

Book Reviews / Comptes rendus

Global Justice: A Cosmopolitan Account

GILLIAN BROCK

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Global Justice: A Cosmopolitan Account, a monograph by Gillian Brock launched in the summer of 2009, makes a high quality contribution to the body of philosophical work on global justice. As its title suggests, the book offers a vision of global justice from a cosmopolitan perspective. What makes the vision cosmopolitan, of course, is the appeal to the ideal of moral equality of all persons as the starting point of a philosophical inquiry into matters concerning justice on a global scale. With this ideal as its starting point, the author offers a theoretical approach, discusses various substantive issues, and situates both the theory and its implications for substantive issues in relation to the larger literature on the subject.

The book is structured in a slightly unusual way. This is, in fact, a feature of the book that makes it very attractive. It has become commonplace in recent years to start a piece of work on global justice with empirical data on global poverty, and then derive an obligation of justice that prescribes economic sacrifices to alleviate global poverty to individuals of affluent (and mostly Western) countries. Sometimes, the justification for this obligation appeals to claims that members of affluent countries are in fact responsible, one way or another, for global poverty. The book avoids this structure and starts clearly and unapologetically with normative theory itself. The empirical considerations are taken up along the way and substantive issues are discussed after the basic components of the normative theory are articulated. This is followed by a reconsideration of the theoretical normative questions.

To reflect this dialectic, the book is divided into three parts. Part I proposes a theory of cosmopolitan justice. It offers an introduction to the debates and an elucidation of the author's theoretical position on global justice. In doing so, the author articulates an alternative theoretical approach in relation to other positions that have been developed in the literature. Simply called "Theory", this part contains four chapters: an introductory chapter, a chapter devoted exclusively to the debate around Rawls's *Law of Peoples*, a chapter that articulates the author's proposed theoretical framework, and a

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chapter on global governance, which also responds to the nationalist challenge that has often raised and that dominates the debates on global justice. The chapter that offers an original contribution to the debates on global justice is Chapter 3: “A Cosmopolitan Model of Global Justice” (pp. 45-83). Here, Brock explains, against most Rawlsian cosmopolitans, how a Rawls-inspired thought experiment on a global scale would not yield an agreement on a “global difference principle”. She conducts one such thought experiment by appealing to empirical information derived from experimental studies (pp. 54-57). She then argues that the thought experiment conducted in this way gives rise, instead, to what she calls a “needs-based minimum floor principle,” a variant of the principle of equality of opportunities. Human needs are conceptualized as being related to the idea of “capabilities,” which for Brock are central to most proposed conceptions of global justice in the literature, as well as a conception of human rights.

Part II is devoted to first-order issues on how to achieve justice on a global scale, given the theoretical framework previously articulated. The discussions are mostly focused on devising policy proposals on various issues. These include global poverty and taxation, basic liberties, humanitarian intervention, immigration, and international trade. In chapter 5, Brock revises the global tax proposal made in the literature, whose most well-known advocate is Thomas Pogge. Brock’s proposals for a global tax offer a richer array of taxation than Pogge’s, who proposes a narrower Global Resource Dividend. Though Brock’s proposed taxation schemes are not intended to go against Pogge’s, they offer a more diversified and wider range of taxes. Within this framework of a “global tax” scheme, Brock includes taxation schemes for the purpose of protecting global public goods (such as addressing the issue of climate change through a carbon tax). In general the proposals revolve around the idea of taxing various activities of global scope, such as international trade and business ventures. Returning to theory in Part III, Brock takes up the debate on the nationalist challenge to cosmopolitan theories. Chapter 11 is devoted to raising objections to the nationalist challenge. Chapter 12 is devoted to showing how the conception of global justice offered in the book can accommodate some legitimate forms of nationalism, and can meet the nationalist challenge.

Overall, this book is an interesting and engaging read. Some readers will agree with the substantive claims and arguments offered in the book. Others will probably disagree. In other words, the book is likely to generate a great deal of discussion. Engaging with the substantive arguments in any detail is not the purpose of this review. Nevertheless, I would like to raise one point concerning the general approach to global justice offered in the book.

