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

Eva Erman*

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 to understand the relationship between global justice and global democracy. The book oscillates between two different views of this relationship. On the first view, which is mostly implicit in the text, deliberative global democracy is considered the best means to realize global justice in the world as we know it. While this view may raise some interesting normative questions, it primarily boils down to an empirical question as to 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, to 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 essay is not to respond to these questions in an attempt to offer a first-order substantial account of 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

Eva Erman, Stockholm University, Stockholm, Sweden (eva.erman@statsvet.su.se)

doi:10.1017/S0892679422000338

respect. Since it is impossible to fulfill such a task in a satisfactory manner within the scope of this essay, 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 essay is straightforward. The first section presents the two different understandings of the relationship between global justice and global democracy that appear in Dryzek and Tanasoca's book and discusses the questions they raise. 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. The final section concludes the essay.

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] Democratic institutions do not necessarily generate substantively just outcomes; and just institutions, on most accounts, need not be democratic.[2] Even if most political theorists are devoted to theorizing either global justice or global democracy, or at least are focused mainly on one or the other, an underlying question remains: What is the most appropriate way to understand 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 aphorism "No global justice without global democracy."[3] However, there are numerous ways to understand this aphorism. One version is developed by Dryzek and Tanasoca, who propose the idea of "formative agents of justice"—that is, those who construe what justice should mean in various contexts. Agents of justice become formative agents of justice by shaping the normative principles of justice through democratic action and interaction. More specifically, Dryzek and Tanasoca 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, nonstate 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 which formative agents are empowered to determine what justice is and how it should be implemented.[4]

Eva Erman

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, they claim that global democracy is the best means to practically realize global justice. More specifically, that global justice is most efficiently implemented through deliberative democratic processes worldwide. On this reading, they are proposing a kind of normative democratic theory: a deliberative approach to global governance particularly well-equipped for realizing 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 as to whether or not deliberative democracy is the best means to realize it.

The second reading pursued by the authors is that 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, that is, 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 make an interesting methodological contribution, since their deliberative framework offers something similar to Rawls' "veil of ignorance"—a way to support a conception of justice, outlining which conditions must be fulfilled in order to arrive at justice.

However, although more philosophically interesting, the latter reading raises a number of questions about how to best make sense of the relationship between global justice and global democracy. Needless to say, how we understand this relationship depends heavily on what we mean by justice and democracy, respectively. Interestingly, given how much attention is devoted to these two concepts, their relationship is surprisingly undertheorized, yet every specific substantive account of justice or democracy in the literature has its own (implicit or explicit) take on it. With a few exceptions, very little has been done in terms of systematically exploring its more generic features.[5] 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? I explore this question in the rest of the essay.

A Three-Layered View

As noted in the opening paragraph, the aim of this essay 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, I argue that global democracy is best seen as a partial rather than comprehensive normative ideal. Second, I claim that global democracy must be grounded in fundamental principles of justice. Third, I argue 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 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 constitute the theoretical (conceptual and normative) framework applied in this essay. 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."[6] Even if there is disagreement over what this means in substantial terms, theorists generally agree on this conceptual claim. Moreover, I will assume that democracy as an ideal refers 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 (a system, polity, or institution) is democratic if and only if those who are affected by its decisions have an opportunity to participate as equals in the decision-making process.[7] 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.

Democracy as a Partial Ideal

The normative boundary conditions proposed in this essay work on the assumption that global justice and global democracy are 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,[8] to regulative ideals.[9] Moreover, for present purposes, it is important to distinguish between a normative

Eva Erman

ideal and a practical device; the analogous distinction in moral theory being that which exists 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 a decision method) in the first place[10]—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 since democracy would be wholly subsumed by the goal of fulfilling a utilitarian principle.

In light of the current aim, another distinction is equally important—that between *partial* and *comprehensive* ideals. 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—that is, one 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. In this context, it is worth noting that one possible explanation for why the relationship between global justice and global democracy is rarely systematically examined on a generic level is precisely because scholars rarely make explicit whether they have comprehensive or partial ideals in mind in their analyses.

