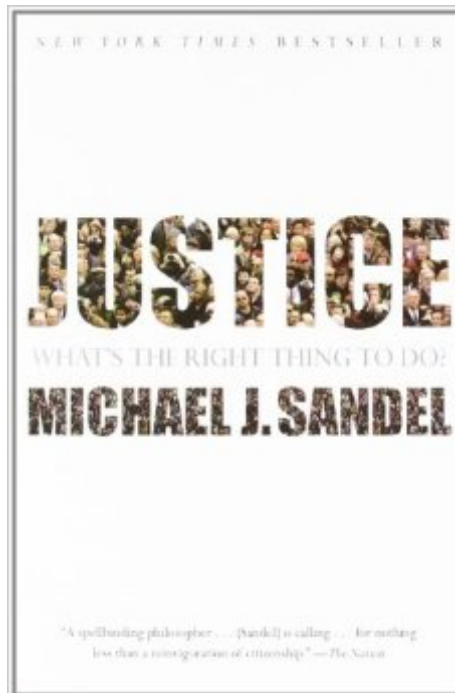


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# Justice: What's The Right Thing To Do?



## Synopsis

"For Michael Sandel, justice is not a spectator sport," The Nation's reviewer of Justice remarked. In his acclaimed book based on his legendary Harvard course Sandel offers a rare education in thinking through the complicated issues and controversies we face in public life today. It has emerged as a most lucid and engaging guide for those who yearn for a more robust and thoughtful public discourse. "In terms we can all understand," wrote Jonathan Rauch in The New York Times, Justice "confronts us with the concepts that lurk . . . beneath our conflicts." Affirmative action, same-sex marriage, physician-assisted suicide, abortion, national service, the moral limits of markets Sandel relates the big questions of political philosophy to the most vexing issues of the day, and shows how a surer grasp of philosophy can help us make sense of politics, morality, and our own convictions as well. Justice is lively, thought-provoking, and wise an essential new addition to the small shelf of books that speak convincingly to the hard questions of our civic life.

## Book Information

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## Customer Reviews

Michael Sandel's discussion of Justice begins and ends with what he believes are the three main views on what Justice is or rather what it should promote: the maximum good to the largest possible number of people, individual freedom or encourage the collective virtues and the development of harmonious and enlightened communities (who wouldn't?). Sandel's discussion, based on a popular course he teaches at Harvard, mixes a pretty good dose of 'history of political philosophy' with an interesting selection of hypothetical and real life 'cases', meant to stimulate thinking and understanding of the difficulties one faces when one's mission is to distribute 'justice'. Is affirmative

action justified as a criterion for college admission? Are the handicapped entitled to jobs their handicaps prevent them from performing well? Are abortions 'murder' or an expression of free choice? Should the State get out of the 'marriage' business altogether? Is it okay to kill and eat a sick boy about to die anyway if that would save the lives of three men? These are some of the dilemmas Sandel presents his students. And, for context - or is this the true purpose of the course? - he presents a summary of what he considers to be some of the more prominent thinking on the matters of morality and justice: the Utilitarians, Kant, Aristotle, John Rawls. The journey ends with an attempt to answer the initial question: what is Justice for? And, now, that we better understand the main arguments and their proponents and we saw how they applied in 'real life', Sandel is ready to reveal his preference. He rejects Justice as a means to maximize the collective welfare because there's no way to accurately measure happiness and because not everything that gives us pleasure is worth pursuing or even 'good'. He dismisses the libertarian view of Justice as defender of our freedoms and individual rights because we are a society, not isolated individuals and because there are moral standards that are imposed by society on us. He supports a Justice that promotes a community where Virtue is celebrated, where civilized debate is possible, where good people and good deeds are recognized, and honor rewarded. Who wouldn't? I found the history part of the course to be the most interesting. The author's deep understanding of the philosophers and thinkers he covers gives him the ability to present them to the students in a manner that's succinct and interesting without missing the essence. His presentation of Kant and Aristotle are among the best 'introductions' I've heard or read anywhere. While I respect the author's choice of what to cover and what not to, I feel that there were too many missing views if this was meant to be a brief history of moral thinking and political philosophy. There was nothing on the revolutionary, especially Marxist notions of class struggle and the class nature of morality. Nothing or very little on Religion and its views on morality and its role in enforcing it and dispensing Justice. Nothing on anything or anyone outside of what we usually call 'the Western world'. Were/are there any moral thinkers or political philosophers in China? India? I can think of a few. Nothing on nationalism, feminism or ethnocentrism and the way they view Justice. The cases presented were by and large interesting even though, most of them being recent 'real-life' issues decided and settled by the courts or legislatures, the outcome was not a surprise and some of the arguments should be familiar. Almost with no exception, Sandel appears to be supporting the establishment's view, agreeing with the way all settled cases were settled and disagreeing with those who opposed the settlement and staying neutral and presenting 'both sides' on some issues not yet settled - abortion, same-sex marriage, stem cell research. The course ends with the author's expressing a preference for a view of Justice

as promoter and perhaps enforcer of the good, virtuous and communal life where the rich are happily sharing their bounty with the less fortunate who, far from resenting them, stay engaged in a civil, open and never-violent debate and dialogue on the good life and how to make it even better. If it sounds as an over-simplification it's probably because it is. We receive very few hints on how we can move from our current litigious, ethnocentric, highly income-polarized, over-materialistic, voluntarily segregated society to the ideal Polis that Plato, Aristotle and, with some adjustments, Sandel dream of. I found this lecture worth listening to. Since this is only an abbreviation of the original book, it's possible that some of the aspects I found lacking in the audio version may not be so in the book but I am only reviewing the audio. I secretly wished that the professor jumped a little farther out of the academic and establishment-based thinking box and made the discussion a lot more challenging but it's possible that he decided to stay non-controversial, this being only an introductory course. My reservations notwithstanding, I would recommend this 5-CD audio book to anyone who has a few hours available for a little bit of intellectual workout. It's guaranteed not to hurt and it may help here and there.

