Making Sense of 'Global' Social Justice: Claims for Justice in a Global Labour Market

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Sociological Research Online, 17 (4) 10
 <<http://www.socresonline.org.uk/17/4/10.html>>
 10.5153/sro.2777

Received: 15 Mar 2012   Accepted: 19 Aug 2012   Published: 30 Nov 2012

Abstract

Inequality and social justice are key issues in a context marked by endemic interconnectedness. However, traditional accounts of social justice deploy explanatory frameworks that are state bound. By contrast, it is argued that globalisation has led to the emergence and entrenchment of forms and structures of power and influence that operate beyond and across national boundaries and that are capable of perpetrating inequity and injustice. In response theorists have begun to argue for the need to recognise the demands of social justice in non-state territorial contexts. Whilst extant theories offer a high level of abstraction, we ground these theories by examining the global labour market for seafarers as an example of a multinational workforce operating in a global context. The paper offers a detailed examination of these workers raising a global social justice claim within an international forum. In so doing we argue that this case leads to a significant problematisation of global social justice as an empirical phenomenon and conceptual object; one that escapes extant theoretical resources. In conclusion we highlight conceptual and pragmatic issues associated with theorising and realising global social justice, and the role that sociology has to play in this endeavour.

Keywords: *Social Justice / Inequality / Global / National / Seafarer / Labour Market*

Introduction

1.1 Inequality and social justice are central concerns in a world marked by increasing interconnectedness (Greig et al. 2007, Held and Kaya 2007). Traditional understandings of social justice concern the equitable distribution of goods and burdens within a community of entitlement and are deeply embedded within state bound explanatory frameworks (D.Miller 1999, 2009, Rawls 1999). In this approach, it is only within the bounds of a state that the preconditions necessary for the realisation of social justice can be found, namely: a community of entitlement, a relevant set of institutional arrangements and an agency sufficient to ensure equitable distribution (D.Miller 1999). Hence, raising justice claims in global or non-state territorial space is seen to be intrinsically problematic.

1.2 Recently however theorists have begun to argue for the need to recognise the demands of social justice in non-state territorial contexts (Fraser 2007; Goodin 2008, Held and McGrew 1999, Sassen 2008). In brief, it is argued that globalisation has led to the emergence and entrenchment of forms and structures of power and influence that operate beyond and across national boundaries and that are capable of perpetrating inequity and injustice. Hence, social justice needs to be reconstituted (both conceptually and pragmatically) in a manner adequate to address this new 'non-state territorial' architecture; moving beyond state-centrism (Fraser 2008).

1.3 In this paper, we examine the issue of non-state bound social justice by using a concrete empirical example as a lens through which to better discern the conceptual terrain. In so doing we develop an argument concerning the nature and conceptual parameters of a viable account of global social justice. Specifically we discuss the case of a highly globalised sector of the world economy, the global labour market for seafarers – this case is particularly appropriate to explore this question since the lived experience of the seafarer is constituted through transnational communities, endemic boundary-crossing and inequality based on nationality. We focus on the raising and discussion of global social justice claims that occurred in a recent major international industry conference. We argue that this exchange between workers and relevant stakeholders can be viewed as a proto-'communicative community' engaged in a process of intersubjective discussion focussed on the raising and redemption of justice-claims with an avowedly global content. Through analysis of the exchanges that took place, the question of global social justice is interrogated and, as we shall argue, re-framed and re-problematized in a way that escapes simple resolution. We further argue that extant theories of global social justice are unable to account for the issues generated by this context. In this respect, the case operates in the form of 'critical case' in relation to current theoretical resources; having broader application than the exposition of a single case

1.4 This paper is structured in four parts:

- First we outline the terms of the debate concerning global social justice
- Second we describe the empirical case material.
- Third we analyse the empirical case to illuminate the nature of global social justice claims.
- Fourth we discuss the implications of the analysis in terms of conceptualising global social justice

Approaching global social justice

Global social justice and scale

2.1 Social justice, broadly understood as 'how the good and bad things in life should be distributed among members of a human society' (Miller 1999:1) has tended to operate on the basis of an implicit (and uncritical) assumption of methodological nationalism (Beck 2005, Beck and Sznaider 2006), tacitly running together 'human society' with the 'nation state' (Fraser 2008). However a recognition of the increased porosity of national boundaries in respect of capital flows, peoples and information has occasioned theorists to further reflection on the viability and validity of the national scale as the site for understanding social justice (Fraser 2008, Nash 2007). The various positions adopted can be viewed as falling on a continuum running from the national to the global scale (Table 1).