A partial ideal, as I will use the term here, consists of intermediary 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.[11] Democracy is at heart concerned with a particular way of organizing a political community so that its members (have the possibility to) participate in political decision-making on an equal footing. What this entails more substantially of course varies across different democratic models, but what rule by the people

means broadly speaking is that those who are affected by the political decisions should have a say in the making of those decisions as equals. With this definition in mind, in practice we can easily observe that, regarding many aspects of life, we do not find democratic decision-making desirable. There are not only certain societal institutions we typically do not wish to be organized democratically, such as schools and hospitals, but also many societal activities, such as football clubs, chess clubs, and charity associations.

Apart from scope, there are also normative reasons to regard democracy as a partial ideal. In light of the theoretical framework sketched above, viewing 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 were 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 could result in severely unjust consequences enacted by a democratic majority that might, for example, favor racist, discriminatory policies. This seems highly unattractive.

For these reasons, it is my contention that democracy is best theorized as a partial ideal. As such, it 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.

Fundamental Principles of Global Justice

In existing liberal democracies, a constitutional structure guaranteeing and protecting citizens' basic rights and liberties is typically taken for granted. If we examine this structure closely, its foundation consists of fundamental principles of justice, not of democracy; protecting, for example, freedom of expression, freedom of association, the right to healthcare, and so on. That is, all 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 include such principles in order to 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 favor. And this, in

326   *Eva Erman*

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) honors the basic commitment to the principle of equal respect for persons, which constitutes a common denominator of all contemporary liberal theories of justice;[12] and (b) is not based on obvious empirical falsehoods.[13] Of course, depending on one's preferred view, the principle of equal respect for persons may be operationalized in different ways. For some, it is operationalized in terms of liberty, as freedom from interference or freedom as nondomination.[14] For others, it is operationalized in terms of mutual justifiability or a right to justification.[15] And still for others, it is operationalized in terms of equality.[16]

Now, one might 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,[17] given that it is incorporated in all main moral codes, and those codes that do not incorporate it are based on incorrect factual claims.[18] 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 aphorism "No global justice without global democracy"—which entails that we construe and justify global justice through global democracy—must be rejected (at least under the assumption that the aphorism alludes to fundamental principles of justice). In other words, rather than being the outcome of a democratic procedure, fundamental principles of justice condition this procedure.

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. I will 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, on the other hand, 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—that is, one without a base layer—democratic principles would be construed to resolve any disagreements about justice. But connected to

the normative base layer, as is suggested here, the midlayer is construed to handle *reasonable* disagreements only. All unreasonable views of justice—that is, views that are not grounded in the principle of equal respect for persons and are based on evident empirical falsehoods, such as a view that assumes people of a certain race or sex are more valuable and genetically more intelligent than others—should be blocked from the democratic arena at the outset, since only reasonable accounts are filtered through the base layer, as it were.

What would this entail in practice? In a democratic polity, it might be the case that citizens disagree on the best principles of distributive justice, such that some favor a robust welfare state and therefore prefer Rawls's difference principle, whereas others—just as committed to equal respect for persons and empirical truth as the first group—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, for example, in terms of institutionalized democratic deliberation and voting procedures, is the most defensible way to settle such reasonable disagreements. Of course, 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, France forbidding women to wear a "burkini" (a type of swimsuit designed for women to preserve their modesty) on public beaches might be considered by some to be unjust even though it was decided by a democratic process.[19]

Note though that in the proposed three-layered view, democracy as an ideal is not restricted to being intrinsically valuable only in the presence of a reasonable disagreement about justice, as some theorists claim.[20] 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 an 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.

Conclusion

Given how much global justice and global democracy as individual normative ideals are discussed in political philosophy, their relationship is surprisingly undertheorized. In this essay, 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. I have done this on a metatheoretical level, which means that I have not sketched a substantial first-order account but have instead tried to chisel out the normative boundary conditions for such an account, in terms of a three-layered view specified through three claims. I have 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 essay started off with the observation that the popular view captured by the aphorism "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.[21] 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 to 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 has leaned on a broad conceptual framework, which I hope is at least compatible with all of the main contemporary understandings of justice and democracy, respectively.

NOTES

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 domestic and global levels of politics. The focus on the global level reflects the purpose of discussing issues raised in Dryzek and Tanasoca's book.

