliberation as doomed to being either disregarded or co-opted but offer only limited hope that structural power can be overcome.

Nevertheless, utopian goals, despite being unrealizable, have important functions in relation to people's consciousness (Friedmann 2000, Harvey 2000). Right now, in most parts of the world, the dominant ideology involves the superiority of the market as decision maker, growth rather than equity as the mark of achievement, and limits on government (Klein 2007). To the extent that justice can be brought in as intrinsic to policy evaluation, the content of policy can change. If justice is considered to refer not only to outcomes but also to inclusion in discussion, then it incorporates the communicative viewpoint as well. Justice, however, requires more than participation but

⁴ There is a range of views concerning whether rationality, in any strict sense, need govern discourse.

⁵ See Marcuse et al. forthcoming.

also encompasses, at least minimally, a deontological reference to norms transcending the particular, as will be discussed below.

For both theories of deliberative democracy and social justice, scale presents an important problem. In terms of democratic participation, any deliberation that excludes people who will be affected by a decision is not fair. Yet, as a matter of practicality inclusion of everyone affected, even with the potential offered by telecommunications and information technology, would make decision making either impossibly tedious or simply untenable. Questions of scale are particularly salient to planning, as the presence of jurisdictional boundaries typically limits planning decisions to relatively small places. A decision by the occupants of a gated community to lobby against construction of recreational facilities by the municipality to which they belong may be perfectly democratic and equitable within the community's boundaries while being undemocratic and unjust within the larger entity. Likewise competitive bidding among cities for industry can fulfill democratic and egalitarian norms within each city but undermine both on the scale of the nation. And, most glaringly, barriers to immigration and subsidies to enterprises by wealthy national governments are exclusionary and unjust in relation to inhabitants of other, poorer countries. Yet, in regard to social justice, the elimination of protective tariffs, subsidies, and restrictions on immigration can result in impoverishing everyone, as a completely unhindered flow of labor and capital exacerbates the race to the bottom already underway. If one turns to the specific production of plans and policies, it must occur within formal institutions with delimited boundaries in a restricted time period.

In summary both the communicative and just city models run counter to the unequal distribution of power and resources within modern, capitalist economies and are hence utopian. Both represent attempts to reframe discussion about spatial planning so that poorly represented groups, especially low-income minorities, will benefit more from the uses to which land and the built environment are put. The dilemmas posed by issues of scale confront the two of them. It is maintained here that the just city model subsumes the communicative approach in that it is concerned with both processes and outcomes but that it also recognizes the potential for contradiction between participation and just outcomes. Although the attainment of social justice must take both into account, it is my contention that just outcomes should trump communicative norms when the two conflict. In the next section three components of a just city—material equality, diversity, and

democracy--are presented, as well as the tensions among and within them;⁶ these are then used to analyze and prescribe approaches to spatial planning in three cities—New York, London, and Amsterdam.

Planning for the Just City

The modern approach to the question of justice usually starts with John Rawls's argument concerning the distribution of values that people would pick in the original position, wherein, "behind a veil of ignorance," they do not know their ultimate attributes and social standing. Rawls, using a model of rational choice, concludes that individuals would choose a system of equal opportunity, which, he says in his most recent formulation, involves "a framework of political and legal institutions that adjust the long-run trend of economic forces so as to prevent excessive concentrations of property and wealth, especially those likely to lead to political domination" (Rawls 2001, p. 44). The metric for equality of opportunity is share of primary goods, which Rawls defines to include self-respect as well as wealth.

There have been innumerable discussions of the meaning of primary goods and the relationship between equality of opportunity and equality of condition. If Rawls's conception of justice is applied to the city, fair distribution of benefits and mitigating disadvantage should be the aims of public policy. Rawls's use of the phrase "prevent excessive concentrations of property and wealth" implies a realistic utopianism—the expectation is not of eliminating material inequality but rather of lessening it. Thus, the criterion for evaluating policy measures, according to Rawlsian logic, is to insure that they most benefit the least well off. This principle, as indicated earlier, exists in tension with a democratic norm under the circumstances of illiberal majorities.

