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## Spatial Justice and Geographic Scales

Bernard Bret

Translation : Laurent Chauvet

### Introduction

This paper questions spatial justice as conceived in the complexity of a world where geographic scales interfere with one another and link facts produced globally. Because technological advances reduce distances, and because History modifies the politico-administrative network as well as the hierarchy of political territories, we must see these scales not as natural data, but as social constructs that transform over time.

Under these conditions, what does a change in geographic scales mean? Is it simply a change in what is being focused on, making it possible to locate, in a reduced space, details that could not otherwise be seen in a wider visual field or, conversely, to sacrifice the details so as to benefit from an overall view? In photography, the term resolution is used to signify the fineness of the grain, and therefore the precision of the lines. However, the heuristic virtue of a multi-scalar approach is not bound to the quality of the description. Similar to where a photo of what is very small – the image given by a microscope – or very large – that given by a telescope – brings out realities that are invisible to the eye, the variations of geographic scales do not simply contextualise what could already be seen. They reveal new explanatory factors as well as new social actors. As such, a multi-scalar approach is less a process of exposure than a research method to explore and decrypt the complexity of reality.

It is necessary to understand the imbrication of geographic scales in order to grasp what spatial justice is. To this end, I will firstly use a particularly enlightening textbook case, the Catalan Crisis, where the various parties involved call on specific geographic scales to make claims they deem fair! Inspired by John Rawls' *A Theory of Justice* (Rawls, 1971), I will secondly question the adequate theoretical framework to adopt, with a view to analysing these issues in terms of equity. Thirdly, the dead-end of localism will be used to aim at a better understanding of the multi-scalar dimension of reality, and fourthly to assess whether it can also produce spatial frameworks that are particularly favourable to an action in favour of fairness.

### A textbook case: the Catalan crisis

The political crisis arising in Catalonia concerning whether or not this region should remain a part of Spain, constitutes a sort of textbook case on the interlocking of geographic scales, and on the intricacies of economic and more openly political issues<sup>1</sup>.

It is a well-known fact that Catalonia is one of Spain's wealthiest regions. Covering only 6% of the Spanish territory, it has 7.5 million inhabitants in 2017, i.e. 16% of the total population, and produces 19% of the national GDP. This means that the GDP per capita (28.600 Euros in 2016) is

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1. I will limit myself here to information allowing a better understanding of the crisis, and to the conclusions that can be made with regard to the notion of spatial justice. The documentation used was taken from the Spanish press; however, I will not cover here the twists-and-turns of the political conflict opposing Catalan Separatists and the central government of Madrid.

considerably higher than the national average (24.000 Euros). Surpassed only by Madrid, the Basque Country and Navarra, it represents around 1.5 times the GDP per capita of Andalusia, and 1.7 times that of Extremadura. Moreover, a breakdown of the GDP shows identifies Catalonia as a powerful region in for mechanical engineering, with car manufacturing in particular, and in for high tech branche industries, particularly in biosciences. Thanks to its economic drive performance, the region has an unemployment rate far below the Spanish average – 13% against 17% in 2017 – and secures provides a quarter of the country's exports. Finally, Catalonia receives around 18 million foreign tourists every year, i.e. 25% of all tourism influx in Spain, a figure that is far from being negligible.

All indicators agree: Catalonia is a relatively wealthy region and Barcelona is a major metropolis, open to the world and able to measure up to the great European centres of decision. Its prestige results from its cultural creativity, its universities (Catalonia is an important destination for Erasmus university exchange programmes), and its publishing houses. Its image of a young, modern and attractive city was recognised and consolidated when it hosted the Olympic Games in 1992. Its drive is rooted in a strong and specific culture supported by a language, Catalan, and therefore a collective identity which asserts its distinctiveness from Castilian identity. These feelings were exacerbated by Franco's dictatorship and its centralism when the city – the last Republican bastion – fell to the rebel troops in January 1939. Despite the return to democracy and regional autonomy implemented after the Constitution of 1978, the number of pro-independence supporters grew progressively. Their main argument is that Catalonia proportionately contributes more to the Spanish budget than what it gets out of it: what is thus called a budget deficit with the central state is estimated according to sources as between 10 and 16 billion Euros per year. In other words, and although these figures show that the calculation is less than stabilised, many Catalans consider that they are being pillaged by the poorer regions, and pro-independence supporters no longer want Catalonia to pay for Andalusia.