Table 1. Scaling and global social justice

(i) National is only relevant scale	(ii) Global and national scales are relevant. National prior to the global	(iii) Global and national scales are relevant. Neither is prior	(iv) Global and national scales are relevant. Global prior to the national	(v.) Global is only relevant scale
Dahbour 2005 D.Miller 1999 Nagel 2005 Rawls 1999	Arneson 2005 Blake 2001 R.Miller,1998	Brock and Brigham 2005	Beitz 2005 Chan 2004 Held 2001 Pogge 2002	Cabrera 2005 Pojman 2006

2.2 A number of theorists have argued that despite the process of globalisation and its embedding of complex transnational interdependencies, the national scale remains the key explanatory and empirical site for elucidating social justice (identified as type (i.) in Table 1). Writers such as Rawls and Nagel suggest that prior belonging to a national community is a necessary precursor to raising claims to social justice (substantive obligations to non-nationals occurs outside the realm of justice) (Nagel 2005, Rawls 1999, Reidy 2007). In a similar vein Dahbour asserts the primacy of patriotism and national sovereignty in asserting and enacting justice claims, describing the existence of a 'community of autonomous communities' (Dahbour 2005). David Miller on the other hand argues against the re-scaling of social justice from the national to the global by asserting the: non-coincidence of institutions and peoples at the global scale; pragmatic consideration of institutional development; and relevant and culturally relative accounts of the content of social justice that are incommensurable (D. Miller1999, 2005, 2009).

2.3 Other theorists have countered this continued assertion of the national scale by proposing hybrid scales in re-framing social justice. They argue that both the national and global levels are relevant but that there is a hierarchy of claims with the national being primary (type ii.). Thus national 'compatriot favouritism' legitimately takes precedence. Referred to as the 'patriotic priority thesis' it draws a distinction between those obligations towards the community we belong to and those we do not or 'distant others' (Arneson 2005, Blake 2001, R. Miller 1998). Versions suggest that not only do these obligations differ in kind but also in hierarchy. Rights and obligations to our 'community of fate' are antecedent and prior to our commitments to others outside of this group. Moving along the continuum, there are those that suggest that such prioritisation is problematic and that the national and the global are interlinked scales that each raise similar, and occasionally conflictual, justice-claims (Brock and Brigham 2005) (type iii.).

2.4 At the other end of the continuum is what Audi terms 'extreme cosmopolitanism' (Audi 2009) in which the national scale is deemed entirely irrelevant. Social justice, it is argued, can only be expressed at the global level, essentially reframing normatively the social to the global level (Cabrera 2005, Pojman 2006) (type v.). More moderate versions accept the relevance of the national scale but appeal to the prior claim of global (as against national) belonging (Beitz 2005, Chan 2004, Held 2001, Pogge 2002) (type iv.).

2.5 Outside of those straddling the mid-point, each of these approaches appears parsimonious. They offer 'solutions' to claims inserted into a particular context. However, the limitations with these approaches is that they:

- lack, in the most part, a compelling sociological account of the context in which claims are made;
- offer a high level of abstraction with limited empirical content; and,
- implicitly argue that the impact of global social justice is limited to the issue of scale (a point we shall discuss below).

Thus determining the appropriate scale becomes the key, if not sole, criterion to identifying both the content and empirical realisation of social justice under contemporary conditions.

Global social justice, its content and deliberative reasoning

2.6 Whilst those thinkers discussed above treat the question of scale as a key determinant of social justice, others, most notably Nancy Fraser, have argued that a concomitant effect of accepting the relevance of different scales is the need to reconstruct the concept of social justice itself (Fraser 2007, 2008, Lara and Fine 2007, Liebenberg 2007, Lovell 2007). According to Fraser, removing the assumption of methodological nationalism from an account of social justice is not a simple matter of re-scaling the national to the global (or defining a relative priority between these two scales) but requires a fundamental re-interrogation of the content and practice of justice (global or otherwise). In so doing it requires posing a series of questions, in particular:

- 'Who', the specification of those who can make valid claims to 'justice' (of which Fraser favours the 'all-subjected' principle (Fraser 2008)) – we refer to this as the 'subject' in this paper;
- 'What', the substantive content of these justice claims (Fraser 2008), also termed 'content'; and,
- 'How', the institutional mechanisms for securing social justice across the relevant scale. (Fraser 2008)

2.7 Taking a position on a particular scale has implications for answering these questions, e.g. an extreme cosmopolitan view would treat the subject as all humans irrespective of nationality. However, of particular importance is the manner in which these questions are raised and determined. A typical philosophical or theoretical response relies on an approach that such questions can be answered, at least the first two identified above, by virtue of reflective reason alone, i.e. the issue of empirical evidence is either irrelevant or limited. Such an understanding has come under considerable criticism in post-metaphysical approaches (Habermas 1992, Wellmer 1998) which demand a more sociologically informed and empirically elucidated account, with intersubjective reasoning (i.e. dialogic) at their centre. In essence, such accounts argue that claims to justice are realised, validated and legitimised in communicative practice. On this point one can adopt a strong position in which 'hermeneutic openness' (Wellmer 1998: 229) prevails and the discursive redemption of validity claims acquire determining validity (Habermas 1990). Alternatively this can take a more modest form which identifies the need for 'participatory parity' (Fraser 2007: 20) as a condition of an equitable discussion of social justice claims. In both these forms justice-talk is the primal site upon which the substantive content of social justice (be it global, transnational, sub-national or otherwise) is resolved in intersubjective deliberation.

