On justice, fairness and equity in Gothenburg

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Summary

Globalisation, migration and urbanisation are three processes that together have shaped a new transformational condition for society that radically has changed the preconditions for governance. The role of the cities in the global political economy has increased and will continue to increase. It is at the local level, in the cities, that the effects of many of the new challenges facing us today are manifest in a tangible and perceptible way. Consequently, it is at the local level that the citizens and different stakeholders must find ways to adapt to these processes of change, relate to different manifest problems and handle these in a socially sustainable way.

How sustainable urban development can be achieved is the key challenge in focus for Mistra Urban Futures, an international research centre that consists of five local interaction platforms situated in Cape Town in South Africa, Sheffield–Manchester in the UK, Kisumu in Kenya and Gothenburg and Skåne (Malmö) in Sweden. In the current second phase 2016–2019, the new research strategy for the centre focuses on "Realising just cities". This has made it important to explore what just cities look like and how just cities can be achieved. As a foundation for continued work and discussions, the platforms were asked to conduct a small research study in each city. As a consequence, a series of workshops and interviews was undertaken in four cities during late spring of 2016. This was an initial way to test the relevance of the concept of "just, fair and equitable" cities in different contexts.

In a Gothenburg context the issue of social sustainable cities has been dealt with in different Mistra Urban Futures projects during the last couple of years. Not least in the recently concluded project KAIROS[1] – Knowledge about and Approaches to Fair and Socially Sustainable Cities – in which all of the authors have been involved in different ways. When we were commissioned to carry out the research study in Gothenburg, we initiated the study by examining how KAIROS up to that point had worked with the concept of "rättvisa" (which is the equivalent term in Swedish for justice, fairness and equity). This was related to the dominant and more traditional theory formation around the concept of justice, fairness and equity. The second phase consisted of an interview survey, based on the preliminary theoretical framework and inspired by the parallel studies in the other cities. Here, stakeholders from the civil society, the local government, the private sector and the university were identified and about ten respondents were selected, with the ambition to bring out contrasting perspectives. The conceptual and theoretical framework, mainly elaborated by Leif Eriksson, will be outlined in the first part of the report. In the second part, the result of the interview survey, conducted by Sanna Isemo, will be presented.

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[1] Mistra Urban Futures (no date) *Knowledge about and Approaches to Fair and Socially Sustainable Cities – KAIROS*. Retrieved 19/06/2016 from http://www.mistraurbanfutures.org/en/kairos-en

Based upon the preliminary findings of KAIROS and conducted interviews, the concepts could be framed on a high level of generalisation in the following manner. Equal opportunities is the first general approach which deals with *non-discrimination and non-exclusion*, as well as *procedural justice*. The second approach has more to do with fairness concerning equal capabilities, equal access and human rights, and the third approach is justice in terms of power relations, social structures and inalienable basic human needs.   We do not claim to be able to give a comprehensive picture of what a just, fair and equitable city means in a Gothenburg context, nor how it can be achieved. However, we wish to contribute with a preliminary understanding of the concept of a just, fair and equitable city, as a starting point for further co-creation through empowered genuine dialogue between different actors, for contextualised negotiation of meaning and practice of equity, fairness and justice.

Part I: Conceptual and theoretical framework

Justice, fairness and equity as contested concepts

The uneven development in Gothenburg between different groups of the population and residential areas, of income, living standard, health and access to public space and its collective goods is continuing. A number of research reports shows that the city is falling apart and risk developing into a battlefield of social conflicts. Responsible politicians are aware that the sense of insecurity is increasing in the city.[2] These processes, however, are possible to influence politically, and not the least the questions of justice, fairness and equity are crucial for the development of the city in the future. The quest for realising these values is however always set in a greater political context, where these values must be considered in relation to other political goals.

Justice, fairness and equity as concepts can (but do not need to) be seen as important morally aspirational benchmarks, but they are not the only benchmarks. Other core political concepts are security, wealth and freedom, but also softer values like solidarity and empathy can affect local processes. These core values and their relative emphasis are usually in conflict with each other. Different historical structures and processes that interplay with different actors are crucial for to handling of such conflicting objectives in practice. At this point the question of power becomes essential.

The concepts in themselves are also essentially contested – including the concepts of justice, fairness and equity. We can regard the concepts as, using the language of discourse analysis, "floating signifiers", i.e. concepts over which there is a continuous struggle. There is also a significant overlap between the meaning potential of the three concepts. In the following when we use the concept of justice, it includes the meaning of all the three concepts.[3] Adding to this complication, there is also the problem of translation between different languages. If we limit ourselves to a comparison between the English and Swedish language, the Swedish word "rättvisa" can be translated as both justice, fairness and equity (and also as justness).[4] Also concerning the meaning of the concepts in themselves, the question of power comes into the centre, as language and the way we use language contributes significantly to the constitution of social reality.

The generally accepted or dominating meaning of a concept at a certain point in time can be seen as a temporary equilibrium point in an ongoing discursive struggle concerning its meaning. From this perspective it arises a kind of "balance of power" concerning how a certain concept is (and can be) used in the public debate. During the "westphalian era" the concept of justice was primarily associated with the problem of distribution of the accumulated production in society, i.e. distributive justice and equity. The concept, however, is not limited to this meaning. The established and dominating meaning at a certain point in time is, to again use the language of discourse analysis, "contingent", i.e. possible but not necessary. Through the introduction of aspects of justice not yet achieved, but worth fighting for, different actors can through a conceptual struggle introduce different demands and expectations that challenge the "status quo" of the conceptual balance of power, in favour of marginalised groups that have been deprived of different rights. We therefore constantly must ask ourselves if the purpose of using the concept in a certain way is to maintain the status quo or to change it. The way we use a concept is always for someone and for some purpose.[5] To answer this question, we first have to get an understanding of the whole meaning potential of the concept of justice.

In order to achieve such an understanding it can be fruitful to have an analytical and axiological (with focus on the value dimension) approach, with the aim of creating a taxonomy that can help us to get an overview of the whole meaning potential of the concept. The first important distinction we can make is between a way to see justice as an *empty and/or subordinated concept* on the one hand and as an *important core concept* for politics on the other. In the following taxonomy, focus will be on the latter category, but before that we will exemplify ways to see justice as an empty and/or subordinated concept with Jeremy Bentham and Karl Marx.

Justice – as an empty or subordinated concept

Jeremy Bentham, starting from a utilitarian moral reasoning, is sceptic towards all right based theory of justice, including the idea of human rights. For Bentham, justice is nothing more than a subordinated aspect of the political ideal to create and maintain a system producing the greatest possible good to the greatest possible number. He speaks of justice in a deprecatory fashion and subordinates it completely to the dictates of utility:

> *"Sometimes in order the better to conceal the cheat (from their own eyes doubtless as well as from others) they set up a phantom of their own, which they call 'Justice' [...] But justice in the only sense in which it has a meaning, is an imaginary personage feigned for the convenience of discourse, whose dictates are the dictates of utility applied to certain particular cases."*[6]

Similarly, for Karl Marx, ideas about justice, as well as ideas about moral in general, are part of the superstructure of every social formation. In "Critique of the Gotha Programme", he concludes that

> *"Right can never be higher than the economic structure of society and its cultural development conditioned thereby."*[7].

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[2] (This way we will make Gothenburg a safer city) Så ska vi göra Göteborg till en tryggare stad, GP Debatt, 160506; http://www.gp.se/nyheter/debatt/s%C3%A5-ska-vi-g%C3%B6ra-g%C3%B6teborg-till-en-tryggare-stad-1.487775

[3] In the conclusion we will again try to separate the concepts by giving them contrasting meaning.

[4] Doing a double back translation of the single concept "rättvisa" (translating into english, back to swedish and then back to english again) will give the following meaning potential in english: Justice, fairness, equity, impartiality, justness, righteousness, rectitude, plausibility and honesty

[5] This insight can be derived from Cox 1995: Critical Political Economy, in Hettne. B. (ed) 1995 International Political Economy - Understanding Global Disorder, London: Zed Books. He here describes theory in the same way.

[6] Jeremy Bentham, An Introduction to the Principles of Morals and Legislation, ed. J. H. Burns and H. L. A. Hart, in *The Collected Works of Jeremy Bentham*, ed. F. Rosen and Philip Schofield [Oxford: Clarendon Press, 1996], chap. 10, sec. 4, p. 120, n. b2

[7] Citerad i Karl Marx, On Historical Materialism (New York: International, 1974), p. 165

The meaning of the concept of justice in a given historical context is therefore something relative, as it is an integrated part of a certain mode of production, in our time the capitalistic market economy.

Justice – as an important core concept

For classical Greek philosophers like Heracleitos and Plato, on the other hand, justice is a principle of the utmost importance for the whole of reality.

For Heracleitos, justice is more than an abstract principle. He personifies Justice as an active agent in the universe, as the eternal strife between opposites. The apparent peaceful state of harmony is impossible without the warring of opposites. Justice – understood as this strife - keeps both opposites from overstepping their bounds. All things have this struggle of the opposites going on inside of them - they depend on this strife for their existence.

Plato in the *Republic* treats justice as an overarching virtue of both individuals and societies, so that almost every ethical issue comes in under the notion of justice. Individually, justice is a "human virtue" that makes a person self-consistent and good; socially, justice is a "social virtue" that makes a society internally harmonious and good. An individual is just when each part of his or her soul (reason, spirit and appetite) performs its functions without interfering with those of other elements. Corresponding to these three elements in human nature there are three classes in the social organism – the philosopher class or the ruling class which is the representative of reason; auxiliaries, a class of warriors and defenders of the country is the representative of spirit; and the appetite instinct of the community which consists of farmers and artisans. Social justice is the original principle, laid down at the foundation of the State, "that one man should practice one thing only and that the thing to which his nature was best adopted". Where men are out of their natural places, there the co-ordination of parts is destroyed, the society disintegrates and dissolves. Justice, therefore, is the citizen sense of duties. Justice is a harmonious cooperation between the parts of the soul, as well as between the parts of society[8].

Thomas Aquinas defines justice as an attitude that involves voluntary self-limitation of ones actions:

> *"an attitude with the power of which one is fortified and acknowledges the rights of others of one's own accord"*[9]

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[8] In "The "Republic" (In particular Books I, II and IV), Plato treats justice as an overarching virtue of individuals and of societies, meaning that almost every issue he would regard as ethical comes in under the notion of justice (dikaosoune)

[9] Citerad i Vladimir Jelkić, Nietzsche on Justice and Democracy; hrcak.srce.hr/file/19173

Justice is also inseparable from love (agape). This way to conceive justice has its roots in the Christian understanding of the will of God – though justice we relate to Gods creation in a way that pleases God and the creatures that he has made.

