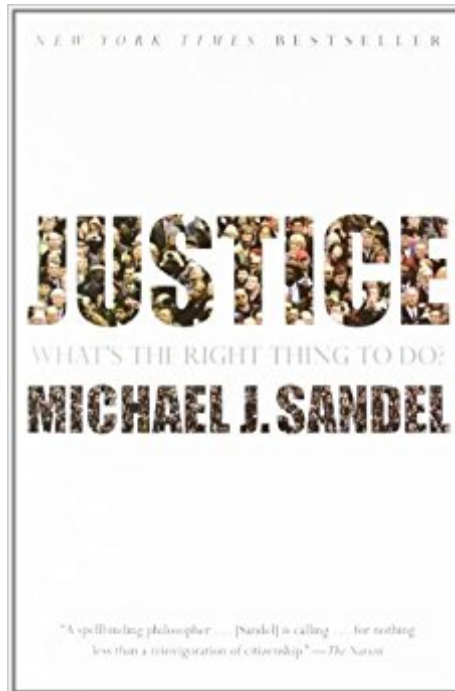


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Justice: What's The Right Thing To Do?



Synopsis

"For Michael Sandel, justice is not a spectator sport," The Nation's reviewer of Justice remarked. In his acclaimed book *Justice*—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.

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Customer Reviews

Starred Review. Harvard government professor Sandel (Public Philosophy) dazzles in this sweeping survey of hot topics—the recent government bailouts, the draft, surrogate pregnancies, same-sex marriage, immigration reform and reparations for slavery—that situates various sides in the debates in the context of timeless philosophical questions and movements. Sandel takes utilitarianism, Kant's categorical imperative and Rawls's theory of justice out of the classroom,

dusts them off and reveals how crucial these theories have been in the construction of Western societies – and how they inform almost every issue at the center of our modern-day polis. The content is dense but elegantly presented, and Sandel has a rare gift for making complex issues comprehensible, even entertaining (see his sections entitled Shakespeare versus the Simpsons and What Ethics Can Learn from Jack Benny and Miss Manners), without compromising their gravity. With exegeses of Winnie the Pooh, transcripts of Bill Clinton's impeachment hearing and the works of almost every major political philosopher, Sandel reveals how even our most knee-jerk responses bespeak our personal conceptions of the rights and obligations of the individual and society at large. Erudite, conversational and deeply humane, this is truly transformative reading. (Oct.) Copyright © Reed Business Information, a division of Reed Elsevier Inc. All rights reserved. --This text refers to an alternate Paperback edition.

Sandel, a Harvard law professor, effortlessly integrates common concerns of individuals with topics as varied as abortion, affirmative action, and family loyalties within the modern theories and perspectives on freedom. He reviews philosophical thought from the ancient to more modern political philosophers, including Immanuel Kant and John Rawls. Sandel critiques three ways of thinking about justice: a utilitarian perspective that seeks the greatest happiness for the greatest number; the connection of justice to freedom with contrast between what he calls the laissez-faire camp that tends to be market libertarians and the fairness camp with an egalitarian slant that acknowledges the need for market regulation; and justice tied to virtue and pursuit of the good life. Although the last is generally associated with the cultural and political Right, he exposes connections across political lines. Sandel reveals how perspectives on justice are connected to a deeper and reasoned analysis, a moral engagement in politics, and a counterintuitive conclusion in modern politics. Whether or not readers agree with Sandel's conclusions, they will appreciate the encouragement to self-examination on the most mundane topics. --Vernon Ford --This text refers to an alternate Paperback edition.

I came to this book by Professor Sandel from his MOOC, a series of videos on the subject of Justice given as his actual lectures in Harvard. The book follows them closely but is not identical to them. I had not expected it to be based on philosophy, and certainly philosophers are not my favourite reading material, nor do I admire a man who has himself preserved for posterity by taxidermists, but he takes their points of view sequentially building on their arguments and using actual case material from the UK and the USA to provoke thought. Much of the issues remain unresolved and the

foundations of the controversies are explored. Is cannibalism under extreme duress legitimate? Can you give permission to be killed and eaten? Is taking one life to save five legitimate? Questions of surrogate motherhood, sale of body parts and other current vexatious issues are explored. Ultimately he expresses an enthusiasm for Bobby Kennedy which I do not share, but the book and lectures are thought provoking and force on to clear one's own mind

