Abstract

The notion of a frame is central to the conceptualisation of social justice and the grounding of social justice-claims. Influential theories of social justice are typically grounded in national or cosmopolitan framings. Those entitled to raise claims of injustice are identified as citizens of states or the globe, respectively. The re-visioning of understandings of space and belonging, incumbent in the processes of globalisation, problematises static geographical framings. We offer an alternative lens and argue for the inclusion of sociological data in accounts of social justice to identify the relevant framing of the community of entitlement. Drawing on secondary analysis of a qualitative dataset, we explore the case of multinational seafarers caught at the intersection of competing appeals to nationality and commonality as an exemplar of transnational workers. And, argue that there are compelling grounds to treat this group of multinational seafarers as a community of entitlement.

Framing social justice: the ties that bind a multinational occupational community

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Introduction

Central to the conceptualisation and practice of social justice is the determination of who can legitimately raise claims (Fraser, 2007). Influential accounts largely frame social justice, and hence potential claimants, in terms of geographical bounds, most notably citizens of the nation state (Miller, 1999; Rawls, 1999; Walzer, 1983) or upscale to the level of the globe in varieties of cosmopolitanism (Brock, 2009; Held, 2010). The re-visioning of space and belonging incumbent in the processes of globalisation and increased mobilities poses a challenge to this reliance on static, bounded, geographical framings (Benhabib, 2003). Through examination of a group of multinational workers caught at the intersection of competing appeals to nationality and commonality, we offer an alternative lens through which to engage with such complex cases.

We argue that accounts of social justice and the determination of the relevant frame for claims-raising need to appeal to principles of inclusion based on structural relations, expressed in the application of principles, and notions of community, based in

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understandings of belonging. Extant accounts focus on the former and largely neglect the latter. We demonstrate how the inclusion of empirical data and thick sociological description (Geertz, 1973) can deliver a grounded and credible understanding adequate to advance complex real-life transnational contestations of social justice framings, in a way that is not available to philosophical reflection and the application of principles alone.

Social injustice can be experienced along multiple dimensions including, for example, class, race, gender and ethnicity. We proceed by examining a group of multinational workers (seafarers) and their experience of discrimination on the basis of nationality with respect to inequity in terms and conditions of employment. In so doing, we also draw attention to the relevance of broader rights and entitlements (such as access to free or subsidised healthcare) in framing their understandings. The treatment of seafarers as either different national workers or similar multinational co-workers has significant implications for understanding social justice in complex transnational spaces. We demonstrate the benefit of inserting a sociological narrative, whilst reflecting on theorisations of social justice.

1. Social justice and globalisation

Social justice is standardly taken to be concerned with the equitable distribution of goods within a social group (Miller, 1999; Rawls, 1999). Different accounts seek to explicate what 'equitable distribution' amounts to and the nature of these goods. Taken for granted is the idea that social justice only applies within the context of a set of social relations and arrangements that delimit the extent of the group and those entitled to consideration under the aegis of justice. Traditionally the nation state has been taken to provide the bounds within which relations of social justice hold - on the grounds that states contain the institutional arrangements necessary to ensure equitable redistribution, including the securing of human rights, and encompass a community of individuals that, in some sense, share a common fate (Miller, 1999, 2009; O'Neill, 2000).

In a more interconnected world, the increased porosity of economic, political and cultural boundaries generates problems for national based accounts in that understandings of community are becoming increasingly complex and pluralised. Hence the idea of a national bounded conception of social justice is argued to be unsustainable (Fraser, 2007; Goodin, 2008; Held, 2010). A standard response to what is perceived to be injustice of an intrinsically cross-border form is to upscale to a cosmopolitan perspective (Cabrera, 2005; Pojman, 2006). Other theorists appeal to both the national and global scales while privileging one or the other (Arneson, 2005; Beitz, 2005; Blake, 2001; Chan, 2004).

What such approaches share is the treatment of the 'social' in 'social justice' as a matter of theoretical conceptualisation. The theorist seeks to determine criteria by which a boundary may be drawn. The community of entitlement is legislated through the application of principles; individuals are part of a community of entitlement or not. This focus on scale and legislation by principles fails to engage with the significance of the society or community supporting the particular form of life within which justice claims are raised. And, has led to a form of prescriptive determination focused on a hierarchy of geographical boundaries;

particularly, the polarisation of the national and global scales. Consequently such accounts are unable to address satisfactorily the complex social reality of, *inter alia*, migrant workers, diasporic groups and mobile workers operating across national borders (Benhabib, 2003). This we suggest is due to the lack of sociological understanding of the 'social' and the role of individuals and groups as interacting agents. Failure to attend to the particular social arrangements in a way that provides detailed understanding of the nature of the community as the source of justice claims is lost, or marginalised, in the context of the application of principles derived from philosophical reflection alone.