Also for Immanuel Kant, justice is a core concept, defined in "Critique of Pure Reason" through the claim that

> *"a constitution to be considered just must achieve the highest possible level of freedom for human individuals and produce laws that facilitate the coexistence of one's freedom with that of others."*[10]

John Rawls writes about justice as *"the first virtue of social institutions"*[11]

For many thinkers in the west, from Greek philosophers like Plato and Aristotle, medieval Christian philosophers like Augustin and Aquinas, early modern ones like Hobbes and Hume, recent modern ones like Mill and Kant up to contemporaries like Rawls and Sen, justice is regarded as one of the most important moral and political concepts.

Justice – two approaches

Given that we acknowledge justice as an important and desirable value, we can make a further distinction between a) positive definitions, that in positive terms, (e.g. Aquinas and Kant above) tries to describe what justice is, often in a way that in one way or another relates to the principle of equity and b) negative definitions, instead focusing on the definition of injustice, often related to a situation where the individual are denied certain rights or entitlements in one way or another. Justice is then a situation where there is no injustice, or put differently, justice is the absence of injustice,[12] and must therefore be protected from the threat of injustice.

In many situations, positive and negative definitions can approach the same situation from two different angles, but still reach the same, or similar, conclusions. Justice can e.g. be a situation where everyone has equal access to a certain utility (positive definition), or conversely a situation where no one is denied access to this utility (negative definition).

A common *positive definition* where the principle of equity is applied is to talk about equal opportunities. In this case justice means that everyone should have the same opportunities, e.g. to education, to apply for and to get an employment in the labour market, to get an accommodation in the housing market, and to pursue a career and enhance his or hers social position, irrespectively of class, gender, ethnicity, religion, political opinion, sexual orientation or other characteristics. A common *negative definition* instead proceeds from the individual's rights or entitlements (e.g. as a citizen) to education, job, housing and that no one should be arbitrarily be discriminated and prevented to obtain or denied this right.

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[10] Ibid.
[11] Rawls, John, 1971, *A Theory of Justice*, Cambridge, MA: Harvard University Press, p.3.
[12] Such negative definitions are quite common, e.g. peace as absence of war, or qualitative methods as a collective term for all methods that are not quantitative.

It is also important to make a distinction between the principle and its application. The preliminary starting point for enquires about justice in Gothenburg has been three different applications of the principle of equity. We can thus make a preliminary distinction between justice as equal opportunities (e.g. to employment), as equal distribution (e.g. average salaries in different areas of the city) and as equal satisfaction of basic needs (e.g. housing). These applications can lead to very different and sometimes contradictory results. Equal opportunities to education are by no means a guarantee for equal income, or even equal income for the same type of job for two persons with the same level of education. Equal income is also no guarantee for equal satisfaction of basic needs.

The same goes for the principle of rights or entitlements when applied differently. In his book "Anarchy, State and Utopia", Robert Nozick develops a theory of distributive justice based on principles for just ownership. He claims that

> *"a distribution is just if everyone is entitled to the holdings they possess under the distribution"*[13]

At every given point in time this is unfortunately not the case:

> *"some people steal from others, or defraud them, or enslave them, seizing their product and preventing them from living as they choose, or forcibly exclude others from competing in exchanges"*[14]

Nozicks entitlement theory comprises three main principles: a) a principle of justice in acquisition – (e.g. through own labour), b) a principle of justice in transfer (e.g. selling, barter or giving) and c) a principle of rectification of injustice (e.g. how to deal with holdings that are unjustly acquired or transferred). The entitlement theory creates a strong system of private property and a free-market economy. The only just transaction is a voluntary one. Taxation of the rich to support social programs for the poor is unjust because the state is acquiring money by force instead of through a voluntary transaction. This entitlement theory of justice has, in its strong form, no room for human rights or even basic human needs.

In Amartya Sens, "Food, Economics and Entitlements"[15], entitlement theory has even been applied to famines, as an alternative to food shortage as explanation of starvation. In a private market, an *entitlement set* of a person is determined by his original bundle of ownership (*endowment*) and bundles *acquired or lost over time*. From this perspective, famine and starvation is seen through the lens of loss of endowment (land loss, loss of labour power) or loss of exchange entitlement (falls in wages, rise in food prices). This could for instance explain the paradox, that in the cases of the Bengal famine of 1943, Ethiopian famine of 1973 and Bangladesh famine of 1974, the food output in these regions saw a slight increase during the years of starvation. A strict interpretation of Nozicks theory of justice would therefore reach the conclusion that in a totally just society, famines and starvation must be accepted as a necessary consequence of entitlements

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[13] Robert Nozick (1974), Anarchy, State, and Utopia. New York: Basic Books, p. 151
[14] Ibid., p.152
[15] Amartya Sen, (1986) "Food, Economics and Entitlements." World Institute for Development Economics Research, United Nations University.

At every given point in time this is unfortunately not the case:

> *"some people steal from others, or defraud them, or enslave them, seizing their product and preventing them from living as they choose, or forcibly exclude others from competing in exchanges"*[16]

Fortunately, there are other ways of approaching justice through rights and entitlements. If we, simply by being human, can claim a right or entitlement to the most basic needs, even theft could, in some extreme instances be a just transaction. Thomas Aquinas maintains that natural law gives us the right to own private property, but that right is not absolute. Although theft therefore generally is unjust, an exception can arise if the thief and his family are starving in an environment of plenty, in which case, "stealing" is justified as it is no longer to be regarded as theft,[17] as "all things are common property in cases of necessity".[18]

The highest appeals court in Italy has recently reached a similar conclusion concerning a homeless Ukrainian man that had been stealing small quantities of food to satisfy his immediate hunger. The right to survival prevailed in this case over right to property:

> *"The condition of the defendant and the circumstances in which the seizure of merchandise took place prove that he took possession of that small amount of food in the face of an immediate and essential need for nourishment, acting therefore in a state of necessity",*

concluded the court[19].

The discussion above illustrates the broad meaning potential of the concept of justice. Given this broad meaning potential, we will proceed by suggesting a preliminary taxonomy based on the distinction between positive justice as a situation when the principle of equity is applied to all individuals and all cases fairly, and negative justice as absence of injustice, where injustice is a situation where individual's rights or entitlements have been violated.

Positive justice based on the principle of equity

"Equality of What?" and "How to evaluate equality?" are the first of two questions that any conception of justice based on the principle of equity must answer.

Equality of opportunity

One way to answer the first question is that there should be *equality of opportunity*. For this to be meaningful as a theory of justice, an underlying assumption is that society consists of hierarchies of more or less desirable positions. There is equality of opportunity when the assignment of individuals to

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[16] Ibid., p.152
[17] Thomas Aquinas (1988), *On Law, Morality, and Politics*, ed. William P. Baumgarth and Richard J. Regan, S.J. Indianapolis: Hackett, p.139f
[18] Ibid. s. 140.
[19] 'Italian court rules food theft 'not a crime' if hungry', (05-2016), BBC News http://www.bbc.com/news/world-europe-36190557
Pianigiani, G. and Chan, S. (05-2016) 'Can the Homeless and Hungry Steal Food? Maybe, an Italian Court Says', The New York Times,
http://www.nytimes.com/2016/05/04/world/europe/food-theft-in-italy-may-not-be-a-crime-court-rules.html?_r=0

places in different social hierarchies is determined by some form of fair competitive process, and all members of society are eligible to compete on equal terms, irrespective of having well-connected relatives or friends (nepotism), religion, gender, ethnicity, race, disability, age, sexual orientation, etc. Everyone should therefore have "an equal chance to compete within the framework of goals and the structure of rules established."[20]

Equal chance can, however, be interpreted in different ways. For this project, the distinction between *formal equality of opportunities* and *substantive equality of opportunities* is relevant. There is *formal equality* when e.g. a position in a public or private organisation is being open to all applicants. Applications should be assessed on their merits only, and the applicant deemed most qualified according to appropriate criteria will be offered the position. But it could still be that different members of society have unequal opportunities to become qualified to compete in this situation where there is formal equality of opportunity.

There is only a *substantive equality* of opportunity when there is sufficient opportunity to develop the qualifications required to participate in competitions where there is formal equality of opportunity. Universalising the ideal of reducing the competitive advantages that favourable circumstances confer on some individuals, one arrives at the ideal that John Rawls has called "fair equality of opportunity"[21] He concludes:

> "...assuming there is a distribution of natural assets, those who are at the same level of talent
> and ability, and have the same willingness to use them, should have the same prospects of
> success regardless of their initial place in the social system."[22]

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[20] John W. Gardner (1984), Excellence: Can we be equal and excellent too?, Norton, ISBN 0-393-31287-9, p 47
[21] Rawls, John, (1999), A Theory of Justice, revised edition, Cambridge: Harvard University Press, section 12
Rawls, John, (2001), Justice as Fairness: A Restatement, edited by Erin Kelly, Cambridge, Harvard University Press, section 13
[22] Rawls, John, (1999), A Theory of Justice, revised edition, Cambridge: Harvard University Press, p. 63

Fair equality of opportunity can be relevant concerning:

a) Education, job positions, career possibilities, housing, etc. but also concerning

b) Opportunity to participate in political processes and to influence political decisions.

Sen´s and Nussbaum's capability approach that will be discussed below is making a close connection between social justice and democracy, but the basic arguments for participation in the political process can be applied to the opportunity approach as well, especially when it comes to substantive equality of opportunity. Democracy as the exercise of public reason (i.e. not reduced to voting) has an *intrinsic value* insofar as the substantive opportunity to participate into the public debate is valuable in itself, it has an *instrumental value* since it gives people opportunity to support their claims and defend their rights more efficiently; and, most important, it has a *constructive value* in that it gives people opportunity to be active participants in the overall social fabric, i.e. in the construction of social values and norms, public policies, etc. .

Rawls, in his theory of fair equality of opportunities, is heavily indebted to the tradition of procedural justice. He concludes: "The role of the principle of fair opportunity is to insure that the system of cooperation is one of pure procedural justice"[23] Procedural justice is, however, a tradition of its own of relevance for this project, which therefore will be discussed below.

Equal and fair application of procedures – procedural justice

Procedural justice is the ideal of fairness in different processes that resolve disputes and allocate resources. An important aspect of procedural justice has to do with the administration of justice in the legal system, but the ideal can also be applied to extralegal contexts in which some impartial process is employed to resolve conflict or divide benefits or burdens.

But to be equal and fair in the application can mean different things, as shown by Rawls, in his distinction between pure procedural justice, perfect procedural justice and imperfect procedural justice. Gambling and lottery are examples of pure procedural justice:

> "...there is a correct or fair procedure such that the outcome is likewise correct or fair, whatever it is, provided that the procedure has been properly followed"[24]

But we would never accept such a procedure when deciding whether a person accused of murder should be sent to prison or not, or who should be offered a job position.

