TEODORA IULIA CONSTANTINESCU

THE JUST CITY – A PHILOSOPHICAL LENS ON THE RIGHT TO HOUSING IN THE MODERN CITY

Space is one of the most basic resources of population. The most striking feature of the 20th century, one of the very distinctive demographic developments that went along with population growth, was the increase of the proportion of persons living in urban areas. Modern economic systems need large cities to make optimal use of productive capacity in capital investment and workforce. Urbanization is one of the strategies of mankind to cope with the permanent tension between available resources and population growth and helps to make a more rational use of scarce land.

In the wake of industrialization, urbanization has been more or less a spontaneous process with one main by-product: housing. This paper discusses the need and right to housing in the modern city from a philosophical perspective, building on one main concept – the just city.

BIENALA TIMIȘOREANĂ DE ARHITECTURĂ

Introduction

The potential of cities to embrace differences and the multitude of possibilities they offer, allows us to consider them resources of materials, resources of life cycles, resources that have the capacity to regenerate within themselves[1]. Thinking about recycling this resource in order to preserve its spirit, while expanding its degrees of freedom and potential, we think of creating liveable and sustainable environments, housing environments, that meet the socio-cultural and socio-behavioural needs of people. How can we recycle cities? By finding a theoretical frame, that is not general but can be generalised[2] - by finding space of opportunity for communities, understanding the notion of identity in housing typologies, we challenge ourselves to make the social, not just consume it.

Adopting a spatial perspective on the social layer can help us explore the generative effects of urban agglomerations, economic development, social change as well as social polarization, and, more specifically, the production of justice and injustice. Exploring the cultural, political and economic complexities of modern urban life we discover that more often than not, cities have enabled vast forms of injustice. The challenge that the development of the modern city raises is to understand what it says about social conditions, politics of class, race, gender. How can we create socially and economically just cities in this postmodern world? 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.

[1] VIGANO, Paola, *I Territori dell'urbanistica*, IUAV and Officina, Italy, 2010
[2] SECCHI, Bernardo, *Understanding and Planning the Urban Contemporary European City: a new urban question*, 2010

The progress of most of the cities is and will be greatly affected by planners and urbanists. This involves the fair and equitable distribution in space of socially valued resources and the opportunities to use them.

The paper starts by presenting a short theory of the just city from a social anthropological point of view, followed by a section on the philosophy of justice within the context of housing in the democratic societies. The paper concludes with a set of questions on how housing should be approached.

Theories of the just city

What is a just city and what does spatial justice mean actually? Justice has been the central question in the conception, design and experiencing the city from ancient times. Pythagora speaks about a community where all are equal, materially and morally around 500 B.C. when he formulated the Quadrivium and taught it under the name Tetraktys at the time. The Quadrivium arises out of the most revered of all subjects available to the human mind - Number - the sum of disciplines that analyze the order of space as Number in Space, Number in Time and Number in Space and Time – Arithmetic, Geometry, Harmony and Astronomy. All these studies offered a safe and reliable ladder to reach the simultaneous values of the True, the Good and the Beautiful. This than lead to the essential harmonious value of Wholeness that was identified with the concept of Just. Later on, around 380 B.C. hoping to discover the ends and nature of justice, Plato creates kallipolis - the ideal city. In his book The Republic, he centres everything on one question: is it always better to be just than unjust?

In the more recent times, in addition to spatial justice, the concept of justice goes beyond social and economic layers: it includes territorial, environmental, racial, community, local, global modifiers. Paris in the 60’s opens new views on the spatial and urban concept of justice, the new concept

of space and spatiality. The theoretical movement in social anthropology known as structuralism with which Michel Foucault was associated in that period and Henri Lefebvre's call for control over the right to the city and the right to difference generates the site for the creation of the radically new concept of space.

In 1973, David Harvey speaks about territorial justice. The generic search for a just city, the spatiality of justice and injustice from the local to the global, is due to the changes in thinking about space as an active power that shapes human life.