This is a great book for people like me who did not study philosophy and have come to realize the need to have larger conversations in order to make better political arguments. Michael J. Sandel 'teaches.' His presentation is easy to grasp. Like any good teacher, he offers examples and then repeats the theories as they apply to his stories. I came away with a good understanding of Utilitarian and Libertarian, as well as a "narrative" story of being a member of the human species. It was easy for me to 'see' how these philosophies are alive in our political system. (Particularly important in 2013, is Libertarian, given the attention to Rand Paul.) I was surprised at how many times I recognized ME, without knowing my 'philosophy' had already been named. Did I get these ideas by osmosis, I wondered. Are they really such an integral part of so-called American life that 'we' don't even know they have been named "philosophy"? (Those thoughts are in addition to Sandel's teaching.) My only slight criticism is his brief 'promo' for Pres. Obama. It just didn't seem necessary to 'discussion' and introduced a partisan tinge. I was also disappointed in Sandel's seeming unwillingness to "imagine there's no religion." Some examples of philosophical questions have been revealed by asking the 'thinker' to strip away his/her personal identity - no color, gender, ethnic heritage, etc. This would give the 'thinker' a new base-line to imagine how majority/minority ideas would look. It's a very effective exercise, essentially forcing one to not know who you are before political decisions are made. You cannot know if you are a member of the majority or a minority member. Yikes! My complaint is that I view "religion" as one of the identifiers, as strong an influence as ethnicity, color, etc. Sandel asks that the 'thinker' not take a totally secular point of view, and then writes many sentences that include, "moral and religious" and says they should not be separated. As an atheist, I consider "religion" a fairy tale. At the same time I can acknowledge that the Bible has a 'philosophy' written by people. Religion is dogma. Maybe it's just a 'word' thing, but I don't want to include "religion" -- Catholic, Protestant, the fundamentalist Christians, Hindus, Muslims, etal, in my deliberations over human rights, responsibilities, and "Justice." (p.s., Seems perhaps my criticism wasn't so "slight" after all. I still recommend this book highly, however.)

In this book prof. Sandel explores three approaches to justice. The one that justice is the

maximizing utility or welfare, the second according to which justice means respecting freedom of choice and the third (which author himself favors) that the justice involves cultivating virtue and reasoning about the common good. The book contains a lot of history of political philosophy. I combined the book with author's video lectures at Harvard where a lot of moral dilemmas were discussed with the students. This book makes you reexamine some of your views on moral questions from a more analytical point of view.

I can't quibble with the author's analysis of the limitations of the "liberal" justice theories of Kant and Rawls. I haven't studied them to any degree. However, it does seem to me that the principle of the "dignity of the individual" as an end, never merely as a means, has more substance than the author appears to credit it. He says it provides a foundation for "respect," meaning not to do another harm. But not necessarily any more than that, i.e. not specifically to seek the good of others or even the common good. Perhaps that is right in a minimalist view. The Hippocratic oath states "First, do no harm." One might say that is the first word about justice. But the implications of understanding others as having a fundamental dignity equal to one's own, in effect being a family of man, goes well beyond not doing harm. The "good" advocated by Aristotle appears by the author's own description to be premised on building up the "common good" which implies, first of all, the dignity (if not equality) of persons for whom pursuit of the common good is the purpose. The author also emphasizes Aristotle's focus not on prescriptions or rules about the "good life," but practical wisdom that uses judgment about particular situations. That approach fits the author's argument for seeing the identity and nature of persons through the "narrative" rather than "voluntarist" conception. This kind of empirical evaluation of our concrete interdependence, horizontally within our society and vertically deep into our past, strongly suggests (if not dictates) the conclusion that the fundamental dignity of each human being implies a duty, Kant's categorical imperative, to our neighbor beyond doing no harm. In fact to act for his or her good. If people are not to be treated as mere means to another's personal ends, then in concrete situations we will always be faced with choices about how to orient ourselves. Do we act in a way that is above all self-interested but in which there is at least no intended harm to others? In that case, even if they are not in fact (unduly) harmed they are nevertheless being used as means to our ends. Kant's logic supports the notion that the dignity of other persons as ends in themselves demands that we must always act in such a way that we are not indifferent to the good to others that may be effected through our actions. After all, in many concrete situations there is no bright line of demarcation between good and harm our actions may visit on others. We may suppose that most often if we pursue our self-interest with an eye only to

clear and present harm to others, we will err with responsibility for latent and unintended harm. The Golden Rule, said to be dismissed by Kant based upon its uncertainty in relation to how one wishes to be treated by others, at least can stand for the proposition that we would always want others to take account of our well being in the decisions they make for themselves. We would always want others to act in a practical way as much as possible for my benefit consistently with their own, if not actually making any personal sacrifice to their detriment to effect my benefit. The upshot is that the rationale behind each theory of justice discussed by the author, insufficient and distorting by itself, may be seen as complementary as a corrective to each of the others. For example, the utilitarian model, problematic for failing to insist on fundamental rights, offers a perspective of pragmatism that the author admires in discussing Aristotle's emphasis on practical wisdom. Utilitarians simply carry the pragmatism principle beyond its capability, ignoring fundamental rights and the limitations on our knowledge of weighing consequences. Liberal justice theory arguably corrects for this by insisting only on proscribing the clearest cases of harm (to fundamental liberty interests). The author in fact argues for a middle way that treats fundamental rights as a foundation of personal human dignity (first, do no harm) but insists we go beyond that to address the higher purposes for which we live. Implicit in this approach is a recognition that human dignity which demands respect for basic rights also is the foundation for identifying the higher purposes which in principle must encompass the common good. Individual actions and decisions are always taken within a context of social responsibility.

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