

THE RIGHT TO SPATIAL DEVELOPMENT FOR HUMAN FLOURISHING

Mee Kam Ng^a, Winnie W. S. Mak^b

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Abstract

This paper explores the literature on spatial development for people's multifaceted well-being and the rights to the city, and argues for people's right to live with dignity in cities. Nature and people-friendly spatial developments are fundamental to nourishing capabilities of human beings and realising their well-being. However, in reality, spatial developments are determined by legal planning and development regimes and socio-cultural discourses. These allocate different 'claims, privileges and power rights' to different stakeholders, and the results may not contribute to human flourishing. This paper attempts to synthesise an evaluation framework to achieve flourishing life with dignity in cities.

Keywords

Spatial development, human flourishing, right to the city

a (Corresponding author) Department of Geography and Resource Management, the Chinese University of Hong Kong Shatin, NT Hong Kong SAR, China. E-mail: meekng@cuhk.edu.hk

b Department of Psychology, Faculty of Social Science, the Chinese University of Hong Kong Shatin, NT Hong Kong SAR, China. E-mail: wwsmak@psy.cuhk.edu.hk

1. Introduction

This paper attempts to synthesise two distinctive literatures relating to multi-faceted well-being and the rights to the city in order to identify how cities that allow people to live with dignity can be built. According to Kant, intrinsic dignity is 'the absolute inner worth of a person' (Horton, 2004, p.1084). Dignity is human beings' rational ability to have 'conceptual thoughts, deliberation and free choice' and a natural capacity to shape our own lives (Lee and George, 2008, p.173). Dignity is the moral basis of our shared humanity (Sacks, 2002), the grounds for our autonomy and equity (Sulmasy, 2007, p.10), and full moral respect (Lee and George, 2008, p.191). Hence, when a rational person decides to treat people in a certain way, the very act pronounces his/her judgement on 'the way people are to be treated' (Rachels, 1986, p.123). Full moral respect for intrinsic dignity means taking concrete action – constrained by time, resources, and competing moral demands – to help others to flourish, 'to become the best that they can become as human beings' (Sulmasy, 2008, pp.28, 33). In other words, 'we have an imperfect obligation' to help the flourishing of others in order to realise our shared humanity (Sulmasy, 2008, p.28).

It has been argued that the way we plan, design, and build our communities has a profound impact on our physical, socio-economic, mental, and environmental well-being (Dannenberg et al., 2011; Barton et al., 2015). People's right to the city, a right to change ourselves by changing the city (Lefebvre, 1991; Logan and Molotch, 1987; McCann, 2002; Purcell, 2002; Fainstein, 2010; Harvey, 2008), has also been explored. By investigating the relationships between the spatial environment and people's multifaceted well-being, this paper argues that people's right to the city is a right to shape spatial developments that enable human flourishing in recognition of shared human dignity. A synthesised framework is developed for people to audit their spatial environment, legal planning regime, and socio-cultural discourses to promote their rights. The following section reviews the literature on spatial development for human flourishing (multifaceted well-being) and the right to the city. Section three outlines and explains the synthesised framework, followed in section four with the conclusion.

2. The Right to the City is a Right to Live a Flourishing Life with Dignity

2.1. Spatial Development for Human Flourishing

In concluding a study on 'healing places', Sternberg (2009, p.291) argues that

we can create places that devour and destroy the environment and that in turn destroy us...
Or... we can... create places that help us to live in harmony with the environment and sustain our health.

Are we creating people and planet-friendly places, or are we continuing the construction of carbon-intensive spaces that bear huge environmental and social costs? The expanding literature on spatial experiences and people's well-being seldom touches on issues of power. Those who lament the failure of existing cities to meet human needs and call for people's rights to the city rarely invoke the rich literature on the importance of the spatial environment in multifaceted well-being (Lefebvre, 1991; Harvey, 2008; Sygranyes and Mathivet, 2010). In a world colonised by the ideology of neoliberalism, how can the construction of ecologically sound and people friendly cities be made mainstream? Purcell (2002, p.103) recommends a need to pay special attention to the use value aspect in the production of space. Similarly, Amin et al. (2000) demand spaces for the personal and social development of all citizens, allowing them to develop their capabilities, political judgement, and sociability. Nussbaum (1992) identifies two levels of capabilities. 'Level one capabilities' include the satisfaction of the basic survival needs of the body (such as food, water, shelter, mobility), mind (such as capacity for pleasure and pain, cognitive learning, practical reasoning) and social relationships (including affiliation with nature and others, to interact and play with respect and care) (Nussbaum, 1992, 1997). These are basic internal capabilities necessary for the development of more advanced ones (Nussbaum, 1992). 'Level two capabilities' include living a complete human life; having good health; avoiding unnecessary pain; using the five senses; loving, grieving, experiencing longing and gratitude; reflecting critically; living for and with others and nature; having fun; and living one's own life in one's very own context with rights to governance and material possession (Nussbaum, 1992, 1997). In other words, Nussbaum (1992) identifies two thresholds of human functioning: a threshold of

capability to function and a somewhat higher threshold that constitutes a good, sociable life which interacts with nature. Based on these, she appeals to individuals exercising their political judgement on 'what social and political institutions are doing about them [nourishing people's capabilities]' (1992, p.214).

