

## Epifyytti

## Towards a Geography of Injustice

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*“Justice is essentially to be thought of as a principle (or set of principles) for resolving conflicting claims.” David Harvey.<sup>1</sup>*

## Who’s afraid of relativism?

For more than four decades, social justice has been a central motif of radical spatial thought in human geography and related fields, a focus of attention of thinkers including David Harvey, David Smith, Susan Fainstein, Ed Soja, and Michael Storper. “Geographies of justice” has even been formally recognised as a flourishing field of cutting edge research in the discipline.<sup>2</sup> But while geographers talk a lot about justice, they also express a recurring ambivalence towards the universalizing register which justice-talk always seems to bring with it. Geography is after all, all about an appreciation of differentiation, pluralism, and variety. This commitment seems to run against the grain of normative discourses that lay claim to comprehensive coverage. Nevertheless, geographers who have addressed issues of justice consistently worry that both the facts of geographical variation and post-Enlightenment intellectual trends undermine what is still considered a necessary condition for arriving at critical judgements: access to some sort

of universal criterion that allows one to determine whether some state of affairs qualifies as unjust.

I want to suggest that the ambivalence towards normative theories of justice evident in Geography is actually a function of a continuing commitment to thinking of justice primarily as an ideal; an ideal towards which one must strive. It is a way of thinking that means that the wrongs of the injustice are always assumed to show up as an absence of justice.<sup>3</sup>

The tendency to think of difference, variety, and pluralism as a threat to universal criteria of justice arises from an inclination to think that the value of universalism lies in an aspiration towards impartiality. To think that the main issue to be addressed is one of *universality versus particularity* generates the temptation to reassert some principle of universal validity that can synthesise across observable differences and variety.<sup>4</sup> What gets lost in

1. Harvey, D. 1973. *Social Justice and the City*. London, Edward Arnold, p. 97.

2. See Higher Education Funding Council of England. 2015. *Research Excellence Framework 2014: Overview report by Main Panel C and Sub-panels 16 to 26*. Bristol, HEFCE, pp. 35-36.

3. The case presented in this paper is a condensed and partial version of an argument developed at length, and justified in detail, in Barnett, C. (Forthcoming), *The Priority of Injustice: Locating Democracy in Critical Theory*, Athens GA, University of Georgia Press. The paper is a revised version of a Lecture presented at the Annual Meeting of Finnish Geographers in Tampere in October 2015.

4. See Smith, D.M. 2000. Social justice revisited. *Environment and Planning A*, 32, 1149-1162.

the worry about the threat of particularism, and the related anxiety about the spectre of relativism, is a recognition that debates about the universal status of normative concepts tend to revolve around the confrontation between two different senses of “the universal”: the universal as a standpoint of impartiality; and universality as a horizon of inclusion. In the work, for example, of Iris Marion Young, a key reference point for debates in Geography about justice, the central conceptual and normative challenge is not one of opposing the universal to the particular, and much less one of opposing the universal to “contingency” as in strands of post-structuralist scepticism. The challenge of Young’s work was, and remains, that of confronting the claims of *impartial universalism* embedded in political thought with the claims of *inclusive universalism* through which claims of justice are often articulated.

It should also be acknowledged that a concern with normative issues of justice is increasingly at odds with the styles of strongly ontological theorizing now favoured by prevalent strands of critical spatial theory. From this perspective, the focus of political thought should be relocated to elaborating on the ontological conditions from which genuinely transformational political energies might be unleashed. But rather than abandoning the terrain of justice for deeper and deeper levels of ontological creativity, we might do well to follow the path of an observable shift in critical democratic theory towards giving priority to the conceptualization of injustice independently from a prior formulation of a universal principle of justice. Thinking in terms of “the priority of injustice” is a path to disrupting the theoretical order that means that injustice only shows up as the bracketing of ideals of justice, a way of thinking that ontological styles of thought leave intact. It is a move that, on the one hand, accords primacy to the sense of injustice that animates demands for justice; but on the other hand it also makes public practices of acknowledgement, rationalization and justification quite central to the articulation of injustice.