Feminist and multiculturalist critics of Rawls contend that his definition of primary goods deals insufficiently with "recognition" of difference (Young 2000, Benhabib 2002). Whether or not this concept can be subsumed under what Rawls calls self-respect (see Fraser 1997, p. 33, n.4), its salience for developing a model of the just city requires attention in an age of identity politics, ethnic conflict, and immigration. Within the

⁶ Other attributes could be analyzed as well, especially environmental sustainability and justice, levels and character of social control, and definition of the public sphere.

vocabulary of urban planning, the term diversity refers to such recognition and is the quality that writers such as Richard Sennett and Jane Jacobs argue should characterize city life. The embodiment of diversity ranges from mixed use to mixed income, racial and ethnic integration to widely accessible public space (Fainstein 2005b). Nancy Fraser points to the tension that exists between equality and diversity, or, as she puts it, redistribution and recognition:

Recognition claims often take the form of calling attention to, if not performatively creating, the putative specificity of some group and then of affirming its value. Thus, they tend to promote group differentiation. Redistribution claims, in contrast, often call for abolishing economic arrangements that underpin group specificity. . . . Thus, they tend to promote group dedifferentiation. The upshot is that the politics of recognition and the politics of redistribution often appear to have mutually contradictory aims. (Fraser 1997, p. 16)

Diversity and deliberation, like democracy and just outcomes, are in tension. If deliberation works best within a moral community under conditions of trust, then a heterogeneous public creates obstacles to its realization (Benhabib 1996). To be sure there are theorists like Chantal Mouffe and Richard Sennett who regard conflict as salutary, but even they expect that there is an underlying commitment to peaceful resolution of disputes. In cities the issue is particularly sharp in relation to formal and informal drawing of boundaries. Does the much-decried division of US metropolitan areas into numerous separate jurisdictions only do harm or does it also serve to protect antagonistic groups from each other? In various parts of the world (Ethiopia/Eritrea, the Czech Republic/Slovakia, Serbia/Croatia, India/Pakistan, etc.), separation has been regarded as self-determination and perceived as a democratic solution. Iris Marion Young (2000, p. 216), whose work endorses a politics of difference, resists the ideal of integration, because it “tends wrongly to focus on patterns of group clustering while ignoring more central issues of privilege and disadvantage.” She supports porous borders, widely accessible public spaces, and regional government but she also calls for a differentiated solidarity that would allow voluntary clustering of cultural groups.

Thus, the three hallmarks of urban justice—material equality, diversity, and democracy—are not automatically supportive of each other and, in fact, in any particular

situation, may well clash or require trade-offs. Moreover, internal to each of these norms are further contradictory elements. In addition to the aforementioned, hoary question of whether equality of opportunity can exist without prior equality of condition, there are the issues of whether equal treatment of those with differing abilities is fair or whether the disabled should get more, and conversely whether it is fair to deny rewards to those whose effort or ability make them seem more deserving (what philosophers refer to as the criterion of “desert”). With reference to urban policies this raises the difficulty, for example, of whether, in terms of allocating public housing, the homeless should receive preference over those on waiting lists. or whether non-profit housing corporations should be able to select tenants so as to exclude families likely to be disruptive.

In regard to diversity the issue arises of whether recognition of the other should extend to acceptance of groups that themselves are intolerant or authoritarian. Within cities this question has shown itself most intensely when groups impose their rules or life styles on others who share their spaces—Jews who discourage driving on the Sabbath, Muslims whose calls to prayer stop traffic and are heard by everyone in the vicinity, anarchists whose loud music and nighttime activities keep their neighbors awake.⁷ The same problem exists concerning democratic inclusion of those with undemocratic beliefs.

Evaluations of Examples of Planning in Practice

New York

New York City recently released its first effort at a master plan since the John Lindsay mayoralty of the 1970s (NYC Office of the Mayor 2007).⁸ In terms of the three criteria of equality, diversity, and participation 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

⁷ See David Harvey's (2002) description of clashing life styles within and around Tompkins Square Park in New York.

⁸ The plan represents the Mayor's strategy for the city but is not legally binding.

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 censuses and likely 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 projects⁹ utilize huge sums of public money and tax forgiveness for endeavors that radically transform their locations, stir up local opposition, and threaten to sharpen the contrast between the haves and have-nots. 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, 2008). 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

⁹ These include new baseball stadiums in the Bronx and Queens, high-rise housing on the Brooklyn and Queens waterfronts, a shopping mall in the Bronx that displaces an ethnic wholesale food market, a new Harlem campus for Columbia University, and a vast redevelopment of Manhattan's west side, involving high-rise apartments, extension of the subway system, and the carving out of a new boulevard (see Fainstein 2005c, Wolf-Powers 2005).

stock,¹⁰ the middle class is shrinking, and inequality is increasing, while the city is seeing breathtaking levels of wealth acquired by hedge fund managers and investment bankers.¹¹

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.¹²

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

¹⁰ A 30-year limit (or less) characterizes much of the housing stock built in New York under various subsidy programs. It is estimated that the city lost 260,000 affordable units between 2002 and 2005 (NYC Office of the Public Advocate 2007). The cause was the reversion of housing built under the Mitchell-Lama program, the primary provider of housing for moderate-income residents during the postwar years, to market rate, the lapsing of time limits on various federally sponsored housing developments, and the move of privately owned units out of rent stabilization. Thirty years seems a long time when housing is built, but there is no reason to assume once the time passes that housing need will diminish.