Although Nussbaum does not use the term 'human flourishing' and stresses that the capabilities listed are tentative and subject to 'plural and local specifications' (1992, p.224), she argues that human autonomy based on practical reasoning and affiliation with other human beings is key to what makes human beings human. According to Rasmussen (1989, p.94), a process of self-direction and self-perfection is indispensable to human flourishing; that is, we have to 'use our own reasons and intelligence in creating, obtaining, employing, and using the needed goods of life'. This is indeed the essence of human dignity. To respect human dignity and to enable human flourishing, individual rights have to be protected, and the wider socio-economic and political context is the necessary moral territory or space (Rasmussen, 1989). Nussbaum (1997, p.293) argues that the provision of suitable external conditions for people's development of internal capabilities and actualisation of potentialities should be 'the goals of public planning'. However, unless we recognise dignity, the moral basis of our shared humanity, and treat humanity 'as an end in itself', we may not know how 'to live together decently in the world' (Nussbaum, 1992, p.205) taking morally required actions (Rasmussen, 1999, p.16).

Indeed, as early as 1946, the World Health Organization (2006, p.1) outlined, among others, the key basic principles for the happiness, harmonious relations, and security of all people

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity... The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic and social condition.

This fundamental human right to well-being across a number of dimensions can be seen as another interpretation of people's right to live a flourishing life with dignity. Positive psychologists argue that flourishing can be understood to be mental health and emotional vitality allowing a person to function positively in the private and social realms of their lives (Keyes and Haidt, 2003, p.6). Ghaye (2010) contends that positive emotions, positive engagement, meaning or purpose in life, and positive relationships enhance human flourishing. Keyes (2003, p.299) puts forward a schema to measure this multifaceted state of well-being (Table 1).

Table 1: Multifaceted Well-being

Positive feelings: Emotional well-being	Positive functioning: Psychological well-being	Positive functioning: Social well-being
<p>Positive effect: regularly cheerful, in good spirits, happy, calm and peaceful, satisfied, and full of life.</p> <p>Happiness: feels happiness towards the past or about present life overall, or in domains of life such as employment, marriage, and neighbourhood.</p> <p>Life satisfaction: sense of contentment or satisfaction with past or present life, overall or in life domains (see above).</p>	<p>Self-acceptance: positive attitude towards oneself and one's past life, and concedes and accepts the various aspects of self.</p> <p>Personal growth: insight into one's potential, sense of development, and openness to new experiences.</p> <p>Purpose in life: has goals, beliefs that affirm sense of direction in life, and feels life has purpose and meaning.</p> <p>Environmental mastery: has capability to manage a complex environment and can choose or create a suitable environ.</p> <p>Autonomy: Comfortable with self-direction, has internal standards, resists unsavory social pressure.</p> <p>Positive relations with others: has warm, satisfying, trusting relationships, and is capable of empathy and intimacy.</p>	<p>Social acceptance: positive attitude toward others while acknowledging and accepting people's complexity.</p> <p>Social actualisation: cares and believes that, collectively, people have potential and society can evolve positively.</p> <p>Social contribution: feels that one's life is useful to society and that one's contributions are valued by others.</p> <p>Social coherence: has interest in society, feels it is intelligible, somewhat logical, predictable, and meaningful.</p> <p>Social integration: feels part of, and a sense of belonging to, a community, derives comfort and support from community.</p>

Source: Keyes, 2003, p.299.

The three types of well-being identified above are closely related to the organisation of one's nested life domains – such as families, employment, and neighbourhoods – within the hard and soft institutions in a spatial setting (Bronfenbrenner, 1994). As argued by Barton (2015, p.13), there is no longer any doubt that spatial planning has a critical role to play in promoting health and well-being (Figure 1). Studies on the relationships between space and our multifaceted well-being are proliferating (Dannenberg et al., 2011; Barton et al., 2015). Green settings and natural environments have the capacity to alleviate mental fatigue and help restore concentration (Sullivan and Chang, 2011, p.106). Green design is beneficial not just to the health of people but also the earth (Sternberg, 2009). Families with steady jobs and good parental relationships, a stable community of friends and relatives, and supportive schools are crucial for nurturing children (Marris, 1998). Places designed to support physical activities and formal and informal social interactions help foster social networks and social capital accumulation (Eicher and Kawachi, 2011; Sullivan and Chang, 2011). The building of a community contributes not only to life satisfaction, but also to the psychological and social well-being of its members (Barton et al., 2015). As Friedmann (1998) argues, a good life is about the quality of human relationships. Moreover, Myers (1999) regards the association between relationships and well-being as a 'deep truth'.