What we are striving for is *perfect procedural justice*, i.e. a situation where there is a)

> "an independent standard for deciding which outcome is just [...] a criterion defined separately from and prior to the procedure which is to be followed" [25]

and that it is b)

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[23] Ibid, p.77
[24] John Rawls, (1971) A Theory of Justice, Cambridge: Harvard University Press, Belknap Press, p. 86
[25] Ibid, p. 85

"possible to devise a procedure that is sure to give the desired outcome" i.e. that is "guaranteed to lead to it"[26]

Perfect procedural justice can be achieved when dividing a cake, or a sum of money, assuming that the fair division is an equal one, but as Rawls concludes,

"Perfect procedural justice is rare, if not impossible, in cases of much practical interest".

Striving for procedural justice we are therefore, in most cases, left in a situation where we, even if we have an independent standard for deciding which outcome is just, lack a procedure that is sure to lead to the desired outcome, e.g.

"an innocent man may be found guilty, a guilty man may be set free"[27]

Even the laws in themselves can be unjust, even if they emerge from a just constitutional process. We are therefore, in practice, in a situation where the procedural justice is more or less imperfect. What we can hope for, however, is a situation where:

a) There is transparency, clarity, access to relevant information, participation, etc. throughout the procedure.

b) There are established laws, regulations, principles, criteria, etc. that are well known to everyone involved in the procedure

c) That the procedure with letters, applications, opinions, negotiations, assessments, appeals, etc. is fair.

An implicit supposition behind procedural justice with fair procedures is that they are the best guarantee, or at least important, for achieving fair outcomes. The very idea behind the outcomes model of procedural justice is that the fairness of process depends on the procedure producing just outcomes. But what do we mean with a just outcome? This question has occupied those interested in distributive justice as this refers to the evaluation of and perceived fairness of outcomes.

Equal distribution – distributional justice

"Theories of distributive justice must specify two things: a metric and a rule. The metric characterizes the type of good subject to the demands of justice. The rule specifies how that good should be distributed."[28]

Distributional justice starts with the assumption that justice requires the social distribution of something. We therefore need to know what it is that ought to be distributed, the "currency of justice", how that good should be distributed, and within what target population the distribution should take place.

What then, is the "currency of justice" to be distributed? The two main answers to this question are

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[26] Ibid.

[27] Ibid, p.86

[28] E. Anderson. 2010. "Justifying the Capability approach to Justice," in H. Brighouse and I. Robeyns, Measuring Justice: Primary Goods and Capabilities (Cambridge: Cambridge University Press), p. 81.

a) different types of resources and

b) different types of capabilities.

We will discuss these approaches separately below.

Equal distribution of resources

Within this category we can make a further important distinction. According to Aristotle, there are two basic kinds of equality, *numerical* and *proportional.* A distribution is equal *numerically* when it treats all persons the same resulting in the same outcome. An example of this could be child benefit. Arguments of numerical justice are often raised in relation to income inequalities based on gender, ethnicity or residential area.

But many times there are strong arguments for unequal distribution, because the persons are unequal in relevant respects. In these cases the distribution proportional to these factors is just, but only if these factors are considered proportionally. Proportionality e.g. can be based on:

a) merit – contribution to the goal and result of the activity

b) skill – ability to perform tasks judged by criteria formulated in advance

c) education – formal competence relevant for the task or activity

d) need – providing for dependents, diseases, age

Equal distribution of capabilities

As been already discussed above, Amartya Sen´s and Martha Nussbaum's capability approach is linking social justice interpreted as equal capabilities and democracy, but it goes further than that. Sen argues for the moral significance of individual's capability of realising the lives they have reason to value. This distinguishes it from more established approaches to ethical evaluation, such as utilitarianism or distribution of rescores. The latter focuses more on subjective well-being or the availability of means to the good life, respectively. The capability approach can also many times include an explicit "metric" (that specifies which capabilities are valuable) and "rule" (that specifies how the capabilities are to be distributed).[29]

The core capabilities Nussbaum argues should be supported by all democracies, and to be guaranteed to all up to a certain threshold are:

1. *Life*. Being able to live to the end of a human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living.

2. *Bodily Health*. Being able to have good health, including reproductive health; to be adequately nourished; to have adequate shelter.

3. *Bodily Integrity*. Being able to move freely from place to place; to be secure against violent assault, including sexual assault and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction.

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[29] Amartya Sen. 1999. Development as Freedom. Oxford University Press.
Martha Nussbaum. 2011. Creating Capabilities: The Human Development Approach, Harvard University Press.

4.   *Senses, Imagination, and Thought.* Being able to use the senses, to imagine, think, and reason—and to do these things in a "truly human" way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training. Being able to use imagination and thought in connection with experiencing and producing works and events of one's own choice, religious, literary, musical, and so forth. Being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech, and freedom of religious exercise. Being able to have pleasurable experiences and to avoid non-beneficial pain.

5.   *Emotions.* Being able to have attachments to things and people outside ourselves; to love those who love and care for us, to grieve at their absence; in general, to love, to grieve, to experience longing, gratitude, and justified anger. Not having one's emotional development blighted by fear and anxiety. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.)

6.   *Practical Reason.* Being able to form a conception of the good and to engage in critical reflection about the planning of one's life. (This entails protection for the liberty of conscience and religious observance.)

7.   *Affiliation.* Being able to live with and toward others, to recognize and show concern for other humans, to engage in various forms of social interaction; to be able to imagine the situation of another. (Protecting this capability means protecting institutions that constitute and nourish such forms of affiliation, and also protecting the freedom of assembly and political speech.) Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provisions of non-discrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin and species.

8.   *Other Species.* Being able to live with concern for and in relation to animals, plants, and the world of nature.

9.   *Play.* Being able to laugh, to play, to enjoy recreational activities.

10.   *Control over one's Political and Materiel Environment.*

   a)   *Political.* Being able to participate effectively in political choices that govern one's life; having the right of political participation, protections of free speech and association.

   b)   *Material.* Being able to hold property (both land and movable goods), and having property rights on an equal basis with others; having the right to seek employment on an equal basis with others; having the freedom from unwarranted search and seizure. In work, being able to work as a human, exercising practical reason and entering into meaningful relationships of mutual recognition with other workers.

"Being able" is a key concept in the capability approach, as it emphasizes the freedom of every individual to choose. Being able to be adequately nourished doesn't rule out fasting as a free choice. Fasting is therefore qualitatively different from starvation. Being able to engage in various forms of social interaction doesn't rule out that the individual for a shorter or longer period choose to live alone in a secluded place. To be alone is therefore qualitatively different from being isolated. Capabilities are the substantive freedom to achieve different states that an individual can be in, in the capability approach called "functionings". In the capability approach, freedom is therefore another core value, almost to the point where the two concepts become synonymous, or where we can talk about "justice as freedom", as social arrangements should be primarily evaluated according to the extent of freedom people have to promote or achieve "functionings" they value.

The difference between this approach and the distributive justice approach may, however, not be as big as it seems. The two approaches agree that distribution is a result of political decisions, so we must ask ourselves what it is that can be distributed politically in the first place. Politics can not distribute "functionings" i.e. states that people can be in (at least not without sacrificing freedom totally), nor can it distribute capabilities. Only the means to achieve capabilities and functionings can be distributed, i.e. resources.

The capability approach is therefore very near (or almost identical) to a proportional distribution based on the need to enhance capabilities. If there is a difference it might be a difference in the degree to which the distribution should be standardized (proportional distribution approach) or adapted to the specific capability needs of each individual (capability approach).

Equal access

The capability approach also puts the problem of access, social exclusion and inclusion in the centre of the problem to achieve justice, as capability refers to the set of valuable functionings that a person has effective access to. If we are denied access, we are simultaneously denied a capability. Equal access is, on the other hand, a necessary, (if not always sufficient) condition for a certain capability.

Writing about just cities, the concepts of "territorial justice"[30] and "spatial justice"[31] have been suggested, meaning a fair and equitable spatial distribution of resources and the opportunities to use them. Susan Feinstein argues in *A Just City* that a city is more just when "public investment and regulation would produce equitable outcomes rather than support those that are already well off."[32]

It is therefore legitimate to ask ourselves if everyone has substantial equal access to politics and political processes, to the legal system, to banks and the financial system, to education and educational institutions, to culture and cultural institutions, to the city and its various urban resources, etc. This is just as much a problem of social exclusion, i.e. marginalised people being excluded from participation, as it is a problem related to those within, not allowing or encouraging the outsiders to participate, e.g. "gated communities" as a paradigmatic example.

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[30] Harvey, David. 1973. Social Justice and the City. Minneapolis, MN: University of Minnesota Press.
[31] Pirie, Gordon H. (1983). On spatial justice. Environment and Planning A, 15(4): 465–473.
Soja, Edward W. 2010. Seeking Spatial Justice. Minneapolis, MN: University of Minnesota Press.
[32] Fainstein, Susan. 2010. The Just City. Ithaca, NY: Cornell University Press, s.3

Concrete walls and barbed wires are physical means to shut out certain bodies, and is an extreme example of obstructing social integration, but how about culture? Do those within, i.e. the dominating culture, accept and even promote multiple cultural traditions. Are all cultural traditions treated equally? This leads us to a view of justice as equal cultural acknowledgement.

Equal cultural recognition

In contemporary politics, many voices are raised demanding recognition. Recognition in turn is linked to identity, a persons understanding of who and what they are, i.e. their fundamental defining characteristics as a human being (or alternatively, as an "earthling"[33]). As identity is partly shaped by its recognition, non-recognition can inflict harm and is a form of oppression, reducing the individual's capability to be what he or she potentially could be. From this perspective, non-recognition is not just a lack of respect; it can inflict severe psychological wounds, even contempt and hatred of self, particularly in asymmetric relations of power where individuals belong to a disadvantaged group are affected, e.g. indigenous and colonised people, African Americans or Roma people. Franz Fanon, in his influential "The Wretched of the Earth", convincingly argues that the subjugated people first of all must purge themselves from their depreciating self-image, imposed on them by the colonisers. Furthermore, it can be argued that people need a secure cultural context to give meaning and guidance to their choices in life, given that they have the capabilities to achieve them.

If social arrangements should be primarily evaluated according to the extent of freedom people have to promote or achieve what they value, cultural recognition is important in at least two fundamental ways. Non-recognition of identity in itself reduces the individual's capability to be what he or she potentially can be, and a cultural context is also important for meaning and guidance of different life choices.

But from the perspective of justice, there are also problems with this demand for recognition. How can respect for a culture containing ideas of ethnic or racial superiority be reconciled with a commitment to justice as equality? Or more generally, what are the moral limits on the demands for recognition from different cultures?