In fact, the position of pro-independence supporters turns out to be complex when examining election results. On the 1<sup>st</sup> of October 2017, a referendum on self-determination took place, not without clashes with the authorities of the central state. it was deemed illegal by the Constitutional Court even before it was being held, and was therefore subsequently invalidated. Out of 10 voters, 9 were then in favour of an independent Catalanian Republic. But this crushing majority was misleading, for only 42% of registered voters had taken part in the vote since the Unionists, i.e. anti-independence supporters, had not shown up so as not to support an unlawful referendum. Based on the results, it can definitely be said that there are many supporters of Catalanian independence, but it would be impossible to pretend that they are the majority. The elections of the 21<sup>st</sup> of December 2017 for the Parliament of Catalonia were going to show this. With 70 seats out of 135, the secessionist parties obtained the absolute majority in the assembly... although they did not obtain the majority of the votes in the electorate. This is where a geographic analysis of the votes sheds light on a fairly complicated case, where traditional political affiliation (the left and right wings) have become confused by the independence issue. Where there are two sides, the Unionists and the secessionists, there are two Catalonias: one includes the urbanised and industrialised coastline, and the other the more agricultural inland. The former is the wealthy Catalonia that voted for Unionist candidates (the Citizens, the Socialists and the Popular parties), while the latter is the poor Catalonia that voted for pro-independence candidates (the Popular Unity, the Republican Left and the Together for Catalonia parties). Yet, what the secessionists denounce, i.e. the fact that Catalonia is supposedly exploited

by the other regions of Spain because they share with them the wealth produced on Catalan territory, is echoed at the level of Catalonia itself, where the more developed area of the province shares its wealth with the rest of the province and fills the coffers of the Government of Catalonia in excess of what it receives in return. Barcelona and its metropolitan area bring in 87% of the tax revenues of the Province and receive 59% in expenditures. Paradoxically, the Catalonia that shares wants to remain Spanish while the Catalonia that receives believes itself to be exploited and wants independence... A paradox only in appearance, for wealthy coastal Catalonia knows what it stands to lose if it were to become isolated from Spain and the European Union, while poor inland Catalonia would like to prevent sharing with other Spanish provinces the resources that come precisely from the most developed area of the region. Territorial selfishness, in this case, does not consist in refusing to share a produced wealth but a received wealth. As disadvantaged as it is, poor Catalonia is an internal periphery that benefits from the financial spin-offs of Barcelona and the coastline, and wishes to ensure that such spin-offs remain ringfenced, at the expense of the other Spanish regions that, being from then on foreign regions, would then see their status reduced to that of external peripheries.

The interlocking of scales and borders makes it here possible to better understand the distributive dimension of spatial justice. The secessionists think at the level of Catalonia alone, without considering the risk such a withdrawal would constitute for the most developed section of the region and, consequently, for the entire region, including its least developed section. Meanwhile, the Unionists envision Catalonia as fitting into a globalised economy and as open to the idea of national territorial solidarity. However, distributive justice is not exhaustive as far as the concept of justice is concerned. Of importance also, or at least as important, is justice as the recognition of people, their equal value of existence and, therefore, their equal right to take part in the public sphere. This involves respecting identities, and in this regard, the use of Catalan in the administration and the education system equates to guaranteeing that the cultural specificity of the region is not threatened in any way. Moreover, at the political level, the electoral system of Catalonia distorts deeply what citizens want. As mentioned above, the secessionists have the majority of seats but have the minority of votes. Indeed, the current electoral boundaries ensure that the more rural inland is over-represented and the more urbanised coastline is under-represented. One needs 48.521 votes to elect a deputy in Barcelona and 31.317 in Tarragona, as opposed to 30.048 in Girona... and only 20.915 in Lerida. The one-man one-vote democratic principle becomes completely twisted when all votes do not have the same weight in the final results; in this case, a voter from Lerida has more weight than a voter from Barcelona. Yet, in the province of Barcelona, there are more unionist votes (46% of votes in the legislative elections for the regional Parliament) than secessionist votes (44% of votes): if all the citizens of Catalonia were equal when voting, the separatists would not have the majority of seats in the Assembly just as they do not have the majority of votes on the ground.

Under these conditions, it is not surprising that coastline citizens have reacted and asserted their right to remaining Spanish. The neologism *Tabarnia*, which appeared in 2012 as a joke intended to mock the secessionists, refers to a territory and a movement which is gaining support as well as political credibility. A combination of "Tarragona" and "Barcelona", this acronym refers to the coastal territories administered by these two cities, i.e. Upper Tabarnia which is under the influence of Barcelona and Lower Tabarnia under that of Tarragona. Together, with ten *comarcas* (districts), they represent 5.422 km<sup>2</sup> and 6.1 million inhabitants, while the rest of Catalonia stretches over 26.473 km<sup>2</sup> for a population of only 1.4 million inhabitants. In Tabarnia, the GDP per capita exceeds by far the 28.600 Euros of the Catalanian average, as mentioned above. In the