Gillian Brock’s book – like many writings on global justice – gives us a usual dose of two dominant themes. First, it offers a thorough and scholarly critical discussion around Rawls’s writings on the subject as reflected in his *Law of Peoples*. As important as Rawls’s influence to the debates on global justice is, however, I believe it is time for philosophical inquiry on this topic to move on and start taking the debate on global justice to a new level. This is because so much has already been said critically on Rawls’s position that it is hard to say something that hasn’t been said before. This leads to a stagnation of the philosophical discussion overall, which should also examine some of the new developments in the world and new normative considerations in order to capture the complexity of the issues on global economic ethics and justice.

Second, the book is heavily focused on the tension between cosmopolitanism on the one hand and nationalism of some sort on the other. The nationalist challenge is taken up in the last chapter of Part I, but later, the return to theory in Part III is really a return to this question, and practically the entirety of Part III is devoted to this question. As important as the place of the nationalist challenge is in the literature on global justice, focusing so much on this question has the unfortunate effect of preventing the debates from exploring some genuinely interesting questions that can potentially advance the debates. It is important for the philosophical debate on global justice to be tuned in to new developments and policy debates occurring in the world. Some of the questions central to the literature gain an appearance of importance given how dominant they are among philosophers, but they do not always have the same prominence in actual policy debates and in international negotiations.

The issue of nationalism as articulated in the philosophical literature is an example of this phenomenon. In the context of global justice, the issue of nationalism is worth discussing in relation to questions such as whether protectionist economic and trade policies are detrimental to achieving just terms of trade and human development in emerging markets. But the issue seldom receives attention in this way. Instead, an overwhelming focus on what appears to be the nationalist challenge, as it became commonplace in the philosophical literature, detracts us from looking at new issues, which can potentially help us refine our understanding of global justice. For example, it may be worth focusing whether an international agreement on an appropriate coordination of climate change policy can help us re-think what is required to achieve fair terms of trade and foreign investment. Yet, in the book this question receives very little discussion (p. 132). Only one policy option – that of taxation – is touched upon, with no discussion of the challenges to coordination at the global level. Part II, which takes up many interesting topics, could potentially offer far more detailed analyses of substantive issues than it currently does. The chapters, as they stand, move very quickly from topic to topic that have so much complexity that they each can become the object of a much larger investigation. The chapters offer positive solutions, with great optimism and confidence about what the theoretical framework offered in the book can achieve. But many positive proposals remain too hastily defended, sometimes without full consideration of possible objections that could be raised against them or with quick responses to objections. Putting less weight on already established and dominant themes, such as nationalism, and more weight on new ways of examining different substantive issues would have carried an already interesting discussion on substantive issues even further.

Overall, this book is likely to mark an important stage in the debate on global justice. Because it offers a thorough treatment of at least two problems that have concerned the debates on global justice so far (i.e., the Rawlsian position on global justice and the nationalist challenge), it establishes itself well in the literature and can be said to offer the definitive discussion of those topics, while at the same time opening the floor to possible new explorations of substantive issues pertaining to various aspects of global justice. This book can therefore be the starting point of a new and interesting phase in the debates on global justice.

The Idea of Justice

AMARTYA SEN

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Robert Nozick once wrote that “Political philosophers ... must work within Rawls’s theory [of justice] or explain why not” (in *Anarchy, State, and Utopia* [New York: Basic Books, 1974], p. 183). In his latest book Amartya Sen persuasively chooses the latter option. *The Idea of Justice* is a pleasure to read, oscillating effortlessly and illuminatingly between tightly argued political philosophy, stories, and parables, and historical-empirical illustrations. Sen takes an admirably long and wide perspective on his subject, drawing on an immense and rich array of sources and thinkers — from the Mughal emperor Akbar to Thomas Hobbes; from Buddha to Bentham; from Dickens to Dworkin. The result is surely one of the most significant books on the topic of justice in several decades.