¹¹The proportion of the population in poverty exceeded a fifth in 2006, a level that had not changed in five years (Roberts 2006).

¹² The board justified its decision as contributing to economic growth and convenient retail shopping.

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 Labour government. Under Section 106 of the UK Town and Country Planning Act, local authorities bargain with developers for "planning gain" (LTGDC 2006). Whereas the Thatcher administration had opposed requiring developers to provide community benefits except to mitigate the direct effects of development, the succeeding Labour 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.¹³ 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.

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.¹⁴ 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

¹³ The fact that it has access to nationally provided housing funding is key. At the time of this writing, with a new Conservative mayor of London and declining Labour support nationally, it is unclear whether this commitment will persist.

¹⁴ The Mayor's plan provides guidance to the local authorities (i.e., the London boroughs), which develop their own plans that fill in the specifics and must conform with the guidance.

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.

Amsterdam

Of the three cities Amsterdam offers the most equality, diversity, and participation (Fainstein 2000b; Gilderbloom et al., forthcoming). Between 1945 and 1985 about 90 percent of all new housing in the city was comprised of social rented housing (van de Ven 2004). Now, however, many fear that the commitment to justice is diminishing under the assault of globalization and anti-immigration sentiment (Dias and Beaumont 2007; Uitermark, Rossi, and van Houtum 2005). 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 equality.¹⁵

The Amsterdam government is strongly committed to diversity, meaning that it seeks to have every neighborhood mixed by income and ethnicity. As Uitermark (2003) points out, however, when diversity becomes the aim of public policy, it can suppress the potential for mobilization and facilitate social control mechanisms. Furthermore, as noted above in the discussion of Young's defense of neighborhood coherence, bringing about diversity can cause the breakdown of social ties and be opposed by the people it supposedly benefits.

On the other hand the redevelopment of the Bijlmermeer, an enormous social housing complex on the southern periphery of the city, reflects an effort to leave community intact, while also illustrating how various forms of diversity can cut against each other. The project, developed according to modernist precepts during the 1960s and 1970s, consisted of very large buildings surrounded by green space. 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. Their availability at the time of Surinam's independence caused the government to place a large number of Surinamese refugees in them. The complex also houses many Africans

¹⁵ While this is the ostensible goal for London, it only affects new construction, is restricted to larger projects, and is rarely reached in actuality.

and Antilleans. While it never became as homogeneously black as a typical American ghetto, the Bijlmermeer nevertheless was perceived as an undesirable area. In the last decade the Amsterdam government has addressed the problem by tearing down many of the original buildings, modifying others, and constructing new, low-rise residences for owner occupation (Kwekkeboom 2002). The 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). Thus reconstruction has caused the area to retain ethnic diversity and to become more mixed in terms of income by providing suitable accommodation for upwardly mobile residents.

CONCLUSION

Can we distill from these various experiences a set of norms that could apply broadly. Or does each situation lend itself to a different interpretation of the broad principles of equality, diversity, and participation? My approach conforms to the argument presented by Rainer Forst (2002, p. 238) in *Contexts of Justice*:

The principle of general justification is context-transcending not in the sense that it violates contexts of individual and collective self-determination but insofar as it designates minimal standards within which self-determination is 'reiterated'

Forst's assertion echoes Nussbaum's (2000, p. 6) contention that there is a threshold level of capabilities (i.e., the potential to "live as a dignified free human being who shapes his or her own life" [p. 72]) below which justice is sacrificed, and that it is incumbent on government to provide the social basis for its availability although not for its actual realization. It is doubtful, however, whether these two philosophers would go as far as to prescribe particular public policy measures as generally applicable.¹⁶

¹⁶ Nussbaum (2000, p. 78) does specify certain requisites in her list of capabilities that involve public policy, including adequate shelter, adequate education, and protection against discrimination.

