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EXPERIMENTS AND GLOBAL JUSTICE

Norman Frohlich and Joe A. Oppenheimer*

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Abstract: Our understanding of what constitutes global justice and issues associated with achieving it can be improved by considering results from the fields of Experimental Philosophy and Behavioral Economics. This paper reviews some of the experimental literature and theoretical analysis from those fields and discusses their relevance to the subject of Global Justice.

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INTRODUCTION

Characterizing Global Justice and sketching a credible path to its achievement are two difficult and distinct tasks. Its characterization involves identifying ethically compelling premises and arguments. Charting a route to its potential achievement requires an understanding of the complexities of individual decision making, political and economic processes, as well as cultural contexts. This paper makes no pretense of providing definitive answers to these challenges. Rather we report on insights gained from the newly emerging and overlapping fields of Experimental Philosophy and Behavioral Economics that cast light upon both of these aspects of Global Justice.

We take as our starting points John Rawls' celebrated work *A Theory of Justice* (1971), and a series of experiments designed to test some of his most prominent arguments. Rawls reasoned that he could identify what would happen behind what he called a *veil of ignorance*, a construct designed to induce impartial reasoning. His veil was an ideal construct: one not actually realizable in the real world. Rawls reasoned that were individuals placed behind such a veil they would choose in predictable ways. For example, prior to emerging into a world with demands they could not foresee, they would desire to negotiate a contract to insure the protection of their basic rights, and to insure that the fruit of labor in the group would be used to protect the well-being of the individuals in the group. Rawls believed that the *difference principle*, would be chosen as the fairest rule for distributing primary goods in a society. That principle would insure that the worst off in the group would be given as many of those goods as was feasible. The experimental tests of Rawls and related arguments strongly corroborate some of Rawls' conclusions while severely challenging others. We will examine the implications of those findings for a characterization of global justice.

We then consider the issue of the achieving, or implementing justice at both the national and global levels. The achievement of a social objective such as distributive justice can be analyzed as a problem of obtaining a public good. A public good is a good such that if one person in the group gets it, so must others (Samuelson, 1954, identified the property as non-excludibility). Mancur Olson (1965) first analyzed the logic of collective action associated with attaining public goods. Many studies have yielded experimental and theoretical results relevant to our understanding of the difficulty in motivating people to contribute to public goods. We will apply some of those findings to the problems of achieving distributive justice at the global level.

RAWLSIAN JUSTICE: THE EXPERIMENTAL EVIDENCE

In the 1980's, we, along with Cheryl Eavey, applied experimental methods to the philosophical problems of operationalizing Rawls' theoretical construct to test his conclusions (Frohlich, et al., 1987a; 1987b).¹ The results of those experiments, run in the U.S. and Canada led to strong corroboration of much of his program, but virtually unanimous rejection of the difference principle. In its place, we found, with near unanimous support, an alternate conception of distributive justice:

1. To our knowledge, these are the first experiments ever conducted with the explicit objective of applying experimental methods to modern philosophical questions.

the establishment of a material floor.

In our experiments, groups of five people were subjected to conditions approximating a veil of ignorance. They were charged with the task of choosing, by unanimous, secret ballot, a rule for distributing income in a future society which they would inhabit, without knowledge of what role they would play in that society. Those conditions were designed to induce impartial reasoning, inasmuch as they would each have to weigh the implications of alternative rules for each class in that society, since they faced the uncertain prospect of occupying any position in that future society. Groups were presented with a slate of possible rules, including those Rawls considered, but could introduce one of their own, or decline to choose a rule. Adopting a rule was costly as the groups had to spend considerable time in discussion and reaching a decision. And though it wasn't required to adopt a rule, they all persevered.

BASIC EXPERIMENTAL RESULTS

All groups 1) choose to spend the time to develop an agreement on a distribution principles, 2) were able to reach an agreement unanimously, and 3) almost all choose the same principle of fair distribution. Overwhelmingly, instead of the difference principle, they chose to provide a safety net (a floor income) for the members of the group. The floor was to help those who might not earn what the group agreed to be a minimally adequate income. The subjects in the experiments defined a floor thought to be adequate to sustain the weakest earners. In some experiments, subjects experienced work, earning, and taxation based on their agreement in an experimental economy. This did not lead to decreased support for the distribution system, and actually increased the productivity of the low producers (Frohlich and Oppenheimer, 1990).

Discussions in the experiments reenforced the notion that subjects appeared to view supporting the income of the disadvantaged as an ethical imperative. But it was not the only imperative. Subjects agreed that any chosen principle of distribution had to reward productive individuals with just deserts. They invariably argued that this had ethical status in it's own right. But the discussion showed that rewarding just deserts along with a floor income below the maximum Rawls argued for was valued instrumentally as promoting efficiency via incentives for productive activity. Efficiency, therefore also achieved ethical status. The result was the explicit rejection of the difference principle in favor of meeting basic needs. The final choice of the *level* of the floor could be interpreted as the means of balancing the ethical claims of need, just deserts and efficiency.

Subsequent replications and variations of the experiments both in Canada and the United States (Frohlich and Oppenheimer 1990; 1992) and in other countries, such as then communist Poland, Japan, Australia, and the Philippines (see Lissowski, et al., 1991; Saijo, et al., 1996; Jackson and Hill, 1995; Cruz-Doña and Martina, 2000), demonstrated a surprising cross-national consensus. Indeed, experiments uncovered a virtually universal acceptance of a single notion of social justice in distribution. Reasoning impartially led to choice of, and strong support for, a guaranteed floor income. The universality of the results provides confirmation of the original findings and evidence of cross-cultural robustness.²

2. Other forms of experiments have been run to examine the robustness of the results. So for example, one might induce impartial reasoning without a veil of ignorance, via an impartial judge, etc. Such experiments have strongly
(continued...)