Spanning more than four hundred pages, *The Idea of Justice* is organized into four main parts. Part I — “The Demands of Justice” — sets itself against theories of justice that Sen consolidates under the name “transcendental institutionalism.” Such theories have two general features. They are “transcendental,” first, in that they aim “to offer resolutions of questions about the nature of perfect justice” (p. ix). Such theories tend to focus on the pure concept of justice — the nature of “the just” — rather than on relative comparisons of justice and injustice. Second, such theories are “institutionalist” in that they concentrate on getting the institutions right, as it were, while neglecting (or altogether ignoring) questions that arise about the actual societies that would ultimately emerge from any given set of institutional arrangements.

One might be forgiven for thinking that “transcendental institutionalism” is merely John Rawls’s theory of justice by another name. While Rawls is certainly at the centre of Sen’s worries — there is a whole chapter dedicated explicitly to Rawls’s work, and several other chapters which are implicitly so dedicated — it is made clear that transcendental institutionalism picks out an approach to justice which is much older and more expansive. The theories of Hobbes, Locke, Rousseau, and Kant are paradigmatic no less than those of Rawls, Nozick, Gauthier, and Dworkin. Sen rightly observes that “transcendentalism” and “institutionalism” have (by themselves or in tandem) come to dominate political-philosophical reflection on justice. Let me say something about each of these in turn.

“Transcendental” accounts of justice stand in contrast to what Sen calls “comparative” accounts. The latter eschews the search for perfect justice, focusing instead on locating criteria for some alternative being “less unjust” than another. There are obvious advantages to this way of conceiving of justice. First, a comparative approach helps us make sense of real-world struggles for justice in a way that transcendental approaches simply cannot. “What moves us,” Sen writes in the book’s preface, “... is not the realization that the world falls short of being completely just ... but that there are clearly remediable injustices around us which we want to eliminate” (p. vii). Gandhi, Nelson Mandela, Martin Luther King Jr., and others whose names are associated with struggles for justice were surely moved by the same thing. A comparative approach also reminds us that in the real world (where else can justice be struggled for?), demands for justice are always *demands for something specific*: a particular right or benefit; a more fair distribution of wealth or resources; the abolition of carefully identified forms of oppression, aristocratic

privilege, subordination, domination, unfairness, inequality, and so on. There has never been a political movement that mobilized without an agenda or a set of demands — in the name of nothing but transcendental “justice itself.”

“Institutional” theories of justice are contrasted with what Sen calls “realization-focused” theories. The contrast is brought into focus by way of an old distinction in classical Indian jurisprudence. In ancient Sanskrit, Sen explains, there are two words — *niti* and *nyaya* — both of which are co-extensive with the English word justice. The former refers to “organizational propriety and behavioral correctness,” whereas the latter stands for “a comprehensive concept of realized justice” (p.20). Each concept has its role and place; Sen’s aim is not to defend one entirely at the expense of the other. The argument rather is that wholly “institutional” accounts do not typically or sufficiently address a central dimension of what most of us have in mind when we think of justice. The basic “institutionalist” premise is almost always the same: if a theory’s abstract principles of justice call for certain sorts of institutions, or allow for certain inequalities or disparities, then that is the end of the story. Questions that arise about the actual societies that would emerge from a particular set of institutions, or about citizens’ capacities for positive freedom, or the extent to which too much disparity in the distribution of various goods can lead to unacceptable inequalities are beside the point. As long as the principles are satisfied, there is simply no room left for complaint. In Rawls’s theory, for instance, there is no space within which to entertain the possibility that in a society committed to the “difference principle” there might still be significant numbers of citizens who lack the resources required to lead genuinely self-authoring lives. Nor does Rawls entertain the possibility that in such a society the (difference-principle-sanctioned) gap between the best-off and worst-off might be great enough to culminate in unjust social inequalities. The “difference principle” merely requires that the “worst-off” be as well-off as they could be (with respect to Rawlsian “primary goods”) as compared with their condition under any other system. But there is simply no room in the Rawlsian schema to suppose that, with respect to their ability to freely develop lives of their own choosing, they might nevertheless be not well-off enough. As Sen (rhetorically) asks, “If the justice of what happens in a society depends on a combination of institutional features and actual behavioral characteristics, along with other influences that determine the social realizations, then is it possible to identify ‘just’ institutions for a society without making them contingent on actual behavior? ...” (p. 68).