rest of the region, it does not reach 23.000 Euros. Tabarnia supporters have been using against the secessionists the arguments advanced in favour of independence. Where secessionists refuse to see Catalonia paying for Andalusia, Tabarnians reply: Why should Tabarnia which produces most of the Catalan wealth pay for inner Catalonia? If push comes to shove for the most resolute Unionists, in case Catalonia obtained independence, Tabarnia would be ensured to stay out of Catalonia and remain in Spain under the status of an autonomous community, as provided for by Article 143 of the Constitution, this article having already been implemented in Madrid and a few other cities. This proposal is likely to undermine the credibility of the argument of pro-independence supporters. It emphasises that to refuse solidarity between territories constitutes a great risk, for why stop at one level of territorial fragmentation when some municipalities in Tabarnia are wealthier than others, as are some in inland Catalonia. This type of reasoning leads to an unending spiral that seriously undermines the very idea of social cohesion... and how should we live, if not together, i.e. as nationals and also necessarily as fellow citizens or, in other words, according to an implicit social contract materialised in a territorial contract?

### **Adopting a Rawlsian perspective: from global to local**

I started this discussion on the Catalan case to show that it is impossible to stay on a local or regional scale if we want to reason about what is fair, and decide accordingly on the policy to implement. We can draw many lessons from the Catalan Crisis in this regard. First, it shows that fine grained territorial fragmentation leads to spatial injustice: based on a geometric logic and in the absence of financial redistribution which can only be decided by a public authority overseeing the contributing and benefiting territories, territorial fragmentation into distinct cells results in the living standards of each one of these cells deviating from the average. An important question is that of the geographic scale at which the "distribution of benefits and burdens across the members of society" must be thought of equitably, to use again the terms of John Rawls to define distributive justice. In the idea of fairness as conceived by social actors, there is also the weight of spatial representations. Whoever looks at the world from their window, limits their field of vision to the geographic scale that, rightly or wrongly, appears to them as being the most in keeping with their interests. They quickly and rigidly keep to localism and, for not taking into account other potential fields of vision, put themselves in a position where it becomes impossible for them to say what is fair or not. Justice implies, however, that more than arbitration should be done between parties or, more clearly, that things should be done differently. In the case in point, the thesis being defended considers that we need to start from the global scale to be able to assess lower scale geographic configurations at the ethical level.

Why should we conceive of justice at the global level in the first place? Firstly because the global scale gives concrete expression to *universalism*, secondly because it is in a better position to invite us to practice the *veil of ignorance*, and thirdly because inegalitarian globalisation constitutes the *basic structure* on which our societies function. As can be recognised here, our remarks and even the terminology are inspired by *A Theory of Justice*. Indeed, my analysis explicitly claims a Rawlsian positioning and intends to offer a better understanding of the multi-scalar dimension of reality, through the principles set out by John Rawls, even if this means discussing them. The reasons giving priority to the global scale are interwoven and must be examined jointly. We know that Rawlsian theory draws its universalism from its rational

statement procedure. It specifies the principles of justice before observing the facts, so as to leave their ethical description unscathed by any appreciation linked to current social practices. This way of proceeding implies what John Rawls calls the *veil of ignorance*, i.e. a methodological distance which a subject establishes with his/her personal situation, in order to define fairness without being influenced by this situation. Behind the veil of ignorance, knowing nothing of the inequalities that will exist in the real world, save that they will exist, the only rational response is that the not so well-off are treated in the best way possible. We need to maximise the share of those with the least, i.e. we need to maximise the minimum: the *maximin* is a principle of universal justice that must be put into practice as per the context of the place and the moment, but which is valid everywhere. Distributive justice thus consists in optimising inequalities in favour of the more modest, once the necessary equality of opportunities has been ensured. How to apply this principle geographically? Not knowing where I will be born, I consider as being rationally fair that the *maximin* is respected at the level of the planet. This is rational and in keeping with my interest – since fate will perhaps have me live in the poorest region of the most deprived country – which in application of the *maximin*, will have to be brought to the highest level of well-being possible. The point is that guarding against localism and reasoning at the global level is a positioning which is methodologically coherent with the idea of the *veil of ignorance*. In addition, since we do not know how long we are on Earth for, we need to apply the *maximin* principle to time, and we must want that each era be treated in the best way possible within the limits of the interests of the other eras. Thus, logically complementing spatial justice is the idea of intergenerational justice, as contained in the concept of sustainable development. These considerations forbid us to consider as unjust the fact that development inequalities exist between places, although, on the other hand, they compel us to describe as unjust those that could be avoided... i.e. many of these inequalities.

