

Vittorio Bufacchi

Social Injustice.

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Vittorio Bufacchi's *Social Injustice* is a book of thirteen of his essays (one co-authored), all relatively brief, and all but two previously published between 2000 and 2008 and adapted slightly for this collection. The essays cover a number of loosely related topics in political philosophy, including justice and injustice, exploitation, torture, deliberative democracy, public choice theory, tensions within liberalism, and methodology in political philosophy. Throughout the essays, Bufacchi aims to fill a need for an empirically informed theorization of some key concepts in political philosophy, while paying conspicuous attention to the methodology involved in that theorizing. While this need is real and important, and Bufacchi's essays are very well intended, I think the book is a mixed success at best. Neither the strength of the underlying material nor the synergies obtained seem to me to justify this particular collection (especially at the price). There are some bright spots in the book, however, and some lessons that can be gleaned from attending to some of its contents.

Since 1995, Bufacchi has authored one political philosophy monograph in English (*Violence and Social Justice*, 2007, also published by Palgrave Macmillan), edited two collections in political philosophy (on the topic of violence), co-authored two books about Italian politics, and co-edited another book on European politics. I must admit to being unfamiliar with this larger body of his work, or how it may cast light on the work in *Social Injustice*. However, all but one of the included essays appear intended to be able to stand alone, and only occasionally do the essays attempt to sustain a larger argument across chapters.

Bufacchi's book is laced together by several themes. I'll concentrate my discussion on two of them: methodology in applied and political philosophy (with a discussion of exploitation as a key illustrative case); and the nature of social injustice. I'll later mention some of the other themes that may be of interest to his audience.

I think the most promising theme in the book is its encouragement for the reader to revise what she or he thinks of as the standard methodology in applied philosophy (within which Bufacchi includes much political philosophy). Chapter 3 on theory and practice most systematically expounds Bufacchi's methodological approach. It critiques what he sees as the typical methodological approach of applied philosophy, what he describes as a "top-down" approach, and urges shifting to an "empirical" approach. The top-down approach starts from *a priori* universal principles and then applies these to specific cases. While Bufacchi allows that at a subsequent step, this approach may allow for recalibration of the principles in light of the results achieved in the wake applying them to specific cases, the standard approach must still be considered "unidirectional" inasmuch as the relevant ethical principles are taken to be justified independently of the judgments they make about particular cases. Bufacchi contrasts this with the "empirical" approach, which involves a three-stage process: *Stage I* is to conduct "empirical

research”; *Stage II* is to construct a preliminary theory through the method of “reflective equilibrium.” Then follows *Stage III*, which Bufacchi describes as follows:

Stage III: The Determining Role of Case Studies. In the empirical approach, the research based on empirical case studies is a major input into the construction of a philosophical theory. This means that case studies play a determining role in the philosophical reasoning, and not just a supportive role as in the case of the top down approach. Applied philosophy is built up from the ground, not deduced from the top. (37)

I must say I find this hard to make sense of as a “stage,” or to see how it is distinct from stages I or II. Neither the distinction between “determining role” and “supportive role” nor the exhortation about building applied philosophy “up from the ground” seem to me to help elaborate how “case studies” figure in differently than “empirical research” or crafting a theory through the process of reflective equilibrium. I point out this example of a difficulty understanding Bufacchi’s thinking as illustrative of a number of places where I found the writing infelicitous and wished he had exercised more fastidiousness and precision when explaining himself.

That said, the underlying issues here are notoriously difficult. There is strong disagreement over the appropriate methodology to employ in ethics in general; there is even difficulty in determining what methodology someone is actually employing, since self-deception and mixed motives seem to be a constant possibility here. Then there is a particular puzzle about how facts—the sort of thing empirical research is about—can lead to positive changes in values, and how one could assess any changes in values without simply appealing to higher order, *a priori* values.

Still, I doubt that Bufacchi’s analysis adds much to this discussion. It is true that there is a stereotype of applied philosophy, not entirely unjust, that depicts it as engaging in a quasi-judicial practice in which some privileged first principle (say, the greatest happiness principle or the categorical imperative) is simply “applied” to the relevant facts of a given case, roughly the way a judge or jury is expected to decide a case at law. However, it is unclear whether applied philosophy is at present as problematic as he seems to suggest, or whether his prescriptions would improve it. Bufacchi offers Jonathan Glover (and possibly Frances Myrna Kamm) as an example of someone who exemplifies the empirical approach. But if one looks at some of the other “applied philosophers” who have been most successful (including thinkers such as Martha Nussbaum, Judith Jarvis Thomson, Onora O’Neill, Thomas Nagel, Thomas Hill, Jeff McMahan, Robert Goodin, and Marcia Baron), I think it would be hard to describe any of them as typically “top-down” in their approach to addressing practical problems. Even Peter Singer, whom Bufacchi flags as typifying the top-down approach, at least sometimes engages seriously with the empirical facts of the subject he is writing about. For example, his extremely popular book *Animal Liberation* involves a great deal of “empirical philosophy” and many case studies, all of which are intended to secure the conclusions Singer argues for in the more theoretical portions of the book. If the others listed above also qualify as employing the empirical approach, then applied philosophy is not in such bad shape, at least judging by the work of some of its most prominent practitioners.