How do we reconcile a demand for just and decent society with cultural recognition and respect for cultural differences? In his inaugural lecture "Politics of recognition" at Princeton University, Charles Taylor takes this question seriously, and in the end of the lecture he appreciatively quotes Roger Kimball, who puts it rather bluntly:

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[33] An identity preferred before "human" to some animal rights proponents:
"Since we all inhabit the Earth, all of us are considered earthlings. There is no sexism, no racism, or speciesism in the term earthling. It encompasses each and every one of us, warm or cold-blooded, mammal, vertebrae or invertebrate, bird, reptile, amphibian, fish, and human alike." (Storyline, from the documentary "Earthlings", http://topdocumentaryfilms.com/earthlings/)

"The multiculturalists notwithstanding, the choice facing us today is not between a 'repressive' Western culture and a multicultural paradise, but between culture and barbarism. Civilization is not a gift, it is an achievement—a fragile achievement that needs constantly to be shored up and defended from besiegers inside and out."[34]

The demand for equal cultural recognition is founded in the already established principle of politics of dignity and equal respect. This is then the basic principle to be defended. Taylor concludes:

"...a case can be made for insisting on the universalization of the presumption as a logical extension of the politics of dignity. Just as all must have equal civil rights, and equal voting rights, regardless of race or culture, so all should enjoy the presumption that their traditional culture has value"

Taylor is not sure about the validity of demanding this presumption as a right, but he wants to protect this presumption, as well as civil rights, against a total cultural relativism and "barbarism".

If we see our global civilization in general and in the present context values, structures and processes protecting justice in particular, as fragile achievements that need constantly to be defended from besiegers inside and out, we need to ask more specifically what it is that we should protect in the name of justice.

The most common answer to this question is that we must protect certain rights or entitlements, particularly human rights. As long as these rights or entitlements are respected, there is justice and when they are not protected, there is injustice. Diverse thinkers on justice such as Kant, Rawls and Boylan all agree on that an ultimate moral imperative is that individual human agents and their rights must be respected.

Negative justice based on rights/entitlements

Just as "Equality of what?", is a questions that any conception of justice based on the principle of equity must answer, so "What rights or entitlements to protect?" or alternatively "What rights or entitlements do individuals have that they should not be denied?" are questions that any conception of justice based on rights or entitlements must answer. Below we will discuss a few possible answers to this question.

Not to be denied the right to property

The right to property is a fundamental right in all democracies around the globe, but it is not an absolute right. But, as we already have seen above, for the libertarian philosopher Robert Nozick the right to property or "holdings" is almost a sacred and inviolable principle. His entire theory of justice circles around thee principles concerning personal holdings:

These three principles of just holdings—the principle of acquisition of holdings, the principle of transfer of holdings, and the principle of rectification of the violations of the first two principles — constitute the core of his libertarian entitlement theory of justice. As long as they are entitled to a

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[34] Taylor, Charles (1994), Multiculturalism – examining the politics of recognition, Princeton University Press, p. 72

property, they and no one else should be entitled to use it as they see fit. The "property game" should be open to everyone equally, so in this meaning there should be an equal (initial) opportunity. Any contradictory principle of distribution (involving some kind of redistribution of wealth) that would force people to give up their legitimate holdings is unjust. A state like Sweden, or a municipality like Gothenburg, that redistribute wealth through taxation violates people's rights and are therefore unjust according to this view.

Not to be denied the right to basic needs

In a rather recent theory of justice presented in "A Just Society" by Michael Boylan he describes his theory as a "'rights-based' deontological approach based upon the necessary conditions for human action."[35] He argues that human goods are more or less deeply "embedded" as conditions of human action, and that it is possible therefore to create a hierarchy of goods. First he makes a distinction between *deeply embedded* and *secondary goods*, after which he makes further distinctions.

The human goods that are the *most deeply embedded*, such as food, clothing, shelter, protection from physical harm, are absolutely necessary for any meaningful human action. Still "embedded" but less so are basic knowledge and skills such as are imparted by education, social structures that allow us to trust one another, basic assurance that we will not be exploited, and the protection of basic human rights (other than those most deeply embedded already mentioned).

Secondary goods are divided between those that are life enhancing, those that are useful for human action and those not necessary as conditions of meaningful action but still desirable as luxuries.

The more deeply embedded goods are as conditions of meaningful human action, the more right to them people have. A just society has an absolute duty to provide the most basic goods to all of its members, if it can do so, and will also try to provide the first level of secondary goods, those that are life enhancing, to all its members.

Not to be denied human rights

Discussions on human rights often take its starting point with reference to the core documents of human rights that is the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political rights. Together with regional conventions these documents include fundamental freedoms, the right to protection from abuse and the right to satisfy the basic needs. Within the UN system human rights are regarded as inherent, inalienable, interdependent and indivisible. The enjoyment of one right also affects the enjoyment of others, and they must therefore all be respected.

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[35] Boylan (2004), A Just Society, Preface, p.x

It is possible to approach human rights from different positions. One way of understanding human rights is as *given by nature*, guaranteed to every human being by virtue of their humanity. From this position human rights are mainly regarded as entitlements, and thereby absolute.[36]

From another position human rights are considered as principles that liberal societies choose to adopt. From this point of view human rights exist as *social agreements*, usually expressed in form of legislation, and realized through liberal, democratic and fair processes.[37] From this legal point of view, national governments (states) bear the main responsibility to respect, protect and fulfil the human rights. This can mainly be done through laws and policies for protection of human rights and to regulate private and public practices that impact individuals' enjoyment of those rights. Due to multinational companies' increased power and influence, governments' ability to guarantee the protection of human rights has decreased. In 2011, the Guiding Principles on Business and Human Rights was endorsed the UN Human Rights Council, clarifying the private sector's responsibility for human rights.[38]

Human rights can also be regarded as *a discourse* – they exist because we talk about them. From this point of view human rights can both be seen as a powerful language used by the civil society to express moral claims, but also as a means used by international companies to stress their "social responsibility". Finally, human rights can be regarded from a more political point of view, as *demands and expectations that challenge the status quo*. From this position, human rights are never guaranteed, but realised through a constant struggle for their realization.[39]

From a legal perspective, human rights can rightly be criticised for being a shallow or even empty concept, but from a political perspective, it can be argued to still be a core concept. Gothenburg's ability to adapt to different processes of change is directly related to the problem of creating a substantial democracy where individuals can influence and contribute to politics. Not only political rights, but just as well economic, social and cultural rights are important for the intrinsic, instrumental and constructive values discussed above.[40] Being denied these rights, it is difficult to take charge of one's democratic rights. Without the right to education, housing, work and medical care it is difficult to actively participate in society.

Individuals and groups can be denied access to rights, opportunities and resources through different structures and processes, many hard for the state to control or command. Justice is more directly related to such structures and processes in theories of social exclusion.

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[36] Dembour, Marie-Bénédicte (2010). 'What Are Human Rights? Four Schools of Thoughts' i *Human Rights Quarterly*, 32:1, p. 1-20
[37] Ibid.
[38] Ruggie, John Gerard (2013). Just business: multinational corporations and human rights. New York: W. W. Norton & Co.
[39] Dembour, Marie-Bénédicte (2010). 'What Are Human Rights? Four Schools of Thoughts' i *Human Rights Quarterly*, 32:1, p. 1-20
[40] See p.8

Not to be denied/ blocked/ excluded from rights, opportunities and resources

Social exclusion can be understood as a multidimensional process, detaching groups and individuals from social relations and institutions and preventing them from full participation in the society in which they live. It consist of structures and processes in which individuals or entire communities of people are systematically blocked from (or denied full access to) various rights, opportunities and resources that are normally available to members of society, and which are fundamental to social integration (e.g., education, housing, employment, healthcare, civic engagement, democratic participation in politics, banks and the financial system, culture and cultural institutions, to the city and its various urban resources).

Starting in the 1960s, given the ongoing global process of urbanisation, cities have increasingly been the most important site for the struggle against different forms of social injustice. As early as 1968, Henri Lefebvre agues in *The Right to the City* that everyone must be guaranteed two basic rights in their relation to the city – the right to participate in political decision-making and the right to physically access, occupy and use urban space[41]. The idea about "commons" is closely related to the idea about certain rights in relation to the city. Michael Hardts and Antonio Negris *Commonwealth*[42] have together with other writers[43] put the concept of "commons" at the center of the political and cultural debate. The basic idea is that just as air and water, many other material and nonmaterial objects should be shared resources of mankind, rather than object of private of public ownership. The city can in itself be regarded as a political and discursive struggle about what should constitute these commons.

The concepts of right to the city, commons and social exclusion are in many ways the mirror image of spatial justice and unequal access discussed above. Factors that to varying degree can impact exclusion in different contexts are ethnicity, race, geographic location, class structure, globalization, social issues, personal habits and appearance, education, religion, economics and politics. A just society, from this perspective is a society where no individuals are socially excluded. But social inclusion, even if it can be seen as an end in itself, may not be the only end, and not even the most important. We will end our discussion of negative justice with one of the most far-reaching and visionary theories focusing on ends of human existence – the theory on violence and the realisation of the full human potential by Johan Galtung. Before doing this however, we will briefly discuss a perspective on rights in general, where rights can be denied and justice is still served.

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[41] 1968 *Le Droit à la ville*, Paris: Anthropos (2nd ed.); Paris: Ed. du Seuil, Collection "Points".
[42] Hardt, Michael and Negri, Antonio. 2011. Commonwealth. Cambridge, MA: Belknap Press
[43] See for instace "The City as a commons: the first international conference on urban commons", Bologna on 6-7 November 2015; Sheila Foster & Christian Iaione, (2016) "The City as a Commons", Yale Law & Policy Review, Vol. 34, No. 2

Rights as relative to other considerations

Considering rights as relative has become one of the fundamental principles of the jurisprudence developed by the European Court of Justice.

It is, on the one hand, a safeguard against the unlimited use of legislative and administrative powers and therefore considered to be a progressive principle, according to which an administrative authority may only violate a human right if it is needed to achieve a given objective, and achieving the objective can be reasonably argued to be more important than protecting the right. On the other hand, this reduces the rights to something relative in the eyes of the administrative powers.

More specifically, the principle of proportionality means that any measure by a public authority that affects a basic human right must be:

- appropriate in order to achieve the objective, which is intended,

- necessary in order to achieve the objective, which is intended, i.e. there are no less severe means of achieving the objective, and

- reasonable and proportional, i.e. the measures interference, extensiveness and duration must be reasonably proportional to what can be gained by it.

Here is a similar principle in international humanitarian law, where harm caused to civilians or civilian property must be proportional and not excessive in relation to the concrete and direct military advantage anticipated by an attack on a military objective.

In the Swedish system, evictions that make people homeless can only be carried through if the reasons for the measure outweigh the infringement that the measure means to those affected.

The end result, however, is that human rights always are relative to other considerations, which in practice many times opens up for procedural injustice and arbitrariness.

In the Swedish judicial system, there is, however, another proportionality principle actually protecting some basic rights, even when the measures taken to protect them violate the law.

In the criminal law[44] there is a paragraph that overrides all other paragraphs, stating that an act committed in a situation of distress is a crime only if the act, considering the nature of danger it causes, the harm inflicted on others or other circumstances is indefensible. There is a situation of distress if there is danger threatening life, health, property or something other of importance protected by the judicial system.

From this perspective a violation of a human right can be just if it is considered proportional, and protecting some human right and basic needs even when breaking the law can also be just if it is considered proportional.