2 Carol Gould, *Globalizing Democracy and Human Rights* (Cambridge, U.K.: Cambridge University Press, 2004); Eva Erman, *Human Rights and Democracy: Discourse Theory and Global Rights Institutions* (London: Routledge, 2005); and Eva Erman, "On Goodhart's Global Democracy (A Critique)," *Ethics & International Affairs*, Online Exclusive, December 18, 2018, www.ethicsandinternationalaffairs.org/2008/online-exclusive-on-goodharts-global-democracy-a-critique/.

3 See, for example, Monique Deveaux, "Poor-Led Social Movements and Global Justice," *Political Theory* 46, no. 5 (October 2018), pp. 698–725; James Bohman, "Domination, Global Harms, and the Problem of Silent Citizenship: Toward a Republican Theory of Global Justice," *Citizenship Studies* 19, no. 5 (2015), pp. 520–34; John S. Dryzek, "Democratic Agents of Justice," *Journal of Political Philosophy* 23, no. 4 (December 2015), pp. 361–84; and Stefan Rummens, "No Justice without Democracy: A Deliberative Approach to the Global Distribution of Wealth," *International Journal of Philosophical Studies* 17, no. 5 (2009), pp. 657–80.

4 John S. Dryzek and Ana Tanasoca, *Democratizing Global Justice: Deliberating Global Goals* (Cambridge, U.K.: Cambridge University Press, 2021).

5 For exceptions, see Ian Shapiro, *Democratic Justice* (New Haven, Conn.: Yale University Press, 1994); Keith Dowding, Robert E. Goodin, and Carol Pateman (eds.), *Justice & Democracy: Essays for Brian Barry* (Cambridge, U.K.: Cambridge University Press, 2004); Gould, *Globalizing Democracy and Human Rights*; Thomas Christiano, *The Constitution of Equality: Democratic Authority and Its Limits* (Oxford: Oxford University Press, 2008); Laura Valentini, "Assessing the Global Order: Justice, Legitimacy, or Political Justice?," *Critical Review of International Social and Political Philosophy* 15, no. 5 (2012), pp. 593–612; and Laura Valentini, "Justice, Disagreement and Democracy," *British Journal of Political Science* 43, no. 1 (January 2013), pp. 177–99; Rainer Forst, "Transnational Justice and Democracy: Overcoming Three Dogmas of Political Theory," in Eva Erman and Sofia Näsström, eds., *Political Equality in Transnational Democracy* (New York: Palgrave Macmillan, 2013), pp. 41–59; Rainer Forst, "Justice and Democracy in Transnational Contexts: A Critical Realistic View," in "German Perspectives on the Social Sciences," special issue, *Social Research* 81, no. 3 (Fall 2014), pp. 667–82; and Eva Erman, "The Ethical Limits of Global Democracy," in Chris Brown and Robyn Eckersley, eds., *The Oxford Handbook of International Political Theory* (Oxford: Oxford University Press, 2018), pp. 414–26.

6 Brian Barry, "Humanity and Justice in Global Perspective," in *Liberty and Justice* (Oxford: Clarendon, 1991), pp. 182–210; and Valentini, "Assessing the Global Order."

7 Eva Erman, "A Function-Sensitive Approach to the Political Legitimacy of Global Governance," *British Journal of Political Science* 50, no. 3 (July 2020), pp. 1001–24. For the boundary problem, see Frederick G. Whelan, "Prologue: Democratic Theory and the Boundary Problem," *Nomos* 25 (1983), pp. 13–47; Robert A. Dahl, *Democracy and Its Critics* (New Haven, Conn.: Yale University Press, 1989); Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, Mass.: MIT Press, 1996); David Owen, "Constituting the Polity, Constituting the Demos," *Ethics & Global Politics* 5, no. 3 (2012), pp. 129–52; Robert E. Goodin, "Enfranchising All Affected Interests, and Its Alternatives," *Philosophy & Public Affairs* 35, no. 1 (Winter 2007), pp. 40–68; Eva Erman, "The Boundary Problem and the Ideal of Democracy," *Constellations* 21, no. 4 (December 2014), pp. 535–46; Arash Abizadeh, "On the Demos and Its Kin: Nationalism, Democracy, and the Boundary Problem," *American Political Science Review* 106, no. 4 (November 2012), pp. 867–82; and Eva Erman, "The Boundary Problem of Democracy: A Function-Sensitive View," *Contemporary Political Theory* 21, no. 2 (June 2022), pp. 240–61.