A CHARACTERIZATION OF JUSTICE IN DISTRIBUTION

Gillian Brock (2005, 2009) moved to reinterpret our results regarding the universal choice of a support for a minimum income. She characterized the arguments for a ‘floor’ as motivated by a demand that the society guarantee the satisfaction of the “basic needs” of its members. This is a move we thoroughly endorse.

Subjects in the experiments often referred to the need of all in society to have the resources necessary to function. In a liberal democracy, those needs clearly include the requisite resources to function as a citizen in the political and economic processes that sustain the polity and help choose its course.

As Brock (2009) says, “a need is basic if satisfying it is a necessary condition for human agency.” She goes on, in Chapter 3 to note that “to be an agent one must be able to deliberate and choose. In order to deliberate and choose one will need at least (1) a certain amount of physical and mental health, (2) sufficient security to be able to act, (3) a sufficient level of understanding of what one is choosing between, and (4) a certain amount of autonomy. Because of its important role in developing (1)-(4), I also add a fifth basic need that underlines the importance of our social needs; namely, (5) decent social relations with at least some others.”

This description catalogues needs at a highly abstract level, and given that societies differ, there will be variations in what constitute actual basic needs. Nevertheless, food, shelter, health, education, work or other economic support when work is impossible, and freedom to participate in society would likely all fall on any common list. The moral force of the argument for this experimental outcome as a principle of justice rests on the argument that the *veil of ignorance* induces an impartial point of view. One of the epistemic ethical presumption inherent in that argument is that impartial reasoning imbues decisions with a *moral point of view*, and hence gives the decisions some moral status. Further, it is presumed when these judgements or choices are consistent and universal, they may even have a claim to a form of ethical validity. Further still, when these judgements aggregate into a consistent collective judgement regarding fair distribution, we *can* presume those results to be a serious candidate for the characterization of social justice.

THE PRESUMPTIONS

The experiments were meant to approximate certain ideal conditions. Of course, the claim to ethical validity is contingent upon, and delimited by, the properties of those ideal conditions and of the experiments’ research design. We might think of these theoretical and experimental conditions as moral and empirical ontological and epistemic assumptions.

But for the conclusions drawn from the experiments to be a guide to social policy in a particular society, more is needed than the reasoning of experimental subjects. The epistemological and ontological premises underlying the society’s justification of their social policies must be consistent with the moral epistemology and ontology implicit in the point of view of the experiments.

2. (...continued)

reinforced the conclusions we report here. See, for example, Konow 1996 and 2000.

To sketch these relations, we turn to one class of societies that would appear to be very comfortable with these theoretical and experimental presumptions: liberal democracies.

LIBERAL DEMOCRACIES - SOME THEORETICAL TIES TO EXPERIMENTAL METHODS, IMPARTIAL REASONING AND SOCIAL JUSTICE

Of course, there is no single foundational normative justification of liberal democracies. But one well accepted set of premises that is included in most justifications concerns the centrality of the individual and the choices of individuals. One epistemic presumption is that the individual (normally³) knows what is best for herself. This premise is given moral standing by a further presumption that the advancement of the well-being of an individual is in the interest of society and that the individual welfare of the citizens constitutes a major goal of liberal democracy. .

This relationship is at the heart of the presumed normative relationship that what is right for the society is best decided by (or in a republican, or indirect democracy, is seriously informed by) the decentralized choices of the individuals, or voters, of the community. Further, it is usually presumed that the well-being of the community is dependent upon the well-being or welfare of the individuals that make it up. These linkages make sense of societal goal-attainment regarding social welfare via individual voting.

These premises are also at the heart of using both 1) impartial reasoning to discover the nature of, and develop support for, justice and 2) experimental methods to identify the content of conclusions regarding individual impartial reasoning. That this is so is too obvious to belabor.⁴ So it is clear that discovering justice as based in impartial reasoning and in finding the empirical content of that via experiments has a presumptive foundation quite consistent with the notions underlying western liberal democracy. That being the case, the reader might imagine that providing distributive justice would be high on the list of priorities for any liberal democracy.

Moreover, this relationship between distributive justice and liberal democracy would appear be relevant to the achievement of global justice. But noting this alerts us to another factor: how the existence of authoritarian polities might affect one's characterization of global justice in a world of diversely governed states, and how this might affect any achievement of global justice.

SOCIAL JUSTICE BEYOND LIBERAL DEMOCRACY

The experimental finding everywhere the experiments (Frohlich and Oppenheimer, 1992) have been run (even in Communist Poland and the quasi-democratic Philippines) is that individuals reasoning impartially, behave similarly. They choose to have a social compact, and justify a floor income to support those who can not earn sufficiently. As pointed out, these choices are made under rules which flow from the ethical justifications shared with those of liberal democracy.

3. This is to leave out the confounding cases of 'technical information' such as in medical cases, addiction, etc.

4. The skeptical reader can think through the actual steps involved in experiments. Individuals are observed making their choices and discussing their concerns with one another and this is considered data relevant to understanding the nature of impartial reasoning results. And impartial reasoning is individual behavior undertaken to uncover the content of justice as fairness.

But there is no reason to expect that those in power in autocratic states would find the notions of social justice that stem from an individualistic point of view to be legitimate. Nor would we expect them to seek to achieve the outcome of any such deliberations.