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[44] Brottsbalken, kap. 24, §4

Not to be denied the realisation of our full potential as human beings – justice as peace

Gandhi postulated self-realisation as the ultimate goal of life towards which all activities of man should lead, being the restoration of one's integrity of being. Johan Galtung, in his theory of peace and violence, is heavily indebted to Gandhi. He concludes an article on "Peace Theory" in World Encyclopaedia of Peace with the following words:

> *"We are lucky to be in the same century as this giant [i.e. Gandhi], able to walk on so many peaceful roads to peace. Standing on his shoulders we should be able to reach further in peace theory – and in peace practice."*

Starting from the Gandhian idea of self-realisation, as restoration of one's integrity of being and the development of one's full potential, Galtung sets out to formulate his ambitious peace theory. There are some similarities between this approach and Sen´s and Nussbaums ambitious capability approach. Both are concerned with a maximisation of human beings realisation of what is of value in life and restoration of one's integrity of being. But where Sen and Nussbaum focus on the ability and freedom to do so, Galtung is focusing of the outcome. And where Sen and Nussbaum have a positive definition of justice, Galtungs is negative, as "absence of".

Peace, which in this context can be equated with justice as not being denied the right to self-realisation, is defined negatively – peace is absence of violence. Violence, which in this context can be equated with injustice, is being denied this right. Justice as peace is therefore defined as absence of injustice as violence.

Violence is present when human beings are being influenced so that their actual somatic and mental realisations are below their potential realisation. Violence (injustice) is defined as the cause of the difference between the potential and the actual, between what a given human could have been and what he or she is.

Violence is present when the actual is avoidable, but not when it is unavoidable. A life expectancy of thirty year during the Neolithic period is not an expression of violence, but the same life expectancy today (whether due to wars, famines, diseases or poverty) is violence in one form or another. Violence can be direct (when the actor(s) can be identified) or structural (when such identification is not possible). Structural violence can be found in structures and processes of power and subordination as well as in cultural patterns of thought diminishing or limiting the individual's freedom.

Justice as peace is an ambitious goal that is not totally utopian (in the sense impossible to attain), yet ambitious enough not to be on the immediate political agenda but at the same time focusing on problems that are, or should be, on this agenda when discussing a just, fair and equitable city.[45]

Why then, are we so far removed from this ideal in spite of all our good intentions? A partial answer is offered by Galtung in a later article on "Cultural violence", defined as:

> *"...those aspects of culture, the symbolic sphere of our existence, exemplified by religion and ideology, language and art, empirical science and formal science (logic, mathematics) – that can be used to justify or legitimize direct and structural violence."*[46]

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[45] Galtung, J. (1969), "Violence, Peace and Peace Research", Journal of Peace Research, Vol.6, No.3, p.167-191

Cultural violence affects our perception of reality in such a way that direct and structural violence looks, even feel, right – or at least not wrong. From Galtungs perspective, Nozicks theory of justice, emphasising property before empathy, is simply a form of cultural violence.

Summary and conclusions

The concepts of justice, fairness and equity are essentially contested, "floating signifiers", i.e. concepts over which there is a continuous struggle. The meaning potential of these concepts are broad and different meanings can even be contradictory. Using an analytical and axiological approach, we have suggested a preliminary taxonomy that can help us to navigate as well as to get an overview of the whole meaning potential of the concepts. The concepts can be seen either as empty or subordinated or important core concepts. They could be defined in positive and negative terms, be discussed in terms of equality or rights in a number of variations. There is and will continue to be a struggle over their meaning, but maybe we can learn from Heracleitos that it this strife between opposites that keeps the extreme forms from overstepping their bounds. We also need to learn from critical political economy that different actors can through a conceptual struggle introduce different demands and expectations that challenge the "status quo" of the conceptual balance of power, in favour of marginalised groups that have been deprived of different rights.

Local negotiation of meaning and practice

Globalisation, migration and urbanisation have shaped a new transformational condition in society that radically has changed the preconditions for governance. The meanings of justice, fairness and equity need to be re-negotiated in different contexts and on different levels in the global system. The role of the cities in the global political economy has however increased and will continue to increase. Important parts of this negotiation of meaning will therefore take place at the local level, taking into consideration the specific context and historic development of each city, Gothenburg being one of them.

How these negotiations about the meaning and practical realisation of justice, including attempts to challenge the status quo, are conducted, will be of decisive importance for the future. Here the capability approach can be a fruitful starting point, through elaborating the requirements of justice relating to the substantive capabilities that individuals have to participate in social and political processes central to well-functioning democracies. One such core capability is the capability to have genuine dialogues with others. In a context containing diverse political, axiological and cultural orientations, these and other differences will be one of the main challenges for such dialogues and negotiations to take place, not the least when taking the ideal of equal cultural recognition into consideration. There needs to be a genuine dialogue between very different "universes of meaning".

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[46] Galtung, J. (1990), "Cultural Violence", Journal of Peace Research, Vol.27, No.3, p. 291

In the context of dialogue about human rights in a multicultural context, Boaventura de Sousa Santos describes these universes of meaning in the following way:

"[they] *consist of constellations of strong **topoi**—the overarching rhetorical commonplaces of a given culture, which function as premises of argumentation and make possible the production and exchange of arguments.*"[47]

Dialogues between different topoi are in need of a *diatopical hermeneutics*, with the ability to transcend the different topos. A diatopical hermeneutics can, e.g. be conducted between the topos of *human rights* in Western culture and the topos of *dharma* in Hindu culture, and the topos of *umma* in Islamic culture.

Negotiations of meaning and practice on the local level, in order to be socially sustainable, must fulfil some basic criteria. Meaning and practice need to be created together in participatory processes. Participants must have substantive capabilities to participate in social and political processes. Finally, the negotiations need to be conducted through a genuine dialogue.

We will therefore suggest the concept of "co-creation through empowered genuine dialogue" for a contextualised negotiation of meaning and practice of justice, fairness and equity.

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[47] Boaventura de Sousa Santos , Toward a Multicultural Conception of Human Rights, p.47:
http://www.ces.uc.pt/bss/documentos/toward_multicultural_conception_human_rights.pdf

Part II: Results from interviews

Methodology

The interview essay constituted a second phase of the study. First, stakeholders were identified and contacted. As agreed between the four pilot study cities, we searched for representatives from following groups:

- Civil society (e.g. NGOs, community associations/social movements, trade unions).

- Local/regional government: politicians (i.e. mayors, councillors, and/or other elected politicians) and officials (especially those responsible for intersectoral policies/strategies).

- Private sector (e.g. chambers of commerce, business improvement districts, large corporations, large property owners, organisations representing informal businesses).

The final selection included representatives from above mentioned groups as well as a representative from the university. It was primarily based on formal position and in some cases political position, with the ambition to bring out contrasting perspectives. In order to attain diversity among the respondents we also took into account factors such as gender, age and ethnic background.

Based on the preliminary theoretical framework and inspired by the parallel studies in the other cities, a semi-structured interview guide was used[48]. The data collection was limited to ten interviews (and two test interviews), each about 45 minutes long, to remain within the scoop of the mission while achieving empirical sufficiency[49]. Throughout the study, the three co-creators of the report have met regularly to discuss the theoretical framework and analyse the result of the interviews.

The importance of the concept of a more just, fair and equitable city

In a Gothenburg context, the term "rättvisa" or "en rättvis stad" does not seem to be central in a conceptual way, but more of an overall objective which all respondents can relate to from different positions. As discussed in the theoretical framework, the concepts of justice, fairness and equity can be seen as "floating signifiers", i.e. concepts over which there is a continuous struggle[50]. This becomes particularly evident in the interviews with representatives from the local government, where one of them relate to solidarity and redistribution, and the other to identity and freedom of choice[51].

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[48] See Appendrix 1
[49] McCracken, Grant (1988) The long interview, SAGE Publications, Inc, Newbury Parc.
[50] See p.2 above
[51] I8 (representative from the local government), 31/05/2016, Gothenburg; I9 (representative from the local government), 02/06/2016, Gothenburg.

The struggle is not only over the meaning of the concepts, but also in relation to other nearby concepts and values. One respondent, a representative from the university, clearly avoid speaking in terms of a just, fair or equitable city, instead highlighting other related concepts as "social responsibility", "global engagement" and "equal conditions". She claims that these are concepts used in policy documents and formal collaborations with different actors in the city, in contrast to "rättvisa" which she sees as more of ideological concept, too broad and with no fixed meaning. She makes a comparison with the concept "social sustainability", which she claims has required a long process in order to agree on its meaning and to put it into practice. The importance of making Gothenburg a more just, fair or equitable city is one thing, but she is critical to introducing "rättvisa" as concept[52]. A representative from the local government links the concept of a just, fair or equitable city to the local strategy for "an equal city". However, she believes that the main obstacle for achieving this, is that this value has little weight in relation to commercial interests and prevailing conceptions of what "a modern" city planning means[53]. This reasoning also reveals a potential conflict between the individual and the common good. One respondent reflects on justice or fairness as something subjective, in relation to the well-being of the individual and what each of us expects to be entitled to. This reminds us of the critical voices arguing that justice is an empty or a subordinated concept. As developed in the first part of the report, Marx[54] insists that justice must be understood in a historical context – which in our context means as an integrated part of the capitalistic market economy.

To summarize, very few of the respondents are actually talking in terms of a just, fair or equitable city, but instead makes connections to other nearby concepts. What all respondents seem to agree on, is that Gothenburg today is a segregated city with large economic, social and spatial differences – a city that is falling apart. Under these circumstances, achieving a more just, fair or equitable city can be seen as a common objective – from left to right, within the civil society as well as in the private sector – even though it is not always framed in these words.

Words/terms used in a Gothenburg context

As already mentioned, there is a struggle about the concept of a just, fair and equitable city. As will be outlined below, different actors use different words/terms in their reasoning about what a just, fair and equitable city means.

Almost all respondents take starting point in the Gothenburg's visible challenges concerning **segregation**, **insecurity** and **differences** in health and living conditions. A representative from the civil society is talking about "discriminated neighbourhoods", economically and in terms of social status[55]. A representative from the private sector is referring to Gothenburg as "a city falling apart" and talks about a "fragmented situation", which does not only apply to serious incidents as shooting but also to everyday tensions[56].

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[52] I4 (representative from the university), 19/05/2016, Gothenburg.
[53] I7, (representative from the local government), 30/05/2016, Gothenburg.
[54] Marx, 1974.
[55] I3 (representative from civil society) 16/05/2016, Gothenburg.
[56] I2 (representative from the private sector), 12/05/2016, Gothenburg.