This principle leads to many important questions. Is it fair, depending on where you were born, that you live an opulent life or in poverty, in Catalonia or Andalusia, in Barcelona or the hinterland, it being understood that there is no place-related determinism and that this question only makes sense when cross-referenced with the social structure and the place held in it by each one of us? Is it fair that wage and salary levels vary in great proportions according to places? Is it fair that environmental amenities benefit some and that pollution penalises others? The answer to this is, obviously, that it is not fair. If we live in Catalonia, we cannot hold a view detached from global imbalances. We cannot act as if we were not Spanish and European at the same time, as if we ignored the divide between countries of the North and the South, or as if we could avoid taking into account future generations. What is fair and rational or, to use a Rawlsian formulation, what is fair because it is rational is, on the contrary, to place our situation back in its context, and note that the way the world is organised follows a *basic structure*, which is the same for everyone.

Then, an important difficulty comes up, which concerns the scales issue directly and has to do with the coherence of the Rawlsian theory on which this whole argument is based: John Rawls himself applies his theory which he says is universal within the framework of nation states rather than on a global scale. When reading *The Law of Peoples* in which he endeavours to match the universalism of his [...] *Theory of Justice* with the reality of a planet divided into nation states, we cannot contest that a problem arises. John Rawls advocates for a *pluralist universalism*, i.e. one that recognises the diversity of societies. The fact that the world is diverse deserves to be recognised as a collective wealth, which universalism could not suppress without great damage to all. However, reconciling particulars with universals supposes that particulars do not

contravene universals and, therefore, that the social practices peculiar to a group or the laws peculiar to a state are not contrary to the values recognised as universal, values which, moreover, all UN member states have formally admitted as such. Where the legal principle of the hierarchy of norms requires that a decree cannot be contrary to the law, nor a law contrary to the Constitution, which in turn must not be contrary to the Declaration of Human Rights, the idea of ethical norm hierarchy accepts the diversity of social practice if, and only if, this practice does not go against universal principles. Yet, while wanting to infuse these principles in the reality of politics is a good thing, there is concern that some of John Rawls' formulations – in his search for a "political conception of right and justice that applies to the principles and norms of international law and practice" (Rawls, 1993: 36) – renounce universalism. In *The Law of Peoples*, John Rawls distinguishes indeed between states he describes as being well-ordered, and states he describes as being *outlaw regimes*. The former include on the one hand *liberal societies* that act in accordance with human rights and citizen equality and, on the other hand, hierarchical societies that, without recognising social partners as equal citizens, still have a conception of justice aimed at the common good. The peaceful cohabitation of these two systems is possible if all the states renounce expansionist ambitions, while keeping the right to self-defence in case of aggression, and if internally they observe fundamental human rights. Outlaw states, on the contrary, have no conception of justice – as was/is the case in Nazi Germany/totalitarian states – and show expansionist behaviour – which is typical of imperial constructions, including the colonial empires in which European states have scorned the egalitarian values they were still claiming. However, to say that a state can be well-ordered, even if it accommodates a hierarchical society, because it is organised as per a conception of justice aimed at the common good, and because it observes fundamental human rights, does not fully agree with universalism, and even includes internal contradictions. John Rawls writes indeed that "hierarchical societies [...] are well ordered in terms of their own conceptions of justice" (Rawls, 1993: 53). But does respecting fundamental human rights have meaning if we accept the unequal quality of people, which contradicts the principle stated in *A Theory of Justice* concerning the equal value of existence of social partners? This would equate to renouncing universalism and accepting communitarianism, since the conception of justice is specific to the society being considered. This assertion must not be construed as a principle legitimating communitarianism, but as the simple finding of what already exists, and we must recognise that what already exists, contrary to Rawlsian principles, is the reality we need to understand if we want to be able to transform it. In the end, stating first *A Theory of Justice* prior to observing reality, and then analysing reality to describe it at the ethical level, does not contain any contradiction in the approach, but contributes to identifying what is unfair on the clear basis of what is rationally defined as fair.

### **Micro-justice and macro-justice: understanding the multi-scalar dimension of reality**

In a multi-scalar reality, interferences and contradictions between local and other geographic scales bring us to tackle links between what has to do with micro-justice, and what has to do with macro-justice. Micro-justice here must be understood as justice on a local or micro-local scale. It starts at the level of family intimacy and expands to the immediate neighbourhood, the suburb or, even a bit wider, to the village or the town. On the other hand, as the name indicates,

macro-justice is concerned with the higher levels of the spatial scale, from regional to national, up to the planetary level.