We address this deficit by providing a sociologically rich description of workers operating in a complex social space to advance understandings of social justice claims - in a manner that both engages with, and goes beyond, debates on scale. We contend that any account of social justice can be enriched by an empirically informed account of collective belonging underpinning the community of entitlement under consideration. Rather than engage in an exclusively theoretical debate about the merits of this approach, we proceed by means of demonstration.

In the following we detail the multiple layers of seafarers' social reality – understood as both the institutional structures that shape shipboard organisation and practice, and seafarer understandings of their place in the collective enterprise. The maritime sector provides an instance of a highly globalised context where workers aboard ship are employed in mixed-nationality crews to work aboard foreign-registered ships operating internationally. Moreover these workers, employed through a global seafarer labour market, are employed on different terms and conditions dependent upon their nationality (Couper, 1999; ILO, 2004). Importantly for understanding social justice beyond national boundaries, workers from different countries with the same internationally recognised qualifications may be working-side-by-side, doing the same tasks, but be on very different terms and conditions: including, basic pay, contract duration and leave entitlement. Seafarers have claimed that such practices are discriminatory, i.e. differential treatment on the basis of nationality, and unjust. When presented with these claims managers in the shipping industry rehearse a number of counter-arguments, rejecting claims of unfair and unjust treatment. Referring to relative purchasing power and appropriate reference groups they seek to ground justice claims in national belonging, with transnational co-presence rejected as a source of justice-claims (Winchester and Bailey, 2012). The challenge is to provide a basis for privileging a given frame of reference over others or to bring the different conceptions into dialogue.

2. Approaches to social justice

Debates on social justice have been framed by the understanding that the nation state is the apposite scale for theorising justice. Many accounts hold that the 'social' in 'social justice' does, and should, refer to social relations characterised as state-based (Miller, 1999, 2009; O'Neill, 2000; Walzer, 1983). Important for the discussion here is the manner in which claims are grounded. An influential approach is through appeal to, or generation of, universal principles that, by definition, are applicable irrespective of context (Rawls, 1971, 2011). By comparison, communitarian accounts acknowledge the importance of viewing individuals as socially and contextually embedded, but assume a pre-established community typically the nation state as grounding justice claims (Walzer, 1983). By contrast, others

have drawn attention to the relevance of the 'real' world and the need to confront theory with social practice (Kymlicka, 1989). Indeed, Carens identifies three advantages afforded by engagement with real life contexts:

> First, it can clarify the meaning of abstract formulations. Secondly, it can provide access to normative insights that may be obscured by theoretical accounts that remain at the level of general principle. Thirdly, it can make us more conscious of blinkers that constrain our theoretical visions when they are informed only by what is familiar (Carens, 2000:2).

Miller's (1999) influential work draws on sociological and psychological data as touchstones in arguing that social justice needs to be framed at the national level - as the state represents the limit of affective ties sufficient to ground a shared conception of fairness and equity. Hence Miller explicitly rejects the idea that obligations to individuals beyond state borders are ones of social justice. Other writers adopting a cosmopolitan approach attempt to ground their theories in an account of human nature; for example in terms of some shared universal property such as a capacity for reason or common humanity (Brock, 2009; Held, 2010). Despite these different approaches such accounts tend to draw, if at all, on limited empirical data and reflect the dominant competing understandings of the post-Westphalian international order (Boucher and Kelly, 1998).

Feminists and postmodernists concerned with reconceptualising social justice by incorporating considerations of *recognition* as well as *redistribution* – while similarly acknowledging the importance of treating individuals as concrete and socially embedded - have adopted more radical stances. Moving away from reliance on geographic scale for framing claims-making they have instead drawn the boundary outwith scale. The 'all-affected' principle (Benhabib, 2004; Young, 2000) seeks to articulate the group entitled to consideration as all those 'affected' by the injustice, whereas the 'all-subjected principle' (Fraser, 2008: 65) draws the boundary according to individuals existing within a 'structure of governance' (ibid. 65). While such approaches may serve to reinforce the links between social justice and democratic accountability as a practical basis for circumscribing a community of entitlement (i.e. demarcating those that can legitimately make justice claims), both principles are extremely vague and do little to close down contesting conceptions of who should be included (Näsström, 2011; Winchester and Bailey, 2012).