A majority of the respondents use the word **equality** in some way or another. A trade union representative refers to "equal healthcare", which here means health care on equal terms starting from the individual and her/his needs. She also discusses "equal pay for equal work". She expresses that "the women finance the welfare", since women in the welfare sector earn less than men performing equivalent work, leading to reduced pension[57]. Another respondent discusses in terms of equal starting points in relation to job positions and career possibilities. He refers to gender equality and diversity, put into practice through employment policies and regarded as means to attract valuable competence. This is not only for a good cause, he says, but rather a question of survival for companies today in order to handle competence needs[58]. Representatives from the local government refer to the city's work for an equal city, aiming at "closing the gaps"[59].**Access to** and **accessibility** are other recurrent words used by the respondents. In most of the cases it is used in the meaning of access to the physical space and the range of service and qualities that the city has to offer, which includes accessible information. The respondents seem to agree that everyone can't have exactly the same access to everything; some people will have the possibility to own a car while others might not and "the elevator can always brake" as one respondent explains it[60], meaning that physical disabilities will inevitably hinder some people in their everyday life. However, for many of the respondents a just/fair/equitable city seems to be about making different areas and qualities of the city reachable for everyone.

Finally, many of the respondents discusses a just, fair and equitable city in terms of **influence.** Representatives from the local government as well as the civil society discusses the citizens' low confidence in politicians and public servants[61]. One field of action in the municipal strategy for an equal city is to strengthen residents' participation, influence and security. In relation to this the respondents mentions democratic processes and dialogue as well as cooperation with the private sector and civil society[62]. From a bottom-up perspective it is discussed in terms of influence over one's life chances[63]. One respondent has a more individualistic approach to this theme, emphasising freedom of choice. He discusses the elderly and disabled person's possibilities to influence their own everyday life**[64]**.

Key substantive issues

Even if the respondents have different approaches, there are a few recurrent issues that has been identified as key substantive issues requiring intervention to achieve a more just, fair and equitable city. In many ways the problematic issues discussed here are mutually interdependent and reinforcing.

A segregated city

As already mentioned, on an overarching level almost all respondents discuss challenges as segregation, insecurity, social isolation and differences in health and living conditions between different areas of the city. A representative from the local politics argues that there are split images of the city – on the one hand, the economic growth and export increases, on the other hand, there are growing inequality, segregation and insecurity. However, she expresses that "even the rich are prisoners of the system" and claims that everyone would benefit from a more equal society[65].

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[57] I1 (representative from the civil society/trade union), 11/05/2016, Gothenburg.
[58] I2, 12/05/2016.
[59] I7, 30/05/2016; 18, 31/05/2016; I9, 02/06/2016.
[60] I9, 02/06/2016.

Representatives from the private sector claim that Gothenburg based companies have a self-interest in a more just, fair and equal city, since they are disadvantaged by social instability and reduced attractiveness of the city. From a business perspective the division of the city affects the city's brand and attractiveness, and companies' ability to recruit and keep the competence needed. A positive example highlighted by one of the respondents, is an NGO cooperating with the private sector to offer mentor programs and internships for young adults with foreign background. This is a way to facilitate an underrepresented group's entry to the labour market[66].

Housing

Housing shortage, lack of mobility in the housing market and residential segregation are issues discussed within this area, even though different actors have different ideas of what the root cause is and how it can be resolved. One respondent claims that the strict building norms are customized for another time – the high demands hinder construction. Due to the current overcrowding, people in the city don't live according to the norms anyway. He promotes more flexible solutions[67]. Another respondent blame the current solution with a few public actors and a housing allocation that is favourable for "insiders", which prevents social mobility for disadvantaged groups[68]. A third respondent expresses concern about the prevailing ideology which promotes commercial life and an urban settlement where injustice is expressed in physical form[69].

A positive example given by a few respondents, is the temporary accommodations for the newly arrived refugees that are planned in areas with few inhabitants with a foreign background. A representative from the local government describes this much debated initiative as a clear signal to counter the residential segregation[70].

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[61] I3, 16/05/2016; I7, 30/05/2016; I8, 31/05/2016, I11 (representative from civil society), 26/04/2016, Gothenburg.
[62] I7, 30/05/2016; I8, 31/05/2016.
[63] I2, 12/05/2016.
[64] I9, 02/06/2016.
[65] 18, 31/05/2016
[66] I2, 12/05/2016; I5 (representative from the private sector), 19/05/2016, Gothenburg.
[67] I2, 12/05/2016
[68] I6 (representative from the private sector/media), 23/05/2016, Gothenburg.
[69] I7, I7, 30/05/2016.
[70] I8, 31/05/2016, I10 (representative from the public sector), 10/06/2016, Gothenburg.

School/education

Unequal conditions in school is highlighted as a problematic issue in many of the interviews. A representative from the civil society discusses the unequal resource allocation between schools in two different neighbourhoods that belongs to the same urban district. He says that in one of the neighbourhoods – where the vast majority of the students get passing grades – there are considerably more primary schools and smaller classes than in the other neighbourhood – where the number of young people who do not pass high school with passing grades is increasing. When he asked the local politicians and administration why there are more schools in the socio-economically strong neighbourhood while there are more children in the socio-economically weak, he got the answer that the resource allocation is not based on population but on the size of the geographic area[71].

Respondents also discuss how unequal childhood conditions have implications for children's performance in school. As an example, a trade union representative claims that in some areas teams of school staff make home visits, in order to get children to school. This, she says, is a way to prevent that children in deprived families are exposed to "double punishment" due to unequal childhood conditions[72]. Respondents also mention how children's school results are essential for their continued life conditions. One respondent expresses this in a very striking way when he refers to one school where a majority of the student leave school without passing grades. He says that this means that for some young people, by ninth grade many life alternatives are already gone[73].

Access to service and other qualities of the city

Access to the city's various parts and content is highlighted as a prioritized issue by several respondents. In a Gothenburg context, it is not only access to basic service that is discussed as a question of fairness, but also access to other urban qualities as swimming hall, cultural activities, playgrounds, green areas and well maintained urban environments. That this is a problematic issue becomes especially apparent in the interview with a representative from the civil society, who claims that in the city's more disadvantaged neighbourhoods there are hardly any pharmacies, restaurants, shops - not even ATMs[74]. One respondent notes that even if poverty is something relative, there are groups with a small income in Gothenburg. This makes it important to care for public places that are free to use for everyone, which is not always the case when big shopping malls with well-established chains are given priority[75].

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[71] I3, 16/05/2016.
[72] I1, 11/05/2016.
[73] I3, 16/05/2016.
[74] I3, 16/05/2016.
[75] I10, 10/06/2016.

This issue is also linked to public transport and transportation. A representative from the public sector claims that in order to enable equal access to service and other qualities – but also to job opportunities – in the region, there must be good connections between nearby municipalities. These connections must also be interlinked with the local transport network. She also highlights that access to transportation is as much a question of means of transport (e.g. to have access to a bike) as knowledge and skills (e.g. to know how to ride a bike)[76]. Another interesting aspect is taken up by another respondent, who advocates to abolish the limitation on number of travels with free transportation service for the elderly and people with disabilities[77]. This can also be seen as a question of access to the city on the equal terms.

Competing perspectives

Drawing upon the theoretical framework outlined in the first part of the report and based upon the interviews, different competing perspectives on the meaning of a just, fair and equitable city have been identified.

A positive approach

A *positive approach* sees justice as some form of equality, requiring positive action in order to be achieved. "Equality of what?", is also a questions that any conception of justice based on the principle of equity must answer. A majority of the respondents discuss a just/fair/equitable city from the perspective we refer to as *equality of opportunity*[78]. One way of seeing it, is that Gothenburg is an equitable city since everyone has *equal access* to public services and places as public transport, education, higher education, green areas, elderly care etc. – namely *formal equality of opportunity*. This approach can also be linked to *procedural justice,* which builds on the implicit supposition that fair procedures are crucial for achieving fair outcomes[79]. In response to the question if Gothenburg in any way can be seen as a just, fair or equitable city today, a representative from the public sector highlights the process for building permits, as it is based on the principles of equal treatment. She compares with the planning process, over which she implies that big players have greater influence. She adds, however, that both are democratic and transparent processes with rather big opportunities of public insight – something quite unique internationally [80].

As several respondents are pointing out, in practice unequal starting points affects the ability to benefit from these opportunities on equal terms – what can be related to *substantive equality of opportunity*[81]. A representative from the civil society exemplifying with a school where a majority of the student leave school without approved grades, which results in very limited future prospects for the young persons concerned. He says that overcrowded housing is affecting some children's possibilities to study, which gives them a disadvantage already from the start[82].

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[76] Ibid.
[77] I9, 02/06/2016.
[78] Gardner, 1984.
[79] Rawls, 1971.
[80] I7, 30/05/2016.
[81] Rawls, 1999; Rawls, 2001.
[82] I3, 16/05/2016.

In several interviews, an equitable city is discussed as a question of *equal distribution of resources*[83]. One respondent, a representative from the local government, makes an explicit link between an equal city and redistribution as a tax issue. The respondents are talking about compensatory measures to address significant differences in health and living conditions between different parts of the city, what can be referred to as *proportional distribution*. A trade union representative highlights Angereds närsjukhus as an investment for increased proximity and health promotive work, directed at targeted groups that suffer increased risk of health-related diseases or who might not take part of the care that is. As an example she says that non-working women of foreign origin are likely to suffer more from injustice in health care settings, due to lack of language skills and lack of information. To achieve an equal health care, the health care professionals have an important role in contributing with knowledge and information, for example with the help of an interpreter, for the individual to take an informed decision in relation to her/his state of health[84]. This resembles what Rawls calls *fair equality of opportunity*, which is indebted to the tradition of procedural justice[85]. In this case it would mean striving for a situation where there is clarity, access to relevant information and participation of the patient throughout the process.

The previous discussion leads us to reasoning of a just/fair/equitable city that is related to the *capability approach* (or *equal distribution of capabilities*), which focus on subjective well-being or the availability of means to the good life[86]. That this approach can be regarded as "justice as freedom" becomes apparent in the interview with a representative from the local government. He links a fair city to freedom of choice. As an example, he discusses freedom of choice in elderly care – a currently contentious political issue in Gothenburg. He argues that since every person has unique background, interests and needs, everyone should be allowed to choose care supplier, and thereby get influence over their lives. That everyone does not have the ability to take informed choices on their own, should not prevent those who can to get the opportunity. Here, "being able" is a key concept as it emphasizes the freedom of every individual to choose. In addition, this respondent emphasizes that a fair city is about daring to have a realistic view: to focus on that no one should be denied opportunities or access to the city, instead of seeking a utopia consisting of total equality. As he sees it, a fair city is where no one is hold back, and no one is left behind[87].

A representative from the private sector thinks that the term "rättvisa" mainly is used by the Left as a description of the public good's disposition and distribution of resources – thus in line with definitions outlined above. As an example he mentions the current system for public housing, which is handled by a few public actors and at least formally built around a queuing system – which can be linked to the idea of formal equality of opportunity. However, he claims that in practice this system is deeply unfair, as it is favourable for "insiders" e.g. people who already has a rental contract, "time-capital" or contacts (mainly people with a Swedish background). For people in lack of these resources the access to the housing market, and thus the possibility for social mobility in the society, is very limited[88]. His reasoning reveals the link between capability approach and the problem of access and social exclusion, which implies that if we are denied access we are simultaneously denied capability[89].