The problem resides in the non-congruence between spatial scales where justice is concerned. Micro-justice often clashes with macro-justice, in which case, does it remain micro-justice? Let us say that micro-justice is influenced by macro-justice, and is therefore kept in check by macro-injustice; it can potentially mitigate the negative effects of macro-injustice without ever erasing them fully. Education illustrates this. The idea of a school bringing disadvantaged children what they cannot find at home is very attractive. Many teachers attached to republican values endeavour to implement this idea in their educational methods: they practice micro-justice. This being the case, what impact does micro-justice – which is always welcome – have if the *basic structures* of the educational system and, more generally, the social system are not actually fair, more specifically if equal opportunities are not respected, and if the schooling institution in its entirety is built to consolidate hierarchies instead of aiming for the *maximin*. The fact that students from modest social backgrounds succeed must not conceal reality, i.e. that schools reproduce inequalities. The reason for this is obvious: the school system is only a sub-system of the social system, and as such the latter has the last word.

While education shows micro-justice practices being kept in check by the macro-injustice of the system understood as the basic structure, health geography in France gives a different illustration of the contradictions between scales of justice: a micro-justice aggravating macro-injustice. For reasons due to a certain level of Malthusianism in the training of medical doctors, and to the latter's freedom as to where they can set up their practice in a context of aging population with increasing medical needs, the geographic distribution of doctors is very unequal on the territory. Medical deserts have begun to appear in the countryside and even in urban areas, where it is difficult to find a general practitioner and a fortiori a specialist. In order to meet medical needs and reduce inequalities in access to medical care, some local authorities and public hospitals are bringing in doctors from foreign countries. By reducing in this way the injustice to which patients from certain territories in France are subjected, we aggravate injustice on an international scale. Indeed, when medical practitioners come from a relatively destitute country – in this case, many doctors in France come from Romania – we make a poor country pay the price: after years of medical university studies, once fully trained, medical doctors do not nurse their fellow countrymen. The same critique applies to the healthcare system of Britain and other countries. This issue is in line with the more general problem of the brain drain which requires that, on a global scale, it is the South which is helping the North. Producing fairness in this way in wealthy countries is to produce unfairness on a global scale... but it is indeed the way the world is organised, in other words an unfair *basic structure*, which leads to the decisions taken on the lower scales.

Generalising the subject begs the following question: can justice inside a territory be done at the expense of those who reside outside of the perimeter under consideration? At the international level, is it fair to ensure relatively good living conditions for all the residents of a country if it entails using means that wrong the inhabitants of other countries, or some of them (e.g. low price of raw materials, low salaries, concentration of pollutions)? The answer is in the question: a definite no! Distributive justice in the countries of the North, which incidentally is highly imperfect, is not justice when it is carried out at the cost of social and environmental dumping in the countries of the South. Outsourcing costs beyond national borders, while focusing the advantages within national borders, constitutes a deep injustice upstream that ethically invalidates any potential downstream redistribution: this represents an extreme development of

the *not-in-my-backyard* attitude that consists in refusing at home the costs of an operation or a system for which the advantages are confiscated. It equates to buying social peace with someone else's money, the injustice consisting in distributing on a territory, even equally, the wealth taken wrongfully elsewhere<sup>2</sup>, except of course, if it is a matter of the rich helping the poor, in which case the levy is not undue. Conversely, a useful facility on a national scale, such as an airport, a hydro-electric dam or any other major infrastructure, has a direct impact on a specific location and can constitute an injustice towards its residents; although the problem is not exactly the same in that the general interest can be identified better and, if the procedure is done correctly, indemnification restores justice<sup>3</sup>.

Having priority as the *basic structure*, the global scale is that which is the least subjected to a legitimate authority! Because of globalisation, people's fate is increasingly subjected to what happens on the scale of the planet, while the new means of communication and information bring them closer. With this unequal integration of places, the world might have become the village described by Marshall McLuhan (McLuhan, 1967), but a village with no mayor! As often pointed out by Hubert Vedrine<sup>4</sup>, despite the fact that this expression is used commonly, there is no international community strictly speaking. This is due to the lack of convergence of interests between states, which would have been sufficient to create a real global community.

The obvious consequence is that global public goods are not administered in favour of all the planet's inhabitants, or are not administered at all. Whether physical goods such as the ocean, air quality, the environment and biodiversity, or immaterial goods such as peace, security and public health, justice requires that all men have access to them, and that no state appropriates or damages them. For the obvious reason that these public goods are global, it would be logical and in everyone's interest to have them managed on a global scale. Yet, it is not at all. Of course and it is worth something, the United Nations exist, in charge of maintaining peace and, through its agencies, many other issues of major importance. However, the efficiency of these organisations depends on the goodwill of member states. Moreover, global and long term issues come up against rivalries and power relations between states. To speak about the incoherence of scales, is to tone down what is rather an injustice committed by the most powerful states.