More importantly, I think it is intensely difficult to determine what exactly is involved in the “empirical approach” or whether someone is employing it or not. What appears to be required is that one be open to adjusting one’s first principles in response to the sort of knowledge one accrues through empirical study. Yet it is unclear what more could be required than openness to change: if new experience merely confirms what one already believes, then no change is merited. More generally, even if we can make sense of the idea that ethical principles need to be developed in response to empirical experience, it remains to be decided whether a particular development is for the better or worse. The prominent applied philosophers mentioned above are not in full agreement with each other about what is the right thing to do in different domains, and they cannot all be right. It would be of some interest to determine whether their disagreements can be traced back to differences with respect to how genuinely empirical (in Bufacchi’s sense) their methodology is. I have my doubts that this would prove to be the case, but in any case Bufacchi doesn’t attempt to make this sort of case for the empirical approach.

What Bufacchi does attempt in this essay and several others is to demonstrate the merits of the empirical approach by employing it. His principal demonstration is an argument about the nature of exploitation, where his target is seen as a standard Marxian understanding of exploitation as the unfair appropriation of a worker’s labour by the owners of capital, who manage to pay the worker less than her labour value would merit. On this picture, capitalists exploit labour in order to maximize their own economic returns, while workers submit to being exploited for a lack of power to oppose their employers effectively. Bufacchi holds that such an understanding of exploitation is inadequate to at least some of its varieties. Drawing in particular on his knowledge of Guatemalan social and political struggles, Bufacchi argues that not all exploitation has an economic motive, and that at least sometimes powerful factions may use those with less power simply for the sake of bolstering their own sense of social importance and power.

This analysis of the Guatemalan situation strikes me as plausible and potentially a valuable insight into certain status-based relationships among different groups. If so, then Bufacchi’s empirical research can help us to recognize a kind of unethical behaviour that might otherwise be more difficult to spot or to describe accurately. What I am less convinced of is that this analysis licenses the more ambitious criticisms Bufacchi makes of the received understanding of exploitation.

Bufacchi suggests that theories of exploitation typically focus on the structure of the relations among the people involved, but argues that we should reconceive exploitation in terms of the “motives” of the exploiter. (It is not clear to me whether he intends to expand the concept of exploitation by defining a new, motivation-based kind of exploitation or by arguing that motivation necessarily involves some particular sort of motivation.) On his view, exploitation differs from the mere use of another in that “When we exploit someone, we use them in a particular way which degrades or humiliates them” (49). Two motives in particular can explain why some instances of using others are wrongful and should be counted as exploitation. Economic exploitation involves “a motive of the exploiter to gain an advantage at the cost of the exploited.” But there is also a kind of exploitation that involves what he calls “morally degrading motives”, which involve “the desire by the exploiter to degrade, humiliate, or inflict a moral injury on the exploited party” (53).

Bufacchi suggests that we should attend to the exploiter's motive both because the particular badness of exploitation seems to depend on why one person is using another and because it then allows the concept to cover non-economic motives. While this proposal is worth considering, I do not find Bufacchi's argument persuasive or helpful. For one thing, it is not clear that economic exploitation depends on the base or pernicious motives of the exploiters: while it may be true that they all seek to gain an advantage, the fact that it comes at the cost of the exploited is, for many exploiters, a matter of indifference. Part of the interest of exploitation, as traditionally conceived, is that it can be wrongful *and* unintentional—at least, in the sense that it need not involve any animus on the part of the exploiter towards the exploited. Economic exploitation can even if the exploiter fails to understand that she is exploiting someone because she genuinely does not understand her conduct to be unfair. She may, of course, also be motivated by animus, but that seems to be a distinct issue.