In attempting to formulate general principles, such approaches treat the 'social' in 'social justice' as a matter of theoretical conceptualisation. The theorist seeks to determine criteria by which a boundary may be drawn. The community of entitlement is legislated through the application of principles; an individual is either part of a community of entitlement or not. This reduces the concept of community to structuralist determination. To use Fraser's terminology, one is subjected and so becomes a subject of justice. Missing from such accounts are details of those social arrangements and interactions that shape group and individual perceptions and produce community understandings of justice.

Drawing on empirical data, we present a grounded account that warrants the framing of seafarers as a primary reference group for raising social justice claims. In particular, we show how elucidation of notions of belonging and community, involving both structural

conditions and individual perceptions, deepens our understanding and conceptualisation of social injustice in this complex context. The account that emerges is not from some abstracted pre-social initial position but from the lived reality of individuals in social relations, living and working within a particular set of organisational arrangements. In so doing, we demonstrate the relevance of sociology to understanding social justice. Thus we go beyond Caren's point that data should be used to finesse or check theory, and claim that appeal to rich sociological data is necessary to develop a robust account. The paper serves to make a methodological contribution to debates on social justice, to address the broader issue of 'framing' of social justice and contribute to a substantive discussion on social justice in the global maritime sector. In the next section we provide an overview of data used to support our argument.

3. Context and approach.

The Data

We draw on 10 years' experience of research in the maritime sector, previous empirical research and secondary analysis of an ESRC archived qualitative dataset (not collected by the authors) on the topic of 'transnational communities'[2]. The data was collected 'to examine the social dynamics of multinational crewing aboard merchant vessels' (Kahveci et al., 2001). While not a central focus of the original study, the dataset yields valuable insight into seafarer understandings of themes relevant to social justice. The dataset is transcripts of 194 in-depth semi-structured interviews and five focus groups undertaken with male seafarers[3] between the ages of 18 and 65, of all ranks and 24 nationalities reflecting the constitution of the seafaring workforce, working aboard 14 internationally trading ships of different types and sizes operating on a variety of routes[4]. The Interviews were conducted over a two year period and undertaken, face-to-face, by seven researchers who spent between 12 days and three months aboard the individual ships.

The data was imported into NVivo and 120 of the interviews were indexed and thematically analysed. Initial coding was undertaken by two final year undergraduate students in accordance with a coding frame jointly developed by them and one of the authors as part of a summer studentship. The nodes developed were then further and systematically interrogated by the authors using analytic induction (Bloor, 1978). The number of interviews coded was determined by the fact that no new themes were emerging (Guest et al., 2006). Quotes from the interviews are presented with an identifier indicating nationality and rank.

Next we provide detail of the organisational arrangements that structure life aboard ship. Drawing on the wider research literature, we then show how the maritime sector has been seen as a distinct community standing apart from those ashore. Having done so, we utilise our data to demonstrate the nature of the shipboard community and the extent to which seafarers conceive of each other as the 'same', while recognising difference.

4. Social justice, community and difference

4.1. The structuring of shipboard life

Work organisation aboard ship is standardised and hierarchical with the captain in command. Work functions are divided into three primary groupings: deck, engineering and catering. Below the captain are senior and junior officers and below them the ratings (manual workers). The physical layout of the ship reflects these hierarchies with more senior personnel occupying higher decks and different messing and social spaces for officers and ratings. Notable divisions also exist amongst work groups with their different work spaces, e.g. Navigation Bridge and engine room. While some ships have fully mixed nationality crews, others employ different national groups in different ranks, i.e. officers of one nationality and ratings of another (ILO, 2004).

Shipboard organisational arrangements are highly standardised throughout the industry. For each position aboard ship there are clearly defined roles and associated internationally recognised certification. Employers recruit individuals to fill positions on the basis of required certificates and in compliance with the ship's minimum crewing requirements established by the country whose flag it flies (ILO, 2004). The existence of an internationally recognised certification regime enables employers to recruit globally for crew members often at the lowest cost. There are however structural factors that mean some countries, like the Philippines, maintain a prominent position in the labour market. Terms and conditions of employment are primarily determined by rank and nationality (ILO, 2004).

Onboard seafarers work seven days a week and typically 12-16 hours per day commonly for nine months at a time. Most will be doing shift work, but some will be on day work, e.g. 7am–7pm, and on-call to assist with the mooring operations of the ship when entering or leaving port. Consequently, there may be no more than two or three individuals off-duty at the same time.