The three principles that guide the critical spatial thinking today -

- we are all spatial as well social and spatial beings,
- space is socially produced and therefore socially changed,
- the spatial shapes the social as much as the social shapes the spatial

- recognize that the geographies we live in can have negative as well positive consequences on everything we do'[3]. The concept of spatial justice and the just city, involves the fair and equitable distribution in space of socially valued resources and the opportunities to use them[4] , is a city that supports the full development of each individual and of all individuals. Spatial discrimination usually shaped by class, race and gender should not be reduced only to segregation. The distribution of real income in favour of the rich over the poor in our capitalist economy is part of the normal urban system, the urban functioning and the primary source of inequality and injustice.

Uneven geographic development or underdevelopment, social polarization makes the search for universal human rights detached from specific time and

[3] MARCUSE, Peter, *Spatial Justice: Derivative but Causal of Social Injustice*, Columbia University, 2009

[4] HARVEY, David, *The Right to the City*, New Left Review 53, [www.newleftreview.org], 2018

place[5] in an era where time needs to be seen not only as 'flowing' but, should be read spatially as well[6].

Thinking about what justice in the city might be, we understand that it is philosophers that try to determine what is the meaning of justice. The above short history of how and who 'promoted' the concept and consulting different readings of the German philosopher Rainer Forst - the list of writings that he would give his students taking the course of Theories of Justice he used to teach within Johann Wolfgang Goethe University in Frankfurt, made it possible to familiarise with the concept. A series of writings that make the base of this attempt to develop an abstract theory of what it means to talk about justice within the context of collective housing in the democratic societies.

The philosophy of justice within the context of housing in democratic societies

What we see today is a triumph of what we call neo-liberalism – the term refers to liberalism in the 18th century meaning: free markets, individualism, limits on government, regulations, saying in some sense that every individual is out for him/herself, the triumph of conservative market economics - believing in growth above all things.

Trying to understand the complexity and the contradictions of justice in the city, we try to understand principles that are applicable to urban development and design. How do we explain typical outcomes? Principles like equity,

[5] Ibid.
[6] ALBRECHTS, Louis and MANDELBAUM, Seymour J, *The Network Society_ A New Context for Planning?*, Routledge, New York, 2005

democracy, diversity, stand out from a long list but these principles can sometimes conflict; in the effort to obtain diversity and democracy man facts cut against equity. In times of conflict, equity should receive priority[7]. If we talk about justice a lot, we should constantly ask if the policies we use when it comes to housing (and not only) are just.

Democracy does not always produce equity or diversity, and having diversity and democracy may produce a public that might be more involved and active but may produce great urban inequality[8]. How are these valid for any type of city? John Rawls famous theory of justice[9], instead of doing what earlier philosophers had done: talk about democracy or justice, deducing it from natural law or from theology, from God, refers to 'the public choice theory'[10]. He says: if you are a modern economist and you believe in public choice theory, that is you believe in rational, in rational human beings and in what a rational person would do in a particular situation, what will rational people do if they were in what he called 'the original position'? That is, if they did not know where they would end up in society and he uses the term 'vale of ignorance'. If people were behind a vale of ignorance, what sort of society would they choose to have? Since is more likely to be at the bottom than at the top if you were in a pyramidal hierarchy, it would be rational for people to decide that they want a society that is more or less, equal. He terms this as the 'difference principle'[11].

The difference principle essentially argued for equality and its emphasis was on material equality, equality of goods. Rawls, has been often criticized for being overly concerned with the material inequality and not being sufficiently concerned with questions like identity of difference. Not in the sense of rich

[7] FAINSTEI, Susan, *The Just City*, Cornell University Press, New York, 2010
[8] MARION YOUNG, Iris and NUSSBAUM, Martha, *Responsibility for Justice*, Oxford University Press, New York, 2011
[9] RAWLS, John, *A Theory of Justice*, Belknap Press of Harvard University Press, USA, 1971
[10] Ibid.
[11] Ibid.

and poor but in the sense of ethnicity, gender, cast, of all the ways in which people are disrespected, are not given recognition, even though they may in fact have material equality.