Because by definition states exercise a function of sovereignty, the borders separating them constitute major spatial discontinuities in fiscal, social and environmental matters. In a globalised economy, a border is a tool to produce injustice in favour of those, such as multinationals and natural persons, that can take advantage of it. We know that multinationals realise huge profits through accounting manipulations they euphemistically refer to as tax optimisation: the territorial network of these firms, which is not independent of state territories, enables them to evade tax. Is this fair? Clearly not! Is this legal? Not always. Of course, there has never been a prohibition on creating subsidiaries overseas; but creating shell companies that do not have any other purpose than subtracting from taxes benefits realised elsewhere, equates to establishing a system that aims at committing an infraction, in which case there is abuse of law likely to cause sentencing. As such, globalisation confers a new meaning to the planet's political network. By giving concrete expression to the territoriality of laws, borders create the legal heterogeneity of the planet and, paradoxically, they speed up globalisation in the process. For a better

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2. Making a crude parallel, would we say of a gang that it is honest because it shares the loot of a hold-up equally between its members?

3. In such a case, those who feel wronged make sure to assert their rights. On the other hand, no one ever offers to make a personal contribution when a collective installation increases the value of their property.

4. French Minister of Foreign Affairs from 1997 to 2002.

understanding, imagining a planet without borders is a useful methodological detour<sup>5</sup>. The absence of borders means that the same law would apply everywhere. With identical conditions everywhere concerning taxes, salaries, social welfare and the environment, what would be the advantage of relocating the manufacturing of goods intended for a clientele nearby, thousands of kilometres away? None. Only objective facts would be taken into consideration such as natural factors (raw materials, energy sources), population distribution and distance. Logically, there would be less international exchanges. We will object that such a configuration would be impossible in a capitalist system that produces territorial inequality and that, in return, functions on the basis of that very inequality. So be it, but we can still imagine a different configuration if it helps us understand the current configuration better. In any case, believing that borders represent a hindrance to globalisation is an illusion. In the post-Westphalian world where state sovereignty is diminished by the power of multinationals, state borders have the opposite effect. They pave the way for globalisation and, above all, they turn it into an unfair process. A borderline case in this regard is that of tax havens where large firms and large fortunes conceal their assets, in which case we have to deal with the diabolical micro-territory/macro-injustice pair.

To see how the institutional architecture of territories produces injustice, whether it results or not from a democratic process, and how it influences the quality of life of individuals, is to analyse a basic structure for a spatial approach of justice that could not be limited to its distributive dimension. This is what Nancy Fraser highlights when she acknowledges the same right for all to take part in the political sphere, and to decide according to general interest. In so doing, she agrees with the Kantian principle of a person's purposefulness and with the Rawlsian principle according to which the value of existence of all human beings is equal. However, she also raises a difficult question concerning the implementation of these democratic principles on the ground: what is the perimeter of the general interest, and who has legitimacy to outline it? This is also the question Michaël Walzer asks when, based on the maxim which requires that "what touches all should be decided by all", he adds:

"But once we begin including all the people who are touched or affected by a given decision, and not just those whose daily activities are directed by it, it is hard to know where to stop [...] So power is drained away from local associations and communities and comes more and more to reside in the one association that includes all the affected people – namely, the state (and ultimately, if we pursue the logic of "touching", the global state)" (Walzer, 1993: 292).

Concerning the general interest perimeter and, therefore, the political-administrative network examined from an ethical point of view, two opposite tendencies can be observed: one concerns grouping and the other dividing. The emergence of macro-regional economic blocks is a strong tendency of our era, with the European Union offering the most convincing example of successful integration, despite the unrest suffered at each one of its stages, despite its weakening due to the announced departure of the United Kingdom and, more importantly, despite the democratic shortage of its institutions. There are others, such as the North American Free Trade Agreement (NAFTA), the Common Market of the South (MERCOSUR) as well as the Andean Community, which is today associated with the Union of South American Nations (USAN) in South America. Do these integrations produce more equality between their inhabitants, or do they make internal socio-spatial inequalities worse? There is probably no

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5. This exercise at least recalls that the current geopolitical configuration is not the only one possible. In so doing, it harms the conservatives' argument according to which there is no alternative.

standard answer to this question, although it does indicate the direction which investigations should be following: are the most powerful economies the main beneficiaries of the process, as we have been led to believe by Germany in the European Union, Brazil in MERCOSUR and the United States in NAFTA? However, is it certain that the peripheral countries of these associations, e.g. Mexico in NAFTA, Paraguay in MERCOSUR and Greece in the European Union, would be better off if they had not become members? The question can be posed as follows: does becoming integrated into a whole dominated by a centre, equate to choosing to become an internal periphery driven by the centre, in the short term at least, and therefore to leading a better life than if one had remained an external periphery? In other words, does macro-regional integration bring one closer to the *maximin* in the case of an internal periphery? And if so, does it move countries situated outside or some of them away from the *maximin*? In this hypothesis holding a recurrent scalar issue, the legitimacy of spatial justice organised within the limits of a perimeter at the expense of those who reside beyond, is questioned once again.