Is malign motivation necessary for the sort of exploitation Bufacchi uncovers—degrading another for the sake of bolstering one's own self-image? Perhaps, but I'm not convinced. In particular, I wonder whether self-deception in this regard might also be possible—that is, that one might engage in conduct that degrades another and bolsters one's own self-image without intending or even realizing that one is doing so. For examples, I would point to the sort of infantilization and condescension with which powerful and socially reputable persons (say, white men of privilege) often treat those they regard as lesser people (say, women domestic workers of color). They might not aim to degrade, but rather to pity or placate such people, since they assume such people are ashamed and regretful of their "lesser status". Such behaviour can be degrading without the culpable party intending it as such. So it seems that the motives giving rise even to Bufacchi's novel sort of exploitation may sometimes be less intentionally antagonistic than his account requires.

The second main theme I'll discuss is "social *injustice*" as a distinctive philosophical concept, which figures in several of the book's chapters. (Bufacchi tries to weave this theme into nearly all of the essays in the book, though this move often seems unfortunately forced to me.) He rejects defining injustice as the negation of the predicate *just*, for two apparent reasons. First, "if injustice is the shadow of justice, then our understanding of injustice depends entirely on one's preferred conception of justice" (2). This is puzzling: unless injustice and justice cease to be opposites, then this is tautologically true, but it would seem to cut both ways. Secondly, and more promisingly, Bufacchi thinks that injustice is what we might describe as the primary concept, and better suited to bear philosophical weight, while justice is merely a logical derivative of injustice. This hypothesis is worth considering.

Bufacchi notes that while accounts of justice have been prominent in recent political philosophy, there have been a few figures who have taken a serious interest in injustice. Bufacchi attempts to improve upon more ostensive depictions of injustice via various lists of injustices, and identifies injustice as principally a matter of the distribution of benefits, resources, burdens, and the like. Taking Thomas Pogge's tripartite account of injustice as his starting point, he expands on Pogge's account in order to consider not just institutional actors, but also groups and individuals as possible agents of injustice. Bufacchi posits what he calls "three dimensions" of injustice. These are maldistribution, exclusion, and disempowerment. He holds that the first,

maldistribution, must always be present in cases of injustice, though it is more often than not flanked by the other two dimensions.

Bufacchi's account of social injustice is not implausible, but it also did not persuade me. The 16-page essay in which Bufacchi lays out his case for focusing on injustice rather than justice and then offers his three-dimensional picture of the nature of injustice seems to be more of a sketch or *précis* than a well-articulated and defended approach to injustice. This is a big fish to fry, and it should not be surprising that a brief essay does not suffice to do more than sear the surface. Although Bufacchi addresses matters relevant to thinking about social injustice in a number of chapters in this book, I don't think that one could construe the book as a systematic exposition of the concept. In fact, a number of the chapters that take up some aspect of injustice seem at most tangentially related to the three-dimensional account of social injustice offered in this opening essay, or at least their relationship to that account is not made explicit. So the account of social injustice started in the first chapter in my view remains underdeveloped at the book's end.

The book contains several other themes of note. One that spans several essays is the importance of considering motivation in political philosophy. In addition to the discussion of motivation as a key aspect of exploitation, Bufacchi devotes discussion to the importance of motives to uphold justice within contractualism, and the problem of self-interested actors, as well as the problem of motives in the voting paradox. A second notable theme is the proper understanding of democracy, with chapters on the role of epistemic skepticism and communal deliberation on this theme. The book's last chapter gives a fair overview of different forms of socialism as they have arrived for consideration in the 21st century.

Some of the book's stronger chapters strike me as thoughtful and helpful, for instance Chapter 6, featuring the discussion of the relationship of the historical roots of social contract theory to the divergence between Gauthier and Rawls' versions of it; Chapter 11, on the role that a person's reputation may play in making voting rational; and Chapter 13, on the different forms of socialism. Even at their best, however, I only occasionally found that the essays convincingly advanced the frontiers of knowledge in the areas discussed. I would expect some readers to think otherwise. The essays are all of a professional quality, most have been vetted for publication before, and as I have indicated above, I am sympathetic to Bufacchi's aim and orientation to applied philosophy. So some readers are likely to find more here to their liking. But as I have tried to show in my criticisms above of his accounts of method, exploitation, and social injustice, this book tends to tackle big topics in short essays, which seemed to me to stand in need of greater elaboration and further defense. Even the essays that address smaller topics, such as a discussion of the Guatemalan "Communities of Population in Resistance" as exemplars of deliberative democracy, would have benefited from more detailed argument and analysis than Bufacchi presents. So I think Bufacchi's well-intended work in this volume could go much further in achieving its purpose through deeper and more sustained engagement with those he criticizes and a more systematic development of the important themes touched upon by these essays.

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