2.8 In approaching social justice in such a vein, the key issues requiring resolution are the specification of the subjects of justice, i.e. who can legitimately raise justice claims, and the elucidation of the content of justice (embedded within these considerations is the issue of relevant scale). The question concerning institutional arrangements appears to be of a different hue – from a normative perspective it is a pragmatic consideration based upon the prior determination of the scale, the subject and the content of social justice^[2] (in this limited sense it could be considered a consequence of the outcome of deliberation) and is outside the scope of this discussion. Our aim in this paper is to demonstrate how, through consideration of an empirical example, the key questions of scale, subject and content are addressed in a dialogic context.

The Context: Shipping, globalisation and the generation of injustice

3.1 Since the debates on global social justice have been partly formed in response to globalisation, in this paper we address these issues by focusing on a particular sector of the world economy, the maritime sector and its attendant labour market for seafarers. This sector offers an exemplar of the initial formation and discussion of social justice, in practice, within a highly globalised context. The term 'globalisation' has attracted some criticism due to its imprecision (D. Miller 1999); however by focussing on one sector we can outline its key globalising features with some degree of precision. The maritime sector displays many of the apparent features of globalisation: complex networks of ownership, control and operation (Spruyt 1994), integrated global supply chains (Panayides 2006), endemic capital mobility (ILO 2004) and importantly the creation of an integrated global labour market (Fitzpatrick and Anderson 2005, Lane et al. 2002). The entrenchment of this labour market has its roots in the flag of convenience system (De Sombre 2006, Palan 2003) which enabled ship owners to access previously untapped supplies of cheaper labour (Alderton and Winchester 2002). On the supply side, the existence of an extensive and competitive market of crewing agents enables ship owners to employ seafarers from around the world, generally in mixed nationality crews, on a voyage by voyage contract and primarily on the basis of cost (ILO 2004), leading to apparent inequalities in employment conditions. The practical dissolution of national conditions and borders in the sourcing of labour is central to current employment practice and profitable functioning of the maritime sector.

3.2 The seafarer labour market is notable due to its global nature of operation largely beyond the physical and regulatory bounds of any single nation state and the very high level of standardisation in role requirements onboard ship. With internationally recognised standards of certification (codified in the International instrument STCW 95), an appropriately certificated seafarer from any country can occupy the associated position on virtually any ship anywhere in the world. Consequently workers carrying out the *same* duties onboard the *same* vessel, with the *same* experience and certification, may be employed on different terms and conditions, dependent upon their nationality. The labour market has been characterised as 'employer driven' and 'highly competitive and sometimes volatile' (ILO 2004: 109)^[3]. While the functioning of this labour market is substantially under-researched,^[4] extant data point to differences in employment conditions that are both superficial and deep. Some co-workers have different contracts, while others have the same basic contract, but different recourse to health care, legal aid, training opportunities, trade union representation etc., depending upon where they come from (Bailey 2003, Couper 1999, Kahveci and Nichols 2008). Hence two seafarers working side by side, with the same qualifications, doing the same job, may be on very different terms and conditions. Intuitively this appears to be unjust. Indeed, Couper notes that 'wages differ by nationality and complaints are received regularly from seafarers who are receiving less pay than others onboard their ship by virtue of their race' (Couper 1999:47) – a recent study confirms this view, noting that the average monthly wage of a rating in 2006

was USD 1,340, with a maxima of USD 8,311 for Australians and a minima of USD 256 for Bulgarians (Dimitrova 2010)^[5].

3.3 This issue was raised at a recent (2009) major international maritime conference in Manila, the Philippines (a major centre for seafarer recruitment), on 'Manning and Competence', attended by one of the authors. The conference included a 'Seafarer Forum', which was considered to be a major development within the industry. The conference organisers recruited a group of seven seafarers from developing countries, including the Philippines and India, to attend the conference and allowed them to take the stage and pose a number of questions directly to conference attendees on behalf of their seafaring colleagues. The audience was comprised of several hundred key stakeholders, i.e. ship-owners, managers of crewing agencies, and representatives from maritime authorities. The first question asked was one that raised the issue of injustice due to the differential terms and conditions offered to employees based upon their nationality^[6].

'Why do different nationalities have different contract durations and different wages for the same qualifications, doing the same job?'

3.4 In posing the question, the seafarer is raising a challenge to understandings of social justice in the context of this global labour market^[7]. Using the framework discussed above we can see that in the first instance the questioner is explicitly denying the relevance of the national scale as a legitimate comparator – the seafarer by virtue of being a seafarer is presented as a member of an occupational community which can suffer injustices – most notably when nationality is used as a justification for the generation of difference. In respect of the 'subject', the seafarer, as an individual with skills and competences is presented as one who may legitimately raise justice-claims (irrespective of nationality). In terms of 'content', the equalisation of terms and conditions across the occupational group is asserted as a remedy to secure justice across this community. In raising this claim the questioner is raising an explicitly global social justice claim; one that explicitly 'fills in' the key questions raised by global social justice.