Similarly other non-democratic but non-state actors important in international relations may not support conclusions from these individualistic, democratic epistemic premises. International actors, from the Taliban to the Catholic church accept a more authoritarian moral epistemology which, for example, does not even accept such premises strongly tied to impartial reasoning as the equality of the sexes. A breathtaking exposition of the latter's stance on civil liberties and political preferences, albeit somewhat dated, captures the spirit of how different authoritarian pronouncements can be:

“Pius IX's ... encyclical *Quanta Cui* of 1864 issued with the attached Syllabus of Errors declar(ed) that liberty of conscience, freedom of the press, and democratic government were anti-religious positions.” (Wills, 2002, p. 42.)

While that stance may no longer fully characterize the Catholic Church, it illustrates how the existence of actors with alternative epistemologies regarding how we know what is good, make the task of generating a global political consensus on what constitutes justice a difficult one.

In *The Law of Peoples*, Rawls (1993) handled this difficulty by employing a double dose of his original position – veil of ignorance combination. The first dose insures that the institutions in the relatively prosperous (beyond scarcity) liberal democracies were oriented toward justice as fairness. Then, in a second dose of the original position / veil of ignorance representatives of all the democratic and nonliberal but peaceful and well-ordered states (referred to as ‘well-ordered hierarchical societies’) would decide on the system of relations between them. Rawls argues that such states along with liberal democracies could agree to some shared core values regarding global order.

Rawls argues the representatives would set up the goals and institutional framework of relations among what we might want to term non-rogue states. The outcomes would include some minimal human rights, some willingness to help each other out with loans, trade, etc. The consensus would be restricted to a relatively narrow band of the “laws of nations.” There was no major redistributive element to Rawls’ argument in *The Law of Peoples*.

Others argued that Rawls didn’t go far enough. They asserted an ethical requirement for an extension of Rawls’ concern with distributive justice to the international arena. Cosmopolitans (such as Beitz, 1979; Moellendorf, 2002; Pogge, 1989) see an extension of the original position and veil of ignorance as a foundation to some redistributive claims in the name of global justice. Others (Wenar, 2006 ; Heath, 2005) have backed off and applied notions closer to that adopted by Rawls himself.

Brock, who reviews this literature in some detail (see her Chapters 2 and 3, 2009) adopts a moderate cosmopolitan stance. That perspective presumes that the norms of justice can vary within groups and hence we can have different obligations to members of our own group than to other societies. She argues, by extending Rawls’ “veil of ignorance” construct to the international arena, that human beings have a universal claim to be able to lead minimally decent lives. She rejects the difference principle, both on theoretical grounds and on the basis of the experimental findings discussed above.

Pogge (2002, p. 91), on the other hand, asserts the universal existence of “Socioeconomic rights such as that ‘to a standard of living adequate for the health and well-being of oneself and one’s

family, including food, clothing, housing, and medical care'..." (citing the Universal Declaration of Human Rights, Article 25). He argues that, since the better off liberal democracies have accepted this right for their own citizens, failure to extend it universally would constitute adoption of a "double standard."

Tan (1998), however, makes a more radical argument. He argues that liberal polities must, of necessity, oppose the non-liberal views of non-liberal regimes. The reason why a liberal state cannot condone nonliberal political views is obvious: a political philosophy cannot accommodate another competing political philosophy without undermining itself. As Ronald Dworkin (1985) states, any political theory must "claim truth for itself, and therefore must claim the falsity of any theory that contradicts it. It must itself occupy . . . all the logical space that its content requires."

And so Tan criticizes Rawls' characterization of liberal toleration at the international level and, in our reading, implies the obligation to extend the basic human rights enjoyed in liberal democracies universally. But this also poses problems for the extension of a global justice regime as it presumes that one must first change the 'well-ordered hierarchical societies.'

Beitz, (1975, pp 383-4) argues for the application of something like the difference principle at the international level. He cites the increasing interdependency of states and the uneven distribution of natural resources at the international level (which he both compares and contrasts with Rawls' uneven distribution of talents at the national level). He concludes that:

[T]he self-sufficiency assumption, upon which Rawls' entire consideration of the law of nations rests, is not justified by the facts of contemporary international relations. The state-centered image of the world has lost its normative relevance because of the rise of global economic interdependence. Hence, principles of distributive justice must apply in the first instance to the world as a whole, then derivatively to nation-states. The appropriate global principle is probably something like Rawls' general conception of justice, perhaps modified by some provision for intranational redistribution in relatively wealthy states once a threshold level of international redistributive obligations has been met.

These arguments are not to be settled by us. Our agreement with the humanistic, cosmopolitan premises lead us to endorse the notion of an ethical imperative regarding distributive justice at the global scale. And our experimental evidence leads us to support Brock's development of a needs based notion of global justice. After all, her view is somewhat buttressed by the finding that when placed in an approximation of the veil of ignorance, and hence deliberating from an impartial point of view, individuals across the globe agree on the content of justice. Further, with the spread of liberal democracies, the Universal Declaration of Human Rights and the findings of international tribunals the epistemic basis for a such moral position is being legitimized.

But the acceptance of an ideal notion is quite a different matter from being able to demonstrate how such an ideal might be attained. We turn to an examination of this latter issue, first, within liberal democracies, and then in the international arena.

SOCIAL JUSTICE AND THE LIBERAL DEMOCRACIES - SOME RESULTS

When theoretical conclusions dovetail with virtually universal experimental results, one might well expect to find the results reflected in actualized social policy in liberal democracies. But the achievement of social justice in a political system is contingent upon the institutional structure's ability to transform citizens' preferences into social outcomes. To understand what is required for this to come about, let us consider the problem a bit more abstractly.

We can understand the dream of liberal democracy to involve two quite different aggregation problems: both of which were tied together by a theorem of Kenneth Arrow (1951). First there is the problem of aggregating individual welfare states into some sort of sensible chimera of social welfare. Second there is the problem of aggregating individual choices so they might be sensibly reflected in the society's choice.