8 Laura Valentini, "Ideal vs. Non-ideal Theory: A Conceptual Map," *Philosophy Compass* 7, no. 9 (September 2012), pp. 654–64.

9 Habermas, *Between Facts and Norms*.

10 Gustaf Arrhenius, "The Boundary Problem in Democratic Theory," in Folke Tersman, ed., *Democracy Unbound: Basic Explorations* (Stockholm: Stockholm University, 2005), pp. 14–29.

11 For an overview of different kinds of comprehensive theories, see John Braithwaite and Philip Pettit, *Not Just Deserts: A Republican Theory of Criminal Justice* (Oxford: Oxford University Press, 1992); Jeremy Waldron, "Liberalism, Political and Comprehensive," in Gerald F. Gaus and Chandran Kukathas, eds., *Handbook of Political Theory* (London: Sage, 2004), pp. 89–99; and Christian List and Laura Valentini, "The Methodology of Political Theory," in Herman Cappelen, Tamar Szabo Gendler, and John Hawthorne, eds., *The Oxford Handbook of Philosophical Methodology* (Oxford: Oxford University Press, 2016), pp. 525–53.

12 John Rawls, *A Theory of Justice*, 2nd rev. ed. (Oxford: Oxford University Press, 1999); and Amartya Sen, "Equality of What?," in Sterling M. McMurrin, ed., *Tanner Lectures on Human Values*, vol. 1 (Cambridge, U.K.: Cambridge University Press, 1980), pp. 195–220; Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, Mass.: Harvard University Press, 2000); and Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 2001).

13 Indeed, the notion of "reasonable" is contested. But I believe the suggested interpretation is generic enough to be accepted by most liberal theorists (see, for example, Valentini, "Justice, Disagreement and Democracy"). There are exceptions, however. Jeremy Waldron, for example, defends a thinner and (almost) nonmoralized notion, largely understood in epistemic terms. See Jeremy Waldron, *Law and Disagreement* (Oxford: Clarendon Press, 1999).

14 Carol Gould, *Rethinking Democracy: Freedom and Social Cooperation in Politics, Economy and Society* (New York: Cambridge University Press, 1988); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon Press, 1997); and Philip Pettit, *A Theory of Freedom: From the Psychology to the Politics of Agency* (Oxford: Oxford University Press, 2001).

15 Rawls, *A Theory of Justice*; and Dworkin, *Sovereign Virtue*.

16 Peter Singer, *Democracy and Disobedience* (Oxford: Clarendon Press, 1973); and Waldron, *Law and Disagreement*.

17 Or "correct" or "right," depending on what epistemic theory we embrace.
18 Valentini, "Justice, Disagreement and Democracy," p. 198.
19 Again, this depends on which democratic model we favor. On some accounts, input from those affected by such a decision will be mandatory to include in the decision process; on others, minority rights will protect these groups from such decisions.
20 Valentini, "Justice, Disagreement and Democracy"; and Valentini, "No Global Demos, No Global Democracy? A Systematization and Critique," *Perspectives on Politics* 12, no. 4 (December 2014), pp. 789–807.
21 Dryzek and Tanasoca, *Democratizing Global Justice.*

Abstract: How should we understand the relationship between global justice and global democracy? One popular view is captured by the aphorism "No global justice without global democracy." According to Dryzek and Tanasoca's reading of this aphorism, a particular form of deliberative global democracy is seen as the way to specify and justify what global justice is and requires in various contexts. Taking its point of departure in a criticism of this proposal, this essay analyzes how to best understand the relationship between global justice and global democracy. The aim is not to offer a first-order substantial account of this relationship, but to theorize the normative boundary conditions for such an account; that is, the conditions that any plausible theory should respect. These conditions take the form of what is here called a "three-layered view," which is specified through three claims. It is 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.

Keywords: global democracy, global justice, deliberative democracy, fundamental principles of justice, agents of justice, partial ideal, comprehensive ideal