What Do We Want from a Theory of Global Justice?

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We live in a globalized world. The international exchange of ideas, capital, and people makes national sovereignty weaker and undermines the capacity of individual states to address issues of justice without global coordination, and our interconnectedness continues to grow as financial, diplomatic, and technological integration become more total.[1] Yet our conceptions of justice have not evolved to meet the challenge. Theorists like Amarthya Sen and Nancy Fraser acknowledge the necessity of thinking about justice in a global framework but miss the need for a philosophically rigorous transcendental theory, while others look to past ideas about sovereignty or ways of living as an ideal without acknowledging that "going back" is an impossibility. More radical thinkers argue that the entire idea of a theory of global justice is flawed, with its roots in an epistemology legitimated and shaped by power along with a concept of rationality imposed under structures of colonial domination, but provide no explicit path towards a better world. By analyzing these critiques, we can better understand what is missing and what needs revision in a theory of justice for a globalized age. Such a process will illustrate the need for a framework of global deliberation on metatheoretical questions of justice.

This contention raises a number of questions, which will be dealt with sequentially. The most fundamental regards why a theory of global justice is necessary at all. Post-development theorists like Majid Rahnema argue that one way forward is to return people to their "social-cultural space-times," centered around small, face-to-face, vernacular interactions that do not require mediation by grand institutional structures. Rahnema and other theorists in his field do not seek to make any concept of global justice work. They instead desire to return to a system in which human beings meet their needs through a more limited "network of human relationships... [and] the many forms of solidarity, co-operation, and reciprocity they develop within their communities."[2] The post-development theorists are correct on one count: without the aggregation and economization of human social life, a theory of global justice would be unnecessary. But for all its appeal, a return to disaggregated vernacular cultures is impossible in some respects and undesirable in others. The global integration of all human life has become so deep that even catastrophic events like world wars, financial crises, and a global pandemic have not fundamentally changed our international socioeconomic relationships. My assumption for the purposes of this essay is that we *do* exist in a thoroughly integrated world, marked and defined by globalization, and that we require some way of making decisions about the justice or goodness of institutional arrangements under these conditions.

Let us now turn to the question of the unit of analysis. Why does a contemporary theory of justice need to be global, rather than confined to the boundaries of a sovereign "people" as in

[1] See Thomas Pogge, "What Is Global Justice?" in Politics as Usual (Malden, MA: Polity, 2010), 10-11. See also Nancy Fraser, "Reframing Justice in a Globalizing World," New Left Review 36 (2005), 69-72.

[2] Majid Rahnema, "Poverty," in Wolfgang Sachs (ed.), The Development Dictionary: A Guide to Knowledge and Power (London: Zed Books, 1991), 162-168.

Rawls[3] and many other 20th century theorists? Any other unit of analysis does not give us the capacity to deal with the staggering inequalities between territorial states. The global wealth ratio between the top and bottom 10% of families currently stands at more than 2800:1,[4] and citizenship remains the single most important predictor of lifetime earnings, explaining more than 60% of all variation (more than race, gender, parental education, or even parental earnings).[5] As human beings have no agency over where we are born, it seems *prima facie* unjust that we experience such drastic differences in the opportunities and experiences open to us throughout our lives on this basis. Thus, any theory of justice which fails to account for differences between sovereign states and simply operates within them neglects to address a significant source of injustice.[6]

Some theorists attempt to deal with this issue without making the scope of justice totally global, often by relying on various versions of Nancy Fraser's "All-Affected Principle." This principle holds that anyone "affected by a given social structure or institution" would be considered a "[subject] of justice in relation to it," enabling them to have a voice in deliberations over justice and the good.[7] However, the usefulness of such a principle relies on clearly defining "affected," which is not a trivial task. In the contemporary world, where global interconnectedness on issues from asset pricing to climate change intensifies the 'butterfly effect,' it could be argued that "anyone is affected by just about anything."[8] Arriving at a workable conception of 'all-affected' therefore necessitates that we narrow the concept of affectedness until it "becomes an operationalizable standard for assessing the justice of various frames,"[9] requiring the theorist to make a decision monologically.[10] Such a decision would be subjective, fundamentally influenced by the theorist's own preconceptions about who should "count" as part of a theory of justice. The only possibility that would not represent a subjective judgement is to *not* draw an arbitrary line, and rather to allow the participation of anyone in any way affected. Given the interconnectedness of the contemporary world, this would mean *everyone* has the right to contribute to conversations about justice anywhere. Thus, even if we accept the all-affected principle rather than a more expansive conception allowing people to care about the well-being and dignity of others, we still require a global theory. Only globally can we solve questions of the "how" of justice.[11]