The opposite dynamic, i.e. territorial fragmentation, is no less powerful. Initiated at the end of WWI with the creation of new states in Central Europe, the process continued with decolonisation after WWII, and was emphasised with the break-up of the Soviet Union and its repercussions. We saw the Catalan example above, but the list of regions aspiring to separatism is long: the Basque country in Spain, Scotland in the United Kingdom, Corsica in France and Quebec in Canada, among others. As shown by Catalonia, in these matters, one needs to consider two distinct, although often interlinked, points: distributive justice on the one hand, and the recognition of collective identities on the other. The Scots, who militate in favour of independence, want to confiscate to their benefit the oil revenues rather than share them with other British regions. Nonetheless, historically they constitute a nation which is distinct from England and they can plead their cause on the grounds of the right of nations to self-determination. The fact that a referendum in Scotland came out in favour of the Unionists (2014), does not prevent the question from being posed once more by the choice expressed on the scale of the United Kingdom to leave the European Union (2016) when, in their great majority, the Scots as to them voted for remaining in the Union. The same combination of territorial selfishness and identity claim occurred when Slovenia broke up with Yugoslavia: a relatively well-developed federated republic that no longer wanted to pay for Montenegro, but that also did not feel any cultural affinity with the other republics that had been gathered by the great powers into a multinational state, without consulting the populations concerned. The dismantling of the Soviet Union on the initiative of the Baltic republics, confirms that separatism is fuelled by economic and identity claims. Incidentally, identity claims can be exclusive. This is the case of the Corsican nationalist movement: although the island runs the risk of losing a lot economically, the supporters of independence rely on the fact that, according to them, there is a Corsican people that, as such and as for all peoples, is entitled to its independence<sup>6</sup>.

Irrespective of the answer given to these claims, today it has become politically impossible to ignore them and to conceal them from a public opinion which is informed in real time about international current affairs, and which is attached to democratic values. Moreover, and paradoxically, globalisation has indirectly accelerated the emergence of separatism. Whether or not it is justified, the fear that globalisation erases particularisms and produces a culturally

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6. The answer given by the French Constitutional Council as far as the law is concerned, and according to which there is no Corsican people but only a French people which includes the population of Corsica, did not solve the problem politically.

impoverished planet, has indeed been pushing people to reinforce their local and regional collective identities, in order to distinguish themselves better from others. In reaction to a global scale perceived as threatening, lower geographic scales have been gaining more weight which they seemed to have lost in people's perception of territories.

## Action in a multi-scalar world

If it is true that each person lives daily at the local level, the formula according to which we should "think at the global level and act at the local level" calls for pointing out that, intervention at the *micro* level cannot happen without reflecting at the *macro* level. However, if they adopt the idea that macro-justice is a condition for potentially real micro-justice, individuals who pay attention to global current affairs cannot leave it at that, and will argue that we need to think and act at the global and local levels at the same time.

Taking action for justice at the level of the planet is a difficult enterprise and a priority at the same time. It is the scale that conditions everything else, with globalisation a fortiori, and also that which seems to escape the grasp of simple citizens. However, under different forms and because each scale has a margin of autonomy in relation to others – the *macro* level conditions lower levels but does not determine everything that takes place in them – it is possible to experience citizenship at the different levels of the spatial scale.

The principle of subsidiarity, while it is implemented in the administration of territories, also describes how exercising citizenship is adapted according to scales of government. The idea underlying this principle is simple: removing a jurisdiction from a group should only happen in the case where a group from a higher level is manifestly in a better position to exercise that jurisdiction. Today, this constitutes a basic legal principle of relations between the European Union and its member states. Inside state territories, it takes on the form of the decentralisation which attributes decisional power to the citizens of the different levels of the territorial administration with recognised jurisdictions.

Of course, the problem is not just technical and a double question remains: on the one hand, what concerns local decision and what must concern a higher level, and on the other, who has legitimacy to decide upon that and, consequently, to organise the hierarchy of these administrative units? The issue is fundamentally political in that certain social forces ensure that their supremacy is rooted in the control of some territory or other. In France, as is well known, the revolutionaries created *départements* for the sake of rationality and equality between territories, as well as to prevent reactionary forces from reviving feudalism by activating the networks they kept controlling at the level of vaster regions. In Brazil, it was the *município* which was exploited by the land oligarchy: owning the land also meant controlling the people who cultivate this land, and consolidating one's local power in a system where, for a long time, it went without saying that owning land equated to holding power.