This picture hardly presents the idea of a 'community' – rather, it could be argued that we have outlined an image of differentiation and division, with little to unite fellow workers. Indeed, it has been claimed that crew members tend to form relatively shallow relationships (Fricke, 1973). Our contention is that there are, nonetheless, key features of this group that make it appropriate to refer to them as a community of entitlement.

Before presenting our data, the following section uses existing research literature to demonstrate that seafarers can be seen as a distinct and separate group with their own ways of being and doing.

4.2. A group apart

Research on seafaring and family life documents how seafarers see their life at home and onboard as two distinct life worlds (Thomas and Bailey, 2006; Sampson, 2013). One of Thomas and Bailey's (2006) informants summarised this generally held belief as follows:

> I always found it was very much a two life existence, wouldn't go so far as saying it was Dr. Jeckyl, Mr. Hyde exactly, but it's *very* different… There's no comparison between the two. (ibid. 620)

Other social scientists have utilised Goffman's concept of the total institution (1961) to describe life aboard ship (Encandela, 1991; Fricke, 1973).

Not only are these workplaces physically and socially separated from life ashore but the social organisation of life and work onboard is also embedded in a distinctive maritime culture. While work practices and organisation aboard ship, and the system of certification, have evolved over recent decades to address technological developments and global practices, shipboard life is nonetheless deeply entrenched in maritime tradition (Gould, 2010; Knudsen, 2005).

Organisational structures, the organisation of work and training structures coalesce to produce a distinctive 'form of life' with its own norms, values and ways of acting that are distinct and separate from life ashore. Moreover entry into this closed community is by way of gatekeepers and recognised certification. The cooperative form, its institutions and structure of governance offer a nascent account of collective belonging grounded in a sector of the world economy. This sector traverses geographical boundaries through inherent mobilities of both work site and workers. And so, we argue that there are *prima facie* grounds for viewing seafarers as a distinct community and suitable framing for inter-group comparison.

Theories of social justice which give credence to social context terminate the discussion at this point. If the account of structure points towards a transnational community then social justice claims should be located at this level, if not then other scales become determining. Such an approach absents the idea of community from the perspective of the agent, i.e. how the purported members of a community see each other as common fellows. This is particularly important for our discussion for two reasons. Firstly, the structure of the maritime industry creates a series of entrances and exits for each individual – commonly each seafarer alights on a particular vessel for a defined period of time leaving on fulfilment of a contract. This contrasts with the idea of community in terms of long term (indeed, non-time bounded) cooperation by its members (Rawls, 2001). Secondly, occupation could be seen as a thin form of belonging in contrast to the thicker accounts based on shared nationality and lasting co-presence. In the following section we utilise our data to explore how the occupation generates a meaningful sense of community through a narrative of demonstrable competence in pursuit of a shared goal inflected with collective confrontation with danger.

4.3. Communities of belonging and their grounding

From a structural perspective, life at sea can be seen as distinct from life ashore - making it cogent to argue that references made between workers should be between seafarers rather than with any other group. However, by contrast shipboard work organisation leads to differentiation and appears to work against a strong account of shipboard community.

Rather than undermining the notion of seafarers as a community, we argue that it is this very individualism forged by the organisational structure that allows for the emergence of a form of occupational identity and shared identification. Data reveal that seafarers working in multinational crews, with minimal numbers, segregated by hierarchy, work department

and often nationality and language ground their shipboard relationships on the perception of an individual's competence and contribution to work independently of an assessment of their personality, background or nationality. This is not to deny that individuals may form friendships or animosities on the basis of such characteristics. Rather, relationships onboard and acceptance into the professional community are reported to be grounded in an individual's contribution to the common enterprise of operating the ship and, importantly, amplified by the emergence of multinational crewing. Further, given that a seafarers' presence on the ship is founded on the understanding of an equitable return for their skills and labour as the basis of participating in the employment contract, we argue that issues of fairness in terms of pay and conditions appropriately relate to seafarers as a reference group.

4.3.1. Gaining acceptance

With clearly defined roles and skillsets it could be expected that the organisational structures regulate behaviour to produce work teams that achieve effective outcomes. However, where organisation is weak or fails, it may take an act of trust to achieve an outcome based on collaboration (Barbalet, 2009). In the maritime industry there is a widely expressed view that actual competencies underlying these global standards of certification are in fact variable (Bloor et al., 2014). Additionally there have been reported cases of seafarers working with fraudulently obtained certification (Chapman, 1992; Obando-Rojas et al., 2004). This is reflected in reservation amongst seafarers as to the confidence they express in certain of their colleagues on the basis of certification alone.