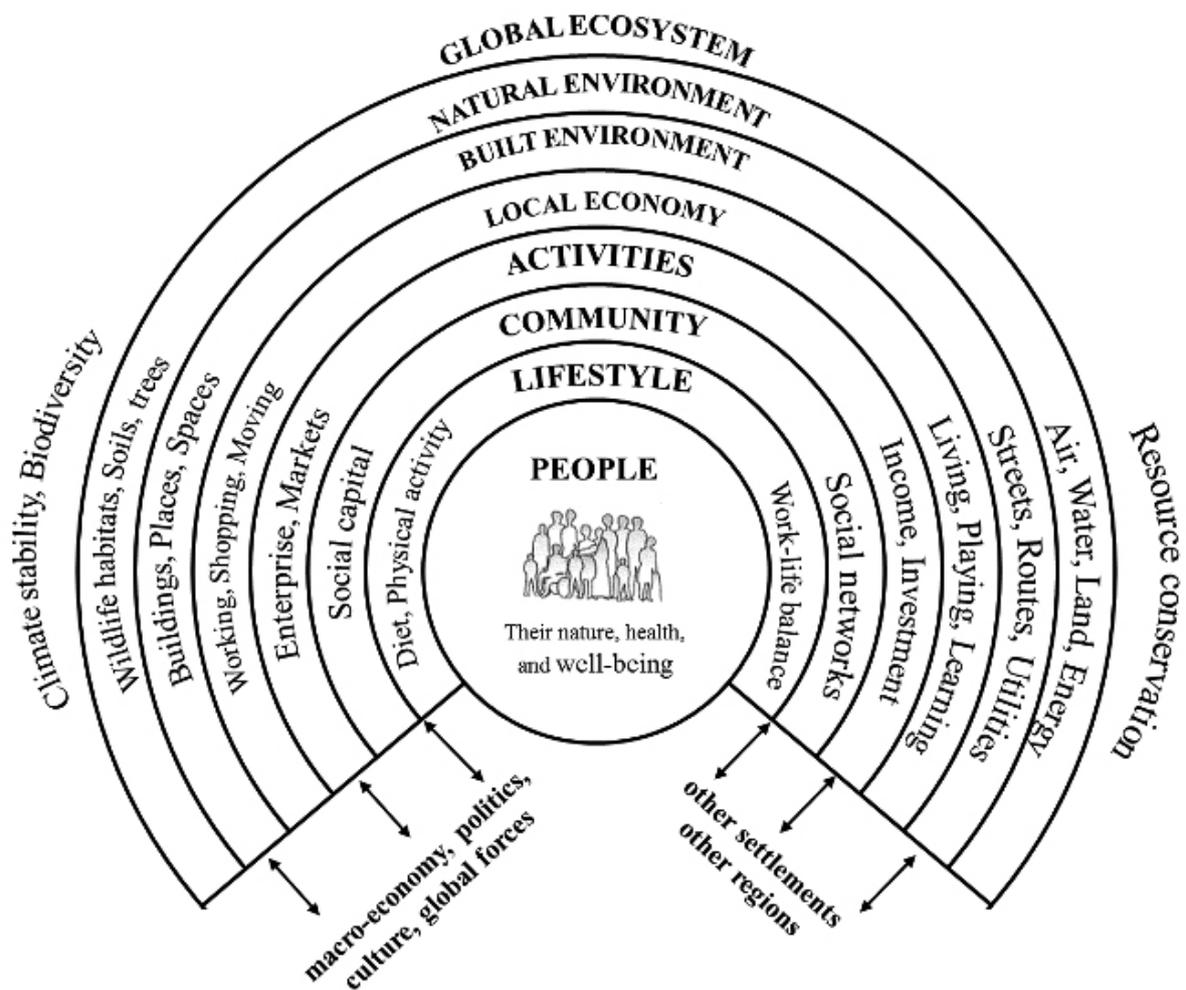


Figure 1 - The Settlement Health Map

Source: redrawn on the basis of Barton, in Barton et al. (2015), p.11, Figure 1.2.

Safe communities with greenery, affordable housing, and good transport connections can be said to be more equitable and socially just places (Barton, 2015; Burton, 2015). Equitable places usually are more socially inclusive. Social inclusivity is important in helping people to work with one another, develop positive relationships, reflect on their purposes in life, and gain a sense of mastery over the environment. These are critical ingredients in

the maintenance of psychological well-being. Therefore, the social dimensions of people's nested existence in space are extremely important in maintaining public health. Barton (2015) argues that strong social networks protect against both mental and physical illness. Walking in an aesthetically pleasing locale that enables social interaction will have significant impact on human flourishing (Barton, 2015).

2.2. The Right to Spatial Developments for a Flourishing Life with Dignity

This research works on the implications of spatial developments on people's multifaceted well-being, and adds weight to the right to the city discourse (Gottdiener, 1985; Lefebvre, 1991; Harvey, 2008). There are many ways to define rights: natural or inalienable rights; general or specific rights; positive or negative rights; objective or subjective rights; liberal or communitarian rights; ethical, cultural, democratic, or human rights; and first, second, or third generation rights (Sandel, 1982; Waldron, 1993). Rights, like well-being, are conceptually multi-dimensional.