The great hope of democratic politics is to design mechanisms to securely link social choice to social welfare. This is displayed in Figure 1. There, we depict a central normative problem of democratic politics as the hope, or perhaps dream, that one can get from individual choices to group choices, i.e. to outcomes, that reflect social welfare (Oppenheimer, 2012: 187 - 188).

Although Arrow's theorem puts road blocks into these aggregation problems research has shown there are forces that mitigate the problems. So, for example, the centralizing tendencies of democratic group choice have been discovered such as the strong tendencies of outcomes to be in the 'uncovered set' when there are complex institutional arrangements (see Miller, 1989; Tsebelis, 2000: 55-60; and Oppenheimer, 2012: 133-137).

Similarly, when there are constraints on individual judgments, or preferences, there are strong tendencies for aggregation of individual choices to hue more closely to the nirvana of social welfare. So, for example, Frohlich and Oppenheimer (2007) show that if there is agreement on a conception of injustice as something to be avoided, then virtually any democratic system will show long term progress toward social justice. In any case, although progress toward social justice is uneven, and greatly varied among even the developed liberal democracies, such progress does exist among those states. As illustrated below, liberal democracies' performance in the delivery of social justice is variable. Even with established political institutions, there is considerable spotty performance. And, of course, that will serve to underline the greater difficulties of achieving global justice, as will be discussed .

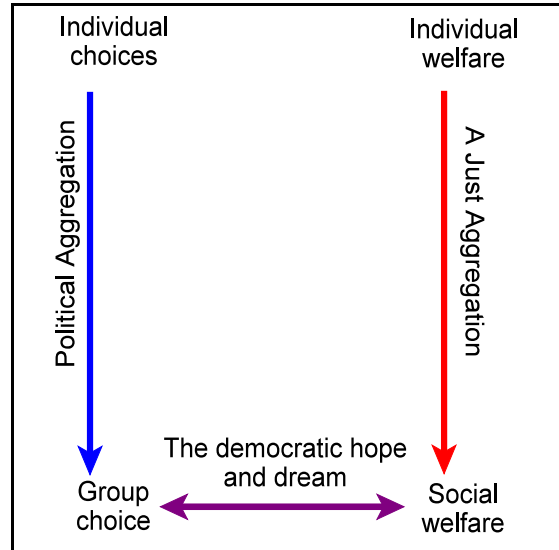


Figure 1: Social choice and social welfare problems and their political relationship.

OBSERVED DIVERSITY IN PROVIDING SOCIAL JUSTICE IN LIBERAL DEMOCRACIES

To give one a feel for the disparities, consider some rough measures of welfare in a number of the world's older, stable democracies.⁵ We have argued that distributive justice involves the satisfaction of 'basic' needs. Following Brock (2005), to deal with the rather specific needs of individuals in liberal democracies we posit, as a rough measure, 5 core items of basic needs for citizens of developed democracies. Call them alleviation of poverty, health, education, employment

5. The results reported here are from Oppenheimer et al. 2009 and reproduced in Oppenheimer 2012: 238 - 239.

and freedom (Oppenheimer et al. 2009, Oppenheimer, 2012).⁶

Roughly speaking, “Poverty” deprives individuals of the resources to adequately feed, shelter, and sustain themselves. Its measure should be of both the absolute and relative depth of poverty as well as the prevalence of inadequate income. “Health” refers to the physical and psychological well being of individuals, which can be indirectly measured via the low prevalence of avoidable and premature deaths. A measure of the “Education” necessary to function adequately in a modern liberal democracy is taken as completion of secondary education. Failure to provide for “Employment” is measured by both short and long term failures, especially for the insufficiently educated and most vulnerable on the labor market. Failure to provide “Freedom” is measured by the extent of incarceration in society.

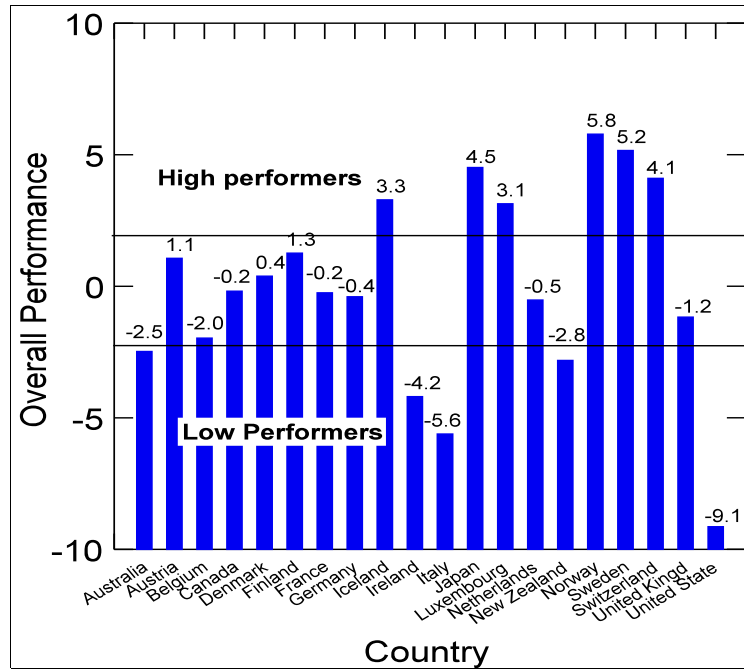


Figure 2: Performance of Countries on the Aggregate Index.

