

labour market policies and of the ideational basis of policy reform. It should be closely read, not only by scholars in European labour market policies, but also by those who downplay the force of ideas in public policies.

Gert Verschraegen
University of Antwerp
gert.verschraegen@ua.acbe.

Michael J. Sandel: *What's the Right Thing to Do?*

New York 2010: Farrar, Straus and Giroux, 308 pp.

Social justice is the topic of this book by Michael Sandel, a prominent American political philosopher well known for his critique of liberal theories of society and his arguments in favour of communitarianism. The importance of social justice lies in being a part of everyday lives of all members of all (Western) societies. For instance, there are continuous disputes concerning the distribution of welfare. Not surprisingly, social justice is one of the main topics in political philosophy, as thinkers continually deliberate about the shape of a just society. Nevertheless, these deliberations are worthless without application in social practice. The above-mentioned complexity thus follows from the intuitive and not systematic interpretation of social justice—our judgement of what is just or unjust is based on the present situation or attitude (or on the actual social situation) and our argumentation includes many diverse ideas from different theories of social justice. It is this very intuition Sandel attempts to capture in his book. As he puts it, his intention is not to recapitulate historically the development of social justice or to formulate a new theory but 'only' to critically reflect different views on what is just. Readers then should recognise what their position is and where their arguments come from.

To meet the goal of connecting everyday intuition with the general theory of social justice, Sandel uses a specific methodology and structure. Methodologically, he uses casuistry, that is to say, he describes various situations or cases with as many relevant details as possible. These examples are real-life, hypothetical, or mixed situations. The specific questions which should be deliberated and taken into consideration in theory should come out from these cases. Sandel then uses casuistry as a part of applied ethics to describe everyday situations and to (re)construct today's theories of social justice from these situations. However, there is a minor difficulty in this approach. If we think about his cases and model situations in general, we realise that all of them are situated in the United States and in US social reality. Although some cases are easily comprehensible for readers outside the United States, others seem unnatural. For example, when Sandel discusses the possibility of homosexual marriage, he defines three basic situations: institutions recognise only heterosexual marriage, heterosexual and homosexual marriage, or the non-existence of any form of official or formal relationship. If we ignore the fact that Sandel does not differentiate between homosexual marriage and registered partnership, we can see that it is very difficult to find any example for the second situation in the United States. It would be better if he had used an example from Europe where the concept of homosexual marriage or registered partnership has a deeper tradition. Sandel's effort to find examples in the United States is underlined by the third possibility: the non-existence of any form of official or formal relationship. Here, Sandel simply states it is a purely hypothetical option and that there is no example in the United States. Thus, we can see that it would be better if Sandel had differentiated the cases as the reader could more easily identify his/her intuition with described situations.

The structure of the text reflects a casuistic method, the cases and situations are mixed with theories. Sandel systematically repeats the link so that readers do not get confused or lose track of the explanation. Yet, one more factor plays an important role in the structure of the text—Sandel's definition of justice, which he defines as the redistribution of goods valued in a society. According to this assumption a just society is one in which every individual gets what he or she deserves. The real problem is to define the basic mechanism of redistribution, in other words, to define who has the right to what and why. According to Sandel, there are three positions to this problem: redistribution based on welfare, freedom, or virtue. In the light of these three positions, Sandel defines three broad categories of social justice theories. The first category includes the utilitarian theory of social justice, which represents justice defined in terms of the redistribution and maximisation of welfare. Theories which merge justice with freedom are classified in the second category. These include the libertarian, liberally egalitarian, and even the Kantian deontological view on justice and freedom. And finally, the third category includes the Aristotelian theory, typical for its stress on virtue. This theory suggests we first identify important social values and then judge what is just and what is not according to these values.

There are two central problems in this categorisation. First, the division is too restrictive and reductionist. It forces Sandel to merge libertarian and liberally egalitarian theories into one category. This is questionable if we look at the way freedom is defined in these theories. Although they do support the primacy of freedom, they define it in a different way, which is reflected in a different view on justice. The first category of utilitarian theory is also problematic. If we take into consideration the writings of Jeremy Bentham and interpretations thereof, we can see that he leaned

much more towards the libertarian stance (that he in fact inspired the doctrine), not towards any kind of a single category. The same applies to John Rawls, whose theory is not about 'justice as freedom' but about 'justice as fairness'. Fairness is based not only on freedom but also on the importance of welfare redistribution. Besides this theoretical confusion, there are theories which Sandel does not mention at all. For example, the egalitarian (left) libertarianism as a specific theory that offers a completely new way of thinking about justice and freedom.

The second problem lies in Sandel's definition of justice as redistribution, which means that Sandel does not reflect any kind of 'non-material dimension' of justice. For instance, according to Nancy Fraser, a just society redistributes goods so that every person has the possibility to live the life that he or she wants to live. Fraser calls this aspect of social justice the 'objective precondition' and she claims that it should eliminate material dependence, which could pose a problem in decision-making on basic life questions. But, besides redistribution, she highlights the term 'recognition' as being equally important. By recognition, or the 'intersubjective precondition', Fraser means that a just society also provides respect and equal chances to diverse groups of people, including structurally rooted gender, economic, or social inequalities. No one should then be discredited in any way according to his or her differences [Fraser 2004: 62–64]. Fraser wants to say that it is important to provide equal chances through material redistribution, but it is no less important to provide recognition as some form of psychological help, ensuring that every person feels like a valuable member of society.