The right to the city can be conceived as a set of rights related to spatial development. This includes people's right to nature; a socio-economic right to housing, transportation, and community facilities; and a right to use, design, and define public space (Attoh, 2011, p.675). It also includes the right to be accepted in an integrated community. David Harvey even argues for a right to reshape the process of urbanisation through the collective and democratic management of urban surpluses and resources (Harvey, 2008, p.27). This is similar to the advocacy for a process of 're-commoning' (Gibson-Graham et al., 2013).

If so much research has been conducted concerning the importance of building people and planet-friendly places, then why are there not more spatial developments which promote flourishing and dignity? Part of the answer is that transformative actions are never easy. As argued by Giddens (1979, p.93), 'social systems are constituted as regularised practices' with ideologies serving the interests of the hegemonic groups. It is perhaps surprising that in a world with massive inequality, rapid degradation of natural resources, and a climate crisis, few consider 'prosperity without growth' to be a credible option (Jackson, 2017). Unless the right to live in a planet and people-friendly place which promotes flourishing life and dignity becomes 'common sense' and mainstream, legislation, policies, and planning regimes will continue to reproduce the status quo.

How can this right to a dignified life in cities be examined? Hohfeld was probably the most widely acknowledged expert in diagnosing the concept of rights (Hohfeld, 1913; Wenar, 2005). Wenar (2005, p.252) even argues that 'all rights are Hohfeldian incidents'. To Hohfeld, there are four types of rights, namely 'a claim, a privilege, a power or an immunity right' (1913, p.552). He argues that 'claim rights' are a question of justice and policy, and that they inevitably impose a correlative 'duty' on somebody to provide the rights. 'Claim rights' are only one kind of 'rights'. For instance, the opposite of a 'duty', in a legal sense, can be a 'privilege'; that is, a 'right' to do things without interference (Cullison, 1967, p.568). The third and fourth kinds of 'rights' in the Hohfeldian framework are related to 'power' understood as power to change legal relations. If someone's actions change their legal relationships with others, they can be said to have the 'power' to create 'liability' on other parties (Cullison, 1967, p.569). However, if an action has no impact on the legal relations, it is a case of 'disability'. This means the other parties have 'immunity' as a kind of legal right in the Hohfeldian schema.

Hohfeld's various 'rights' can be borrowed to better appreciate the complicated power relationships in the planning and production of the built environment. Existing soft and hard institutions, including the legal framework within planning and development regimes, distribute different types of 'rights' to different stakeholders. The distribution of rights may lead to 'spatial violence' (Lefebvre, 1991, p.282), often to the detriment of people's health and well-being. A classic case is the forced relocation of incumbent residents in a redevelopment project. People may not have the 'claim right' to in-situ rehousing or a platform to negotiate their 'privilege' rights, neither may they have any legal power to reverse the decision. Yet, displacement disrupts people's spatial and group identity, affecting their human functioning (Fried, 1963). Indeed, domination is often exercised through unquestioned decision-making practices within established institutional processes. As Lefebvre (1991, p.51) questions: 'why is protest left to enlightened, and hence elite, groups and why do the users of space usually remain relatively silent?' When a community faces antagonistic ideological or cultural hegemony, two responses can be seen. For less combative communities, collaborative discourses may be invoked to plan and design spaces for people to use and enjoy. For those communities with no faith in the legal framework, protest movements and insurgent citizenship may

emerge (Lefebvre, 1996; Healey, 1997; Friedmann, 1998; McCann, 2002). Educating people via social movements or collaborative action about their right to a city that nurtures flourishing lives is the first step in exploring the legal and administrative means to reshape urban spaces.

3. A Framework to Evaluate the Right to Live a Flourishing Life with Dignity in Cities

The review of the required spatial qualities for people's multifaceted well-being in light of Hohfeld's four concepts raises a number of questions related to legal entitlements ('claim rights'), platforms for negotiating 'privilege rights', and 'power' issues (distribution of 'power-liability' and 'immunity-disability' rights among stakeholders) – outlined in Table 2. As argued above, research has suggested a strong relationship between the different physical and social aspects of spatial developments and people's multifaceted well-being. If this is the case, the extent to which people's rights to human flourishing, guaranteed by existing policy and legal frameworks, are 'claim rights' needs clarification. As some of the rights are 'privilege rights' in the Hohfeldian sense (such as the right to reshape local space), other options – such as a negotiation platform – are required to resolve potential conflicts and reach consensus. The Hohfeldian schema also shows how a legal framework can allocate 'power' differently to (re)distribute liabilities, immunities, and disabilities among societal actors; creating institutional and legal obstructions to the production of a spatial development for or against human flourishing. An example would be granting power (legal rights) to private or public redevelopment agents to bulldoze a neighbourhood without providing in-situ rehousing for affected residents. The spectrum of community responses to such a situation can range from 'silence' (accepting the hegemonic discourse or ideologies) to transformation via existing structures (including communicative negotiation and collaborative practices) to antagonistic and rebellious action designed to reframe the skewed power relations embedded in the legal and redevelopment framework.