It is in the context of “realization-focused” thinking about justice that Sen’s seminal work on “functionings,” capabilities, and real freedoms are in point. Part III — “The Materials of Justice” — perspicuously makes the connections between the “capabilities-approach” and a “realization-focused” account of justice explicit. Much of part III will be familiar to those who have followed Sen’s work. Still, having the material set forth in this context is particularly useful for recognizing the extent to which capabilities and real freedom contribute to, and are necessary “materials” of, a viable theory of justice — something that was less clear in earlier writings.

Sen’s characteristic generosity as an author is wonderfully on display in *The Idea of Justice*. He seemingly never misses an opportunity to register his intellectual debts and to heap praise upon the thinkers and theories he is discussing — even where deep disagreements are clear. As a writer he is never *merely* polemical. Readers are made to feel, simultaneously, that “transcendental institutionalism” is both hopelessly off the mark and also that it is a source of invaluable insight. This is the case particularly for the work of John Rawls, to whose memory *The Idea of Justice* is dedicated.

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Sen's tone throughout is deeply pluralist: wisdom is to be found in many corners; there are many sources of learning; no one has a monopoly on insight. Indeed, a central argument of the book is that there is no such thing as *the* one best approach to justice, one ideal form of reasoning, one privileged perspective, one procedure or rubric with which to make all decisions about justice. "[I]t is not defeatist," writes Sen, "for an approach ... to accept the absence of once-and-for-all finality" (p.89). He emphasizes throughout "the need to accept the plurality of reasons that may be sensibly accommodated in an exercise of evaluation," sensibly noting that, "[t]he fact that a person can reason his or her way into rejecting slavery ... does not indicate that the same person must be able to decide with certainty whether a 40 per cent top rate of income tax would be better than — or more just than — a top rate of 39 per cent" (pp. 394-396).

What is called for is a greater sensitivity to different modes of argument and reasoning that bear on the assessment of justice and injustice. Part II of Sen's book — "Forms of Reasoning" — is dedicated to setting forth that argument. Here a number of standpoints and forms of reasoning (objectivity, positional bias, impartiality, and so on) are discussed with an eye to examining their various roles and limitations in a theory of "comparative, realization-focused justice." Again, the underlying ideal is a pluralist one: "Judgments about justice have to take on board the task of accommodating different kinds of reasons and evaluative concerns" (p. 395).

The Idea of Justice concludes on an empirical note. Part IV, "Public Reasoning and Democracy," touches on an assortment of issues including terrorism, voting, famine, the role of media in a democratic culture, the connections between law and human rights, and the interconnectedness of the global economy. The argument of these last chapters is that the role of public reasoning is central in the understanding of justice, and that this recognition takes us to a connection between the idea of justice and the practice — not the theory — of democracy. This emphasis on the empirical realities of democratic practice is important for at least two reasons. First, it adds substance to Sen's claim — made much earlier in the book — that understanding the demands of justice is "no more of a solitary exercise than any other discipline," and accordingly that there are good reasons "to be sceptical of the possibility of 'discussionless justice'" (pp. 88-89). Second, it reaffirms the larger idea that debates about justice must touch down on earth somewhere, must bear on actual lives — they must, as Sen puts it, "relate to practicalities" (p. 400).

Written by one of the most sophisticated and humane intellectuals of his generation, *The Idea of Justice* will be read and discussed for a long time. It is mandatory reading for anyone working in political philosophy.

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Faith in Faithlessness: An Anthology of Atheism

DIMITRIOS ROUSOPOULOS, editor.

