he here calls *natural* relations. It has talked about which objects satisfy our desires, which objects would better satisfy our desires, how to order our desires for objects, etc. Traditional Christian ethics is different only in that it identifies a transcendent object, God, as the proper ultimate object of our desires.

This is all on the wrong track, says Rawls. Ethics, properly conceived, is about personal and communal relations, not about our relation to nonpersonal entities. There is nothing as such wrong with discussing better and worse ways of being related to objects, but we are persons. And ethics, properly conceived, is not about our relation to objects but about our relation to persons, including God. Sin consists not in being related to objects in the wrong way but in being related to persons in the wrong way; sin is destructive of community. And faith consists not of acceptance of doctrines but of trust in persons; faith is fundamental to community. Robert Adams, in his introductory essay, does a fine job of setting these views within the context of Protestant ethics around 1940.

Though *Brief Inquiry* is, as such, an interesting essay in Christian ethics, the case for publishing it depended on its relation to Rawls’ later work. In their introduction, Cohen and Nagel argue convincingly that there is substantial continuity between the thesis and Rawls’ later work, this in spite of the fact that shortly after his graduation he lost his Christian faith. Personhood and community are no less prominent in the later work than in the thesis, and the idea that ethics is fundamentally a matter of ensuring appropriate interpersonal relations rather than pursuing ultimately desirable ends has close affinities with Rawls’ later view that principles of justice are not founded on an account of the good to be pursued but specify fair terms of cooperation among free and equal persons. (10–1)

I myself would say that, on these points and a number of others, there are not only “close affinities” between Rawls’ earlier and later views but that the earlier views illuminate the later. The density of the prose and the intricacy of the argument in Rawls’ published work tend to obscure the fact that personhood and community remained at the very heart of his way of thinking; when we read the later work with the thesis in mind, those deep features leap out. The details now fall into place.

Cohen and Nagel remark that “it seemed clear that Rawls had never imagined that the thesis might one day be published, and that if the question had been put to him, he would certainly have refused.” We are indebted to them for having decided to publish this work in spite of what Rawls would have wished.

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Justice: What’s the Right Thing to Do?

Michael J. Sandel


The first thing that must be said about Michael Sandel’s book, *Justice*, is that it is a remarkable educational achievement. The book is a distillation of a course Sandel has taught at Harvard for thirty years—one of the most
popular courses ever taught at the college.

At his Socratic best when in dialogue with a theater full of students, Sandel has a knack, which comes so naturally to him that one tends to forget how rarely others succeed when they set out on the same pedagogical path, for finding ways to illustrate his points with perfectly chosen examples—some hypothetical, some taken from everyday life. Thus, to make the point that moral decisions must often be made under conditions of uncertainty, he tells students about a U.S. military unit, behind the lines in Afghanistan, searching for a Taliban stronghold in 2005. They are discovered by unarmed goat herders, including a boy. After deliberating about whether to kill the goat herders to prevent them from giving away their position, the Americans decide to let them go. The goat herders alert the Taliban, who kill all the Americans but one, who is severely wounded but lives to tell (24–7). Sandel asks: what would you have done under the same circumstances—and what reasoning would you apply to justify your decision?

The book is not aimed at scholars who specialize in ethics or social philosophy—but at an educated public. (Its subtitle is “What’s the Right Thing to Do?”) Serving this sizable audience, Sandel’s second very noteworthy success is summarizing complex theories in a few pages—including those of Immanuel Kant and John Rawls—without doing them injustice. Professional philosophers may argue that he should have added this point or qualified that point more. However, I have no doubt that generations of students and educated citizens will be very well served by Sandel’s introductory overviews.