The only premise of a theory of global dialogical justice that remains unsubstantiated is its dialogical nature. This piece is the hardest to defend in full; it should be acknowledged not as a perfect ideal but as the least-bad option. The most pressing critique of dialogue suggests that fair dialogue is impossible in general, either because human structures of knowing and communicating are inherently shaped by power or because a fair global dialogue is impossible

[3] Rawls defines his relevant unit of analysis in A Theory Of Justice as "a closed [society] isolated from other societies", and notes that "the law of nations may require different principles arrived at in a different way." John Rawls, A Theory of Justice (Cambridge, MA: Harvard University Press, 1971), 8.

[4] Pogge, "What is Global Justice", 12.

[5] Milanovic, Branko. "How Much of Our Income Is Determined by Where We Live?" World Economic Forum. https://www.weforum.org/agenda/2015/05/how-much-of-our-income-is-determined-by-where-we-live/.

[6] I am not suggesting that the nation-state system must necessarily be rejected in full. It is possible that a process of global deliberation would see a world composed of sovereign states as the least-bad option, particularly if the alternative is a more fundamentally anarchic global system like that which existed before Westphalia. Yet if we want global justice, the ideas of territorial sovereignty and birthright citizenship must come under critical scrutiny.

[7] Fraser, "Reframing Justice", 82.

[8] Fraser, "Reframing Justice", 83.

[9] Fraser, 83.

[10] Decisions about who is included in a dialogical framework of justice cannot be made dialogically by their very nature: someone must decide who will be part of the dialogue ('who decides the deciders'), or decide who will decide who will be part of the dialogue ('who decides who decides the deciders'), and so on ad absurdum. Fraser seems to miss this point, acknowledging that the principle is "open to a plurality of reasonable interpretations" but insisting that "its interpretation cannot be determined monologically, by philosophical fiat" and suggesting instead that analyses contribute to a "broader public debate." Fraser, "Reframing Justice", 83.

[11] See Fraser on "meta-political justice." (Fraser, "Reframing Justice", 84-86.)

with such culturally variant values and conceptions of the good. This point, as voiced by Anibal Quijano, is premised on the idea that colonial legacies have artificially universalized a particular (Western) conception of reason and thus "repress[ed]... modes of knowing [and] producing knowledge" of the colonized.[12] This has reproduced relationships of "colonial domination" within the epistemological sphere. A mode of reasoning and communication with European roots is highlighted as the only viable option at the expense of alternative modes, rendering communication unequal.[13] This critique threatens the very foundation of a dialogical theory, suggesting that such a process cannot be fair after centuries of ongoing colonial violence. Yet while it does highlight the need for "another rationality" formed out of a process of epistemological decolonization,[14] this flaw does not render dialogue totally unworkable. One of the key attributes of a dialogical system is its amenability to change and revision on the basis of dynamic understandings. Even the process of dialogue itself can be adapted to reflect the colonial critique; a defensible dialogical theory of global justice will always strive to remove barriers and ensure that all parties can contribute equitably. Ultimately, we still must choose between a flawed dialogical system or a monological one that universalizes a particular conception of the good and the just (that of the theorist). A dialogical theory that perpetually strives to adopt modes of reasoning that are most preferred by most people, thus striving towards its own decolonization, seems the most preferable of these imperfect options.