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Faith in Faithlessness: An Anthology of Atheism, edited and introduced by Dimitrios Rousopoulos, gathers together some thirty-nine essays and excerpts on the general theme of atheism. While most essays were published in the Twentieth Century, the

anthology ranges historically back to Spinoza. The book is divided into three sections, corresponding to time periods: the Early Classics (everything prior to the Twentieth Century); Early Twentieth Century Classics; and Later Twentieth and Twenty-First Century writings. The first and last sections comprise the bulk of the book with the early Twentieth Century Classics making up a comparatively thin slice in the middle.

The writings presented here are not exclusively philosophical, coming from scientists (Darwin, Dawkins, Einstein), literary figures (George Eliot, Gore Vidal, Salman Rushdie), journalists (H. L. Mencken, Hitchens), historians (W. E. H. Lecky, Carl Van Doren), poets (Shelley, Greydon Square), political activists (Charles Bradlaugh, Elizabeth Cady Stanton, Bakunin, Emma Goldman) and even a lawyer (Clarence Darrow). The Four Horsemen of the Atheipocalypse are represented, though the selections from Hitchens and Dawkins come straight out of their famous New Atheist works. There is a wide variety of essays, and even some unusual choices, but all of the material has been published previously.

What seems lacking is any clear mandate in the selection of the essays. Not every piece clearly makes a significant point or contribution to atheism, and the inclusion of Spinoza seems questionable, since there is considerable disagreement as to what he might have believed. Some figures, like Thomas Paine, may well have been deists, which is technically “atheist” at least, in not being “theist.” Although there are some fine essays in this volume, there is little to distinguish it from the other anthologies now on the market. The organization by temporal period, rather than by theme, makes it more difficult for the reader to judge the contents, but this aspect is shared by many other anthologies as well. If the book is to be effective in accomplishing its stated aim – “to give rational tools to those who seek to counter the overwhelming influence and power [of religion]” (p. xi) – a more systematic presentation will surely be necessary.

According to the preface, the idea for the book was hatched at roughly the same time as the famous “New Atheist” books were published, and from more or less the same motives, that being concern over the apparent rise of religious fundamentalism. Unfortunately, it was published between two and three years following the four New Atheist texts and seems to be rather behind the curve. The Introduction and Epilogue by Rousopoulos are pretty bland fare. The Introduction begins on a note of shocked dismay that in the 21st Century monotheistic religion still must be discussed, though it is not made clear for what reason one might have expected it to go away. What follows is a now-familiar run-through of the horror and stupidity of fundamentalism and its current political significance. Readers of Sam Harris and Christopher Hitchens will not find much of surprise here. The Epilogue runs through a potted recital of the intellectual history of the Enlightenment period and the critical responses to it, such as Critical Theorists Adorno and Horkheimer. It closes with an “Open Letter to the Left” (appealing to them to “come out of the closet”) and a call for a Second Wave Enlightenment. Rousopoulos repeats the call for atheists to be frank and open about their beliefs, to generate or enter public political discussion with their perspective fully explicit. In other words, he repeats the essential point of Dawkins’s “Out Campaign,” without much novelty and without Dawkins’s eloquence. The New Enlightenment proposed would be based on the world view of humanism, for which Rousopoulos outlines a few basic points: ethics, building a better society with reason, concern for life and critical thinking. Consistent with the political activist message, the book includes a resource section, listing a number of atheist, secularist, humanist and skeptic organizations worldwide, including addresses, emails and websites. Unfortunately, the listing is simply recopied from the

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Richard Dawkins Foundation website, where the links are active and ready for use. On the whole, it is difficult to see what this book adds to the discussion of atheism, after the buzz of interest of the last several years, when much of this was hashed out repeatedly. On the other hand, a complete novice to non-belief wouldn't find this to be a problem and would certainly benefit considerably from this introduction to the topic.

Finally, while I appreciate the noble origins of the title in a Pete Seeger song, it nevertheless is an unfortunate formulation. It seems to be admitting the old charge, recently reinvigorated, that non-belief itself is really a kind of faith. This will not confuse many atheist readers, but it may lend ammunition to the professional handlers of the faith community, the apologists and evangelists who crow with delight over the least indiscretion they can point out to their flock as proof of the illegitimacy of atheism.

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