The book examines three approaches to moral judgments. Sandel first takes on utilitarianism, the philosophy that seeks...
to maximize welfare. In more popular terms, this is the precept that minimizing pain and maximizing pleasure (or happiness) for the greatest number provides guidance for what is just. Criticizing this approach, often associated with Jeremy Bentham, is as easy as shooting fish in a barrel. It is enough for Sandel to ask if it is morally acceptable to take apart a healthy person to provide organs for five others for his students to see that this line of argumentation will not hold. Sandel then turns to the philosophy of John Stuart Mill, who seeks to protect utilitarians from said criticism by assuming that individuals have strong rights that cannot be set aside to increase the happiness of the majority. Thus, one cannot throw a few Christians to the lions even if such an act would make a stadium full of Romans deliriously happy. One could still leave everything else to be subjected to a utilitarian calculus of harm and gain for the majority. However, Sandel further criticizes this modified utilitarianism by suggesting that there are higher and more debased pleasures. Hence, one cannot throw all preferences into a simple cost-benefit analysis. Moreover, Sandel writes, this approach makes what is right a matter of ever-changing calculations not based on principle.

The second approach is centered around respecting freedom, built on respect for the autonomy of individuals. Sandel includes in this approach both the familiar libertarian approach and John Rawls’s main work. Rawls maintains that the way to find out the principles that guide a just society is to presume that we do not know which place in society we are going to occupy (the “veil of ignorance”). Sandel welcomes the strong commitment to rights but holds this approach as limited in terms of the goods it supports because it makes no judgment as to the moral value of the ends we pursue.

The third approach—which Sandel favors—is built on cultivating virtue, such as our obligations to members of our families, communities, and nation. He stresses that a just society cannot be neutral on moral matters; it needs to cultivate the good life. Aristotle’s treatment of politics as an essential part of the good life provides the text for this approach. Sandel argues that society must, through collective moral reasoning, come to an agreement on what constitutes the good life and, thus, what virtues it should promote.

Although Sandel embraces the third approach, it is not completely clear whether he holds that the other two approaches should be disregarded (for instance, is cost-effective analysis always morally inappropriate?)—or that we need to combine the three approaches. He does state at one point that the demands of the good society “supplement rather than compete” with individual rights—which implies an easy marriage of the second and third approaches. However, given that in many areas our rights and our duties are in tense conflict—for example, our right to privacy and the demands of national security—one looks to Justice II (the sequel I hope Sandel will write) to fully address this issue.

Sandel is known for his observation—part of his criticism of Rawls’s veil of ignorance—that the self is “situated” in a social fabric. We derive our identities from the community of which we are members. As the French philosopher Joseph de Maistre put it in Considerations on France,

There is no such thing as man in the world. In the course of my life I have seen Frenchmen, Italians, Russians, etc.; I know, too, thanks to Montesquieu, that one can be a Persian. But as for man, I declare that I have never met him in my life; if he exists, he is unknown to me.

In the same vein, Sandel stresses the importance of identity that is community-specific, and he argues that unless we acknowledge the significance of solidarity and loyalty, we cannot understand the full range of our
moral and political commitments. He does not get around, in this book, to exploring the importance of community for human flourishing, another subject for Justice II.

As an aside, one notes that Justice, as a text aimed at a “lay” audience, does not have many footnotes pointing to others who cultivated the same vineyards long before Sandel and that point to additional resources for those who wish to go beyond Justice. For instance, two hundred years of sociology and social psychology that extensively deal with the situated self and the role of community are not granted even a passing reference. It is as if the last one who has written on the subject was Aristotle.

Moral Reasoning or Character Education?

Sandel often speaks of the merits of moral clarity. He criticizes the freedom school for not requiring us “to question or challenge the preferences and desires we bring to public life.” He says further, “to achieve a just society we have to reason together.” The title of his course in the Harvard catalogue is “Moral Reasoning: Justice.” Although one should not hang too much on a title, it is a revealing one. Moral reasoning aims to help people sort out their moral intuitions and advance their deliberations, but not to argue for any particular virtues. (Thus, my granddaughter’s excellent middle school asked her to indicate what she wants to be when she grows up: a scientist, rock star, millionaire, astronaut, and so on. As long as she was clear on what she was after, the school considered it improper to convince her that some goals were worthier than others.) In short, moral reasoning does not call for cultivating specific moral commitments by other means than “cool,” rational deliberations—such as persuasion, role models, leading by example, and the introduction of compelling narratives—what is called character education.