The fact that dominant groups use certain scales to defend their interests, would a contrario validate the Rawlsian positioning which defines the administrative map and distribution of jurisdictions according to the principle of equity or, in other words, which organises these *basic structures* behind a *veil of ignorance*. Is this a delusion? No, but it is a reference that makes it possible to ethically assess the existing territorial division, and a tool to determine the direction in which it should be modified.

Declaring oneself to be a *citizen of the world* is a response given to the absence of authority enjoying democratic legitimacy at global level. It is also reacting against injustice, as when global public goods are not managed in the interest of all or in the long term. This virtual citizenship is given concrete expression in the action of non-governmental organisations (NGOs) in particular. Present in the three essential domains of humanitarian action, human rights and environmental issues, many NGOs chose names displaying their internationalist positioning: Doctors without Borders, Médecins du Monde, Amnesty International. Having become large structures, they are entwined in several ways into the interplay of global actors. Some benefit from the status of observers at the UN, which brings them to give their opinion on matters concerning the planet, in addition to the no less significant pleading function they exercise as state-independent organisations, making them more free to denounce what they deem fit.

It is on the lower scales that citizenship goes from the virtual to reality, and is exercised by voting in particular. The state, as the institution holding sovereignty and recognised by international law, is the most important territorial level. States can in fact apply a sort of reversed subsidiarity<sup>7</sup>: in the absence of supra-state authority to deal with a major subject, and if an international agreement concerning this point is not observed, they can – must? – take over the matter. The fight against global warming is a good example of this. As occurred recently, President Trump decided that the United States was to leave the Paris Agreement on Climate Change signed in 2016. As a result, a global public good of vital importance is being threatened by one state defending its interest in the short term, against the long term interest of the whole of humanity. This does of course constitute a very serious injustice... and a rather idiotic decision at that, for to escape one's responsibilities in such a way, is to act against everyone: the others... as well as oneself. The only reasonable response the other signatory states have, in this case, is to fulfil their own commitments to create power relations capable of forcing the recalcitrant state to comply.

Taking action at a lower level to change the order at a higher one is therefore possible. In other words, micro-justice can influence macro-justice indirectly. To take action in the multi-scalar world is to apply one's responsibility in the different scalar levels, according to the subjects designated by the principle of subsidiarity, knowing that scales interfere with one another and that, as restrained as it is by the constraining framework of higher scales, the justice produced at one level affects the whole system. It can bring to the fore the injustice of certain provisions in force elsewhere, and therefore speed up the awareness of those who are the victims of it. The fact that a municipality, for example, decides to give underprivileged categories free public transport, should raise questions as to the pertinence of such a measure in other cities, and incite commuters to ask for similar measures. On a wider scale, this raises the question of mobility as a right for all, and brings one to understand its importance when searching for a job. As such, a measure taken at a specific level can exercise a lever effect on other subjects and scales, where the circulation of information in the digital era makes it possible for one's aspiration for justice to progress, and lead the way to justice itself: while the power of ideas has always existed, new information and communication technologies have increased it tenfold. The micro-local scale itself influences higher scales, including the global scale when it concerns a nexus, i.e. a place invested with a powerful symbolic charge conferring unparalleled consequences upon what takes place and what is being said in it. A nexus is also a loudspeaker,

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7. Bertrand Zuindeau developed the idea of "descending subsidiarity" in his article "Équité territoriale and développement durable, état des lieux théoriques and perspectives", (Zuindeau, 2011).

a resonance chamber from where we can address the world, and through which the micro-local meets up with the global scale.

## Conclusion

Let us go back to the subject that gave rise to this reflection: the secessionist claim of some Catalans and the opposition of others to such an idea. This text does not claim to be able to offer an answer to this specific case. The idea is, rather, based on this case, to question the methodological positioning to be adopted in order to identify fairness in the confusion of geographic scales: how to deal with spatial justice in a globalised world which we perceive as a complex system we find difficult to decipher. Yet, it is precisely because the world is complex that we need universal ethical principles to be set out rationally prior to observing the facts. Conceiving of justice at first, makes it possible to intervene subsequently as equitably as possible in the reality field, i.e. the political field. Dealing with reality – what else can we do? – requires us to remain firm on the principles. We might think of these principles as being utopian... why not? They are utopian, but they are also positive and make it possible to take action while keeping one's course, without getting lost in the tortuous paths of the political field.

To proceed this way is to go from abstract to concrete. It is to conceive of the universal so as to take action in the particular. It is to imagine what is not, so as to better decipher what is and better conceive of what could be.

**To quote this paper: Bernard BRET, "Spatial Justice and Geographic Scales", [« La justice spatiale à l'épreuve des échelles géographiques, translation: Laurent Chauvet], *Justice spatiale | Spatial Justice*, n° 12, October 2018 (<http://www.jssj.org>).**

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