If this line of argument is accepted, we must face the question of what exactly to do with a theory of global dialogical justice. What should it be concerned with, and how explicitly should it address contemporary or future issues? While deliberation could be applied to empirical issues (deliberation on the best way to accomplish some already-specified end) or to theoretical ones (deliberation on what that end should be), its most important application is to metatheoretical concerns (deliberation on how we should decide our ends in the first place). Assuming our end is some particular conception of the good, metatheoretical questions will determine who decides on the "right" conception and how they decide on it. For all the reasons discussed previously, only a global deliberative framework can justly determine answers to these questions. Not all empirical or theoretical questions are necessarily best decided by a global deliberative framework (i.e. they may be more efficiently or accurately resolved through devolution of the process to a sub-global institution or deliberative group), but only by applying a global deliberative framework to metatheory can we identify which issues can justly be devolved in this way. Thus, global deliberative justice must be applied to metatheoretical questions, but should be confined to this space so that the deliberative process can determine the appropriate institutions and groups for dealing with particular theoretical or empirical issues.

This focus on metatheory also dispels the illusion of a convenient comparative theory of justice, which would concentrate exclusively on "ranking alternative societal arrangements" with the aim of figuring out whether "some arrangement is 'less just' or 'more just' than another."[15] To comparativists like Amartya Sen, this is the appropriate response to our imperfect human condition: Sen considers the identification of perfect justice neither necessary nor sufficient for approaching "different ways of *advancing* justice in a society (or in the world)."[16] Yet while his understanding is politically convenient for someone seeking to reshape the world through economic development, closer examination illustrates its lack of rigor and the continued need for

[12] Anibal Quijano, "Coloniality and Modernity/Rationality," Cultural Studies, 21:2-3 (2007), 169.

[13] Quijano, "Coloniality", 168-169. Whether the genesis of contemporary rationality is entirely European is not self-evident (see Amartya Sen, "Reason and Objectivity," in The Idea of Justice (Cambridge, MA: Harvard University Press, 2009), 36-39), but the premise will be accepted here for the purposes of argument.

[14] Quijano, "Coloniality", 177.

[15] Amartya Sen, "What Do We Want from a Theory of Justice?" The Journal of Philosophy vol. CIII, no. 5 (May 2006), 216.

[16] Sen, "What Do We Want", 217. Emphasis mine.

transcendental theory. Sen's own example illustrates the point: he discusses how knowledge of the height of Mount Everest, the tallest mountain in the world, is "neither needed, nor particularly helpful," in comparing the heights of two lesser peaks.[17] What is needed, but goes unmentioned, is a *conception of 'height.'* We need something with which we can measure each mountain and understand what it means to be tall, thus giving us a way to decide which is taller. In discussing social arrangements, no such measure is readily apparent: there is a theoretical question of what our end is, whether it be "justice" or "goodness" or anything else, and how we can advance it. These are not concepts that can be measured objectively, as one could use feet or meters to objectively measure the height of a mountain. Rather, their meaning is constantly subject to debate and change among individuals and groups with different conceptions of the good. Fair comparisons between social arrangements cannot be made without a clear idea of the desired end of those arrangements, and a clear idea of the desired end cannot be fairly identified without a just procedure for its identification. Thus, a metatheoretical approach is necessary even if one contests the desirability of a transcendental theory of justice for its own sake. Without it, we lack even the ability to make fair comparisons between theories or social arrangements.

This paper does not seek to deal explicitly with questions of process, i.e. how exactly global deliberation on metatheoretical questions will yield answers. The most-just process is itself a matter of substantive debate in its own right, and the only thing that appears clear is that it would be democratic in nature: the presentation and substantiation of ideas followed by some form of voting on them.[18] It certainly does not attempt to speculate on what would be decided, now or in the future, about historically contingent questions evaluated by humans ingrained with the values and prejudices of their particular culture and time. We must accept the fact that the owl of Minerva flies at dusk, and be humble about the capacity of abstract philosophy to fairly decide such questions at the times they are relevant. A dialogical, metatheoretical framework for justice is strong precisely because of its humility: it does not provide historically and culturally contingent answers to questions about justice or the good. Instead, it ensures only that the global community can justly decide on their desired ends and revise these decisions as their values and conceptions of the good change. We cannot reasonably ask for more.

[17] Sen, 222

[18] This again raises the issue of how the voting process would be decided (who decides how we decide), which raises how decisions about the voting process would be decided (who decides how we decide how we decide), and so on, necessitating at some point a monological decision. I would suggest a multi-stage ranked-choice vote among all human beings on the final voting method, in which anyone can suggest a method to be included in the initial round of voting, as a placeholder, but this is not integral to the theory and could be altered if a fairer method is identified.