My list of criteria is thus probably too specific to be acceptable to rigorous deontological philosophers. Nevertheless, I contend that it offers a set of expectations that ought to form the basis for just urban planning. The contents of this list apply only to planning conducted at the local level; the components of a just national urban policy are more complex and will not be discussed here.¹⁷ The list is as follows:

In furtherance of equality:

1. All new housing development should provide units for households with incomes below the median, either on-site or elsewhere, with the goal of providing a decent home and suitable living environment for everyone. (One of the most vexing issues in relation to housing, however, is the extent to which tenant selection should limit access to people likely to be good neighbors. It is one of the areas where the criteria of equality and democracy are at odds with each other, and no general rule can apply.)

2. No household or business should be involuntarily relocated for the purpose of obtaining economic development or community balance.

3. Economic development programs should give priority to the interests of employees and small business owners. All new commercial development should provide space for public use and to the extent feasible should facilitate the livelihood of independent and cooperatively owned businesses.

4. Mega-projects should be subject to heightened scrutiny, be required to provide direct benefits to low-income people in the form of employment provisions, public amenities, and a living wage, and, if public subsidy is involved, should include public participation in the profits.

5. Transit fares should be kept very low.

6. Planners should take an active role in deliberative settings in pressing for egalitarian solutions and blocking ones that disproportionately benefit the already well-off.

In furtherance of diversity:

1. Zoning should not be used to further discriminatory ends.

2. Boundaries between districts should be porous.

¹⁷ Markusen and Fainstein (1993) develop the elements of a national urban policy for the US.

3. Ample public space should be widely accessible and varied but be designed so that groups with clashing lifestyles do not have to occupy the same location.

4. To the extent practical and desired by affected populations, uses should be mixed.

In furtherance of democracy:

1. Plans should be developed in consultation with the target population if the area is already developed. The existing population, however, should not be the sole arbiter of the future of an area. Citywide considerations must also apply.

2. In planning for as yet uninhabited or sparsely occupied areas, there should be broad consultation that includes representatives of groups currently living outside the affected areas.

Adherence to this set of guidelines does not require that people who cannot get along live next door to each other. Indeed people have the right to protect themselves from others who do not respect their way of life. What is important is that people are not differentiated and excluded according to ascriptive characteristics like gender or ethnicity. But neither should people be required to tolerate disorderly conduct or anti-social behavior in the name of social justice.

In response to a lecture I gave on the just city, James Throgmorton (personal communication, 28 January 2006) wrote:

My experience as an elected official leads me to think that the planners of any specific city cannot (and should not) simply declare by fiat that their purpose is to create the just city. In the context of representative democracy, they have to be authorized to imagine, articulate, pursue, and actualize the vision of a just city. This means that a mobilized constituency would have to be pressuring for change. . . .

In terms of practical politics Throgmorton is completely correct—without a mobilized constituency and supportive officials, no prescription for justice will be implemented. But regardless of authorization or not, it is a goal to continually press for and to deploy when evaluating planning decisions. It is way too easy to follow the lead of developers and politicians who make economic competitiveness the highest priority and give little or no consideration to questions of justice.

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Space, politics and (in)justice

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I.

In the last decade or so, there has been a marked attempt in geography and urban studies, in the Anglophone academia at least, to think space politically and politics spatially. Notions and concepts that hardly escaped the confines of the fields of political science and theory have now entered, and started to orient to a certain extent, the research agendas of many scholars working in these fields. This, I believe, is good news for it renders the city and urban space as potentially political sites for the articulation and claiming of rights, and for fighting against various forms of injustice spatially produced or manifested.

A quick list, obviously not an exhaustive one, may be sketched with some of the issues that have recently been re-considered with a decidedly spatial focus. A first issue involves a growing concern with justice and the various forms of injustice inherent in the workings of the capitalist city (Harvey, 1996; Merrifield and Swyngedouw, 1997; Soja, 2000; for a much earlier example, see Harvey, 1973). Such a concern is closely related to a second issue; that is, considering emancipatory projects informed by a politics of space and the (re)construction of the city as a terrain of spatially informed politics (Cresswell, 1996; Keith, 1997; Massey, 2005). Formation of political identities and deliberations on democracy accompany such projects (Keith and Pile, 1993; Tajbakhsh, 2001; Featherstone, 2008). A third issue that is easily discerned is the attempt to reconsider citizenship with a shift in focus from the state to the city, considering the city as a privileged site for the formation and practice of rights and political claims, and re-conceptualizing citizenship with an emphasis on its urban and spatial dimension (Brodie, 2000; Holston and Appadurai, 1996; Isin, 2002; Staeheli, 1999).

