

On the Relationship between Global Justice and Global Democracy: A Three-Layered View

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One of the fundamental questions raised in John Dryzek and Ana Tanasoca's book *Democratizing Global Justice: Deliberating Global Goals* concerns the most appropriate way of understanding the relationship between global justice and global democracy. The book oscillates between two different views of this relationship. On the first view, which is more implicitly articulated, deliberative global democracy is considered the best means to realize global justice in the world as we know it. While this view may raise normative questions of interest, it is at least primarily an empirical question whether deliberative democracy is equipped for this task. On the second view, which is more explicitly expressed, deliberative global democracy is seen as the way to theorize global justice, that is, specify and justify what global justice is and requires in various contexts. This view, which is rather common among empirically-oriented political theorists, is arguably more interesting for political philosophy. However, it also raises a number of complex questions about the relationship between global justice and global democracy. The aim of this paper is not to respond to these questions in an attempt to offer a first-order substantial account on the relationship between global democracy and global justice. Rather, the aim is to theorize the normative boundary conditions for such an account, by which I mean the conditions that any plausible theory should respect. Since it is impossible to fulfil such a task in a satisfactory manner within the limited scope of this article, the ambition is limited to sketching the general contours of these boundary conditions in the form of what I call a 'three-layered view'.

The structure of the paper is straightforward. The first section presents two different understandings of the relationship between global justice and global democracy appearing in the

book and discusses the questions they raise (I). The second section develops the three-layered view, that is, the suggested normative boundary conditions that any plausible account of the relationship between global justice and global democracy should respect (II). The final section concludes (III).

I. Democratizing global justice

That there is a tension between justice and democracy, and thus between global justice and global democracy, has long been acknowledged in political philosophy.¹ While democratic institutions do not necessarily generate substantively just outcomes, just institutions on most accounts need not be democratic (Gould 2004; Erman 2005). Even if most political theorists are devoted to theorizing either global justice or global democracy, or at least focus on one or the other, an underlying question constantly pokes, namely, what is the most appropriate way of understanding the relationship between global justice and global democracy?

We find different answers to this question in the literature. One popular view is that global justice requires global democracy – sometimes captured by the slogan “No global justice without global democracy”. However, there are numerous ways to understand this slogan. One version is developed by Dryzek and Tanasoca, who start out from the idea of ‘formative agents of justice’, who are supposed to construe what justice should mean in various contexts. They develop a normative theory about democratizing justice based on the idea that effective formative agency – involving not only states and citizens but also advocacy groups, non-state actors, international organizations, corporations, experts, foundations, and so on – is best exercised under deliberative democratic conditions. Thus, the relationship between global justice and global democracy is conceptualized by emphasizing the key role played by inclusive deliberative processes, through

¹ For the generic argument pursued here, the question of scope is not immediately important, since the proposed three-layered view is applicable both to the domestic and the global levels of politics. The focus on the global level reflects the purpose of discussing issues raised in Dryzek and Tanasoca’s book.

which formative agents are empowered to determine what justice is and how it should be implemented (Dryzek and Tanasoca 2021).

It is not fully clear, however, how to interpret this proposal. The authors oscillate between two readings of the relationship between global justice and global democracy. In some formulations, it is claimed that global democracy is the best means to practically realize global justice. More specifically, global justice is most efficiently implemented through deliberative democratic processes world-wide. On this reading, it is a kind of normative democratic theory that is proposed: a deliberative approach to global governance particularly well-equipped to realize global justice. Not only does such a view presuppose a substantive account or notion of global justice, which is not clearly provided in the book, it also primarily becomes an empirical question whether or not deliberative democracy is the best means to realize it.

On a second reading, deliberative democratic processes are not (only) seen as the best means to realize global justice; they are (also) the way through which formative agents theorize global justice, i.e. specifying and justifying what global justice is and requires in various contexts. As long as formative agents follow deliberative-democratic norms, justice is the outcome. On this view, Dryzek and Tanasoca also make an interesting methodological contribution, since the worked out deliberative framework offers something similar to Rawls' 'veil of ignorance', that is, a way to offer support of a conception of justice, telling us which conditions must be fulfilled in order to arrive at justice (rather than something else).