Responding to 'injustice'

4.1 Following the raising of the above claim of injustice, the various stakeholders in the 'Seafarer Forum' gave a number of responses that, in a variety of ways, sought to justify the use of differential terms and conditions on the basis of nationality and hence deny the validity of the claim so construed by the seafarers. Stakeholders were offered the opportunity to respond to the claim and responses were captured in note form. During the informal evening networking session one of the authors then pursued these lines of response with a small group of senior ship company managers and the responses were later written up. These recorded notes provide the basis for the following discussion^[8]. Key to our discussion here is that the responses, to what initially appears to be a simple and intuitively unjust context, raise substantive issues for the formation and conceptualisation of global social justice.

4.2 We should emphasise that the 'Seafarer Forum' was not a site in which the questioner was negotiating with their employer and therefore posing the question in a strategic manner in which to extract better terms and conditions. Nor were the responses framed in terms of counter offers, or were claims denied in respect of some ulterior motive. Such 'systematically distorted communication' (Habermas 1984: 332) was not prevalent in the ensuing responses; the discussion appeared to operate in good faith in which 'participatory parity' existed (Fraser 2007) (although this does not absent the possibility that responses were the expression of genuinely held but ideologically framed views).

4.3 In this discussion our aim will not be to offer a normative assessment of the various responses, but to describe their content and make explicit their assumptions in terms of developing an account of global social justice adequate to this case. We have placed the responses into six categories, which we shall discuss in turn drawing on the concepts of scale, content and subject – a summary is provided in Table 2.

Table 2. Summary of responses

Response (r)	Summary
r1 Relative wealth	Global comparison is unhelpful and incorrect; this is a mistaken frame of reference. Comparison should only be made with fellow national citizens; compared to them you are more wealthy
r2 Comparative purchasing power	If a comparison is made then it needs to be sophisticated and relative. The global scale is only relevant as a comparator when viewed through the lens of the national. In respect of the comparative value of your wages, looking at purchasing power shows that you are actually equal or even better off than other national seafarers.
r3 Autonomy of markets	This claim is simply irrelevant, this is a market economy; there is no relationship between social justice and the operation of free markets – you have invalid or faulty reasoning.
r4 Employment consequences	Even if this situation is deemed unjust, equalising terms and conditions would have deleterious consequences to the employment prospects of your fellow national seafarers – these consequences trump short-term considerations of injustice
r5 Societal consequences	Even if this situation is deemed unjust, equalising terms and conditions would have deleterious consequences to the social structure of national states – these consequences trump any intrinsic perceptions of injustice
r6 Markets of quality	Despite apparent inequality, this is a just situation. Differences in terms and conditions are symbolic of / refer to real differences in quality of task performance. Nationality stands in for quality, hence terms and conditions are based upon this segmented market of quality.

Response 1. 'Relative wealth'

4.4 A standard response from managers / employers was that worker salaries and broader rights need to be considered solely in the context of worker salaries and conditions in their home state. The empirical claim is then made that seafarers are often well paid in comparison to others in their home country. Consequently in attempting to raise justice claims with reference to international colleagues are alleged simply to be confused – they mistakenly utilise an inappropriate (i.e. global) frame of reference. The seafarers' mistake lies in looking to their immediate work situation and comparing themselves with their work colleagues. Rather owners point to the need for workers to look beyond their immediate lived reality in the workplace and rather focus on a different and allegedly more relevant reference group, namely their fellow citizens at home. Once workers refocus thus, it will be seen that relative to this group they are well paid and so there is no injustice to be addressed. Hence the issue is rather one of education and awareness-raising than injustice. By pointing out the appropriate frame of reference to the questioner, they should see the question for what it really is – faulty reasoning. Insofar as such claims continue to have sway and to exert a sense of injustice, individuals are simply being irrational. Indeed, one respondent offered this reply in a manner that indicated the naivety in the question and with the expectation that simply by making the point the issue should therefore be recognised to be closed. In this response, the normative claim to re-scale justice to the global level claimed by the appellant is denied. The respondent is offering an implicit conceptualisation of social justice in terms of a national-based frame of reference. This prior commitment to the national scale circumscribes both the relevant 'subject' and 'content' of social justice claims and the kind of evidence that are deemed valid - empirical evidence that derives from another scale, or that draws comparison across scales is simply deemed inadmissible.