> The UK is a lot more stringent on who they let in charge of ships, and let's face it…in developing countries they can buy a ticket [certificate of competence]…and a lot of people do. [British, Junior Engineer]

Furthermore seafarers routinely join ships at short notice with little or no knowledge of the company, the ship or the other crew members onboard and yet are expected to work with, and place trust in, those others to carry out their tasks safely and competently. In the context of multinational crews that may not share a common national culture or language this raises further challenges. Morita and Burns' (2013) ethnographic study identifies a number of features that are pertinent to developing trust, including validated credentials and access to positive information about skills, experience, and safety orientation. English is the *lingua franca* at sea, but levels of fluency vary considerably. As such seafarers report that it is less easy to gain insight into an individual's level of competency verbally (e.g. by talking through a job) rather one has to see skills in action. Our data show trust or confidence in colleagues is built through demonstrations of competence and/or willingness to do a fair share of the work. As such trust and hence acceptance within the community has to be more clearly earned in multinational crews:

> There are benefits when you work with a mix. The only thing is you have to show them your knowledge and that you can do your job. [Filipino, Electrician]

> I think as you get more experience with dealing with foreign nationals you tend to be a little bit more maybe fastidious on the checking that you do when they're actually attending to the task…you've got to ensure yourself that these people are capable of doing what it is you're asking them to do... [British, Chief Officer]

Trust is achieved by demonstration of ability and willingness to work - not only to slot into the shipboard structure but, as noted above, to perform tasks in a way that is seen as competent and recognised as in accordance with good maritime practice.

> At sea it doesn't really make a lot of difference [which nationalities you work with] as long as who you work with does his share, it doesn't really matter what nationality he is…it is just a case of getting the job done. [Tanzanian, Chief Engineer]

> For me I don't mind about nationality, just as long as you do your job. [Filipino, Third Engineer]

Acceptance within the community is not simply based on the presentation of an internationally recognised certificate, but the demonstration of competence that validates the claims within that certificate. Belonging inheres within practice.

4.3.2. A dangerous occupation

The relationship between competence and belonging is deepened through a recognition of common features of the social context. Seafaring is a dangerous occupation with high levels of occupational injury and mortality (Walters and Bailey, 2013), and is perceived to be so by those onboard ship.

> Nobody knows what will happen next, especially because of the danger of the sea and you don't know if everything is going to be alright in the morning when you wake up. If you're a seaman then you're stepping one foot into the grave already like that. [Filipino, Able Seaman]

> All crews they are like us…because…we are exposed to danger [Sierra Leonean, Second Cook]

And, with minimal crewing levels, each person is crucial to the successful operation of the vessel; there is no spare capacity.

A crew is thus comprised of a tightly interconnected group dependent upon each other to perform their roles to ensure the effective running of the ship, as noted by one participant:

> [A]t the end of the day we're all here to do a job and that to get the ship from point A to point B. [British, Third Engineer]

Competence deepens belonging beyond that of successful completion of organisational aims to the self-preservation of a group entwined in a common fate. In this manner seafarers aboard ship can be viewed as a distinctive community, both physically and socially separated from land and their homes, where the defining features of membership are competence and work ethic as defined by the established norms, values and practices of this particular community. Whilst organisational structures define formal criteria of work and entrance into the community, practice and competence establish a deeper sense of belonging; a belonging that transcends a given ship and reflects an industry wide identification. As seafarers frequently move between ships and companies they reflect the

sense of shared belonging deriving from a common industry wide organisational structure and embedded maritime culture. As such it is our contention that the community of seafarers deployed via the global labour market represents a relevant site for raising social justice claims in relation to terms and conditions of employment.

4.4. The dialectic of same and other

In the preceding section we emphasised commonality in terms of the structural context of work and the interactional bases of belonging. This approach runs counter to the emphasis on geographical and, in particular, national scale within extant theories of global social justice; replacing it by one of transnational belonging that crosses boundaries. These ties define the community of fate and align social justice claims along a transversal axis. However seafarers have multiple bases of belonging including, importantly, nationality. In the next section we show how perceptions of otherness interact with perceptions of sameness and lead to the raising of claims of injustice.