Besides more specific arguments, there is a strong argument that is being made, if not always explicitly, in these works as to the nature of the relation between space and politics: that space is not merely a 'container' of politics, an immutable surface on which political processes unfold. Space, in other words, is more than a given and static container of politics; it is causal, transformative, and is itself always in the making. If this is so, however, space could be both a 'good thing' for politics or a 'bad thing'; that is, it could as much hinder political possibilities as it could engender them.

My conceptualization of the relationship between space and injustice follows from these strands of literature that, on the one hand, make space central to theoretical and empirical inquiry, and, on the other, refuse to assign space an a priori emancipatory quality, but rather recognize that most often than not, space seems to be a source of injustice or a means of control, mastery and domination (which, not despite but because of this very reason, can also become a significant tool of resistance). *Spatiality of injustice* is based on the premise that justice has a spatial dimension to it, and that one can observe and analyze various forms of injustice manifest *in space*. *Injustice of spatiality* shifts focus from spatial manifestations of injustice to structural dynamics that produce and reproduce injustice *through space*. The attempt, therefore, is not merely on the spatial manifestations of injustice, but equally importantly, on the processes that produce spatial injustices (for more on this formulation, see Dikeç, 2001). In what follows, I will try to exemplify the interplay between the two – spatiality of injustice and injustice of spatiality – through a notion of 'remainders', using the case of problematization of French *banlieues* as an example.

II.

An instance to explain the notion of remainders may be provided by a brief recourse to arithmetic. When, for example, the number 100 is divided by 11, the remainder is 1. The notion of remainders implies a problematization of the status of the remainder: is 1 *the* remainder or the *remaindered*?

My definition of remainders is derived from Honig (1993). The implication is that the remainder 1 does not exist prior to *and* apart from the division process; it is remaindered by the very division operation. The notion, therefore, serves as an important reminder of remaindering processes, processes that produce the remainders themselves. Honig employs the notion to expose the remainders of political theory through its processes of closure. Any closure almost necessarily produces remainders. Therefore, it is possible, for example, to discern the remainders of a discourse, a theory, or a hegemonic project. The important point is to focus attention on process, rather than merely on form, and to see whether the discourse, theory, or hegemonic project in question relies on the remainders it produces as a source of legitimacy.

I use the notion of *remainders* both literally and figuratively to refer at once to the *remaining* and the *remaindered*. The former meaning may be exemplified by an OECD report on 'integrating distressed urban areas'. The housing market, the report states, through its dynamics of distribution and redistribution, is a major determinant of concentration. Since the post-war boom in social housing, conceived as an immediate response to housing shortage spawned by increasing population and/or immigration, private sector housing has developed to meet the demands of middle to low income families, many of whom left their initial public housing. 'Those *remaining* in social housing are in many cases, those who are also least able to compete in the modern labour market and, hence, the most likely to be unemployed' (OECD, 1998: 49; emphasis added). This translates into decreased tax returns and investment, and a process of deprivation – first in the physical environment – takes place:

When local actors – notably home-owners, businessmen, potential entrepreneurs, insurers, bankers, and local civil servants – perceive that such a process is taking place, they react to protect investments and minimize risk, and many choose to relocate [*OECD, 1998: 51*].

And this process eventually leads to a 'vicious cycle':

First [...] once problems start to accumulate the better off residents begin to leave. The poorest, who have no choice, *remain* [...] Second, the worsening situation in the area, particularly as regards security, discourages business even more than before [...]

Thirdly, resignation and underachievement tend to take root in the schools. Low educational performance tends to become normal and without the presence of an escape route through education, the spatial 'poverty trap' then passes from one generation to the next (OECD, 1998: 58; emphasis added).

What is missing are the remainders themselves, those 'who have no choice' but remaining; they are not even counted as 'local actors'. These quotes are used to clarify the literal use of the notion of remainders: those who remain 'trapped in space' (Harvey, 1989), or 'chained to a place' (Bourdieu, 1999), which can be seen as an instance of spatiality of injustice.

Figuratively, on the other hand, remainders refer to those that are left out whenever an attempt is made to systematically organize the world conceptually, categorically, linguistically, politically, culturally, socially, morally, and spatially.