However, although more philosophically interesting, the latter reading raises a number of questions with regard to how to best make sense of the relationship between global justice and global democracy. Needless to say, the answer will depend heavily on what we mean by justice and democracy, respectively. And every specific substantive account of justice or democracy in the literature has its own (implicit or explicit) take on this relationship. However, given how much attention is devoted to justice and democracy, respectively, their relationship is surprisingly undertheorized. With a few exceptions, very little has been done in terms of systematically

exploring its more generic features (for exceptions, see Shapiro 1994; Dowding et al 2004; Gould 2004; Christiano 2008; Valentini 2012a, 2013; Forst 2013, 2014; Erman 2018). If we disregard purely instrumental accounts of justice and democracy, and focus on global justice and global democracy as two normative ideals to which we are committed, can we say anything general about their relationship? This is what is explored in the rest of the paper.

II. A three-layered view

As noted in the introduction, the aim of this paper is not to offer a substantial account of the relationship between global justice and global democracy, but to outline the (contours of the) normative boundary conditions for such an account, by which I mean the conditions that any plausible theory should respect. In this section, I specify these conditions through three claims. First, it is argued that global democracy is best seen as a partial rather than a comprehensive normative ideal. Second, I claim that global democracy must be grounded in fundamental principles of justice. Third, it is argued that global democracy is a kind of ideal through which (among other things) applied principles of distributive justice are formulated and justified in light of reasonable disagreement about what distributive justice requires. Taken together, these conditions thus constitute what I call a ‘three-layered view’ of the relationship between global democracy and global justice, where global democracy constitutes the mid-layer, as it were, grounded in a base layer constituted by fundamental principles of justice, but also generating and justifying a top layer constituted by applied principles of distributive justice.

I will address the three claims in separate subsections below. Before doing so, however, let me present some basic assumptions that together constitute the theoretical (conceptual and normative) framework that is applied in the paper, to specify what kinds of normative theories the suggested boundary conditions would apply. In brief, I will assume that justice as a normative ideal is concerned with the fair distribution of benefits and burdens among people, and that principles of justice regulate ‘who owes what to whom’ (Barry 1991; Valentini 2012a). Even if there is a

disagreement over what this means in substantial terms, theorists generally agree on this conceptual claim. Moreover, I will assume that democracy as an ideal alludes to ‘the rule by the people’, which is a particular form of political self-determination (self-rule), and that principles of democracy regulate ‘who rules over whom’, where ‘rule’ typically refers to the exercise of political power. On this view, a political entity (e.g. system, polity or institution) is democratic if, and only if, those who are affected by its decisions have an opportunity to participate in their making as equals (Erman 2020).² This broad understanding is consistent with all key conceptions in the literature, ranging from models based on deliberation and civic engagement to models based on voting and electoral representation.

II.1. Democracy as a partial ideal

The normative boundary conditions proposed in this paper concern global justice and global democracy seen as normative ideals. Here, ‘normative ideal’ is understood broadly, to include everything from ideals to be realized or approximated, such as end-state or utopian theories (see Valentini 2012b), to regulative ideals (Habermas 1996). Moreover, for the present purposes, it is important to distinguish between a normative ideal and a practical device, the analogous distinction in moral theory being that between a ‘criterion of rightness’ and a ‘decision method’. With regard to democracy, in particular, this distinction is often overlooked. If democracy is seen as a decision method, the question of how to understand the relationship between global democracy and global justice would be addressed in a completely different manner, since it would be determined by the normative ideal that motivated the choice of democracy (as decision method) in the first place

² Depending on account, ‘affected’ is spelled out differently, such as in terms of ‘affected interests’, ‘subjected to coercion’, or ‘subjected to laws’. These different candidates for criteria of inclusion are discussed in the literature on the so-called ‘democratic boundary problem’ (see, e.g. Whelan 1983; Dahl 1989; Habermas 1996; Arrhenius, 2005; Goodin 2007; Beckman 2009; Abizadeh 2012; Owen 2012; Erman 2014, 2021).

(Arrhenius 2005), perhaps justice in this case. This would be in line with the first reading of Dryzek and Tanasoca's proposal: global deliberative democracy is seen as a practical device to effectively realize global justice. Similarly, most utilitarians would presumably see democracy as a practical device, justified in relation to how well it maximizes well-being. In such cases, the proposed normative boundary conditions would not apply.