Table 2: Nested Spatial Rights to Multifaceted Well-being: An Evaluation Framework

Corey Keyes' 'Well-being' Framework	Spatial Development for Human Flourishing		
Physical & Emotional Well-being	<ul style="list-style-type: none"> • Privacy within a household and a community (Burton, 2015) and affordable housing (Fainstein, 2010) • Biophilic design such as 'blue-green infrastructure' (a network of green spaces and water-related bodies) (Frumkin and Fox, 2011; Corkery, 2015) • Complete neighbourhood and streets (accessible, walkable, inclusive with ample public space) (Lynch, 1960; Feldstein, 2011; Sullivan and Chang, 2011; Barton, 2015) 		
Psychological & Social Well-being	<ul style="list-style-type: none"> • Family-friendly, inclusive, safe communities with different types of diversities (Warner and Rukus, 2013) • Using and shaping local spaces collaboratively (Gottdiener, 1985; Amin et al., 2000; Attoh, 2011) • Community building and staying (Douglass and Friedmann, 1998; Fainstein, 2010) • Inclusive and affordable mobility and accessibility (Fainstein, 2010; Ewing et al., 2011) • An active local economy (Gibson-Graham et al., 2013) 		
Rights-related Questions			
Claim Rights/ Duty	Privilege Rights/No Right	Power Rights/Liability	Immunity Rights/Disability
Adequate 'claim rights'?	Negotiation platform?	Who has what power?	
<ul style="list-style-type: none"> • What are the current policies and regulations regarding spatial developments for human flourishing? • Which kind of hard and soft institutional frameworks exist to provide the above spaces for multifaceted human functioning and well-being? 	What mechanisms are in place to encourage the evaluation of existing 'claim rights', to facilitate collaborative efforts (and to resolve potential conflicts) arising from the exercising of privilege rights by different parties in characterising and defining places for family-friendliness, the shaping of local spaces, and community building?	<ul style="list-style-type: none"> • Who has been endowed with power and liability or immunities and disability in the current legal and institutional framework in the provision/non-provision of the above spaces? • Is the majority of the population who live in concrete space only 'silent space users'? • How is the above question related to the issue of cultural/ideological hegemony? • Is there an awakening within the community about their 'rights' (power and immunity) to live in a city that nurtures human flourishing? • Are there insurgent activities to challenge the existing legal relationships in order to 'reclaim' people's rights to multifaceted well-being? How will these activities be viewed in the existing legal framework? 	

Source: Reflections and synthesis from the reference list.

The right to the city is a right to be in an environment that enables people to achieve 'complete physical, mental and social well-being' (WHO, 2006). In other words, it calls for a kind of city building for human dignity which places 'the person as a source of moral values in the centre of any action' (Friedmann, 1973, p.112). For physical and emotional well-being, privacy and protection from noise and unwanted intrusion are important. This helps to avoid stressful situations that may lead to social withdrawal, tension, and conflicts with family members or neighbours (Burton, 2015, p.151). It is, therefore, important for cities to provide affordable and well-maintained housing (Fainstein, 2010; Sullivan and Chang, 2011). The concept of biophilia – people's affinity for nature such as water, sunlight, plants, and natural materials (Wilson, 1986; Frumkin and Fox, 2011) – is indispensable to people's multifaceted well-being. Green settings help alleviate mental fatigue and restore a person's capacity to pay attention (Sullivan and Chang, 2011). Walkable and safe neighbourhoods with shared public spaces such as parks, squares, and tree-lined streets can promote and enhance health-promoting social interactions. Frumkin and Fox (2011) even suggest that nature friendly communities yield co-benefits, such as more energy-efficient buildings, improved access to healthy food, and the conservation of natural resources. Lynch (1960) argues that a legible city with distinct landmarks and well-defined edges and pathways eases navigation in the built environment and enhances emotional security.

Psychological and social well-being demands not only biophilic design but also a sociopetal environment that encourages sociability and nurtures political judgements. Lefebvre (1991, xxiii) argues that separation and the impoverishment of our everyday life has led to the loss of 'human plenitude' and a sense of alienation in cities. It is, therefore, necessary for people to reclaim space and to reassert the need for design according to the multiple purposes of social space in different cultural contexts. For Fainstein (2010), a just city is composed of affordable housing and no involuntary relocation; economic development providing public space and independent and cooperatively owned businesses; low intra-city transit fares; diversity; and ample varied and accessible public spaces. Amin et al. (2000) encourage active everyday citizenship. Through place-making and community building, people can accumulate experience in negotiating diversity and adversity, promoting personal growth, developing positive relationships with others, and learning mastery over the environment (Keyes, 2003). For Ewing et al. (2011), development density, diversity, design, destination accessibility, and distance to transit affect the physical, social, and mental health of residents. It is important to provide housing near jobs and prioritise compact urban developments that privilege non-motorised transportation. Gibson-Graham et al. (2013) reiterate the importance of an ethical economy that allows people to interact in person when making economic transactions, live together equitably, distribute surpluses to enrich people and the planet, and invest in future generations. More importantly, these purposeful actions for the larger social good promote multi-faceted well-being and help people flourish through self-acceptance, self-actualisation, and contribution – allowing them to have a strong sense of social coherence and integration (Keyes, 2003).