The French case provides a typical example that brings together these two meanings. On the one hand, one finds certain groups of the population living in dilapidated peripheral areas of cities. On the other, these areas, under the rubric of 'the *banlieue*', are being used to designate the problems of the society as places of 'lack' (lack of order, lack of respect for the law, lack of urbanity, etc.), or 'surplus' (too many immigrants, too much crime, etc.), reifying its fears. Inhabitants of such places not only *remain* spatially in these highly stigmatized areas, but are also *remaindered* socially and politically, as groups to be governed from above, to be 'integrated', 'included', rejected, or contained. They are too different, too poor, too violent, not integrated enough, not 'French' enough, not urban enough. They are the *remainders of urbanity*.

How, then, is this remaindering done? Journalists, media intellectuals, 'specialists', and policy makers and politicians have all played their part. A media review by Collovald, for example, demonstrates how this discursive construction of banlieues has made it possible to address the 'immigration problem' (and immigrants as problem) in other, 'more abstract and less directly political' terms, which was not the case when debates around immigration had started in the early 1980s. This is not an innocent

modification, but one with significant political consequences, for '[i]n modifying the identification of the problem, it changes its meaning and signification' (Collovald, 2000: 39). Since the 1990s in particular, 'the banlieue', owing to such discursive constructions, has served as an appealing spatial and politically less charged metaphor to talk about such politically sensitive issues as immigration, and to frame problems in a way that drove certain issues away from perspective (e.g., structural dynamics, persistent inequalities, racism and discrimination, etc.) while introducing others (e.g., violence, crime, insecurity, etc.).

As I have tried to show elsewhere (Dikeç, 2007), state policies – in particular, urban policy – have been very effective in the constitution of *banlieues* as remainders as they institutionalized many of the journalistic categories used to frame the banlieues. This constitution has not only externalized the remainders from the very remaindering processes, but also produced a hegemonic discourse on the *banlieues*. While the spatial designation of distressed areas is not inherently bad, and does not automatically produce remainders, the spaces designated by state policies have been subject to different discursive articulations over the years. Despite the republican anxiety over division and disunity, French urban policy operated with a divisive spatiality, eventually consolidating a rather rigid geography of 'threat'. The challenge, it seems to me, is to avoid the hegemony of this spatial order, and to conceive this state-led organization of space as part of the production of space rather than a 'naturally given' organization.

III.

My reading of French urban policy and other state policies addressing the banlieues suggests that policy making has had a role to play in this 'naturalization'; first, through its particular spatial conceptualization, and second, through the discursive re-articulations of its spaces of intervention. Spatial delimitation and designation have been integral parts of French policy making. French urban policy is based on a definition of a 'geography of priority neighbourhoods' (Estèbe, 2001: 25), a geography constituted by the designated areas, which then becomes the basis of policy programmes and interventions. Based on how such areas have been constituted, Estèbe identifies two different 'geographies': a 'local' geography of priority neighbourhoods (in the 1980s) and

a 'relative' geography of priority neighbourhoods (starting from the 1990s). I follow his analysis, but also argue that it is possible to distinguish a third, 'statist geography', from the mid-1990s onwards. These geographies also correspond to changing discursive terms associated with the banlieues and different forms of state intervention.¹

In the first period (roughly 1981-1989), policy makers tried to address perceived problems in certain social housing neighbourhoods located mostly in the banlieues. The situation in such neighbourhoods were seen as negative consequences of the economic crisis settling in, and they were referred to as working-class (or popular) neighbourhoods, which were the ones most hard hit by the loss of industrial and manufacturing jobs. Such was the spatial order that was starting to settle down: these 'points in space' were characterized by a concentration of problems, and policy measures would spatially target such areas. They were not seen as separate from the urban areas that contained them. The borders that separated the banlieue from the city were situated in a particular geography and history; they were seen neither as naturally given nor immutable. The selection process was very much linked to local knowledge and specificities, and the role of inhabitants in the appropriation of their lived spaces was emphasized in the founding documents of urban policy.

Major institutional restructurings in 1989 and 1990 brought about new measures. With the initiation of the City Contracts program, the local geography turned into a relative (or contractual) geography, defined through negotiations between local and central actors. The institutionalization of urban policy made the question of social housing neighbourhoods and banlieues a national issue of political eminence. It also corresponded with the constitution of its problem, defined in spatial terms as 'exclusion'. But the specific context, both national and international, in which urban policy was institutionalized led to different discursive articulations of its spaces of intervention, diverging from the ways in which social housing neighbourhoods were seen by the

¹ This periodization is not meant to imply that each 'geography' represented a rupture with the preceding period. Although there were noticeable changes in forms of state intervention, spatial conceptualization and discursive articulation of intervention areas in these periods, there were also many continuities among different policy programmes.

earlier generation of policy makers. Marked by the unprecedented scale of riots in Vaulx-en-Velin, one of urban policy's neighbourhoods, the Islamic headscarf and Salman Rushdie affairs, Intifada and the forthcoming Gulf War, this context led to the articulation of the question of banlieues with immigration and Islam. It was in this context that a special section called 'Cities and banlieues' was created at the French Intelligence Service.