Each of these indicators can be criticized. The measures are not overly sophisticated. The idea here is not to get a final measure, but to say something about the variance of performance of liberal democracies regarding the subjects’ universally held definition in social justice. Rather than consider each of the five measures independently, we consider their aggregate. To aggregate performance on a disparate set of measures the measures of each of the variables need to be normalized and then put together. We did the latter by summing the normalized scores. The overall performance index of meeting basic needs is then just the sum of the normalized scores.

The scores are the summed and reported as the number of standard deviations above or below the mean that each country scores on each of the five statistical constructs. Results are shown in Figure 2. There is considerable variance among countries as to the extent to which they meet basic needs (from +5.8 to -9.1 standard deviations from the mean).

Underlying any moral imperative for social justice is a presumption that it can be achieved via some public policy. If public policies could not improve justice conditions the failure to deliver distributive justice could be lamented, but not rationally acted upon.

One can test the possibility of achieving the proposed form of distributive justice by considering the correlation of social welfare spending and poverty. The OECD, using 50% of the median income as a definition of poverty, found that among the OECD members, there is a very high correlation ($r = .824$) between spending on social welfare programs for working aged people

6. See details in the data appendix to that paper, available on Oppenheimer’s website as indicated in the bibliography.

(excluding health) and ending poverty (see Figure 3). Apparently, political paths and effective policies do exist.

The experiments would have us believe that the differences across countries can not be attributed to major differences in the values of their populations. People of different countries have similar values regarding meeting basic needs.

Explaining the Divergence

There are at least two obvious confounding factors that would lead to considerable variance to the performance of polities in providing social – justice even when there is universal agreement regarding its substance.

First, politics is driven by behavior neither behind a veil of ignorance nor mediated by other impartial reasoning devices. It is the struggle of the vested interests of individuals within a set of political institutions and rules. The relative weights individuals attach to their own private interests and to social justice are surely variable across individuals and across polities.

Similarly, politics can be seen as a struggle in which citizens try to get the politicians to act in their interests. This models politics as some sort of complicated principle-agent problem. Slippage occurs as politicians’ motivations and opportunities for self-aggrandizement get in the way of the simple satisfaction of the interests of the citizens. Different institutions lead to differing opportunities for such slippage. Although the basic principle-agent model is such a simplification of reality that it is probably not a useful place to begin,⁷ it emphasizes the differential ability of politicians to reward themselves and hence distort the translation of the desires of citizens.

Add to this both the differential methods of implementing policies, and the varying advantages offered different classes of citizens by particular political rules and we would expect significantly differing outcomes from political systems despite the otherwise similar preferences for distributive justice among citizenry.

Beyond the Diversity: the Consensus

Although there is considerable diversity among the liberal democracies there is also a tendency in these countries toward social justice. It is impossible to overlook the fact that these political systems have ‘social safety nets.’ These include ‘health programs,’ ‘education,’ anti-poverty measures, etc. Something relatively universal is going on.

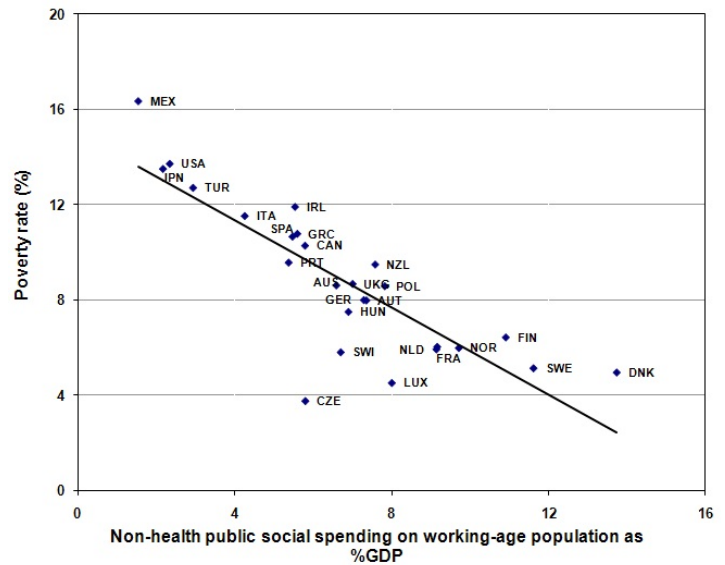


Figure 3: Poverty rates and social welfare spending [Förster and d’Ercole (2005)].

7. There are systematic complications of the principle-agent model that need to be introduced for the model to be good metaphor for politics (Oppenheimer, 2012: 141 - 142 and 153 et seq.).

Yet the global system contains states that are not liberal democracies. And they have moral justifications that differ from those of liberal democracies (Oppenheimer, 2010). Even when dictatorial, theocratic, or other authoritarian states justify their social policies as serving the welfare of the populace, those regimes are premised on the belief that the people are not really the best judges of their interests. In some cases, the characterization of what constitutes welfare, may even be metaphysical, and knowable only by a select few. When the epistemic component, that the ‘people know best’, is not accepted, then the liberal correlates that flow from that belief (freedoms of choice, movement, educational direction, and so on) are often also rejected. Those fundamentally different moral justifications, ontologies, and epistemologies that support authoritarian regimes may be antithetical to the very premises used to generate the impartial reasoning notion of fairness in distribution. Hence, the justificatory premises of those autocracies don’t pressure politicians toward the conception of social justice that seems to flow from the impartial reasoning of representative individuals behind a “veil of ignorance.”

JUSTICE WITHIN THE INTERNATIONAL SYSTEM OF STATES

Given the variance in the levels of social justice achieved within liberal democratic states, what then is the prospect for achieving global justice within the international system of states? How practicable is an ideal notion of global justice derived from an individualistic impartial reasoning point of view? In particular, what can experimental economics and experimental philosophy add to the conversation?