These spatial development principles are, of course, subject to 'plural and local specifications' (Nussbaum, 1992, p.224). How can we evaluate a planning regime's ability to produce an enabling environment that allows people to flourish and live with dignity? The Hohfedian schema guides us to ask a number of questions. At their core lies Giddens' (1979) conviction that social structures are historical in character and, in theory, mutable in form. However, everyday practices tend to naturalise (reify) the present and deny or obscure the existence of contradictions in order to sustain the interests of the hegemonic groups. Hence, Giddens insists that 'the chief usefulness of the concept of ideology concerns the critique of domination' (1979, p.186). These questions are related to Lefebvre's triadic spatial conception: geographical sites for action, a mental expression, and a social possibility of engagement in action (Gottdiener, 1985).

The first set of questions is related to people's 'claim rights'. What are the planning rights of the people in the current planning regime? How do they compare to the spatial development principles conducive to people's multifaceted well-being? What kinds of planning laws, rules, regulations, and institutional frameworks exist to produce these spatial settings? Of relevance are the soft institutional frameworks (including social norms, ideology, culture, and civic discourses). In theory, a claim right can entitle someone to protection against harm (Wenar, 2005). However, different planning regimes secure differential claim rights to their residents. Thus, questions concerning privilege and power rights are warranted.

Not every planning regime provides a negotiation platform to discuss privilege rights. As Alexander (2007) argues, political conflict and distrust for (and criticism of) authoritative action are omnipresent in stronger civil societies. In addition, McCann (2002) argues that people should have the right to invoke arguments and visions

that challenge 'business as usual'. Indeed, rights are areas of struggle (Attoh, 2011) in which people learn to respect equality and one another's dignity. People should be given opportunities to reflect on the adequacy of claim rights. They should also be able to demand privilege rights – such as right to make public spaces and healthy communities for the enhancement of human flourishing and dignity.

Power rights often determine whether a city builds places for people to live a life in dignity. For Lefebvre (1991, 1996), people's spatial competence, that is, the ability to flourish, achieve, or live life fully is conditioned by one's position within various power relations and decision-making structures. However, Giddens (1979, p.256) argues that power is 'a resource drawn upon by agents in the production and reproduction of interaction to the structural characteristics of society'. As argued by Foucault (1979, p.26), 'power is exercised rather than possessed'. These questions examine if the public realises the importance of the life enhancing qualities of biophilic and sociopetal designs in cities and whether they possess economic relationships governed by principles of justice and humanity (Marris, 1998).

4. Conclusion: Reshaping Spatial Development for Multifaceted Well-being?

Multifaceted well-being concerns not just the satisfaction of bodily needs but also the nurturing of nature and human relationships. Space is always a field of action (Lefebvre, 1991, p.191). Spatial development for human flourishing requires space to be used by individuals to enhance their functioning, develop their capabilities, and actualise their potentialities to produce 'real wealth' – the absolute worth of our shared humanity.

The Hohfeldian 'rights' framework offers three pathways to evaluate the state of spatial production in an urban context. The first is to examine 'claim rights' in spatial development for human flourishing – especially in terms of internal private space and affordable housing, local access to blue-green infrastructure, and complete streets and neighbourhoods. The relevant question is whether places are designed and managed to build sustainable communities, attracting people to mingle and interact in a natural public realm that is walkable and accessible, inclusive, safe, and fair with a vibrant local economy. It is about building communities to stay and last, not to be bulldozed for growth and profit making.

The second is a need to establish a multi-stakeholder platform for deliberation about the various 'privilege rights' issues in spatial development, an arena for us to exercise our obligation to help flourish one another as dignified beings. As argued by Sandel (2009, p.259), justice is 'about the right way to value things' in 'a public culture hospitable to the disagreements that will inevitably arise'.

Third, an effective political arena is required to negotiate and review whether its key governance regimes related to spatial development contribute to human flourishing and ask pertinent power-related questions. These include 'what are the current entitlements ('claim rights') for citizens in spatial development?' and 'are they contributing to people's multifaceted well-being?'; 'should there be plans to change such entitlements?'; 'are the existing legal and regulatory frameworks allocating 'power-liability' and 'immunity-disability' rights in ways that allow people to develop their capabilities so that they can live a life of dignity?'. If not, the questions 'what kind of roadmap should be in place to rectify the situation?'; 'is there awareness of these power issues?'; and 'are there plans to raise the awareness of such issues?' become pertinent.

This multi-dimensional understanding of rights implies a need for a co-existence between two approaches to urban planning: result-oriented planning to distribute things in a right way (Rawls, 1999; Fainstein, 2010) and process-driven communicative planning practices which allow consensus to be built and compromises to be made in re-distributing 'power rights' in co-shared spaces (Healey, 1997; Sandel, 2009). As argued by Lefebvre (2003, p.59), 'knowledge is theoretical, provisional, changeable and disputable'. Marris (1998, p.10) concludes that:

Planning, as an ideal of rational social intervention... is constantly seeking to translate the past experience of struggles, achievements and betrayal into social learning and hopefully greater justice!