### The priority of injustice

As I have already said, Geography has an ambivalent attitude towards the universal register that justice-talk always brings with it. The ambivalence is most often finessed by the implicit or explicit declaration of an elective affinity between radical scholarship and movements struggling for justice.

David Harvey, for example, suggests that there are three ways in which normative issues can be approached: through philosophical reflection; through the development of frameworks of basic human needs; or through alignment with the ferment of social movements, the route he recommends.<sup>5</sup>

Geography is a resolutely moralist discipline, and yet geographers remain rather averse to spending much time on normative questions about whether and how and why observable patterns of inequity, discrimination, or unevenness are actually unjust. This aversion is sometimes sustained by the elaboration of complex accounts of “the production of space” or the relational “production of subjectivity” and by grand narratives of “neoliberalization”, all of which are assumed to provide the explanatory key to understanding the causes of injustice. From these perspectives, one always already knows in advance that distributive concepts of justice and rights-discourse obscure and sustain the more fundamental sources of injustice generated by class power, property relations, accumulation by dispossession, and workplace exploitation, mediated, of course, by dynamics of gender, race or sexuality, and state formation. It is assumed that the task of “critical” analysis is to reveal the fundamental sources of injustice by unmasking the exclusionary, naturalizing, or essentializing effects of flat, absolute, fixed concepts of space, of hierarchy, of identity, or of authority.

Now, one might be tempted to argue that the aversion to normative reasoning in Geography leaves the critical judgements so central to radical scholarship drastically weakened by having no strong justificatory foundation.<sup>6</sup> But the danger in too quickly accepting this argument is that one is tempted to present one’s own favoured model of universal needs, capabilities, or values. Perhaps the recurring wariness of theorising about justice in fields of critical human geography should be interpreted in a more charitable light. Perhaps it can be seen as an index of styles of analysis that seek to make explicit the senses of injustice that animate particular fields of contention. Debates about environmental justice, as well as debates about “the right to the city”, are examples of this form of analysis. They draw into view two important issues for how we think about the rela-

5. Harvey, D. 2009. *Cosmopolitanism and the Geographies of Freedom*. New York, Columbia University Press, p. 94.

6. See Olsen, E. and Sayer, A. Radical geography and its critical standpoints: embracing the normative. *Antipode* 41:1, 180-198.

tionship between justice and injustice. First, one finds in these fields the idea that normative understandings of justice are worldly principles, which emerge from situated conflicts and orient action.<sup>7</sup> Second, one also finds in these fields the implicit idea that critical analysis starts not so much from a clear-sighted definition of justice, but from a shared abhorrence at some form of wrong.

There is, certainly, an increasing focus on the theme of injustice, or “(in)justice”, in Geography. But it is also true that when critical human geographers address questions of injustice, the focus most often remains on analysing the dynamics of resistance to taken-for-granted sources of harm: patterns of capitalist exploitation of labour and the degradation of the environment; formations of gendered, sexualised, and racialized oppression.<sup>8</sup> Or, in forms of radical Left empiricism, the amassing of empirical data on patterns of *inequality* is equated with mapping *injustice*, the persistence of which is attributed to persistence of a set of “beliefs”.<sup>9</sup> These ways of acknowledging injustice as an animating dynamic of political life only end up reproducing the same pattern of ideal theories of justice, in which injustice appears as the suspension of justice.

The idea of starting-off from injustice is one that we should certainly take seriously, I think, but it is important to avoid the impression that one could reconstruct the meaning of justice by tracing the explicit content of visible expressions of feelings of injustice. The argument for “the priority of injustice” should not be interpreted as requiring an elective identification with favoured activist voices or with the expressions of victims. To understand why, we need to dwell a little longer on the significance of the idea of “the sense of injustice” that lies behind the argument for giving priority to injustice in critical theory.