SOME INITIAL PROBLEMS

The Problem of Inclusion

Any moral point of view involves the notion of moral obligation of one set of individuals to another. As such, there is an issue of *inclusivity* of the privileged other (Frohlich and Oppenheimer, 2001). So, for example, the boundary of any concept of inclusion may be defined by ties of family, tribe, country, religion, ethnicity, race or species. But it resides in any serious application of the moral point of view to a real life problem.

In the experiments described, the subjects were always members of a group of other subjects, making decisions for that collectivity. The justification for applying these universally adopted group decisions to judgements about global justice that necessarily involves a variety of groups with different rules of inclusion is not clear.

Yet that is precisely the problem presented to us by notions of ‘global justice.’ Implicitly it would appear to require that a new inclusion rule be defined to include those who are not members of your ‘political grouping.’ Experiments with such arrangements have not been run. Possibilities of inclusion rules could be less inclusive than at the specie level (i.e., all of humanity). For example, one might be interested in ‘global justice for all women.’ But regardless, global justice requires imposing a standard to be applied to those who are not members of one’s immediate reference group.

Interstate justice

From the experimental evidence the notion of basic needs is understood relative to the

economic capacities of the group. Poverty is a relative notion, for example. Hence, applying the experimental findings of a “floor” as a basis of international justice would require attention to significant problems of adjustment. After all the level of the “floor” is used to help balance claims of needs, just deserts and efficiency. Variation across states in prosperity, productivity and need raise complications with implications for any concept of just distribution across a system of many states.

Consider, for example, a relatively simple case: a global system of states, all liberal democracies, and all having internally achieved social justice. If they have differing levels of economic development and hence differently defined floor incomes, when is the overall global system just? At the very least, at this point, one must admit that the experimental literature isn’t helpful: experiments just have not been performed to examine these questions. But these are vital to answering questions of when a conception of justice would require interstate transfers.

One might imagine that if there were sufficient differences in income levels between states, the argument for transfers might be easy to make. This presumes that individuals’ conceptions of justice depend, to some extent, on income differentials. But in experiments, individuals universally rejected income differentials *per se* as an element of justice. And so the implication of significant income differentials is not, by itself, a motivator for social policy.

On the other hand, there are times when income transfers are demanded. For example, when disasters strike, such as a tsunami, or an earthquake, or a drought, it appears individuals feel a sense of obligation to help those of other nations. Contributions usually flow in as soon as evidence of desperate need flows in.⁸ Those cases show moral imperatives of social justice become clearer, even across groups, when need is evidenced. Note that these cases support Brock (1994) and others (see Braybrooke, 1987; Doyle and Gough, 1991) that basic needs are a motivating factor in justice considerations. Evidence of failure to meet basic needs helps mobilize aid resources from individuals outside both the impacted areas and their political systems.

MOBILIZING SUPPORT FOR GLOBAL JUSTICE

The problem of (and responsibility for) supporting global justice is not restricted to state actors. The global system has a variety of actors: states and their citizens, NGO’s, and a variety of quasi-governmental international actors such as the UN, tribunals and regulatory agencies in specialized policy areas. Some of these may be mobilizable to support global justice in the international system. They would include some of the liberal democratic states, some of the international NGO’s, economic agents such as the World Bank, and the UN. It is also possible to mobilize large numbers of individuals over global issues. Doing so would improve the chances that these other governmental and quasi-governmental organizations respond.

At least since Thurow (1971) argued that any pattern of income distribution is a public good (a pattern of a distribution is the same for all who are part of the group, even if they each get a different portion of the distribution), it has been clear that the (non)attainment of distributive justice is also a public good. In a world of gross inequality with many individuals suffering from gross

8. The lessons from behavioral economic experiments on social dilemmas as to the conditions which facilitate donations are discussed below.

deprivation, we all “share” in experiencing the effects of those deprivations, albeit in differing degrees and with different affect.

Although economists had long held that individuals are motivated exclusively by their self-interest, modern experimental examination has proved this false. One of the main vehicles for testing the self-interest assumption of economics has been the dictator game. In those games one experimental subject (the dictator) is given the power to divide (anonymously) some money between herself and an anonymous other. The standard economic assumption of self interest predicts that the dictator will take all the money for herself. Initial results were interpreted as supporting a slightly weakened form of the self-interest assumption (Hoffman et al., 1964 and 1996) but over time the evidence has accumulated overwhelmingly to the contrary, and the original formulation of the self-interest assumption has had to be abandoned (Eckel and Grossman, 1996; Frohlich et al., 2001 and 2004; Roth, 1995). The overwhelming conclusion is that people are concerned about the welfare of others. People dislike injustices, especially - but not only - if they themselves, are bearing the brunt of the injustice (Fehr and Schmidt, 1999).

So the notion that individuals have a preference for social justice is rooted in people’s other-regarding preferences. The fact that there appears to be universal acceptance of one form of social justice means that its attainment can be considered a public good: a condition, if achieved, is achieved for everyone. No-one can escape it.

Since Mancur Olson (1965), it has been recognized that organizing for the attainment of public goods is an instance of collective action. And since everyone shares in a public good, whether they have contributed or not, there is the possibility for, and an incentive to, free-ride. So we can look at what the experiments on collective action tell us about mobilizing individual support for public goods, and by extension, for the particular public good: global justice.

