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On Justice

Towards a framework for 'just planning'

A tour of the city of Siena in Italy is not complete without a visit to Palazzo Pubblico of Siena which in the 14th century was the seat of government and today is Siena's Town Hall. Covering 3 walls of *Sala dei Nove* is a set of magnificent frescos by Ambrogio Lorenzetti (1337-1339). They are known as *Allegoria del Buongoverno* and *Allegoria del Malgoverno*. They depict the virtues of good government and the vices of bad government and provide a vivid image of how the quality of life experienced by citizens is affected by their government. Justice is depicted as one of the virtues of good government along with other qualities such as prudence and fortitude.

What is intriguing, however, is that justice also appears on its own as a majestic figure sitting between the good and the bad governments. As suggested by the British philosopher, David Miller, Lorenzetti seems to suggest that justice is not merely an individual virtue of the kind advocated by Plato and Aristotle. It is also a set of principles that are fundamental to the institutions which turn a mass of individuals into a political community¹. This means that the pursuit of justice is central to the justification of political authority and political obligation. In this sense justice has a legal connotation and is about how people are treated. Another meaning of justice is how society's benefits and burdens are (distributed *distributive* justice) and how this distribution is decided upon (*procedural* justice). The former is about *just outcomes* and the latter is about *just processes*. I concur with Susan Fainstein who, in her book on *Just City*, argues that in the past few decades planning theory has been largely preoccupied with just processes at the expense of paying little attention to just outcomes. This, however, does not necessarily mean that the focus should be reversed because, without just processes there are hardly any just outcomes and without seeking to achieve just outcomes, just processes are little more than empty formalities. Instead, planning theory and practice should move away from this dichotomy and embrace the concept of '*just planning*'. By this I mean acknowledging not only the significance of outcomes and processes, but also three other dimensions of justice: recognition, capability and responsibility without subsuming any one of these into another.

¹ This article draws on a report which I co-authored with my colleague Dr Elizabeth Brooks on Environmental Justice and the City and is available at:

<http://www.ncl.ac.uk/guru/news/item/environmental-justice-and-the-city-summary-report-published>

The concept of recognition comes from the work of Iris Marion Young and Nancy Fraser who argue that egalitarian concerns about redistribution of resources should be combined with a second type of claim for social justice which is based on the politics of difference. This means that the same planning outcome may have profoundly different impacts on different groups not just because of their differential levels of income, but also because of the differences in their culture, health, life experiences, values and wellbeing. It also means that just planning should recognise and enhance the standing of the beneficiaries of redistribution as full citizens. Combining redistribution with recognition requires procedural justice and parity of participation. So, just planning requires a *fair* distribution of political power to allow all members of society to interact with one another as peers.

The fourth dimension of just planning is capability. It is defined by Martha Nussbaum and Amartya Sen as the capacity of people to flourish in the lives they choose for themselves. So, just planning should seek to enhance people's freedom and capabilities. Following Sen, concerns for just planning focuses not so much on people's *means* of living but on their *actual opportunities* of living. Putting the emphasis on people's capability and freedom leads to the fifth dimension of just planning which is the need for reciprocity and responsibility. Responsibility is particularly pertinent with regard to the environment and, consequently, to planning for which sustainability is central goal. In this context, the responsibility dimension binds together concerns for social justice with concerns for environmental sustainability. While scholars such as Julian Agyeman have argued for 'just sustainability' and the need for embedding the discourse of justice in the framework of sustainability, the responsibility dimension of justice complements that by advocating the reverse; i.e. embedding the discourse of sustainability in the framework of social justice and ensuring justice to nature.

Thus, an inclusive framework for just planning includes all five dimensions: distribution, participation, recognition, capability and responsibility. Just planning seeks to move beyond a concern with the geographical distribution of resources (who gets what) to embrace concerns for particular circumstances of places and people and their vulnerabilities, capabilities and responsibilities (who counts, who gets heard, what counts, and who contributes). In practice, planning decisions should be subject to a *test of fairness* which can include questions such as:

- Does a planning decision have a disproportionately adverse impact on deprived communities?

- Are deprived communities vulnerable to the adverse impact because of their health, ethnicity, gender, etc.?
- Have deprived communities been adequately represented in the decision making?
- Can deprived communities exercise free choice in protecting themselves from, or reducing their exposure to, the adverse impact by, for example, moving to another area?
- Are deprived communities exposed to cumulative adverse impacts caused by previous planning decisions?
- Are deprived communities compensated by the benefits that may be attendant upon the adverse impact?
- To what extent deprived communities contribute to the cause of the adverse impact?

To adopt the five-dimensional framework and the 'test of fairness' may sound like an idealistic goal, but in a non-ideal world we need what John Rawls calls a 'realistic utopia' to enable us to seek transformative alternatives. Although justice, like democracy, is an unfinished business, every step taken to reduce injustices is a step in the right direction even if perfectly just institutions are not in place.

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