Response 2. 'Comparative purchasing power'

4.5 This response presents a slightly different take on the 'relative wealth' argument. Rather than pointing directly to the need to make use of an alternative reference group, the claim is that while individuals aboard ship may be paid differentially on the basis of their nationality the mistake is to see the value of their remuneration in absolute terms. Instead workers, it was argued, need to consider the 'worth' of their remuneration package relative to its value in their home country. On this basis the claim would be that while a Filipino, for instance, may superficially appear to receive less than say a Norwegian when considered in absolute terms, when each remuneration package is considered in terms of relative worth in their country of domicile the apparent injustice is seen to dissolve as their compensation packages when considered relatively have greater equivalence. In framing social justice, Response 2 differs from the previous 'relative wealth' argument by admitting the possibility of injustice beyond the national scale, accepting that the legitimate 'subject' of the injustice claim is the global community of seafarers. Comparative evidence, amongst this group, is thus deemed admissible and relevant in adjudicating claims – logically if evidence discloses that the distribution of comparative purchasing power was inequitable this could be grounds for redress. The occupational group is thus treated as a legitimate subject that may raise justice claims, but do so only through the lens of a nationally focussed point of consumption – the transnational community is thus striated by its nationally based practice of

consumption. Such focus on consumption, however, thereby delimits the 'content' of the claim and carries with it an implicit conceptual commitment to the seafarers' home states, i.e. the national, as the relevant frame of reference for assessing the validity of the content of the claim. [9]

Response 3. 'Autonomy of markets'

4.6 The legitimacy of the seafarers' claim was further challenged by some in the forum from a more ideological position. These responses (3, 4 & 5) can be seen as variants on a theme. Response 3 is arguably the strongest version. Utilising a more philosophical line of reasoning it seeks to challenge the very basis of the claim to injustice, by denying the applicability of notions of social justice within labour markets; which are considered autonomous with respect to social justice. Couched within a neoliberal discourse the argument runs along the lines that seafarers operate within a capitalist economy and as such the free market dictates the compensation package that they command. The point is that claims to social justice rely on interventions that distort the proper functioning of the market and so are ideologically, as well as practically, untenable. Scale, content and subject are deprived of their relevance at both the conceptual and empirical levels as they appeal to a deemed invalid relation between markets and social justice.

Response 4. 'Employment consequences'

4.7 A weaker form of Response 3 ran along the lines that, if the sector were to legitimise social justice claims, where the reference group is multinational co-workers, then this would result in a distortion of the market and a levelling-out of pay and conditions amongst different national groups that would eliminate the competitive advantage of the very groups raising the claim. For example, if Filipino seafarers received the same pay and conditions as, say, Greek seafarers, then owners would have no reason to prefer one nationality of workers over the other. The consequence of which would be that those claiming injustice, if the claim is raised by the workers on lesser terms and conditions, would risk losing their competitive advantage and as such their jobs. By seeking to address the perceived injustice and improve the economic position of the 'victim' of injustice their situation would in practice be made worse, thereby establishing the inherent irrationality in adopting such a position (i.e. that it is a short-term restricted view that fails to take account of their future selves).

4.8 This response displays affinities with response 2 in that the 'who' of the justice claim is admitted to be the transnational occupational group, while the 'content' of the claim is challenged on the basis of a nationally framed empirical position. Where this response differs is in its reference to workers as temporal beings with responsibility towards themselves as a member of a nationally based occupational group at both current and future times. Once again, therefore, a transnational claim is raised and apparently accepted, while the content of the claim is challenged on the basis of an asserted empirical argument that invokes the national as the legitimate frame of reference.

Response 5: 'Societal consequences'

4.9 Another response also accepted the 'who' but challenged the 'content' of the raised justice claim, on the basis of the consequences of satisfying the claim and eliminating the alleged injustice amongst seafarers. In this response it was argued that any such realignment in employment terms and conditions would see those individuals from developing economies not only lose their competitive advantage within the global labour market, but their improved economic situation would jeopardize the stability of their home society by distorting the existent social hierarchy. The claim is that their improved remuneration would be of such a level as to make them economically better placed than senior figures such as judges, doctors and government officials and that this would in some sense undermine the social standing of such figures. While it is unclear exactly what the argument is here we can perhaps suggest two possible ways of making sense of this claim. Firstly we could posit the idea that such key figures are not only worthy of the highest salaries but that it is essential to their credibility that they receive such rewards. An alternative account, not incompatible with the former, would be that such distortions in the labour market would lead those individuals that would normally seek to fill these key social positions in the judiciary etc., to rather seek alternative employment as seafarers thereby depriving society of its 'best' people to become judges, politicians and doctors. However expressed, this response shares affinities with response four, in its reference to consequences and the reassertion of the national frame of reference as empirically determining the acceptance of a transnational claim toward justice. Furthermore, both responses four and five, accept global seafarers as a legitimate group and their claim to injustice, but then overlay onto this claim a competing claim - that locates seafarers as part of a different social group, i.e. their fellow nationals - with a commitment to their future selves as a member of an occupational group (response 4), or to a commitment to the social harmony of their society (response 5). Moreover in each case the national claim is tacitly portrayed as having precedence over the global claim.