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References

- Alexander, Ernest R. (2007) Planning rights and the implications. *Planning Theory*, 6 (2), pp.112-126.
- Amin, Ash, Doreen B. Massey and Nigel Thrift (2000) *Cities for the many not the few*. Bristol: The Policy Press.
- Attoh, Kufui A. (2011) What kind of right is the right to the city? *Progress in Human Geography*, 35 (5), pp.669-685.
- Barton, Hugh (2015) Introduction. In Barton, Hugh, Susan Thompson, Sarah Burgess and Marcus Grant (eds) *The Routledge handbook of planning for health and well-being*. London: Routledge, pp.3-16.
- Barton, Hugh, Susan Thompson, Sarah Burgess and Marcus Grant (eds) (2015) *The Routledge handbook of planning for health and well-being*. London: Routledge.
- Bronfenbrenner, Urie (1994) Ecological models of human development. In Gauvain, Mary and Michael Cole (eds) *Readings on the development of children*. New York: Freeman, pp.37-43.
- Burton, Libby (2015) Mental well-being and the influence of place. In Barton, Hugh, Susan Thompson, Sarah Burgess and Marcus Grant (eds), *The Routledge handbook of planning for health and well-being*. London: Routledge, pp.150-161.
- Corkery, Linda (2015) Beyond the park: Linking urban greenspaces, human well-being and environmental health. In Barton, Hugh, Susan Thompson, Sarah Burgess and Marcus Grant (eds) *The Routledge handbook of planning for health and well-being*. London: Routledge, pp.239-253.
- Cullison, Alan D. (1967) A review of Hohfeld's fundamental legal concepts. *16 Cleveland-Marshall Law Review*, pp.559-573.
- Dannenberg, Andrew L., Howard Frumkin and Richard J. Jackson (eds) (2011) *Making healthy places: Designing and building for health, well-being, and sustainability*. Washington: Island Press.
- Douglass, Michael and John Friedmann (eds) (1988) *Cities for citizens: Planning and the rise of civil society in a global age*. New York: John Wiley & Sons Ltd.
- Eicher, Caitlin and Ichiro Kawachi (2011) Social capital and community design. In Dannenberg, Andrew L., Howard Frumkin and Richard J. Jackson (eds) *Making healthy places: Designing and building for health, well-being, and sustainability*. Washington: Island Press, pp.117-128.
- Ewing, Reid, Gail Meakins, Grace Bjarnson and Holly Hilton (2011) Transportation and land use. In Dannenberg, Andrew L., Howard Frumkin and Richard J. Jackson (eds) *Making healthy places: Designing and building for health, well-being, and sustainability*. Washington: Island Press, pp.149-169.
- Fainstein, Susan (2010) *The just city*. Ithaca, USA: Cornell University Press.
- Feldstein, Lisa M. (2011) Policy and legislation for healthy places. In Dannenberg, Andrew L., Howard Frumkin and Richard J. Jackson (eds) *Making healthy places: Designing and building for health, well-being, and sustainability*. Washington: Island Press, pp.271-286.
- Foucault, Michel (1979) *Discipline and punish*. New York: Vintage Books.
- Fried, Marc (1963) Grieving for a lost home: Psychological costs of relocation. In Wilson, James Q. (ed.) *Urban renewal: The record and the controversy*. Cambridge, USA: The MIT Press, pp.358-379.
- Friedmann, John (1973) *Retracking America: A theory of transactive planning*. New York: Anchor Press.
- Friedmann, John (1998) The new political economy of planning: The rise of civil society. In Douglass, Michael and John Friedmann (eds) *Cities for citizens: Planning and the rise of civil society in a global age*. New York: John Wiley & Sons Ltd, pp.19-35.
- Frumkin, Howard and Jared Fox (2011) Contact with nature. In Dannenberg, Andrew L., Howard Frumkin and Richard J. Jackson (eds) *Making healthy places: Designing and building for health, well-being, and sustainability*. Washington: Island Press, pp.229-243.