### On the sense of injustice

Giving priority to injustice involves, in no small part, affirming the affective dynamics through which political action is generated as a response to

varied forms of harm, injury, or maltreatment. We might view this affirmation as simply a variation on a long-standing idea most famously associated with David Hume, for whom passions and affections motivate action.<sup>10</sup> The important implication is that acting, including acting morally, is not best understood as dependent on grasping and applying a rational principle or truth. The point of affirming this is not to assert, either in a celebratory way or as a matter to be bemoaned, that reason is merely an ephemera placed over a roiling tumult of unruly emotions. That conclusion holds fast to a single picture of reason opposed to passion, when in fact the point of the affirmation is to encourage us to change our picture of reasoning and rationality.<sup>11</sup> The significant implication of the affirmation is that any concern for justice has its origins in capacities to be moved by injustice, and that our picture of reasoning about justice needs to be adjusted accordingly.

The *feeling for justice* is often associated with positive affects - with dispositions towards compassion, empathy, and forgiveness - all of which it is easily assumed can and should be actively cultivated and harnessed towards greater fairness.<sup>12</sup> But what are we to make of an assertion like that of Simon Critchley, who argues that the centrality of injustice to thinking about emancipatory politics follows from a recognition that anger is the “the first political emotion”.<sup>13</sup> Anger, he argues, is the emotion generated in contexts of “political disappointment” and is the emotion that moves the subject to action. Whether or not we agree that there is a primary political emotion, Critchley’s argument is consistent with the observation that making the case for giving priority to injustice is closely associated with a re-centring of questions of emotion and passion in accounting for political action. But if anger is one’s favoured example of a political emotion that motivates action against injustice, as it is for Critchley, then this means that a feeling for justice does not necessarily depend only on positive feelings. It might also depend on

7. See Fincher, R. and Ivesen, K. 2012. Justice and Injustice in the City. *Geographical Research* 50:3, 231-241.

8. See Merrifield, A. and Swyngedouw, E. (eds.). 1995. *The Urbanization of Injustice*. London, Lawrence and Wishart; McLeod, G. and McFarlane, C. (eds.). 2014. Introduction: Grammars of Injustice. *Antipode* 46, 857-873.

9. Dorling, D. 2015. *Injustice: Why Social Inequality Still Persists*. Bristol, Policy Press.

10. Hume, D. 1999. *An Enquiry Concerning Human Understanding*. Oxford, Oxford University Press, pp. 161-162.

11. See Zerilli, L. 2015. The Turn to Affect and the Problem of Judgment. *New Literary History* 46:2, 261-286.

12. See Wright, M. 2010. Geography and gender: Feminism and a feeling of justice. *Progress in Human Geography* 34, 818-827.

13. Critchley, S. 2007. *Infinitely Demanding: Ethics of Commitment, Politics of Resistance*. London, Verso, p. 130.

a series of what Robert Solomon once called “the antipathetic passions”, such as envy and jealousy and resentment and outrage and revenge and indignation.<sup>14</sup> Another way of glossing the point is that we should not presume that understanding the feelings that animate a concern with injustice is an excuse to reduce these matters to a concern with the cultivation of *ethical* relationships. Justice may or may not be thought of as a virtue. But the argument for the priority of injustice should certainly not be reduced to that dimension of human affairs alone.

The case for giving priority to injustice in critical theory is associated with an argument, most clearly developed in strands of analytical political philosophy, for giving greater attention to the “sense of injustice” in moral reasoning. It is an argument primarily associated with Judith Shklar.<sup>15</sup> In *The Faces of Injustice*, Shklar observed that justice was the privileged object of normative theorising in political philosophy, whereas injustice has most often been thought of as a lack of justice. Her argument is that moral and political philosophy (she has in mind the egalitarian tradition of thought represented and revived by John Rawls) takes for granted that “injustice is simply the absence of justice, and that once we know what is just, we will know all we need to know.”<sup>16</sup> She calls this assumption the “normal” way of thinking about justice, in which the task of moral reasoning is taken to be the definition of the ideal model of a just society, against which actual examples of social arrangements can be critically evaluated.

One of Shklar’s most important claims is that there is a fundamental asymmetry between justice and injustice. Justice, she argues, “radiates no emotional appeal”.<sup>17</sup> This is a function of its purported value, of course, which lies in no small part in the aspiration to universality as impartiality. On the other hand, the *sense of injustice* is affectively rich in a way that doing justice is not. Injustice, to put it another way, is felt and necessarily particular and partial, in a way in which justice is not and is not meant to be.