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[83] See p. 9 above
[84] I1, 12/5.
[85] Rawls, 1999.
[86] See p.10 above

A negative approach

A *negative approach* regards justice as the absence of injustice, namely not to be denied rights or entitlements. "What rights or entitlements to protect?" or alternatively "What rights or entitlements do individuals have that they should not be denied?" are the questions to be answered, given this approach. Here, discussions of a just/fair/equitable city are related to theories concerning social exclusion and denial of access to various rights, opportunities and resources.

Problems of social exclusion is in particular discussed in interviews with representatives from the civil society, for example in terms of socially and economically "discriminated neighbourhoods"[90]. As mentioned in the first part of the report, social exclusion can be understood as multidimensional processes in which individuals or entire communities are systematically blocked from (or denied full access to) various rights, opportunities and resources which are fundamental for social integration[91]. One respondent discusses how he and others in a socially vulnerable situation repeatedly are denied opportunities to stable residence in the city, and how the municipality seemed uninterested in a solution proposal that have been submitted. This can be related to Lefebvres theories concerning *The Right to the City* which comprises the right to participate in political decision-making and the right to physically access, occupy and use urban space[92]. The same respondent is also talking about justice in terms of not being subjected to violence and harassment, and to not be denied protection of the justice system as a victim of a crime[93].

Key strategies for achieving a more just, fair and equitable city

Based on the interviews, different strategies for achieving a more just, fair and equitable city can be identified. With reference to Parnell[94] they can be clustered into three different (but somehow interlinked) strategies: urban planning, social protection at the urban scale as well as participatory systems and civil society action.

Urban planning for a more integrated city

Due to a widespread and visible segregation in Gothenburg, how and for whom the city is planned and built is a central question. With reference to UN-HABITAT, Parnell[95] highlights a few general planning interventions as a platform to promote inclusion and fairness. These are basic services and infrastructure, public transport and urban land and housing. As already discussed, all of these are promoted in the interviews as important areas to focus on in the city-planning. In particular, the respondents refer to different kind of public-private-academic-activist partnerships as a way to create a

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[87] I9, 02/06/2016.
[88] I6, 23/05/2016.
[89] See p. 11
[90] I3, 16/05/2016.
[91] See p- 11-12.
[92] Lefebvre, H. (1968) *Le Droit à la ville*, Paris: Anthropos (2nd ed.); Paris: Ed. du Seuil, Collection "Points".
[93] I11, 26/04/2016.
[94] Parnell, Sue (2016) 'Fair cities: imperatives in meeting global sustainable developmental aspirations' in Simon, David (ed.) Rethinking Sustainable Cities Bristol, UK: Policy Press, p.126.
[95] Parnell, 2016.

more just, fair and equitable city. Some of the examples highlighted are developed in following section.

Compensatory welfare efforts

A few respondents stress the importance of a reliable welfare system on a local level. They also highlight the need for targeted efforts, to compensate for unequal childhood and living conditions and to promote security and participation. In general, there seems to be a broad consensus on the need for public intervention in order to "close the gap". This could be linked to what Parnell discusses in terms of social protection at the urban scale[96].

Strengthening civil society

Some respondents refer to community based organisation and civil society action, in order to empower local communities and promote social trust. One representative from the civil society claims that there is a widespread "project exhaustion" in poor suburb areas in Gothenburg – a result of too many projects run by people from the outside, which has not yielded any long lasting results. As he sees it, the change must come from below. He claims that public funded and supported local organisations and initiatives, driven by people from the neighbourhood, would make people feel that they have influence over their own neighbourhood and their own life[97]. A representative from the local government highlights the association grant and the important role of different kind of civic associations, not least in strengthening the community in society. She expresses that "society's door must be wide open" to prevent extreme movements to catch those who feel lonely and excluded[98].

Examples of key initiatives

To exemplify how key initiatives to achieve a more just and equitable city may look like, the respondents was asked to give positive examples. On following side there are a few initiatives collected from the interviews. Please note that these examples have been highlighted by individual respondents, and therefore may conflict with competing perspectives on how a just, fair and equitable city can be achieved.

Name of initiative	Description
Access City Award, 2014	A EU initiative to ensure equal access in European cities. Gothenburg won the award in 2014 for the city's efforts to improve access for the elderly and people with disabilities[99].

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[96] Parnell, 2016.
[97] I3, 16/05/2016.
[98] I8, 31/05/2016.
[99] I9, 02/06/2016; European Commission (no date) 'Access city award', retrieved 21/06/2016 from http://ec.europa.eu/social/main.jsp?catId=1141

Angereds Närsjukhus	Newly opened hospital in a multicultural area in northeast Gothenburg, aimed at health promotion and specialist care in the proximity of the citizens[100].
Angeredsutmaningen	Co-operation between school and external partners in the private and public sectors to help high school students getting in touch with working life[101].
Hoppets Allians	Project initiated by an NGO in order to support young adults who want to secede from criminal gangs and to facilitate re-integration in the society[102].
Jämlikt Göteborg	Municipal strategy for an equal city. Within the focus area for health promotive and sustainable environments and communities, roundtable discussions have been carried out with different actors.
Sustainable Development Solutions Network (SDSN)	A UN initiative aiming at bringing together actors and expertise from various sectors, to promote practical problem solving for sustainable development. Gothenburg is a node for a northern European SDSN[103].
Temporary housing	A process has been initiated to build temporary housing for newly arrived unaccompanied children and families, in neighbourhoods that so far have not received many refugees[104].
West Pride	A free cultural festival organized by an umbrella organization. The festival aims to create safe meeting places for LBGTQ people and promote LBGTQ life situations through art and culture[105].
Öppet Hus	An NGO which in collaboration with member companies create openings to the labour market for young adults, preferably persons with a foreign background[106].

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[100] I1, 11/05/2016; Västra Götalandsregionen (06/2016) 'About Angered Hospital', retrieved 19/06/2016 from http://www.angeredsnarsjukhus.se/sv/Angereds-narsjukhus1/angeredsnarsjukhus/Jobb/About-ANS/

[101] I5, 19/05/2016; I8, 31/05/2016; Angeredsutmaningen (no date) 'Varför en Angeredsutmaning?' retrieved 19/06/2016 from http://www.angeredsutmaningen.se/bakgrund.html

[102] I3, 16/05/2016; Neutrala Ungdomsföreningen (no date) 'Hoppets allians', retrieved 19/06/2016 from http://www.neutrala.se/socialt-arbete/hoppets-allians/

[103] I4, 19/05/2016; Sustainable Development Solutions Network (no date) 'Vision and organization' retrieved 19/06/2016 from http://unsdsn.org/about-us/vision-and-organization/

[104] I10, 10/06/2016; Göteborgs stad (no date) 'Temporära bostäder', retrieved 2016-06-21 from http://goteborg.se/wps/portal/start/invandring-och-integration/flyktingmottagande-i-goteborgs-stad_ny/temporara-flyktingbostader

[105] I9, 02/06/2016; West Pride (no date) 'English', retrieved 2016-06-21 from http://westpride.se/english 2016-06-21

[106] I2, 12/05/2016; Öppet Hus (no date) 'Ideell förening för mångfald', retrieved 19/06/2016 from http://www.oppethus.se/om-oss/

Part III: Concluding remarks

A just, fair and equal city in a Gothenburg context

The interview study shows that there is no uniform understanding of what a just, fair or equitable city means, nor that the term "en rättvis stad" is used to any great extend in a Gothenburg context. However, in a segregated city with large economic, social and spatial differences, it can be regarded as an overall objective which all respondents can relate to from different positions. In their understanding of the concept of a just, fair or equitable city, the respondents make connections to nearby concepts as "social sustainability", "equality", "accessibility" and "influence".

One of the main question, which formed the basis for this assignment, concerned how to achieve a more just, fair and equitable city. Of course, there is no simple answer to that question. On an overall level, three different kind of strategies have been discussed: urban planning for a more integrated city (including public-private-academic-activist partnerships), compensatory welfare efforts and initiatives to strengthening the civil society. To our surprise, citizen participation in decision-making was not particularly stressed in the interviews. Considering the low confidence for politicians and public servants, as well as inhabitant's lack of influence over decisions that affect their everyday life, we thought there would be a greater interest for strategies and activities aimed at strengthening the local democracy. Again, our study makes no claim to be comprehensive, but rather like to highlight contrasting perspectives. With a greater number of respondents from civil society, perhaps this kind of strategies would have been given more weight in the interviews.

Even though different words and definitions were used by the respondents to describe a just, fair and equitable city, "equality" seems to be central concept in a Gothenburg context. In the theoretical part as well as in the empirical part of the report, "equality of what?" has been discussed. In a condition shaped by globalization, migration and urbanization, "equality between whom?" is another essential question both at a supranational level (in this case, perhaps in dialogue between the Mistra Urban Futures platforms) as well as at a local level. Even if this study has its focus on Gothenburg, the city is not an enclosed, isolated entity. In contrast to the state, its boarders are open, and it is connected to other cities by regional as well as transnational networks. In a time where the limit of the Swedish welfare system is a highly topical issue on the political agenda, "equality between whom?" does not have given answer. The scope of this report is too narrow to be able to address this issue. However, we would like to note that in order to achieve a more just, fair and equitable city, this is a question that cannot be overlooked.