A number of philosophers have attempted to elaborate on a theory of justice, which included other variables besides money, besides wealth. Amartya Sen developed the 'capability approach'[12] which said that equality means that people should have equal capabilities, that people should have the equal opportunity to make the most of themselves in a number of ways, but he does not specify the ways in which they would have these capabilities. Nussbaum makes a list of capabilities such as health, education, personal freedom and in particular the need and right to housing[13].

Within philosophy emphasizes on the term recognition when it comes to housing. Recognition refers to: being treated with respect. What has been the most important current in social thought in the last several decades[14] has to do in fact with this issue of diversity, multiculturalism and recognition when planning and designing for housing. We can adopt the notion of all people are more or less alike, but the reality is that people belong to groups, they have group affiliations, people are characterized by difference and that difference should be respected when thinking and designing/proposing different forms of housing, rather than simply wiped out[15]. Adding to the concept of equity comes the concept of diversity, of respect for diversity but keeping in mind the economy and the economic inequalities[16], which remain key in capitalist societies. All these philosophers stress the issue of democracy and determination of people.

[12] Ibid.
[13] SEN, Amartya, *The Idea of Justice*, Belknap Press of Harvard University Press, USA, 2011
[14] HONNETH, Axel, *The Pathologies of Individual Freedom: Hegel's Social Theory*, Princeton University Press, Oxford, 2010
[15] FAINSTEI, Susan, *The Just City*, Cornell University Press, New York, 2010
[16] MARION YOUNG, Iris and NUSSBAUM, Martha, *Responsibility for Justice*, Oxford University Press, New York, 2011

When we are talking about democracy within the context of the city is both extremely important as problematic[17]. The planning literature on democracy and citizenship participation is a response to the days of urban renewal, to the lack of bureaucratic response that was characteristic for this urban renewal, based at some degree on an argument that if you would give community more power, if you have more participation it will lead to a redistribution of resources, hence access to housing for all. What we have seen in the last 20 years is that even though we had a lot more public participation we see lot more inequality rather than equality. The movements from the 1960' - 70' described hitherto were rather radical movements that were demanding community power. Now, participation tends to be routinized[18] and largely is not about equal redistribution. It tends to be dominated by homeowners, tends to be protecting ones property whatever it is, rather than pressing for redistributing change, rather than pressing for more equity. Citizen participation is desirable, it provides local knowledge and bureaucrats who do not consult with local communities often proceed in ignorance. That greater democracy in itself is a desirable goal[19], but democracy is problematic in relationship to equity, moreover is very hard to organize it so that it takes in account city wide concerns, it can frequently be parochial and in many cases it can lead to corruption[20]. Planning for housing should become increasingly concerned with diversity, both physical - Jane Jacobs argued for a diversity of uses[21]. Her critique on the emphasis on physical form diversity became quite popular among right wing economist who took her critique to planning and said that we will get a good diverse housing philosophy if we just let the market do its work. The question remains

[17] FRASE, Nancy, *Scales of Justice: Reimagining Political Space in a Globalizing World*, Columbia University Press, 2008
[18] Ibid.
[19] Ibid.
[20] HARVEY, David, *Rebel Cities: From the Right to the City to the Urban Revolution*, Verso, New York, 2012
[21] FAINSTEI, Susan, *The Just City*, Cornell University Press, New York, 2010
JACOBS, Jane, *The Death and Life of American Cities*, Modern Library, USA, 1961

whether the megalomania and opportunism of politicians and planners will accept a new and more humane paradigm that curtails their profits. This is doubtful unless they are pressured by city-wide networks armed with alternative research and an alternative vision. The key to bringing about change lies in the nature of professional education.

Conclusions

The concern with diversity in terms of planning and policymaking has merged with the concern of philosophers with what they call recognition. Urban design has a big role in making diversity within the city; you create diversity through a combination of physical actions, planning and providing for low income in projects that you build for different types of housing.