The most powerful claim made by Shklar is that the fundamental weakness of existing the-

ories of justice arises from the absence of the perspective of victims of injustice. These theories tend to be resolutely monological in tone. However, her critique of the normal model of justice should not be mistaken for an argument about simply aligning oneself with victims of injustice. Shklar does not suppose that the task of theory is to develop a standard against which claims can be adjudicated. Her concern remains focussed on the political question of how to evaluate claims and expressions of injustice. The argument that the perspective of the victims must be included in an account of injustice is related to the argument that it is not just enough to listen and affirm the claims of injustice. That might actually be one route to reproducing injustice of certain sorts. But rather than presume that those claims are to be adjudicated by philosophical legislators or explained by social scientists, Shklar insists that making sense of claims of injustice must take place through forms of public intercourse. It is an argument, one amongst a broader family of critical analytical thought, that turn seeks to dethrone an impartial model of universal rationality by according a central value to the public sharing and evaluation of narratives of felt senses of injustice.

It is important to underscore that the emphasis on the sense of injustice is not meant to assert a non-rational kernel at the core of political life. The force of Shklar’s argument lies in the way it shifts the picture we have of the tasks of critical analysis. We can grasp this force better by considering the argument developed by Cora Diamond about the situations from which responses to injustice arise. Elaborating on an issue central also to Shklar’s argument, Diamond presumes that there is a difference in the position of the victims of injustice and those placed in a position of response. Diamond asks us to focus on the difficulty of responding to injustice *as* injustice.<sup>18</sup> And her claim is that justice is derived not first and foremost from considerations of universal rights but from relations of *attention*: “the capacity to respond to injustice as injustice depends, not on the capacity to work out what is fair, but on the capacity really to see, really to take in, what it is for a human being to be harmed. This is not easy for us; it requires a recognition of our own vulnerability, and there are not comparable demands on us in thinking about the deprivation of rights.”<sup>19</sup> For

14. Solomon, R. C. 1990. *A Passion for Justice: Emotions and the Origins of the Social Contract*. Reading MA, Addison-Wesley Publishing, p. 245.

15. Shklar, J. 1990. *The Faces of Injustice*. Cambridge MA, Harvard University Press.

16. Shklar, 1990, p. 15.

17. Shklar, 1990, 103.

18. See Diamond, C. 2001. Injustice and animals. In C. Elliot (ed.), *Slow Cures and Bad Philosophers: Essays on Wittgenstein, Medicine, and Bioethics*. Durham, NC, pp. 118-148.

19. Diamond, 2001, p. 120-121.

Diamond, the “capacity to respond to injustice as injustice” does not involve calculating fair shares from a distance, nor an appreciation of philosophical arguments about shared capacities for reasoning, or indeed for suffering. It arises first and foremost from the difficult acceptance by a subject of their own of vulnerability, a response that arises in a scene of *acknowledgment* of the claims of others rather than in a *knowing* relation of what is right, or good, or justifiable.<sup>20</sup>

In their shared attention to experiences of vulnerability as a condition through which the sense of injustice emerges, both Shklar and Diamond put a premium on the importance of not presuming in advance that all forms of need or all demands for attention are of the same form. In important respects, they both presume that questions of justice require the capacity for *discrimination*, that is, for exercising exemplary judgment.<sup>21</sup> They both emphasize the importance of attending to the grammar of public expressions of harm in order to appreciate the substance of any claim for response that might be articulated in those expressions.

Taken together, as examples of a broader strand of thought, both Shklar and Diamond’s elaboration of the theme of the sense of injustice represents a fundamental challenge to the normal way of reasoning about these matters. Justice is normally assumed to be a positive ideal from which injustice is a deviation, and as the privileged idea from which injustice is conceptually derived. So, what happens if we stop thinking of justice as an ideal?