4.4.1. Identity and the perception of 'others'

Crews aboard the majority of the world's ocean-going ships are now comprised of individuals of different nationalities. This multi-nationalism is viewed largely positively by the seafarers interviewed, with many commenting on the benefits of working with others of a different nationality. To the extent that cultural differences were remarked upon, it was frequently in terms of food eaten, religions followed, and sociability. Typically however it was commented that a seafarer's nationality was unimportant in respect of work practice, as all seafarers were viewed as being onboard to do a job and earn a living, and in that respect they were described as 'all the same':

> Because, we are all humans, see, whether you are Philippine, Greeks, it is, when we are on the ship, we are all seamen…We are one family. [Sierra Leonean, Chief Cook]

> There are no difference at all. First of all, we are doing the same job, all of us, we are doing the same job… [Croatian, First Engineer]

The recognition of difference appears coterminous with its opposite 'all being the same'. Seafarers recognise that others are different and different in multiple ways. But what enables them to say they are all the 'same' is the recognition of commonality that transcends rank, work department or nationality in this situated but generalised context - namely their contribution to the joint endeavour of safely and efficiently operating their ship in the international merchant fleet navigating the world's oceans.

4.4.2. A sense of injustice

This dialectic of sameness and otherness is emphasised when seafarers reflect on fairness across their community. The narrative of interpersonal and intra-community comparison is shot through with national contextual comparators, viewed from the common base of occupational community. When a seafarer's participation in the shipboard community is judged on the basis of their perceived competence and contribution to work, it is hardly

surprising that interpersonal comparisons tend to focus on issues of pay. In responding to noted inequalities, some take the seafarer community as the sole point of reference:

> The thing what's not great though, especially as we're with these guys, is the way they're paid. All right what you get paid is good for their country, but I'd feel ashamed if one of them turned around to me and said 'how much do you get paid?' I'd feel ashamed to tell them, 'cos I think they're - they're paid a lot less than what they're worth. [British, Junior Engineer]

> We should be paid for the job not for the nationalities…I don't understand this because you live there [referring to home country], but you don't have to live there… I think this should be paid for the job; for your skills, for your knowledge, for your experience. Not for the nationality, it shouldn't be taken into account. [Polish, Second Officer]

Others refer to the national context as important in understanding equity. It is important to recognise that even in these cases the occupational community grounds the claim, and differential treatment is only argued to be fair when taking into account relative purchasing power in the respective countries.

> I think it makes you see how lucky you are sometimes. The Polish officers think they're quite well off and everything. I think they're on our sort of wages in US dollars; something like that, so it's probably half or a third of us for doing the same job, while back home they're really well off. [British, Fourth Engineer]

In framing claims in this manner, attention is drawn to the relevance of otherness *and* sameness in the redemption of justice claims. Fairness becomes not solely an internal comparison within the community but also a recognition of otherness in lives, making visible that seafarers live two lives, one aboard ship and one at home. However, it is appeal to the shipboard community that serves to ground the claim and assert its legitimacy; a legitimacy grounded in both structural arrangements of the seafarer labour market, industry wide organisational arrangements and seafarer understandings. By contrast reference to the national offers nuance in respect of the substance of the claim.

Claims of inequity go beyond pay, as terms and conditions of employment vary even more widely. The most visible sign of inequality between workers is contract length and time spent onboard. Individuals from Western Europe typically spend 3-4 months aboard ship followed by 2-4 months paid leave. By comparison seafarers from developing countries commonly work 9-12 months and are entitled to a month's paid leave.

> They have the extended length of trip… they are going to look at it as 10 months I've got to do, 4 months I've got to do. I don't feel it's fair that they should have to do that. [British, Chief Engineer]

As well as formal contractual arrangements there are also broader differences in rights and entitlements depending upon their home country. For instance, those from richer nations

often have the right to free or subsidised national-based healthcare, whereas seafarers from developing countries are more likely to have to pay for their own:

> When I go home from the company I don't have any medical facilities but those who are staying in UK have medical facilities… [Pakistani, Second Engineer]

The ability to exercise other rights, such as to join a trade union, claim compensation for mistreatment or repatriation in case of abandonment, also vary significantly by nationality (Bailey, 2003; ILO, 2004).

