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**Review of *Doing Justice: Liberalism, Group Constructs and Individual Realities*. Leroy H. Pelton. Reviewed by Pranab Chatterjee, Case Western Reserve University.**

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A second point that deserves further attention relates to the underlying conditions and inputs that fuel armed conflict and complex emergencies. To what extent are international aid agencies exponents of these same conditions? This is a complex question beyond the scope of this book. However, the question of how legitimacy is conferred on the activities of the international donors, by whom, in whose interests, and to what ends bears examining in any discussion of outside intervention. Third, while identity conflict is a useful organizing concept that can be applied in many contexts, it would be useful to explore conditions such as environmental scarcity that might foster such conflicts.

*Healing Communities in Conflict: International Assistance in Complex Emergencies* is a singular contribution to the ongoing debate about international aid. It is well organized and well referenced. This book will be of particular interest to scholars, graduate students, and practitioners, and deserves a place in every library of international social work and social welfare.

Nancy Farwell

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Leroy Pelton, *Doing Justice*. Albany, NY: State University of New York Press, 1999. \$21.95 paperback.

Almost all topics in social welfare contain references to some form of justice, and they take the form of:

- In a just society such and such should be done . . .
- This form of redistribution should take place, so that past injustices can be corrected.
- Such and such behavior is deviant behavior, and justice requires that it be dealt with in such and such manner . . .

The term justice is used as a slogan to support or oppose social policy. It is important that this slogan is deconstructed, or at the least put in perspective. The term stands for too many templates of state behavior. Leroy Pelton's work, *Doing Justice* makes an important contribution toward such deconstruction. He has argued that "[I]t is time to recognize and respect group diversity and experiences as a pervasive fact of life, but as a poor and unjust basis for the formation of public policy" (p. 218). Put

in a different manner: membership in any group should not be a reason for the state to reward or punish a person. Pelton's own words suggest that A[g]roup preference policies violate the first principle of a just society" (p. 16). Seen from this perspective, what has become known as affirmative action is a violation of norms of justice. Attributes or behaviors of individuals, however pathetic or commendable, should be seen as property of individuals, and not as property of groups. Any public policy to reward or punish such property of individuals as generalizable to groups is unjust. Pelton goes on to elaborate: the only just principle for a state to engage in is *non-discrimination [italics ours]*. The principle of non-discrimination rules out preferring or excluding any group, whether constructed by race, ethnicity, or other criteria. Such non-discrimination policy should be applied to the state's policies in welfare programs, in social service programs, in community regulation, in administering the criminal justice systems and in managing conditions of peace or war.

To put Pelton's work in a context of history of social thought, one needs to recall that the word "liberal" has two very different meanings. The first meaning applies to an American context, where "liberal" means a belief system that is for state spending in programs that supposedly benefit disadvantaged groups. The second meaning applies to an English context, where "liberal" means a belief system which is for safeguarding individual liberty which can be compromised either due to state policy (thus the state endangering individual liberty) or due to other forms of group behavior (thus other groups endangering individual liberty). The two meanings of the term liberty are somewhat opposed to each other. That is, when the state engages in "liberal" action of the first kind, it may be in violation of "liberal" orientation of the second kind.

This is a very serious work. It probably would have been an even better work if it explored into the various forms of justice. Elsewhere, I have suggested that (see Chatterjee, 1999, pp. 66–71) as the basic technological slope of a society begins to generate more and more surplus, the state's justice functions also keep increasing, and include *protective justice, correctional justice, distributive justice, restorative justice, and representational justice*. The most primitive function of the modern state is protection (from

internal and external predators). With affluence and prosperity, protection from poverty, from ignorance and from disease become additional functions of the state. These additional protective functions overlap with justice functions, because the state creates *group constructs* (like children, aged, handicapped, disabled of several kinds, etc) with which it tries to protect certain vulnerable populations.

When protective justice functions of the modern state are threatened, it must resort to its correctional justice functions. Or, it may resort to its distributive justice or restorative justice functions. Here again, the state must create group constructs to carry on these three functions.

Then comes the problem with representative justice. On one hand, the state is beholden to powerful groups because its very political composition is influenced by the behavior of these groups. On the other hand, it must struggle to protect the relatively powerless groups which are often without representation. A modern state needs to see that groups without serious representation in the legislative arena are not totally rendered into political powerlessness or groups without much economic success are not left without legal defense when facing the correctional justice system.

The concept of equality overlaps with the concept of protection, and justice. Thus we are faced with equal protection, and equality in various forms of justice. Equality of opportunity becomes another extension of the protective functions of the state. Must equality of opportunity be a prelude to equality of outcome? If yes, then individuals disadvantaged in the opportunity ladder somehow must be carried over to the successful outcome arena. If no, then disadvantaged individuals are only given an opportunity to fail, and it is not worthwhile to have such a policy.

How would Pelton feel about groups (yes, groups) who are at a disadvantage due to the sheer accident of birth? In a civil society, where one is born should be of no consequence, or should it be?

A debate which took place in the U.S. during the 1970's (and really was a reincarnation of earlier debates in Europe) are of some importance here. Rawls (1971) thought that the only way for the state to reduce inequality was for the state to engage in some form of distributive justice. Nozick (1974) argued that as long as

property is acquired in a lawful way, the state cannot take it away for the purposes of redistribution. Inherent in this debate was a conflict faced by most modern states: how to manage the pull for redistribution which should result in equality with the pull for non-intervention or total non-discrimination which should result in liberty? Every modern state is required to manage these two opposing pulls. On one hand, those who are successful in the marketplace are for liberty, so they can enjoy their success. On the other hand, those who are not successful in the marketplace want equality, so that they can have second or third chances to enter the game. For the state to balance the act, group constructs are one way to reduce to pull from the libertarians, and total no-discrimination is another way to reduce the pull from the egalitarians.

Pelton does an excellent job in making a case for the libertarians, and it is important to read his book to learn the arguments for this case. However, developing public policy for the modern state is a balancing act, and Pelton's book educates us about only one side of such an act.

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