### Beyond the normal model of justice

Shklar’s description of the “normal” model of justice captures important features of the way in which these issues are approached not just in moral and political philosophy, but also in critical social science as well. While geographers certainly have a keen sense of “the normality of injustice” that Shklar finds so lacking in philosophical accounts of justice, the wariness towards normative reasoning means that injustice is usually apprehended against the background of an implicit model of ideal justice. As a result, injustice shows up as

the absence of justice in exactly the way that Shklar finds typical of the normal model. There are three versions of this form of reasoning in Geography and related spatial disciplines.

First, there is a style of critical analysis in which injustice become visible by comparing actual patterns of disadvantage with ideal theories derived from philosophy. In this type of analysis, the idea of injustice remains tied to the demonstration of the absence of justice. Second, there is a widespread style of theory in which appeals to superior ontologies or explanatory theories are presumed to trump what are regarded as the inherently individualizing tendencies of normative reasoning about the justifiability of particular social arrangements. And third, there is a style of analysis that presumes that simply demonstrating the empirical fact of inequality is itself equivalent to exposing injustice.

The problem with these forms of social science analysis is that they continue to presume that philosophy is a field in which to appeal when one needs ideals and principles. But philosophical accounts of justice do not necessarily lack adequate social science imaginations needed to explain departures from justice or the endemic generation of injustice. In fact, the standard social scientific trump of philosophical concepts actually compounds the most fundamental problem with normative theories of justice. This problem lies in the temptation to theorise about these matters *monologically*, as if injustice was an objectively identifiable phenomenon that could be established either by arriving at a normatively robust foundational account of justice; or by arriving at an epistemologically or ontologically coherent account of the causes of exploitation or inequality.

So, it turns out that these two approaches - the normatively philosophical and the explanatorily social scientific - are perfectly well suited to one another, each feeding off presumed authority of the other: on the one hand to define the ideal of justice, and on the other to explain causal dynamics. Neither approach adequately answers to Shklar’s challenge of taking seriously the sense of injustice as a starting point for theorising about justice, nor the way in which this argument draws democracy into the centre of such theorising.

In light of the preceding discussion, how might we move beyond Geography’s ambivalence about normative theory? The ambivalence arises from the conviction that normative philosophies tend to be too detached and universalistic, while at the same time holding fast to the assumption that

20. See Cavell, S. 1990. *Conditions Handsome and Unhandsome: The Constitution of Emersonian Perfectionism: The Carus Lectures*. Chicago, University of Chicago Press, pp. 101–128.

21. See Arendt, H. 2005. *Introduction into Politics*. In *The Promise of Politics*. New York, Schocken Books, pp. 93–200.

one must have a grasp of some form of universal principle in order to be able to support critical judgment. The assumption is a defining feature of the normal model of thinking of injustice as the absence of some ideal condition, however reluctantly that ideal might be specified. As Elizabeth Wolgast has argued, the idea that judgements of injustice require a standard inevitably “leads us back to the assumption that justice must be some kind of ideal.”<sup>22</sup> Thinking that we must in advance have a standard against which to judge affairs gets the grammar of justice the wrong way around. The meaning of the concept of justice is best approached as an emergent response to an expression of harm, injury or wrong. The strong implication of this simple sounding proposition is that justice is something developed not to satisfy an ideal model, but in relation to situated expressions of injustice: “We craft responses to wrong, our purpose being not to satisfy some preconceived picture of justice but to address the snares of injustice.”<sup>23</sup> In short, justice is not an ideal; it is a condition that is approached through processes of *repair*, *redress*, *reparation*, and *redistribution*.

##### 5). Claims of injustice

To further clarify the significance of the argument for the conceptual priority of injustice, it is helpful to recall the argument made by Iris Marion Young in her engagement with David Harvey’s accusation that so-called “postmodern” approaches to justice implicitly appealed to universal criterion that they explicitly disavowed.<sup>24</sup> Harvey asserted that to be able to call a situation socially unjust “presupposes that there are some universally agreed upon norms as to what we do or ought to mean by the concept of social justice”.<sup>25</sup> On Harvey’s interpretation, the critique of universalism in the name of situated knowledge and positionality rendered “any application of the concept of social justice problematic”.<sup>26</sup> Universalism here is equated with a striving for impartiality and objectivity. But rather than thinking that the problem at stake is one of negotiating between universalism and relativism, it might be the picture of judgment as a process of applying universally agreed principles which is flawed.