In the contractual geography of urban policy, the neighbourhoods were seen as 'neighbourhoods at risk'. However during the 1990s, they have increasingly become associated with insecurity. They were no longer 'at risk'; they were the very risk, the threat, that had to be confronted by the 're-foundation of the republican pact' and more security measures. This shift from risk to threat in the mid-1990s, once again, reflected larger happenings around the world. Following the 1992 Los Angeles riots, 'ghettos' and references to the perils of the so-called 'Anglo-Saxon model' became integral parts of the urban policy discourse. Wacquant (1999a) shows that the dystopian images of the American city have been very influential in shaping the discourse on banlieues in France, and in this sense, it is emblematic that Mike Davis's *City of Quartz* was first translated into French in this period, in 1997 (followed by a reprint in 2000), seven years after its publication in English. These dystopian images of the city were also accompanied by what Wacquant (1999b) called 'the punitive wind' blowing from the other side of the Atlantic, and the increased emphasis on security in this period also reflected 'the intensification of social and spatial control' in the city with a security-obsessed urban discourse (Soja, 2000: 299), instilled with republican references.

Therefore, the third period, especially after the *Pacte de relance* of 1996, was marked by the transformation of the relative/contractual geography of the priority neighbourhoods of urban policy into a *statist (étatique) geography*. Local specificities disappeared, and the neighbourhoods of urban policy became hierarchized neighbourhoods of exclusion, some of which were 'more excluded' than the others. This was also a shift from a relative geography of difficulties (now relativity exists merely among the excluded neighbourhoods themselves) to an absolute geography of threat, determined by centrally decided upon criteria, and rearticulated by a republican nationalist discourse. The neighbourhoods of urban policy were thus closed upon

themselves, becoming 'problems' as such. The inhabitants and local specificities, in the process, turned into internally homogeneous spatial categories, and the earlier ideas about appropriation of lived spaces by inhabitants themselves disappeared.

Such was the spatial order consolidated throughout the 1990s, which also informed the 'new generation of city contracts' announced by the Jospin government. The priorities of urban policy, and with them the image of the banlieues and their inhabitants, were constantly being re-defined with more emphasis on the republic, the issue of insecurity and the authority of the state. Despite the criticisms of the Sueur Report (1998) and those of the Cour des Comptes (2002), both of which maintained that 'zoning' brought with it a string territorial stigmatization and that it was very difficult to get these neighbourhoods out of the 'priority geography' of urban policy once they were included, urban policy's spatial focus has not changed. A comparison of the lists of the priority neighbourhoods of urban policy (16 neighbourhoods in 1982, 23 in 1983, 148 in 1984, 400 in 1989, 546 in the early 1990s, and around 1,200 in 751 ZUSs since 1996) shows that despite the increase in the number of neighbourhoods included, the list basically remains 'unchanged'; that is, new neighbourhoods are constantly added to the list while the older ones *remain*. For example, the very 16 neighbourhoods that were selected in 1982 as 'neighbourhoods in difficulty' when urban policy was *experimentally* initiated are still on the list. The same is true for about 500 neighbourhoods included since 1989 – they have practically all remained on the list since then.

Although the same spatial strategy (i.e., spatially targeting intervention areas) was in place since the early 1980s, it was in the third period that the exclusion of the neighbourhoods was absolutized. This points to a major trait of urban policy. The main issues that French urban policy is concerned with have not changed, but the way its intervention areas have been conceptualized and their representations have changed remarkably. Since the early 1980s, the shift of focus from 'social development' to 'security', from 'prevention' to 'repression', from 'right to difference' to 'the republican model of integration', and from '*autogestion*' to 'the republican pact' did not ensue 'naturally' from the changing nature of problems, but followed, to an important extent, from different discursive articulations of the spaces urban policy.