Reference to such differences highlights that seafarers have multiple identifications, in terms of both sameness and difference that ground perceptions of inequity. From the data, we have identified several perceived inequities, with the national read through the transversal community in a way that demonstrates how the experience of these differences contributes to further the seafarers' perception of injustice. That is, as workers engaged in a common enterprise, reliant upon each other for their safety, well-being and security it is made visible on a daily basis that some can exercise rights and access goods and services not available to others in a way that may cause hardship, anger, shame and/or embarrassment. Moreover the experience of work especially in terms of duration and reprieve, as an embodied reality, is impressed upon an individual's consciousness in terms of energy and vitality expended and marked by the changing sequence of 'the others', one's colleagues and team members, due to the existence of inequality predicated on nationality.

Discussion

Influential accounts of social justice have attempted to restrict the concept of social justice to the national scale (Miller, 1999; Walzer, 1983). Through the examination of a concrete example and presentation of empirical data, we have offered an alternative analytic frame. Seafarers working in multinational crews, traversing the world's oceans, express a sense of belonging with the community of international seafarers. With perceptions of demonstrable competence, emergent trust and common fate forming the narrative of their existence and self-identification as 'seafarers'. This is an identification grounded in everyday practices onboard particular ships, but one that is experienced as an emphatic sense of belonging to a community of seafarers rather than a fragmented series of short-term contractual events. For the seafarer, the community of belonging is neither the globe nor the nation state, but neither is it solely the particular organisation. Whilst employment contracts appear insufficient to ground social justice claims, we argue that belonging to a transversal community is wider and richer in content and can make reasonable claim to operate as a legitimate frame for raising claims of social injustice. Likewise, the quotidian multinational organisation of labour within the maritime sector and the perceptions of seafarers', as presented, argue against the national scale as determining. Our account similarly takes issue with cosmopolitan approaches which assume that the only response to globalising conditions consists in re-siting the basis of inclusion in a metanarrative of global belonging, such as shared capacity for reason or common humanity. While sociologists and cultural theorists have approached the issue of mobility and globalisation by developing empirically informed, nuanced accounts of sameness and difference and cosmopolitan ways of being and understanding, others have stressed the need to link such findings via theory to broader

social, political and economic issues arising from the processes of globalisation, to bring about change (Alexander et al., 2014; Hall, 2000). Our account seeks to do this by providing an empirically informed approach to social justice theory.

The community of belonging of multinational seafarers is based in shared practices and lived commonality. The ties may be transversal and the groups may form and dissipate regularly, but the narrative of belonging to the community of seafarers remains present. Indeed, it could be argued that the short term contracts and continual churn of crews across organisations and vessels serves to emphasise this belonging to a community, at the level of professional practice, rather than particular employing organisation. By exploring the lived reality of seafarers via the collection and analysis of empirical data other, and arguably richer, forms of belonging become apparent that question the counter-posing of the national and the global prevalent in theoretical debates.

We have more sympathy with accounts that seek to obviate scale. Indeed our discussion shares some features with arguments concerning issues of 'subjection' and 'being affected' (Fraser, 2008; Young, 2000). A criticism of these approaches is that those within the structures of governance are somewhat undifferentiated and that prior ties do not appear to make a difference; justice claims are operationalized through a subjection by a structure which trumps other claims of any form. By contrast our approach seeks to show both the formation of meaningful ties through shared practice that operate across boundaries *and*, in this case, the continuing relevance of national ties as points of interpersonal comparison. The seafarers are in effect holding both sets of ties as elements of social justice claims. However, these claims are not of the same order. The community of belonging raises and grounds justice claims, prior national ties have the potential to affect the elucidation of the substantive accounts of fairness. To restate, the claim *derives from* and is *grounded in* the occupational community, the exposition of the claim (i.e. what is fair in a particular instance) reflects the primacy of the community *and*, in this case, the continuing significance of the national. As one seafarer argued:

> To see the salary and then compare it to the developed world, and know that we do – that we [Ghanaians] work with them. Not to be on the same salary scale, you know, but the difference should be a little closer. [Ghanaian, Third Officer]