22. Wolgast, E. 1987. *The Grammar of Justice*. Ithaca NY, Cornell University Press, p. 137.

23. Wolgast, 1987, p. 145.

24. Young, I.M. 1998. Harvey’s complaint with race and gender struggles: a critical response. *Antipode* 30, 36–42.

25. Harvey, D. 1996. *Justice, Nature and the Geography of Difference*. Oxford, Blackwell, p. 341.

26. Harvey, 1996, p. 342.

Young’s response to the idea that calling a situation unjust must involve at least an implicit deduction from generally agreed principles is that “this is not in fact how appeals to justice function in actual political life.”<sup>27</sup> She suggested that injustice is not recognised by applying universal principles to actual situations. Rather, ideas of justice appear as the result of the articulation of senses of injustice: “Appeals to justice and claims of injustice are not a result, they do not reflect an agreement; they are rather the starting point of a certain kind of *debate*. To invoke the language of justice and injustice is to make a *claim*, a claim that we together have obligations of certain sorts to one another.”<sup>28</sup> Young’s response to Harvey makes clear that what is at issue is not a contrast between foundational universalism and relativistic particularism, but different ways of thinking about how universal criteria actually work (as authoritative references to impartial principles; or as situated claims for acknowledgement, inclusion and recognition).

Young’s argument is that the discourse of justice is first and foremost a register of claims making. If we are to affirm this proposition, then it is important to appreciate the double significance of “claims” at work in this type of argument about the priority of injustice: the idea of claims of justice refers to the idea that matters of justice arise in contexts in which existing patterns of power are contested through the voicing of objections of one form or another in the register of justice; but it also refers to the notion that these claims are subject to a democratic test by being passed through the medium of public debate.<sup>29</sup>

The emphasis on the double sense of claims allows us to negotiate around Geography’s ambivalence towards normative theories of social justice. The idea that explanatory and normative priority should be given to the expressions of wrong articulated by victims of domination, or exploitation, or oppression might well resonate easily enough amongst critically inclined geographers. But the valorisation of claims of injustice seems also to open the way for a form of relativism of its own, in which any claim of injustice is accorded equal value. Certainly, arguments for the priority of injustice are, as we have seen, intimately related to arguments about the primacy of the passions in reasoning about moral action. These passions in-

27. Young, 1998, p. 40.

28. Young, 1998, p. 40.

29. Sen, A. 2009. *The Idea of Justice*. London, Allen Lane.

clude negative emotions such as outrage and disgust as much as positive ones such as compassion and pity.<sup>30</sup> The emphasis on passionate expression associated with arguments for the priority of injustice might well appear to make matters of judgment purely subjective.<sup>31</sup>

In order to avoid the appearance that giving priority to injustice simply reproduces the problematic of relativism in a new form, it is here that the second dimension of the idea of claims of justice should be applied. It involves holding fast to a strongly dialogical sense of claims of injustice. These claims are presumed to be subject in principle to judgement and evaluation through a broadly inclusive public process of deliberation in which the validity of claims is scrutinized. Furthermore, if we are to reorient attention as claims of injustice and demands for justice, then it must also be acknowledged that on their own such expressions do not specify appropriate responsive courses of action. These too have to be worked through in practices of public reasoning. In short, what is involved in following the lead provided by thinkers such Shklar, Diamond, and Young, amongst others, is a readiness to shift conceptual attention away from authoritative determinations of social justice to exploring the possibility of extending the scope of *democratic justice*.

Keeping in view the double sense of claims of justice helps us see that the theme of the priority of injustice cannot be made equivalent to a simple assertion of the transparent fact of injustice, or lead to the interpretation of social movement mobilizations as what Axel Honneth has called “empirical indicators” of injustice. One important reason for not making this move is that there is a danger that in so doing the importance placed on expressed claims can tempt us to pass over the ways in which a central feature of structural injustice might be the effective dampening of victims’ capacity to express their own experiences of harm and wrong. While giving priority to injustice might well focus attention on the ways in which movements articulate claims of injustice, this concern is placed within the context of an analysis of the relation between the phenomenologies of harm and injury and the selective articulation of these experiences in the public realm.<sup>32</sup>

30. See Solomon, pp. 242–296.

31. Wolgast, 1987, pp. 194–213.

32. See Moore, B. 1978. *Injustice: The Social Bases of Obedience and Revolt*. London, Macmillan; and Fricker, M. 2007. *Epistemic Injustice: Power and the Ethics of Knowing*. Oxford, Oxford University Press.