Behavioral economics has a few iconic experiments at its core. Probably pride of place, as measured by replication, attention, and solidity of findings, is the understanding of collective action as a situation in which the self-interested actions of individuals leads to a sub-optimal (in the Pareto sense) outcome. This characteristic defines what is called a social dilemma. Olson showed that all collective action problems were social dilemmas and many of those can be reduced, in part, to n-person prisoner dilemma games (Hardin, 1971; but also see Schelling, 1973; Frohlich et al., 1975; and Oppenheimer, 2012: Chapters 2 and 3).

What then do we discover from social dilemma experiments regarding mobilizing individual support for global justice? The first major finding is that, contrary to the predictions flowing from self-interested behavior, experimental groups generally succeed in providing themselves with meaningful, but sub-optimal levels of the public good (see Ledyard 1995, for a review of early work in the field). Group level behavior demonstrates considerable consistency over time with a downward trend in provision. However, a check of individual behavior over time reveals a very different story. Behavior at the individual level in these experiments appears erratic, even chaotic (see Frohlich and Oppenheimer, 2006). But analysis shows individuals in these experiments are motivated by a mix of four things: their own payoffs, an other-regarding concern for the success of the group provision of the public good, doing their share, and not being taken advantage of. The reason that the behavior appears so chaotic is that the behavior of each individual is probabilistic since the individual’s best response depends upon what everyone else does. One’s attention to these matters varies as a function of how important the item is at each decision point. The probability of response to, say to being taken advantage of, depends upon the degree to which one has evidence of

having been taken advantage of (Oppenheimer, Wendel and Frohlich, 2011).

In light of this, it is not surprising that a mere soupçon of organization, coupled with good information, can coordinate expectations to make a public good realizable. Even without organizing an information cascade can develop to generate a cascade of contributions and a successful attainment of group goals (Lohmann, 1994).

LESSONS REGARDING GLOBAL JUSTICE

LESSONS FROM THE JUSTICE EXPERIMENTS

Experimental results from justice experiments give hope that consensus regarding the objectives of social justice may be possible. In a number of widely dispersed countries, individuals consistently make choices pointing to a universal view of social justice. Insuring the basic needs of the people in the group constitute an ethical imperative. But they do not trump all other claims. Just deserts must be honored and efficiency of production should not be unduly compromised by the transfer of resources from more productive members to less productive members.

A few things stand out: one should note an important omission in this list of imperatives: the absence of inclusion of a limit on inequality. Once everyone's basic needs are met, it would appear that inequality, in and of itself, is not viewed as problematic.

Second, we have noted the similarity between the epistemology supporting this conception of justice, (derived from an individualistic moral point of view and underlying the associated experiments) and the justificatory epistemology of liberal democracy. These rest on the assumptions that individual welfare is a fundamental good and that the individual is the best judge of her own well-being. They justify the principle that individuals are entitled to have substantive input into group decisions. Thus, the individualistic notion of social justice and its associated social safety net to meet basic needs is congenial to the core of liberal democracy.

But this congeniality has some teeth. When individuals within a liberal democracy find themselves unable to satisfy their basic needs, and when their fellow citizens are aware of this disability, the core values of liberal democracies provide a justification for alleviating the problem. Thus, the ethical imperatives felt by democracies' citizens constitute a subtle but persistent pressure towards meeting the basic needs of all of its citizens.

Experimental subjects regularly commented that they had learned a great deal from thinking about and discussing issues of justice during the experiment. With the growth of both global interdependence and global information flows, one can expect an ever increasing global spillover pressure from liberal democracies both for the meeting of basic needs and for legitimating individuals' own assessments of their own well-being. Such pressures may well lead to blowback from threatened autocratic regimes. Promoting thinking about social justice in terms of individualistic judgments creates political tensions and is not neutral regarding governmental forms.

But in considering implications for Global justice, we must recall an inherent limitation discussed above. To date the experiments have been conducted in the frame of a single group, or polity. Although that may allow us to assert that justice demands basic needs be met within a group, it does not tell us much about what the imperatives are within one polity to redress the failure to

provide for basic needs in another. Nor does it tell us much about how burdens for meeting those needs in one state should be shared across others states.

What *are* the imperatives that might drive individuals in one state to support transfers to other states to provide for the latter's members basic needs? Lawford-Smith (2012) reviews the arguments regarding two possible moral imperatives that might motivate action: interdependence and altruistic humanism.

She argues, that there is an argument for justice that flows from the growing interdependence in the world. To the extent that citizens of the better off democracies benefit (possibly disproportionately to their deserts) from economic ties with states with impoverished populations, they have a duty to provide for the basic needs of the disadvantaged in those states. She argues that these obligations follow from acts of commission and carry great motivational power. The other source of motivation is a more generalized pull from humanity. If we see people in desperate need, we commit acts of omission if we fail to help.

Results of dictator experiments would seem to corroborate these conclusions. Such experiments have been run with interdependence among subjects (Frohlich et al, 2004). Subjects are (anonymously) paired so that their joint earnings are what is to be divided by the dictator. This leads to substantially greater sharing than in similarly run experiments without interdependence.⁹

So *ceteris paribus*, it is likely true, as she argues, that the motivational force acts of commission (via interdependence) are greater than are those of committing acts of omission. Nevertheless, there are both problems of establishing the extent of the obligations that flow from the justice argument, and special problems of making those imperatives from humanity credible at the global level. The force and extent of those problems becomes apparent when we address the problem from the perspective of public goods

Just as meeting basic needs within a single society is a public good within that society, meeting the basic needs of humans in the global system is a public good for all. And so there are lessons yet to be learned from future experiments. But putting the question this way also points to what we might learn from the experimental literature on social dilemmas about both the prospects for and the impediments to achieving global justice.