Thus, oddly, Sandel makes a strong case for a good society that promotes specific virtues including sacrifices for the common good (for example, mandatory national service), reducing inequality (for example, using progressive taxation to rebuild public institutions), setting limits on what is subject to the marketplace (for example, not paying students for good test scores). However, unlike Aristotle, who held that these commitments need to be “habituated,” Sandel seems to believe that we can sort out which these ought to be through the kind of reasoning moral philosophers engage in, and that takes place in his exemplary classroom. And, in this way, get people who do not see the light to follow it.

In a telling example, Sandel examines same-sex marriages. He shows compellingly that the question at hand is not merely a question of rights but also of the virtues a given institution promotes. If it is procreation, same-sex marriage will not do; however, if it is a public commitment to exclusive loving relationships, same-sex marriage will pass muster. (He does not explore why such reasoning would not legalize polygamy among consenting adults or even person and animal marriage.) Although Sandel hints that he sees marriage as a public commitment, he does not come out and say so. He merely stresses that one can see in this and other such cases the need to ask which virtues the state ought to promote—and that we can rationally reason out these matters.

Justice II

Reviewers ought not to criticize a book for subjects it does not cover, especially a book that covers so much ground so well, as Justice does. I hence leave it for Justice II to explore a subject that Sandel does not get to address in this book: the tensions among the principles encompassed in the third approach, and how these might be sorted out by means other than moral deliberations. Our commitments to other persons (say, our children), our community (for example, to the environment as a common good), and to specific virtues
(such as social justice) often come into conflict. We need to establish which principle we should draw on to sort out under what circumstances each of these commitments should trump the others.

Of much more limited interest but still worthy of discussion is Sandel’s relationship to communitarianism, a term often applied to the third approach. Sandel and several other oft-cited academic communitarians, such as Charles Taylor and Michael Walzer, as a rule shy away from using this term. This is as if Marx refused to use the term “class conflict.” Sandel dedicates but a few lines to explain this oddity, writing that the term “communitarian” implies to some people that communities are and ought to be the final arbiter of that which is good. This kind of stark cultural relativism is incompatible with our commitment to the universality of human rights. In *Justice II* one hopes that Sandel will visit the difference between East Asian communitarians (the kind championed by Singapore) and the kind embraced by responsive (or neo-) communitarians, who hold that we face two competing moral demands: the particular values of our communities and our commitment to universal rights. And that we must find ways to sort out the extent to which these two sources of normativity can be reconciled and which is to trump the other, when they are in conflict.

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**Ethnicity, Inc.**

*John L. and Jean Comaroff*


To the best of my knowledge, the Miss Universe pageant is not widely known as a flashpoint for international conflict. During the 2009 competition, however, controversy was touched off when Miss Peru crossed the stage in a costume associated with the Andean tradition known as *La Diablada* or “Dance of the Devils.” Scarcely had the pageant concluded when Bolivia’s Minister of Cultures denounced this as an egregious appropriation of his nation’s cultural patrimony. Bolstering his claim was UNESCO’s 2001 certification of *La Diablada* as performed in Oruro, Bolivia, as a “Masterpiece of the Oral and Intangible Heritage of Humanity.” No matter that the dance has also been performed for centuries in *altiplano* communities in Peru and Chile. Subsequent discussions in the Bolivian press revealed that the conflict is not only about national honor. Officials worry that Peru’s implicit claim to *La Diablada* could diminish tourist traffic to Oruro, where thousands travel to see the dance performed during the pre-Lenten carnival season.

According to John L. and Jean Comaroff, cultural anthropologists on the faculty of the University of Chicago, such skirmishes exemplify a global trend: the transformation of cultural identity into a commercial resource. *Ethnicity, Inc.* traces the path by which cultural markers such as language, dress, cuisine, and ritual performances have become strategic assets in a world hungry for difference. “Scotland the Brave” has become “Scotland the Brand,” with far-reaching implications for ethnic groups—especially those considered indigenous—who are trying to sustain their