Response 6. 'Markets of quality'

4.10 The final response that was offered to our seafarer questioner was to challenge the presuppositions that form the 'content' of the claim, and specifically the presumption that seafarers are employed simply on the basis of their certification and ability to fill a shipboard role. Despite the fact that seafarers of different nationalities may be employed within the same company to do the same job, it was claimed that there are in fact qualitative differences between 'national groups' of workers that account for the differential pay and conditions. The argument is that ship owners actually pay different national groups differently in recognition of their differing levels of education and competence, despite their holding common internationally recognised certificates. Moreover it was stated that owners are willing to pay a premium for the services of certain nationalities (principally those from OECD countries) because they want workers with enhanced skill levels and professional qualities, such as initiative, that exceed the minimum provisions provided for by the international training standards. The fact that these groups of workers, as it happens, come from the more developed economies would be argued to reflect the fact that the educational facilities and opportunities afforded to them are better and indeed that there is a close correlation between a seafarer's nationality and the quality of their educational experience. This

response tacitly acknowledges that the seafarers claim would be legitimate if certification reflected equivalent levels of competency. Again however appeal is made to alleged empirical differences that utilise the national as the appropriate frame of reference.

Understanding and conceptualising global social justice

5.1 Although all of these responses reach the same conclusion, i.e. the maintenance of the current position as fair and equitable, they do so in diverging ways. The fact of this consensus is less interesting than the manner in which they operate with competing accounts of global social justice, summarised in Table 3. On this we can make a number of summary points:

- Two responses rejected the validity of the initial claim towards justice (r1 & r3).
  - r1. adopted a prior commitment to the national scale and reframed the 'subject' and 'content' of justice as between fellow national citizens (in a way congruent with the far left column of Table.1.)
  - r3. sought to reject the validity of any social justice claim in this context (thus raising the issue of sceptical rejection)
- Four responses (r2, r4-6) accepted the potential validity of a global social justice claim (i.e. that seafarers as an occupational community could legitimately claim to be subjects of injustice) and then adopted empirical standards in order to assess the claim where:
  - Each empirical standard entailed an implicit commitment to a form of national scale – as presented issues of scale were not expressions of a prior commitment, but a consequence of empirical requirements
  - Two responses (r4 & r5) adduced additional responsibilities for the appellant group (one of which included responsibility to aspects of the broader society, and thereby implicitly reframed the 'subject' of justice)
- Other than response 3 which rejected the application of social justice in this context, the other five responses argued for the need to reframe either the content or subject of social justice in varying ways. Each response addressed the claim to global social justice raised by the seafarers, by drawing on and blending different understandings of scale, subject and content. In so doing the participants to the discussion can be seen to effectively be operating with different interpretations of social justice in this global context.

Table 3. Competing accounts of global social justice

Response (r)	Operant account of global social justice
r1 Relative wealth	Prior commitment to national scale rejects the validity of any <i>global</i> social justice claims
r2 Comparative purchasing power	Global social justice claims are legitimate in principle, they concern the equitable distribution of ability to make purchases with earned income. These claims are assessed through the comparison of empirical data at the national scale.
r3 Autonomy of markets	Conceptual distinction maintained between markets and justice. Social justice claims (at <i>any</i> scale) at this intersection are invalid
r4 Employment consequences	Global social justice claims are legitimate in principle. The principle of equity in income distribution is broadened to include current and future prospects of the employment group. Potential interventions to remedy injustice are assessed through empirical data in respect of future employment consequences to the justice claiming group in each nation. Appellants have contiguous responsibility for future prospects of national workers.
r5 Societal consequences	Global social justice claims are legitimate in principle. The principle of equity in income distribution is broadened to include the maintenance of social cohesion. Potential interventions are assessed through empirical data at the national scale in respect of the societal consequences of potential intervention. Appellants have a broader responsibility for social cohesion of their relevant national society.
r6 Markets of quality	Global justice claim are legitimate in principle, these concern the equitable distribution of income. However they are assessed through suitably fine-grained empirical data at the national scale and include reference to salient differences between national groups.

5.2 That there is variety of accounts of global social justice in this encounter is unsurprising (Hampshire 1999). However, it then becomes an interesting issue (both conceptually and empirically) to make sense of these claims. Here we make a few comments in discussion of the subject, content and scale of global social justice.

5.3 On the issue of the subject of injustice, a theory of social justice has to contend with the issue of the proper subject of those making claims; it has to place boundaries around those that may make valid appeals (even if it is all those inhabiting the globe). In this respect the seafarers in making their statement presuppose the boundary of the 'seafarer' understood as an occupational community of global seafarers. The structure, function and operations of the maritime sector have created a context in which a global occupational group are inflected within a system that continues to generate difference on the basis of nationality. This practice is presented as unjust (differential treatment by virtue of nationality alone) and inappropriate (it affects all seafarers hence redress should be raised at the level of the occupational group). The respondents to varying degrees dispute this global subject. In their responses the subject becomes: an occupant of a nation responsible in part for maintaining social cohesion; a comparative national unit of purchasing power; or those party to an economic transaction outside of justice-claims. Our analysis shows that not only is that subject under dispute within dialogic, but that the 'who' of operates within the context of diverging understandings of what counts as social justice. Determining a 'subject' therefore is not simply a matter of drawing a boundary but of finding a way between competing conceptions.