This brief account shows the naturalization of a certain spatial order (i.e. the geography of priority neighbourhoods of urban policy) and its different discursive articulations through state policies. The remaindering of the *banlieues* as a form of exteriority menacing the ‘values and principles of the republic’ is not merely the product of the state’s discursive practices, but also about the becoming hegemonic of a certain spatial order, a form of injustice of spatiality as the hegemonic spatial order has become a source of stigma. Such a spatial order and its discursive register, to be sure, has been used by successive governments to legitimize increasingly repressive measures directed towards the *banlieues*. It has been, in other words, an integral part of the so-called ‘securitarian ideology’, said to be characteristic of the last four governments. Or better yet, it has been the *product* of this ideology, which contributed to the remaindering of the *banlieues* in the established ‘police order’.

IV.

What is ultimately important for me is to dismiss the facile opposition between a plane of appearances and a plane of reality and to show [...] how it is that the ‘social’ – a category supposedly intended to explain away and thereby refute the ‘ideological’ – is in fact constituted by a series of discursive acts and reconfigurations of a perceptive field.

[Rancière, 2000a: 117]

What is an ideology without a space to which it refers, a space which it describes, whose vocabulary and links it makes use of, and whose code it embodies?... [W]hat we call ideology only achieves consistency by intervening in social space and in its production, and by thus taking on body therein. Ideology *per se* might well be said to consist primarily in a discourse upon social space.

[Lefebvre, 2000 [1974]. 55]

‘The police’, in its non-pejorative sense, is the name Rancière gives to orders of governance. It is based on a particular regime of representation, to which he refers to as ‘the partition of the sensible’, defined as ‘that system of sensible evidences that discloses at once the existence of a common [i.e., the whole to be governed] and the partitions that define the respective places and parts in it’ (2000b: 12). The partition of

the sensible, as a system of sensible evidences, arranges the perceptive givens of a situation – what is in or out, central or peripheral, audible or inaudible, visible or invisible. The police, then, is not self-evident or naturally given, but rather a product of a particular regime of representation, or what Rancière calls sensible evidences. It is exemplary in this sense that one of the first measures the then French Minister of the Interior Nicolas Sarkozy had proposed, when he first took office in 2002 with a stated aim to ‘restore the Republican order’, was to modify the periodicity of the publication of figures of delinquency, and to make them publicly available more frequently (*Le Monde*, 31 May 2002).

Rancière’s conceptualization of the police as consolidated through the putting in place of sensible evidences suggests a way of looking at state policies. State policies put in place certain sensible evidences (policy documents, spatial designations, mappings, categorisations, namings and statistics) that help to consolidate a particular spatial order and encourage a particular way to think about it. In the French case, the spatial order that state policies helped to consolidate with its designations of intervention areas (the *banlieues*) became officially so accepted that when the French Intelligence Service decided to engage with the question of *banlieues*, it was the list of urban policy neighbourhoods that they took as a starting point. When the Ministry of Justice engaged with the issue with a stated aim to restore the law, its measures aimed at the same neighbourhoods. Similarly, other repressive measures (like security contracts, Sarkozy’s flash-ball guns, etc.) and growing anxieties about the ‘values of the republic’ were all guided by the same spatial imaginary, which became the basis for the consolidation of what I call the ‘republican penal state’ from the 1990s onwards (Dikeç, 2007).

Arguably, the most perverse consequence of the consolidation of this spatial order – the police – has been the constitution of *banlieues* as spaces that somehow do not fit, excluded, dangerous, deviant – as, in other words, a form of exteriority that menaces the integrity of ‘the Republic’. By confining the ‘other’ into a geographical elsewhere, by closing the *banlieue* in itself, this constitution not only removed from perspective the structural dynamics of persistent inequalities – that is, shifted focus away from the remaindered to the remainder itself – but also reconfigured the ‘givens’ of the situation

by representing the *banlieue in itself* as a problem. This has, furthermore, made it possible to debilitate potential movements of justice rising from the *banlieues*; first, by legitimizing repressive measures and surveillance techniques, and second, by turning political claims into disturbances. Since the mid-1990s, no government has seen the recurrent *banlieue* revolts as anything more than pointless looting and burning, which was not the case in the 1980s and early 1990s.

To follow the remarks of Lefebvre that open this section, ideology may be seen as a discursive reconfiguration of social space, which establishes the terms of a discourse with which problems are identified, solutions shaped, measures legitimized, and claims articulated. This social space, however, is not naturally given, although it may seem to be naturalized. The sheer contingency of the established order may be questioned by opening up new discursive spaces organized around different discursive terms, which could form the basis of new political formations that act on the police. It is in this sense that a notion of 'spatial justice' can be mobilized as a critique of systematic exclusion, domination and oppression, which are reproduced, among other things, by the police order that has been consolidated.

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