In light of the current aim, another distinction is equally important, namely, that between *partial* and *comprehensive* ideals. In fact, one possible explanation for why the relationship between global justice and global democracy is rarely systematically examined on a generic level, is because it is rarely made explicit which of these two kinds of ideals are intended. The first claim I want to defend here is that democracy is best seen as a partial ideal. This means that I resist the tendency among empirically-oriented political theorists to view democracy as a comprehensive ideal through which we construe and justify other normative principles for society, such as principles of justice, in line with Dryzek and Tanasoca's second reading.

A partial ideal, as it is understood here, consists of intermediary (or applied) principles applied to a restricted domain of society, and thus to specific institutions and agents in particular contexts, without itself being required to offer more fundamental (higher-order) principles to which these intermediary principles are anchored. Therefore, intermediary principles typically generate *pro tanto* reasons for action.

There are strong reasons to see democracy as a partial rather than a comprehensive ideal.³ Democracy is at heart concerned with a particular way of organizing a political community so that members (have the possibility to) participate in the political decision-making on an equal footing. What this entails more substantially of course varies across different democratic models, but this is what 'the rule by the people' means broadly speaking: those who are affected by the political

³ For an overview of different kinds of comprehensive theories, see Braithwaite and Pettit 1992; Waldron 2004; List and Valentini 2016.

decisions should have a say in their making as equals. Hence, regarding many aspects of life, we would not find democratic decision-making desirable. There are not only some societal institutions we typically do not wish to be organized democratically, such as schools or hospitals, but also many societal activities.

Apart from scope, there are also normative reasons to regard democracy as a partial ideal. In light of the theoretical framework sketched above, to view democracy as a comprehensive ideal would be indefensible. While intermediary principles of a partial ideal generate pro tanto reasons for action, a comprehensive ideal would include more fundamental principles generating all-things-considered reasons for action. Consequently, if democracy is a comprehensive ideal, we would be required to follow democratic principles and thus pursue democratic aims even if the moral cost of doing so would be extremely high. This seems highly unattractive.

For these reasons, it is my contention that democracy is best theorized as a partial ideal, which could, as discussed below, be incorporated into a comprehensive theory of justice, for example, by being an expression of the fair distribution of political influence or by specifying what justice requires in the political domain.

II.II. Fundamental principles of global justice

In existing liberal democracies, a constitutional structure is typically taken for granted, guaranteeing and protecting citizens' basic rights and liberties. If we unfold this structure, it consists at bottom of fundamental principles of justice. In other words, in light of the conceptual assumptions made here about what constitutes the ideal of democracy and justice, respectively, the 'rule by the people' must be exercised in a sufficiently just way. Ultimately, the suggested intermediary democratic principles regulating who rules over whom in the political domain must thus be grounded in fundamental principles of justice regulating who owes what to whom. As discussed above, as a partial ideal, a democratic theory need not offer such fundamental principles in order to be sound. But as part of a comprehensive ideal, it must be part of a comprehensive theory of justice.

There are, of course, different ways of carving out and specifying fundamental principles of justice, depending on what substantive theory we favour. And this, in turn, will affect the kind of justification offered for democracy. However, according to the suggested three-layered view, any defensible theory must be *reasonable*, which is here assumed to require that two conditions are fulfilled: that the theory (a) honours the basic commitment to the principle of equal respect for persons, which constitutes is a common denominator of all contemporary liberal theories of justice (Rawls 1999; Sen 1980; Dworkin 2002; Kymlicka 2001), and (b) is not based on obvious empirical falsehoods (see Valentini 2013).⁴ Of course, depending on preferred view, the principle of equal respect for persons may be operationalized in different ways. For some, it is operationalized in terms of liberty or freedom as non-domination (Gould 1988; Pettit 1997, 2001). For others, it is operationalized in terms of mutual justifiability or a right to justification (Rawls 1999; Dworkin 2002; Forst 2011). For still others, it is operationalized in terms of equality (Singer 1973; Waldron 1999).

Now, one might of course ask on what grounds we must accept this principle of equal respect for persons. One way to defend it would be to claim that there is sufficient proof to consider it to be true, given that it is incorporated in all main moral codes, and those codes that do not incorporate it are based on incorrect factual claims (see Valentini 2013: 198). Here, however, it is simply acknowledged as a basic normative commitment, mirroring the profound conviction that it is the most defensible starting-point for political philosophy.