5.4 In determining the content of justice (and its remedy) it is necessary to sift out the relevant material factors and analyse and compare such data. In so doing boundaries must be drawn as to what is to be included within the scope of the claim. In the case under discussion drawing the boundary means reaching agreement through dialogue as to what is pertinent to the claim raised, in terms of how widely or narrowly the net is to be cast. That is, can appeal legitimately be made to national or transnational considerations, or both? In each of our examples, in different ways, the respondents attempt to frame or place actual constraints on the content of admissible data by appeal to the national as the appropriate context for comparison.

5.5 In terms of both subject and content, where the boundary is drawn has a profound effect on the evaluation of a situation that appears to encapsulate inequality and injustice. The content of the justice claim is framed by the boundary; its particular content alters the 'what' of injustice. This boundary, therefore, is critical in determining the status and relevance of factors in adjudicating justice claims. Traditionally reference to the national has served to provide an external framework to settle these issues. However, we have demonstrated in respect of this case that with globalisation contexts may arise where

the issue of boundary appears to be unstable, being thematised and debated within the discussion amongst claimants and respondents, rather than a taken-for-granted background assumption. On this point we agree with Fraser (2008) that the content-boundary is a critical element in respect of justice-claims. However where our analysis differs from Fraser is our assertion of the interrelation between content, subject and frame within the raising of justice-claims. In this case claims concerning the content affect the treatment of the subject; the raising of a particular subject similarly affects the framing of a particular content-border. Whereas Fraser (2007, 2008) treats these elements as analytically distinct and offers different procedures for their resolution, our analysis suggests that whilst the conceptual distinction is useful, the manner in which they are raised and determined are procedurally identical. The content, the subject and where we draw the boundaries of whom and what is included, are raised and redeemed in the process of discussion; in this case they appear to be deeply enmeshed and indeterminacy is entrenched within global social justice claims at all points.

5.6 As we noted in the introduction, much of the theoretical discussion of global social justice focuses on the issue of scale as the determining factor that provides the framework and scaffolding for conceptualising social justice. In our data, scale runs through much of the discussion, however it operates in a complex manner often introduced as an embedded second order commitment lying behind what is presented as an empirical issue. Thus several of the respondents tacitly accepted the legitimacy of the claim to global social justice as raised by the seafarers, in a way congruent with the precepts of globalisation – i.e. that the structure and operation of the sector generate transnational actors who may claim equity in respect of a community of professionals. The issue of scale then becomes relevant in the second order reference to empirical examination, the point at which evidence is generated to determine whether injustice can be said to exist. Each response offers different evidential standards (whilst arguing that injustice does not exist) but all draw on the national as the relevant comparator. In a sense this represents a re-assertion of the primacy of the national scale, however it is done so while accepting the global social justice claim of the initial appellant. To this extent there is a clear tension in the respondents' positions in terms of conceptualising the subject and content of injustice as they invoke different frames of reference for each.

5.7 We have argued that current theories of global social justice show significant problems in accounting for extant practice within the global labour market for seafarers. In discussing a case in which globalisation is both intensive and extensive in form - in which claims for global social justice appear within a lived-reality – this case offers a critical encounter with theory that seeks to explain the intersection between the global and social justice and therefore has broader application. Understood through the lens of a dialogical approach to global social justice, our analysis raises issues for current theoretical approaches, we offer these in summary form:

- Approaches which emphasise scale appear ill-equipped to cope with transnational actors of the sort described in our data. By focussing on the determination of scale in a rather static manner, they cannot account for those who operate across and through scales in a dynamic manner^[10].
- Rather than scale being a prior point of determination, as a regulative principle set outside of dialogue (and here variants such as 'all subjected' (Fraser 2008) or 'all-affected'^[11] (Shapiro 1999, Young 2000) principles operate in a similar manner) it is an issue to be resolved within discourse; the appropriate scale moves to become a part of the dialogue rather than its background. Hence, it is both dynamic and unstable and is in the process of constitution.
- Subject, content and scale are not only discrete elements within discussion of global social justice (i.e. they are all claims raised within dialogues), but they are combined by participants in ways that reveal competing *accounts* of global social justice. That dialogic partners come to the discussion with differing conceptions of social justice derived from their lived realities means that not only does any future consensus have to reach agreement on issues of substance (e.g. what empirical evidence is relevant, what the content of the injustice is), but has to commensurate competing perspectives onto the world.

Conclusion

6.1 We began with an apparently simple case which appeared, intuitively, to be un-just; that of two people working in a global context, side-by-side at the same job but operating under widely diverging terms and conditions by virtue of nationality alone. In elucidating the content of the discussion within the 'Seafarer Forum' we have examined how both appellants and respondents articulated and responded to this justice claim – a claim that was framed as a global social justice claim resulting from a global system of the world economy. However the situated discussion and redemption of this claim has been shown to raise complex issues for the resolution of 'global' social justice both as an empirical problem with practical consequence and for its theorisation in respect of the subject, content and appropriate scale.