In a previous paper we discussed managers' responses to claims of injustice made by seafarers (Winchester and Bailey, 2012). Many of the responses took the form of either *rejecting* non-national scales of reference or suggesting that the national scale *trumps* any other apparently legitimate scale. In our view, the claims deriving from shared practice appear too strong simply to be dismissed in this manner. In a normative vein, the claims for justice, and the specific invocation of equity in the first instance, lies across boundaries based in transversal forms of belonging grounded in practice. National scales introduce claims for contextual relevance in respect of the nature of equity across the group. In these claims the practices of the group and its community of belonging inter-mingle with the other land-based 'world' of the seafarers. In this account, communities of entitlement are not always closed and fixed, but can be more or less permeable. Hence, within substantive accounts of social justice, where to draw the boundary of inclusion, and what factors to admit for consideration, is not resolved by prior determination or theoretical reflection but

is a dialogical accomplishment; one that can be aided by sociological elucidation of the grounding relations. This, as we have shown, is very much implicit within the understandings of the seafarer community and its dialectic of same and other and, importantly, made explicit by the social researcher. However the starting point is not of differentiated others, but of the equal standing of members of the community based in shared practices. In this way transversal equity (i.e. that of the community as the grounding of social justice) is prior to the narrative of difference based on other sites of belonging. The latter can only contextualise and render nuance to claims of substantive fairness but cannot ground the claim.

The significance of our data is that it gives substance to the claim that social identity and entry to, or exclusion from, the community of seafarers is grounded in perceptions of competence and commitment under conditions of collective risk – perceptions shaped by and formed within a particular set of organisational structures that are common and institutionalised across this industrial sector. Commensurate with this is the perception of seafarers as individuals with skills and applying effort doing a job. A natural corollary of this is that social justice is grounded and framed at the level of this community and should relate to the individual, their skills and the work they do, not their nationality. It is only by introducing sociological data into these debates that these issues have been drawn out; not only in respect of a detailed analysis of the socio-structural content in which social justice claims play out, but also by enunciating seafarer perceptions and feeling of inequity. In this we seek to go beyond claims that sociology should leave ethical theory to philosophy (Abend, 2008) and contend that the sociological and the ethical should be seen as mutually constitutive.

Conclusion

In a globalised world claims of social injustice often transcend national boundaries. In such cases a key area of contestation is the determination of the appropriate and legitimate frame, i.e. who is entitled to raise claims and on what basis. We have examined the case of seafarers in the global maritime industry, where claims for equitable treatment are based on perceived commonality but rebutted on the grounds of national belonging. We have presented data from seafarers demonstrating that they self-identify as a community of entitlement; where belonging is based in perceptions of competence and willingness to contribute to the joint endeavour in a way consistent with established sector-wide maritime tradition and practice and, importantly, shaped by the sector-wide organisational structures and arrangements. Having argued that seafarers, as a community, warrant the status of legitimate claimants to social justice, a fuller theory of social justice requires the elucidation of the mechanisms by which claims could be addressed. Whilst beyond the scope of this paper, we point to several elements necessary to developing a fuller account that are present in the sector. First, the maritime sector is subject primarily to international regulation as developed by the International Maritime Organisation (IMO) and International Labour Organisation (ILO), with labour organised globally by the International Transport Workers' Federation (ITF); Second, the ILO has developed an internationally accepted minimum wage for seafarers, while the ITF has leveraged commonality to set minima in respect of terms and conditions and secured some basic rights; Third, the recent

development and ratification of the ILO's Maritime Labour Convention, which attempts to delineate an extensive 'bill of rights' for seafarers.

In developing our argument we have focused on seafarers, however, the need to identify who can legitimately raise claims to social justice applies equally to other groups – we could for instance, have examined the case of other transnational workers, e.g. air crew, construction workers in the Middle East, or migrant domestic workers in Singapore or Hong Kong. Indeed, we have argued that any account of social justice would benefit from a detailed examination of the nature of the community that underpins it. The thesis advanced is that social justice relates to a community whatever its basis; be it in terms of geographical boundaries underpinned by legal and constitutional arrangements and notions of citizenship or through some more amorphous but socially grounded set of social relations. And, in giving an account of social justice appeal needs to be made to the empirical elucidation of those relations that define the community. Hence our contention is, that in the matter of social justice, theorists should not declaim principles without detailed understanding of the social world and a recognition of the relations that bind those for whom they speak. To this end sociological methods and data are an essential element.

Acknowledgements

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

[2] Lane T, Kahveci E, Sampson H. (2003). *Transnational Seafarers, 1999-2001*. UK Data Service. SN: 4634, http://dx.doi.org/10.5255/UKDA-SN-4634-1.

[3] Seafaring is a male dominated occupation. Women constitute 1-2% of the 1.25 million seafarers (ILO, 2004).

[4] A limitation of secondary data analysis is that methodological considerations are not under one's control and may, as in this case, need to be gleaned from the accounts publicly provided. The criteria for the selection of companies and ships is not stated, but based on experience of research in the sector is likely to be based on convenience with the intention of representing as wide a range of ship types as possible.

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