Space is one of the most basic resources of population. As Malthus was saying in his demographic essay[22], we should be concerned with positive and preventive checks as to hold population within the limits of the available resources.

The most striking feature of the 20th century is the tremendous population growth with 1,6 billion at the start of the century to 6.2 billion persons in 2000. The United Nations Population Division estimates that the 9 billion mark will be hit around 2050 and that the world population will stabilize somewhere around 10 billion. One of the very distinctive demographic developments of the 20th century that went along with population growth was the increase of the proportion of persons living in urban areas. In 1900 about 14% of the world population lived in cities, while in 2003, 48% of the world's population was living in urban areas with an estimation that by 2050, it will increase to

[22] MALTHUS, Thomas Robert, *An Essay on the Principle of Population*, 1798-1826

68%[23]. In the wake of industrialization, urbanization has been more or less a spontaneous process. Modern economic systems need large cities to make optimal use of productive capacity in capital investment and workforce. Cities also tend to concentrate the intellectual skills of a nation as administrative centres in the public and the private sphere, but also as centres of education and of scientific and artistic production. Urbanization is one of the strategies of mankind to cope with the permanent tension between available resources and population growth and helps to make a more rational use of scarce land[24].

As such, we ask ourselves: Is the alternative to the existing housing pattern an inclusive one, based on the principles of justice and equality? By what process do you develop a vision for such an alternative and how can it be promoted? Could this alternative be born out of the processes that challenge (successfully and unsuccessfully) projects promoted by the neoliberal urban development paradigm?

Cities around the world are facing common challenges such as the growth of informal settlements, socio-spatial segregation, real estate speculation, as well as the urgent need to put in place sound strategies when it comes to housing regulations and the right to housing in the modern city. Following the just city concept and the equity principle described above, cities should strive for achieving (a non-exhaustive list):

1. urban planning schemes that combine adequate housing and quality neighbourhoods that are both inclusive and sustainable;
2. more power for local authorities to regulate the real estate market;
3. increased funds to improve public housing stock;
4. develop (better) tools to co-produce alternative public-private and community-driven housing solutions;
5. cooperation between municipalities in residential strategies.

[23] UNITED NATIONS, *World Urbanization Prospects*, The 2003 Revision, New York, 2004
[24] Ibid.

BIENALA TIMIȘOREANĂ DE ARHITECTURĂ

Bibliography

- ALBRECHTS, Louis and MANDELBAUM, Seymour J, *The Network Society_ A New Context for Planning?*, Routledge, New York, 2005
- FAINSTEI, Susan, *The Just City*, Cornell University Press, New York, 2010
- FRASE, Nancy, *Scales of Justice: Reimagining Political Space in a Globalizing World*, Columbia University Press, 2008
- HARVEY, David, *Rebel Cities: From the Right to the City to the Urban Revolution*, Verso, New York, 2012
- HARVEY, David, *The Right to the City,* New Left Review 53, [www.newleftreview.org], 2018
- HONNETH, Axel, *The Pathologies of Individual Freedom: Hegel's Social Theory*, Princeton University Press, Oxford, 2010
- JACOBS, Jane, *The Death and Life of American Cities*, Modern Library, USA, 1961
- MALTHUS, Thomas Robert, *An Essay on the Principle of Population*, 1798-1826
- MARCUSE, Peter, *Spatial Justice: Derivative but Causal of Social Injustice*, Columbia University, 2009
- MARION YOUNG, Iris and NUSSBAUM, Martha, *Responsibility for Justice*, Oxford University Press, New York, 2011
- RAWLS, John, *A Theory of Justice*, Belknap Press of Harvard University Press, USA, 1971
- SECCHI, Bernardo, *Understanding and Planning the Urban Contemporary European City: a new urban question*, 2010.
- SEN, Amartya, *The Idea of Justice*, Belknap Press of Harvard University Press, USA, 2011
- UNITED NATIONS, *World Urbanization Prospects, The 2003 Revision*, New York, 2004
- VIGANO, Paola*, I Territori dell'urbanistica*, IUAV and Officina, Italy, 2010