## Justice is not an ideal

I have attempted to trace some of the ideas associated with an emergent “paradigm” which seeks to give priority to injustice in the development of a critical theory of democracy, a heterodox range of thought marked by a shift away from strongly egalitarian frameworks in favour of particular understandings of *freedom* and *non-domination* a core political principles.<sup>33</sup> I have suggested that the orientation to the priority of injustice involves a focus of critical attention on processes of claims-making and the contingent emergence of a sense of injustice.

We should avoid the temptation of thinking that what is involved in following the train of thought outlined here is a matter of asserting the priority of “practice” over “theory”. What is at stake is a shift in the understanding of the vocation of critical theory. The shared understanding across the heterodox tradition from which the theme of the priority of injustice emerges is that what makes a state of affairs appear unjust - to those immediately on the receiving end of injustice or those called upon to act in response to such a state of affairs - is not the reference to prior constructions of what would count as a properly just arrangement. Accepting that this is the case does not cast us adrift from the safety accorded by having access to universal principles into a sea of relativism. What is involved instead is an approach to theorising that is thoroughly relational, that is, one rooted in an understanding that practices of justifiability are central to the identification of injustice *as* injustice.<sup>34</sup> The shift away from ideal theories of justice follows from a recognition that people are positioned differently in relation to structures of injustice: as victims, perpetrators, bystanders, beneficiaries.<sup>35</sup> Rather than presuming that what is needed is a cast-iron theory of justice to decide what is just

33. See, for example, Pettit, P. 1999. Republican freedom and contestatory democracy. In I. Shapiro and C. Hacker-Cordón (eds.), *Democracy’s Value*. Cambridge, Cambridge University Press, pp. 163–190; Hamilton, L. 2015. *Freedom Is Power: Liberty through Political Representation*. Cambridge, Cambridge University Press; Lovett, F. 2010. *A General Theory of Domination and Justice*. Oxford, Oxford University Press; McCormick, J. 2011. *Machiavellian Democracy*. Chicago, University of Chicago Press; and Shapiro, I. 2012. On non-domination. *University of Toronto Law Journal* 62, 293–335.

34. Forst, R. 2014. *Justification and Critique: Towards a Critical Theory of Politics*. Cambridge, Polity Press.

35. Sen, 2009, pp. 167–169.

and unjust, what is needed is critical attention to the conditions of dialogue and response through which manifest injustices are recognised and addressed (or not).

The argument in favour of a conceptual reordering in which the sense of injustice is accorded primacy over ideals of justice changes what you think theory is good for. It requires giving up on the idea that universalism is menaced by relativism and particularity, and thinking instead about the different registers in which claims to universality are articulated. It requires giving up on the scholastic presumption that it is possible to arrive at monological determinations of justice against

which worldly inequities can be revealed and condemned. It requires, in short, reviving the challenge presented by David Harvey's formula of seeking after "a just distribution justly arrived at."<sup>36</sup> The challenge was deferred by Harvey's disavowal of "liberal formulations" of matters of justice.<sup>37</sup> The potential for working through the dual aspects of Harvey's formula resides in re-centring analytical and conceptual attention on the dynamics of claims of justice; it requires attending to the relations between the situated emergence of felt senses of injustice and the processes through which these claims are processed through practices of public reasoning.

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36. Harvey, D. 1973. *Social Justice and the City*, London, Edward Arnold, p. 98.

37. See Katznelson, I. (1995). Social justice, liberalism, and the city. In A. Merrifield and E. Swyngedouw (eds.), *The Urbanization of Injustice*. London: Lawrence and Wishart, pp.45-64.