6.2 It is our contention that in a social world marked by fluidity and movement, where the nation state ceases to be the sole defining boundary, fundamental moral constructs like social justice are in serious need of reconsideration. In elucidation of the seafarers' claim and the managers' responses, we have argued that there is an inherent instability in the conceptual specification of social justice. Participants in the discussion demonstrated differing conceptual commitments that reflected the world from their perspective. For seafarers there was identification with their globally employed co-workers as a legitimate community of fate and natural reference group. For them the content of the justice claim was limited to issues of equality in pay and conditions amongst this community of trans-national workers. By comparison, nationally based managers / employers, while utilising seafarers on a global basis with the aim of minimising their operating costs, in their varying responses challenged both the legitimacy of the community of seafarers as an appropriate reference group to raise claims, and also challenged the content of the claim. Importantly, in so doing, they implicitly drew upon commitment to the national, in various forms, as the relevant frame of reference and means of rejecting the alleged injustice.

6.3 Hence our conclusion is that once the bounds of the national are loosened, and organisations, workers and capital can operate freely across borders, then the possibility arises of injustices that transcend national framings and in such circumstances appeal to geographical boundary, be it national or global, ceases to usefully function to impose an external framework in which to contextualise such claims. Rather we argue that in the context of a globalising world, claims to social justice may be raised amongst communities of fate circumscribed in ways that are multiple, possibly overlapping, and cut free from any

fixed externally imposed framework. In the raising of such claims, issues of subject, content and scale may all appear as discursive objects within the intersubjective deliberation of global social justice such that in a specific dialogue these will need to be resolved through the building of consensus as to 'what is just' - there is no *a priori* resolution. This need not however lead to a counsel of despair. In the case examined participants to the discussion, i.e. claimants and respondents, inhabited different life worlds informed by their experiences and values which shaped their perspectives and understanding of social justice. Thus we argue that an account of social justice will need to start from the position that actors, understood as rationally and affectively informed, embodied, and socially situated beings, need to collaboratively produce socially just outcomes. Recognition and elucidation of the embodied values and commitments and their bases would provide a first-step in facilitating the convergence or sharing of perspective. Likewise a clearing of the ground by examining the validity of the first order empirical claims could arguably contribute to conceptual clarity and the building of consensus. These are roles that can, and should, be taken up by the sociologist. It is the very essence of the sociological enterprise to provide 'thick description' (Geertz 1973) to make 'the other' comprehensible, to develop an empathetic understanding. In a world marked by manifold and changing boundaries, global social justice is a process in process renewed, extended and invigorated through deliberation. At such a time the role of sociology in contributing to such debates has never been more essential.

Notes

¹Author name order is arbitrary; this was a wholly collaborative paper.

²David Miller similarly makes this point in the claim that 'justice comes before the institutions that will discharge it' (D. Miller 2007: 11).

³Although a minority of vessels are covered by contracts developed and approved by the international trade union in the maritime sector (the International Transport Workers Federation) (ILO 2004, Lillie 2006).

⁴This paper uniquely explores the conceptualisation of global social justice through the context of the global labour market for seafarers. In an examination of the research literature no commensurate examinations of other such labour markets have been identified. This is arguably an area worthy of research.

⁵In summary terms, the author of the study notes that 'In general seafarers from Western Europe, Australia and Scandinavia were better paid than the ones coming from the Philippines, Bangladesh, Myanmar, Bulgaria and Romania. Consequently, only seafarers from developed countries could go over the international monthly average earning.' (Dimitrova 2010: 59)

⁶The question and responses were recorded verbatim.

⁷It is worth noting that sector is marked by a particularly active International trade union, the International Transport Workers Federation (ITF). The response of the ITF is focused on abuses and pernicious inequities suffered by seafarers as a result of the Flag of Convenience system (rather than inequality and social justice *per se*); this response has included setting and attempting to enforce global minimum wages through its approved contracts (ILO 2004; Lillie 2006)

⁸Commensurate arguments were heard again at an International Maritime Conference in Mumbai in 2010

⁹While such a response may have certain intuitive appeal when considered purely in financial terms, it arguably has less traction when differences in terms and conditions of employment more broadly construed are taken into account, including differences in work-leave ratios, pension rights and access to healthcare, for instance.

¹⁰Nasstrom make a similar point in respect of the re-scaling of democracy: "as soon as one detaches the ideal of democracy from its conceptual reliance on the nation state new questions arise regarding the relevant democratic unit. Should the boundaries of the people be national, regional or global in scope? Should they be plural or unitary, permanent or variable, spatial or temporal?" (2011: 124)

¹¹As Nasstrom (2011), amongst others, has argued this principle is too vague; it has insufficient substance to allow for the determination as to what would count as 'being affected'. Indeed it could be argued that it so weak that everyone, everywhere, is affected by everything that happens.

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