If democracy must be grounded in fundamental principles of justice based on the principle of equal respect for persons, then the interpretation of the slogan “No global justice without global democracy” which entails that we construe and justify global justice through global democracy,

⁴ Indeed, the notion of ‘reasonable’ is contested. But I believe the suggested interpretation is generic enough to be accepted by most liberal theorists. There are exceptions, however. Jeremy Waldron, for example, defend a thinner and (almost) non-moralized notion, largely understood in epistemic terms (Waldron 1999).

must be rejected. However, only under the assumption that the slogan alludes to fundamental principles of justice. In other words, rather than being the outcomes of a democratic procedure, fundamental principles of justice condition this procedure.

II.III. Global democracy and the justification of distributive principles

So far I have discussed the base layer and the mid-layer of my three-layered view of the relationship between global democracy and global justice. Let me now turn to the question of how these two layers connect to the top layer. In simple terms, the base layer sets out the normative conditions for how we may exercise political power in a democratic polity. The mid-layer, however, sets out normative conditions for how to handle disagreements about distributive schemes. Indeed, in any pluralist society there will be disagreements about justice. As a ‘freestanding’ mid-layer, i.e., without a base layer, democratic principles would be construed to handle all kinds of disagreement about justice. But connected to a base layer, as is suggested here, the mid-layer is construed to handle reasonable disagreements only. All unreasonable views of justice, i.e., views that are not grounded in the principle of equal respect for persons and are based on evident empirical falsehoods, such as a view which assumes that people of a certain race or sex are more valuable and genetically more intelligent than others, would be blocked from the democratic arena already at the outset, since only reasonable accounts are filtered through the base-layer, as it were.

So, what would this mean in practice? In a democratic polity, it might be the case that citizens disagree on the best principles of distributive justice, such that some favour a robust welfare state and therefore prefer Rawls’ difference principle, whereas others – equally committed to the equal respect for persons and empirical truth – prefer a principle with less invasive distributive effects but more individual freedom. Given that political decisions have to be made in order for a polity to function, and we therefore do not have infinite time to deliberate and potentially agree on this matter, democratic decision-making is the most defensible way to settle such reasonable disagreements. Indeed, in many cases, the outcome of a democratic process will

be considered unjust from some perspectives, even though it is democratically legitimate and therefore should be respected – for example, if it is decided to forbid people to use a Burkini (a type of modesty swimsuit for women) on public beaches.

Note though, that on the proposed three-layered view, democracy as an ideal is not restricted to being intrinsically valuable only in the presence of reasonable disagreement about justice, as some theorists claim (Valentini 2013, 2014). As a partial ideal, it may have other valuable purposes apart from achieving justice, such as self-rule or self-determination, even in light of agreement about justice. Hence, the constraints set up by the three-layered view only tell us about the appropriate relationship between the ideals of global justice and global democracy.

III. Winding up

Given how much global justice and global democracy as individual normative ideals are discussed in political philosophy, their relationship is surprisingly undertheorized. In this paper, I have made a modest attempt to counteract this tendency by clarifying on a generic level what I see as the most promising way to understand this relationship. This has been done on the meta-theoretical level, which means that I have not sketched a substantial first-order account but have tried to chisel out the normative boundary conditions for such an account, in terms of a three-layered view, specified through three claims. It has been argued, first, that global democracy is best seen as a partial normative ideal; second, that global democracy must be grounded in fundamental principles of justice; and third, that global democracy is an ideal through which applied principles of distributive justice are formulated and justified in light of reasonable disagreement about what justice requires.

The paper started off with the observation that the popular view captured by the slogan “No global justice without global democracy” can be understood in numerous ways. On one reading, suggested by Dryzek and Tanasoca, formative agents are empowered through deliberative-democratic processes to construe what justice is and what it requires, which means that we arrive at justice by following the appropriate deliberative-democratic norms and processes (Dryzek and

Tanasoca 2021). If the three-layered view is sound, the conclusion is that this is correct insofar as it concerns reasonable disagreements about principles of distributive justice, but incorrect insofar as it concerns principles of fundamental justice. Needless to say, how best make sense of the relationship between global justice and global democracy depends on what we mean by justice and democracy. The argument for a three-layered view, however, has leaned on a broad conceptual framework, which I hope is at least compatible with all main contemporary understandings of justice and democracy, respectively.

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