LESSONS FROM THE SOCIAL DILEMMA EXPERIMENTS

Certainly, evidence that individuals care enough about others to make some sacrifices to improve others' welfare encourages us regarding the possibility of meeting people's basic needs, both domestically and globally. But the problem is complicated because individuals don't want to be taken advantage of. They cut back their efforts if they feel others are not doing their fair share. Giving also requires that the people feel they are making enough of a difference.

Experimental results give us some insight into how one might begin to overcome the barriers raised by these tendencies. Getting participants to feel that their contributions can make a difference and that others are doing their fair share requires the dissemination of information and

9. Of course, these experiments were not run with an international context in mind and so generalization of the results is cautioned. Further experimentation is strongly recommended.

the coordinating of expectations and behaviors. This situation gives rise to an opportunity for political entrepreneurship: activity by an individual (or organization) who can fund efforts to provide the good by a portion of the resources mobilized in the cause (Frohlich, Oppenheimer and Young, 1971). At the international level, a number of NGOs, both religious and secular have filled that niche. Successful tactics reflect many of the lessons learned from the research and experiments of behavioral economics.

To make contributors feel efficacious, organizations deconstruct the process of meeting basic needs by either emphasizing the impact of a contribution on a single individual (your contribution will save the life of a poor orphan), or focusing on a single need (women's education). The cost of feeding, housing and educating a single child may be quoted as a suitable level of contribution. This transforms one's donation to a public good into a private purchase of its partial fulfillment. This can remove much of the uncertainty regarding the efficacy of making a contribution. Tactics such as these help, but they do not solve the problem of fairly sharing the burden and limiting free-riders. Hence they are not likely to generate the enormous resources necessary to meet basic needs around the globe. Historically large scale public good problems have usually been solved with taxes.

In the nation state, political leaders have the power of taxation. Theoretically they could be in a position to make a meaningful dent in global injustice. But the pressure to do so is limited. Not only are the leaders and states in a social dilemma in relation to one another, they face a host of domestic demands in competition for resources. To generate a sustained effort for global justice within states, the larger states with globalized interests must provide a meaningful example of action. That would alleviate concerns by smaller states that they would be taken advantage of, and increase their perceptions that their efforts could make a sufficient difference to warrant the cost.

Interestingly, some major international actors with indirect, or soft, taxation powers have emerged: the United Nations and its various components, and the World Bank. These are in fact funded via the membership states. And some of these revenues have been applied to projects addressing the meeting of basic needs in health, education, economic development, etc. Of course, enormous shortfalls remain. What then is necessary for the political leaders of major states to take further efforts in this direction?

Considering liberal democracies, it is vital that a significant proportion the citizenry support the effort. The social dilemma experiments give some guidance as to how that might be achieved. Citizens need credible information regarding the importance of the cause and the possibility of succeeding. They must also be convinced that they and their states are not shouldering an unfair share of the burden. They will look for an agreement insuring that all who might possibly help are doing their fair shares.

Many attempts to generate justice have failed. One must understand the reasons for those failures if there is to be any prospect of future success. The group of others, of course, may be very large and diverse. Dissemination of information on these matters is a minimum requirement of any mobilization of citizen pressure. Yet credible information on these matters is both hard to come by and hard to communicate. Agreements may be ambiguous, not believed. Doubts are always possible. Are the governments in the target countries doing their share, or are they corrupt and inefficient? Are the needy in the target countries doing their best to work their way out of poverty? What other countries are willing to step forward and help? Those who oppose costly measures can promulgate information designed to seed doubt and undercut any meaningful efforts. And, of course, innumerable other domestic concerns can take precedence. These are daunting obstacles to

a multi-lateral solution.

On the other hand, the spread and global acceptance of the norms of liberal democracies are likely to lead to a swelling of domestic pressure for social and economic reforms that can generate momentum to achieve global justice. The evidence from South Korea, India, and Brazil of rapid economic development and democratization, leading to increased attention to citizen well-being, is overwhelming confirmation that a great deal can be achieved on a purely domestic basis.

Still, transfers from better off states may well be a necessary element for implementing global justice on a wider scale. There are many examples of effective multilateral aid in the face of large natural disasters which have led to a massive failure to meet basic needs. Careful study of the responses to such efforts, may reveal the levers necessary to mobilize more consistent multi-lateral responses.

When a tsunami wipes out the homes and livelihoods of tens of thousands of Indonesians, given the reach of the media, information becomes both available and compelling. The people are obviously destitute. There is nothing that they can immediately do to help themselves. There is not even anything their own government can do to help them immediately. Everyone in the world is aware of this (and they know that everyone else is too). And the large state actors jump in because their population is appalled at the state of those destitute people, and because those states are the only ones with the resources to be able to make an immediate difference, and others come in as their means permit, and donations pour in through various agencies and NGOs designed for these purposes.

At those times, it is clear that individuals have a sense of humanitarianism which extends across national borders, and which is strong enough to mobilize them and their governments into making significant contributions. If more progress is to be made in achieving social justice via harnessing other-regarding behavior from around the world, closer attention needs to be paid to how to facilitate the processes that lead to success in natural disasters. For consistent progress, the processes may have to be institutionalized at the international level. The social dilemma literature provides guidance: communicate needs clearly, broadly, and compellingly; demonstrate fair efforts by all relevant parties; and get major actors on board to provide momentum.

Admittedly, it may prove impossible to capture the imperatives produced in natural disasters to generate anything approaching a solution to the current massive problems of social justice. Failing that we note the fallback position. We have argued that justice experiments reveal a strong link between the ethical underpinnings of liberal democracy and the concomitant internal pressures within any such democracy towards providing for citizens' basic needs. Perhaps the best hope for the delivery of global justice is through the promotion of liberal democracy. Despite daunting challenges to such a path, the history of the past half century provides some hope.

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