The Swedish concept "rättvisa" – equality, fairness and justice

We will here suggest a preliminary, simplified, starting points for an ongoing dialogue about "rättvisa". These starting points can be deepened, expanded, problematized and supplemented during the course of the dialogue. Combining the results from KAIROS with this conceptual paper and the results from interviews in Gothenburg, we will suggest three recurrent approaches to the Swedish concept of "rättvisa".[107]
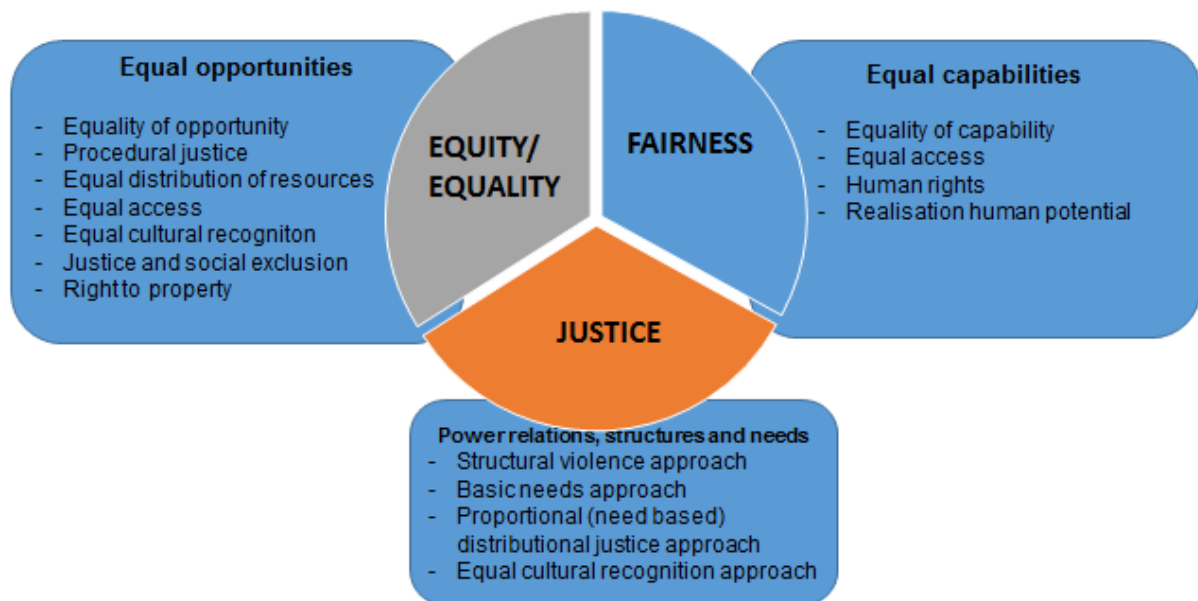
Rättvisa as Equality

First, the idea that everyone should have *equal opportunities* seems to be a recurrent theme in the local context of Gothenburg, but it can be interpreted in many different ways. It is also a very common theme in the literature, incorporating different ideas about *non-discrimination and non-exclusion*, as well as *procedural justice*. The idea of equal opportunities is also important in relation to justice as equal distribution, in particular equal numerical distribution, but also in a certain meaning to justice as right to property. The idea of non-discrimination and non-exclusion is also important in relation to justice as access to, justice as cultural recognition and to the problem of social exclusion. The idea can also gradually be broadened and deepened, to encompass different levels of substantive opportunities,

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[107] These approaches can be understood as a conceptual development that slightly differs from the preliminary application of the principle of equality in the beginning of this paper (Section Justice- two approached).

thereby also coming closer to the second meaning, based on the capability approach. We can use *equality* to signify this theme.[108]

Rättvisa as Fairness

Secondly, is the idea that people should have the same capability to use opportunities, to participate in society in general and in democratic processes in particular as well as to realise what is of value in life. We can call this the "justice as freedom" approach, incorporating capability theory, and partly, equal access, the human rights and "justice as nonviolence" approach. We can use *fairness* to signify this theme.

Rättvisa as Justice

Finally, we need to take into consideration the power dimension and those structures and processes affecting people's substantial possibilities to realise their potential in general and to satisfy their basic needs in particular. Of relevance here are Boylans rights-based deontological approach to basic needs, but also Galtungs theory of structural violence and partly also ideas about distributional justice, in particular proportional distributional justice based on needs, as well as equal cultural recognition. We can use *justice* to signify this theme.

Towards equality, fairness and justice

In the first part of the report, we outlined a theoretical framework as a basis for understanding the concept of equality, fairness and justice. Together with the result of the interview survey, this can be regarded as a starting point for a preliminary understanding of the concept of a just, fair and equitable city. For deeper insights in how this can be achieved we suggest a continuous process of co-creation, where stakeholders from the private and public sector as well as the academia and civil society are involved through empowered genuine dialogue in order to find ways to adapt to processes of change on the local level, relate to different concretely manifested problems and handle these in a socially sustainable way, through a contextualised negotiation of meaning and practice of equity, fairness and justice.

The future is in our hands.

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[108] We are aware that each of these concepts have a much broader meaning potential, but for the purpose of simplification, we use them in a more limited meaning here.

References

'About Angered Hospital', retrieved 19/06/2016 from
http://www.angeredsnarsjukhus.se/sv/Angereds-narsjukhus1/angeredsnarsjukhus/Jobb/About-ANS/

Anderson, E. (2010) "Justifying the Capability approach to Justice," in Brighouse, H. and Robeyns, I., *Measuring Justice: Primary Goods and Capabilities*, Cambridge: Cambridge University Press.

Angeredsutmaningen (no date) 'Varför en Angeredsutmaning?' retrieved 19/06/2016 from
http://www.angeredsutmaningen.se/bakgrund.html

Aquinas, T. (1988), *On Law, Morality and Politics,* Baumgarth, W.P. and Regan, R.J. (ed.)
Indianapolis: Hackett.

Bentham, Jeremy, 'An Introduction to the Principles of Morals and Legislation', Burns, J. H. and Hart, H. L. A. (ed.) in *The Collected Works of Jeremy Bentham*, (ed.) Rosen, F. and Schofield, P. [Oxford: Clarendon Press, 1996]

Boylan, M. (2004), *A Just Society*, Rowman & Littlefield.

Brottsbalk (1962:700), SFS 2016:677, Sveriges Riksdag.

Cox, Robert W. (1995) 'Critical Political Economy' in Hettne. B. (ed.) 1995 *International Political Economy - Understanding Global Disorder*, London: Zed Books.

Dembour, M. (2010), 'What Are Human Rights? Four Schools of Thoughts' in *Human Rights Quarterly*, 32:1, p. 1-20.

de Sousa Santos, B., *Toward a Multicultural Conception of Human Rights*, retrieved from
http://www.ces.uc.pt/bss/documentos/toward_multicultural_conception_human_rights.pdf

European Commission (no date) 'Access city award', retrieved 21/06/2016 from
http://ec.europa.eu/social/main.jsp?catId=1141

Fainstein, S. (2010) *The Just City,* Ithaca, NY: Cornell University Press.

Foster, S. and Iaione, C. (2016) 'The City as a Commons' in *Yale Law & Policy Review*, Vol. 34, No. 2.

Galtung, J. (1990), 'Cultural Violence' in *Journal of Peace Research*, Vol.27, No.3, p. 291

Galtung, J. (1969), 'Violence, Peace and Peace Research' in *Journal of Peace Research*, Vol.6, No.3, p.167-191

Gardner, J. W. (1984), Excellence: Can we be equal and excellent too? New York: Norton.

Göteborgs stad (no date) 'Temporära bostäder', retrieved 2016-06-21 from
http://goteborg.se/wps/portal/start/invandring-och-integration/flyktingmottagande-i-goteborgs-stad_ny/temporara-flyktingbostader

Hardt, M. and Negri, A. (2011) *Commonwealth*, Cambridge, MA: Belknap Press.

Harvey, D. (1973), *Social Justice and the City*, Minneapolis, MN: University of Minnesota Press.

Hermansson, A. and Johnsson, M. (05-2016) 'Så ska vi göra Göteborg till en tryggare stad, *Göteborgs-Posten*, retrieved from http://www.gp.se/nyheter/debatt/s%C3%A5-ska-vi-g%C3%B6ra-g%C3%B6teborg-till-en-tryggare-stad-1.487775

'Italian court rules food theft 'not a crime' if hungry', (05-2016), *BBC News* retrieved from http://www.bbc.com/news/world-europe-36190557

John, R. (1999), *A Theory of Justice* (revised edition) Cambridge: Harvard University Press.

Lefebvre, H. (1968) *Le Droit à la ville* Paris: Anthropos (2nd ed.); Paris: Ed. du Seuil, Collection "Points".

McCracken, G. (1988), *The long interview*, SAGE Publications, Inc, Newbury Parc.

Mistra Urban Futures (no date) *Knowledge about and Approaches to Fair and Socially Sustainable Cities – KAIROS*. Retrieved 19/06/2016 from http://www.mistraurbanfutures.org/en/kairos-en

Marx, K. (1974) *On Historical Materialism*, New York: International.

Neutrala Ungdomsföreningen (no date) 'Hoppets allians', retrieved 19/06/2016 from http://www.neutrala.se/socialt-arbete/hoppets-allians/

Nietzsche V. J. on *Justice and Democracy*; hrcak.srce.hr/file/19173

Nozick, R. (1974), *Anarchy, State, and Utopia*. New York: Basic Books.

Parnell, S. (2016) 'Fair cities: imperatives in meeting global sustainable developmental aspirations' in Simon, David (ed.) *Rethinking Sustainable Cities. Accessible, green and fair*. Bristol, UK: Policy Press.

Pianigiani, G. and Chan, S. (05-2016) 'Can the Homeless and Hungry Steal Food? Maybe, an Italian Court Says', *The New York Times,* retrieved from http://www.nytimes.com/2016/05/04/world/europe/food-theft-in-italy-may-not-be-a-crime-court-rules.html?_r=0

Pirie, G. H. (1983), 'On spatial justice', *Environment and Planning A*, 15(4): 465–473.

Rawls, J. (1971) *A Theory of Justice*, Cambridge: Harvard University Press, Belknap Press.

Rawls, J. (2001), *Justice as Fairness: A Restatement*, Erin Kelly (ed.), Cambridge, Harvard University Press.

Ruggie, J. G. (2013), Just business: multinational corporations and human rights, New York: W. W. Norton & Co.

Sen, A. (1999) *Development as Freedom*, Oxford: Oxford University Press.
Nussbaum, M. (2011), *Creating Capabilities: The Human Development Approach*, Cambridge: Harvard University Press.

Sen, A. (1986) 'Food, Economics and Entitlements', *World Institute for Development Economics Research*, Helsinki: United Nations University.

Soja, E. W. (2010) *Seeking Spatial Justice*, Minneapolis, MN: University of Minnesota Press.

Sustainable Development Solutions Network (no date) 'Vision and organization' retrieved 19/06/2016 from http://unsdsn.org/about-us/vision-and-organization/

Taylor, C. (1994), Multiculturalism – examining the politics of recognition, Princeton University Press.

West Pride (no date) 'English', retrieved 2016-06-21 from http://westpride.se/english 2016-06-21

Öppet Hus (no date) 'Ideell förening för mångfald', retrieved 19/06/2016 from http://www.oppethus.se/om-oss/

Appendix 1 – Interview guide

- **What do the concept of 'en rättvis stad' (a just, fair or equal city) cities mean to you?**

    o Do you use the concept "rättvisa" in your role/organization? In yes, in which meaning?

- **Do you think that making the city/region more just, fair and equitable is an important objective?**

    o For the city/for your organization/for who?

    o Which areas/issues spring to mind as priorities?

    o Are there other different objectives that are focused on, that deliver the above?

- **Do you think Gothenburg is a just, fair and equitable city today?**

    o In some areas, issues or ways?

    o Can you give some examples?

    o If yes, how was this achieved or how is it being achieved?

- **If no, what are the key issues of injustice, unfairness and inequity in our city-region/ the key obstacles to achieving justice, fairness and equality?**

    o Can you give some concrete examples?

    o Are there any particular groups that are affected?

- **What would be required to make Gothenburg a more just, fair and equitable city?**

    o Examples of key measures?

    o Examples of the necessary changes?

    o Examples of key stakeholders?

- **Are you aware of any key initiatives that are trying to make our city-region more just, fair and equitable?**

    o Can you give some concrete examples/details?