This book will not satisfy the elite of hair-splitting moral philosophers, but to my mind it is the best book I have ever seen explaining moral philosophy to neophytes. The examples come mostly from contemporary American social life and many are well-known in the literature. But many were new to me, and included some of the most morally conflictual issues I have ever encountered. I just cannot imagine a better way to present the content of modern moral philosophy to the world. Michael Sandel is a quite famous political philosopher with a reputation for extreme adherence to a particular brand of community-oriented virtue theory that is critical of the two major traditions in moral philosophy---utilitarianism (Jeremy Bentham, John Stuart Mill, Peter Singer) and deontology (Immanuel Kant, John Rawls). However, the reader will likely not discover this fact until the very end of the book, so even-handed and appreciative is Sandel of the alternative approaches. Indeed, the book is filled with the tension of a World Cup match, where the top players in the world are paraded before us in all their splendor, and where it is difficult to call any one a loser. This attitude contrasts sharply with the standard behavior of professional philosophers, who have hissy-fits when confronted with arguments with which they disagree (Sandel is capable of this as well, of course, but not in this elegant volume). The most important thing the student learns from this book is that morality is for real, and leading a moral life is the highest goal to which we can aspire. I learned moral philosophy in an era dominated by the sort of analytical philosophy according to which moral statements are meaningless utterances, and moral behavior is irrational and constricting. At its best,

I was taught that moral principles were an individual's private property, and were about as important as one's musical or artistic taste. For Sandel, morality is not an accoutrement of the genteel life, but is the source of all meaning in life, and he conveys this message to the reader without an ounce of preachiness or self-righteousness. In his previous writings, Sandel has been a major critic of John Rawls's theory of justice, which has been the centerpiece of liberal democratic political philosophy for almost forty years. Rawls' embraces a Kantian ethic that extends the Categorical Imperative (do unto others...) in a way relevant to social policy and political philosophy. According to Rawls, we must erect social institutions using principles that we would individually be willing to accept if we were behind a "veil of ignorance" that prevented us from knowing what position we would hold in the resulting social order. He suggests two major principles. The first is the lexical priority of liberty, meaning that no social order has the right to constrain freedom in the name of some type of social engineering. The second is the principle that society should be organized so that the well-being of least well off is maximized. This leads to a radical egalitarianism in which the question of the justice of the distribution of wealth and income is the major moral issue in society. In particular, it leads to a hyper-individualism in which the moral principles of individuals is of no importance in their claim to a "just share" of the material wealth of society, and individuals are worthy of respect whatever they happen to choose as a way of life, provided they leave room for others to pursue their individual goals. Sandel rightly rejects this political philosophy on the grounds that by favoring "rights" over "the good," we necessarily degrade political democracy and republican virtues. Sandel's alternative is to embrace a form of virtue ethics according to which the moral is what would be enacted by the virtuous individual, and we can tell what is virtuous by inspecting the character of human nature and the embeddedness of individuals in a close fabric of social life. The virtuous individual will "flourish" through acting in according with his or her highest nature, and immorality is a form of self-destruction brought on through ignorance or laziness. The main thing missing from this book is an appreciation for the science of human morality. Humans make morality in the same sense that they make food, babies, art, music, and war. Sandel does not appear to realize that theories of morality should explain moral behavior, much as linguistics attempts to explain human verbal communication. Philosophers appear to have the idea that the philosophical "experts" have no more reason to study people's actual moral beliefs than physicists have to study folk-physics. This is a serious error, which leads philosophers to seek the "one true theory" from which all moral truths can be deduced. There is no "one true theory." All of the major branches of moral philosophy are represented in the everyday moralizing of people. Obligation, consideration of consequences, a sense of virtue, and even visceral feelings of cleanliness and propriety are all involved in how

people make moral choices. Because Sandel does not treat moral behavior as worthy of scientific study, he misses one major point about human morality: the strong underlying unity of moral sensibility across all societies and covering most social issues. The motivating force of Sandel's book is moral conflict, either in the form of an individual having to make choices that necessarily involve opting for the lesser evil (for instance, should soldiers kill an innocent shepherd to save the lives of nineteen patriotic soldiers, or should a living fetus be sacrificed to satisfy the preferences of the importuned mother), when in fact most major moral choices concern good versus evil, and what is considered good and evil is pretty much the same the world over. Everywhere, people cherish honesty, loyalty, hard-work, bravery, considerateness, trustworthiness, and charity. Similarly, everywhere people prefer insiders to outsiders, and take pleasure in hurting those who violate personal integrity or social rules. It is these moral values that have made humanity the imposing presence it has upon the planet, and if we are to survive into the future, it is these basic moral values, which are universal from small tribes of hunter-gathers to the vast populations of advanced technological society, that will provide the energy for the tasks that lie ahead of us.

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