- Ghaye, Tony (2010) In what ways can reflective practices enhance human flourishing? *Reflective Practice: International and Multidisciplinary Perspectives*, 11 (1), pp.1-7.
- Giddens, Anthony (1979) *Central problems in social theory: Action, structure and contradictions in social analysis*. Berkeley and Los Angeles: University of California Press.
- Gibson-Graham, Katherine, Jenny Cameron and Stephen Healy (2013) *Take back the economy: An ethical guide for transforming our communities*. The University of Minnesota Press.
- Gottdiener, Mark (1985) *The social production of urban space (Second Edition)*. Austin, Texas: University of Texas Press.
- Harvey, David (2008) The right to the city. *New Left Review*, 53, pp.23-40.
- Healey, Patsy (1997) *Collaborative planning: Shaping places in fragmented societies*. Vancouver: UBC Press.
- Hohfeld, Wesley (1913) Some fundamental legal conceptions as applied in judicial reasoning. *23 Yale Law Journal*, 16, pp.28-59.
- Horton, Richard (2004) Rediscovering human dignity. *Lancet*, 364, pp.1081-85.
- Jackson, Richard J. (2011) Preface. In Dannenberg, Andrew L., Howard Frumkin and Richard J. Jackson (eds) *Making healthy places: Designing and building for health, well-being, and sustainability*. Washington: Island Press, pp.xv-xxii.
- Jackson, Tim (2017) *Prosperity without Growth: Foundations for the Economy of Tomorrow (Second Edition)*. New York: Routledge.
- Keyes, Corey L.M. (2003) Complete mental health: An agenda for the 21st century. In Keyes, Corey L.M. and Jonathan Haidt (eds) *Flourishing: Positive psychology and the life well-lived*. Washington, DC: American Psychological Association, pp.293-312.
- Keyes, Corey L.M. and Jonathan Haidt (2003) Introduction: Human flourishing—the study of that which makes life worthwhile. In Keyes, Corey L.M. and Jonathan Haidt (eds) *Flourishing: Positive psychology and the life well-lived*. Washington, DC: American Psychological Association, pp.3-12.
- Lee, Patrick and Robert P. George (2008) The nature and basis of human dignity. *Ratio Juris*, 21 (2), pp.173-193.
- Lefebvre, Henri (1991) *The production of space*. [Translated by Donald Nicholson-Smith]. Oxford: Blackwell Publishing.
- Lefebvre, Henri (1996) *Writings on cities*. Malden, MA: Blackwell.
- Lefebvre, Henri (2003) *The urban revolution*. Minneapolis: University of Minnesota Press.
- Logan, John R. and Harvey Molotch (1987) *Urban fortunes: The political economy of place*, Berkeley: University of California Press.
- Lynch, Kevin (1960) *The image of the city*. Cambridge, Massachusetts: The MIT Press.
- Marris, Peter (1998) Planning and civil society in 21st century: An introduction. In Douglass, Michael and John Friedmann (eds) *Cities for Citizens: Planning and the rise of civil society in a global age*. New York: John Wiley & Sons Ltd., pp.9-17.
- McCann, Eugene J. (2002) Space, citizenship, and the right to the city: A brief overview. *GeoJournal*, 58, pp.77-79.
- Myers, David (1999) Close relationships and quality of life. In Kahneman, Daniel, Ed Diener and Norbert Schwarz (eds) *Well-being: Foundations of hedonic psychology*. New York: Russell Sage Foundation.
- Nussbaum, Martha C. (1992) Human functioning and social justice: In defence of Aristotelian essentialism. *Political Theory*, 20 (2), pp.202-246.
- Nussbaum, Martha C. (1997) Capabilities and human rights. *Fordham Law Review*, 66, pp.273-300.
- Purcell, Mark (2002) Excavating Lefebvre: The right to the city and its urban politics of the inhabitant. *GeoJournal*, 58, pp.99-108.
- Rachels, James (1986) *The elements of moral philosophy*. New York: Random House Inc.
- Rasmussen, Douglas B. (1989) Individual rights and human flourishing. *Public Affairs Quarterly*, 3 (1), pp.89-103.
- Rasmussen, Douglas B. (1999) Human flourishing and the appeal to human nature. *Social Philosophy & Policy Foundation*, 16 (1), pp.1-43.
- Rawls, John (1999) *A theory of justice*. Cambridge, USA: Harvard University Press.
- Sacks, Jonathan (2002) *The dignity of difference*. London: Continuum.
- Sandel, Michael J. (1982) *Liberalism and the limits of justice*, Cambridge: Cambridge University Press.
- Sandel, Michael J. (2009) *Justice: What's the right thing to do?* New York: Penguin Books Ltd. Kindle Edition.
- Sternberg, Esther M. (2009) *Healing spaces: The science of place and well-being*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press.
- Sullivan, William C. and Chun-Yen Chang (2011) Mental health and the built environment. In Dannenberg, Andrew L., Howard Frumkin and Richard J. Jackson (eds) *Making healthy places: Designing and building for health, well-being, and sustainability*. Washington: Island Press, pp.106-116.

Sulmasy, David P. (2007) Human dignity and human worth. In Malpas, Jeff and Norelle Lickiss (eds) *Perspectives on human dignity: A conversation*, Springer, pp.9-18.

Sulmasy, David P. (2008) Dignity, rights, health care and human flourishing. In Weisstub, David N. and Guillermo Diaz Pintos (eds) *Autonomy and Human Rights in Health Care*, Springer, pp.25-36.

Sygranyes, Ana and Charlotte Mathivet (eds) (2010) *Cities for all: Proposals and experiences towards the right to the city*. Santiago, Chile: Habitat International Coalition, HIC.

Waldron Jeremy (1993) *Liberal rights: Collected papers*. New York: Cambridge University Press.

Warner, Mildred E. and Joseph Rukus (2013) Planners' role in creating family-friendly communities: Action, participation and resistance. *Journal of Urban Affairs*, 35 (5), pp.627-644.

Wenar, Leif (2005) The nature of rights. *Philosophy and Public Affairs*, 33 (3), pp.223-253.

Wilson, Edward O. (1986) *Biophilia*. Harvard University Press.

World Health Organization (WHO) (2006) *Constitution of the World Health Organization (45th Edition)*. [Online] Available from: http://www.who.int/governance/eb/who_constitution_en.pdf [Accessed 25 May 2016].