Turning to the cases and situations, Sandel does a good job in explaining, describing, and selecting among them (apart from the above-mentioned problems). As for interpretations of theories, despite some

simplifications it is worth mentioning the very good interpretations of Robert Nozick's and John Rawls's ideas.¹ On the other hand, the interpretation of Kant's thoughts lacks two classical objections. The first involves Kant's view on humanity and persons. According to Kant, the main feature of a human is his or her rationality, which means that only rational beings are human, others are 'non-human'. Taken seriously, the mentally ill are, by this definition, not human because they lack rationality [see, e.g., Rothhaar 2010]. The second objection concentrates on Kant's deontological stance, which is not as strong as Kant puts it. When Kant claims we should always act in accordance with maxims, he also describes the mechanism for making these maxims, but this mechanism includes the somewhat strong notion of consequentialism [see, e.g., Tugendhat 2004: 110].

However, the most interesting part is the end. Up to this point, we have not mentioned Sandel's own communitarian conviction, which would possibly occur to anyone interested in political philosophy. Sandel stays as neutral as possible until the end, where he does write about his inclination to a theory of social justice stressing virtue and ethics. He justifies his choice by claiming that some social issues cannot be resolved or even rightfully deliberated without raising morally relevant questions. These questions should ensure a reflection of the world around us, which therefore gives us better knowledge and understanding of the society required for good citizenship. Simultaneously, moral questions should also enrich political practice so that political decisions include moral aspects. This belongs to the classical communitarian doctrine, with one main objection mentioned in the text by Sandel: the possibility of intolerance towards people who do not endorse the values of the majority. Nevertheless, Sandel continues and stresses that a critical view on society should strengthen community but also tolerance. A better

knowledge of society and its members leads to tolerance because in this way the members could better understand each other. With this reinterpretation Sandel strays from the original communitarian stance and makes a compromise with liberalism (although in liberalism tolerance is achieved by accepting the difference, not understanding it). Sandel then proposes four practical solutions for achieving common understanding and tolerance: supporting citizenship, removing certain social spheres from the impact of the market, rebuilding a robust public space, and enabling citizens' participation in public life.

Sandel's intention in this book is to introduce the notion of justice to the broader readership in a systematic, conceptualised, but not too theoretical form. Taking the limited length of the book into account, he is quite successful in meeting this objective, with the exception of the above-mentioned problems. The book does not provide a completely new view of justice or a new theory of justice. However, it is interesting for its linking of casuistry and theory and for Sandel's own deliberations and interpretations. The book can be recommended to readers who are starting out with political philosophy and with the topic of social justice, and to more experienced readers and scholars who can effectively use it to confront their knowledge and opinions with those offered by Michael Sandel.

Jiří Mertl

University of West Bohemia
jmertl@kap.zcu.cz

Note

¹ One exception is Sandel's remark on the dystopian work *Harrison Bergeron* by Kurt Vonnegut in connection with Rawls's theory. The story of dystopia is situated in a society of the future, which is based on a strong notion of egalitarianism. No one in society can be special in any way and more gifted people are obliged to wear some kind of device that equalises their abilities with those of others. But that this is the goal of

egalitarian liberalism is questionable. Rawls only suggests equalising the chances of citizens to live the life they want, not to in any way reduce someone's abilities.

References

- Fraser, Nancy. 2004. 'Sociální spravedlnost ve věku politiky identity: přerozdělování, uznání a participace.' (Social Justice in the Age of the Politics of Identity: Redistribution, Recognition and Participation) Pp. 21–141 in *Přerozdělování nebo uznání?*, edited by Nancy Fraser and Axel Honneth. Prague: Filosofia.
- Rothhaar, Markus. 2010. 'Human Dignity and Human Rights in Bioethics: The Kantian Approach.' *Medicine, Health Care and Philosophy* 13 (3): 251–257.
- Tugendhat, Ernst. 2004. *Přednášky o etice*. (Lectures on Ethics) Prague: Oikoymenh.

Michael Dobbins: *Higher Education Policies in Central and Eastern Europe. Convergence towards a Common Model?*
Basingstoke 2011: Palgrave Macmillan, 249 pp.

Governance change in higher education is one of the key topics in today's higher education policy literature and increasingly an important area of research for social scientists. This book is timely as governance change in higher education, and especially the autonomy of universities, is increasingly on the policy agendas of governments and has fascinated researchers for decades. The author of this book successfully synthesises the findings of earlier studies and provides an insightful and timely comparative account of governance change in higher education in four Central and Eastern European (CEE) countries in the context of Europeanisation and other international influences.

Dobbins systematically describes, analyses, and compares pathways of development of higher education governance in Bulgaria, Romania, Poland, and the Czech Republic. He focuses on the influence of

the Bologna Process, especially on the convergence towards the ideal model of higher education governance brought about by increased international communication and exchange platforms. Institutional isomorphism is also mentioned as part of the process in the post-Bologna stage, re-shaping university and state responsibilities and resources. At a more general level, Dobbins aims to identify whether Europeanisation is penetrating more deeply into national systems, reshaping long-standing patterns of governance and state involvement in higher education. The author questions the direction and intensity of change based in four time periods—pre-communist, communist, pre-Bologna post-1989, and post-Bologna.

The book is conceptually framed using transnational policy convergence and convergence-promoting mechanisms [Holzinger and Knill 2007]. Dobbins develops the analytical framework for assessing convergence in higher education governance by identifying the main state and non-state actors and developing ideal models of higher education governance. Clark's [1983] famous triangle of coordination is the basis for the models that Dobbins uses to assess the direction and extent of the governance change. Building extensively on higher education studies and the political science literature, he builds a typology consisting of three general higher education arrangements: the allocation of procedural autonomy; relations between the state and society; and controlling functions. In line with other, similar studies, the shifts in governance are studied by investigating state-university relations and internal governance patterns. Further, Dobbins draws on neo-institutional theory [DiMaggio and Powell 1991] and more specifically normative and mimetic isomorphism to understand higher education convergence, while employing historical institutionalism [Hall and Taylor 1996] to understand the historically embedded national opportunity structures.