



to provide a powerful new analytical framework for the study of international relations, which nevertheless also retains the unique qualities and advantages of the classical English School tradition. By making the English School more theoretically self-conscious and situating its contributions within more recent developments in the International Relations literature, Buzan has turned a tradition, whose fortunes had arguably been languishing, into a vibrant research programme, which will have considerable appeal to a younger generation of IR theorists.

References

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Justice in the Risk Society

Barbara Hudson

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Imagine Seyla Benhabib standing in for Jerry Springer, or Jurgen Habermas standing in for Oprah Winfrey, or Judith Butler standing in for Judge Judy. Imagine Michael Walzer presenting *Neighbours from Hell* or Carole Pateman presenting *Wife Swap* or Iris Marion Young presenting *Crimewatch UK*. These possibilities might spring to mind when reading Barbara Hudson's *Justice in the Risk Society* because they capture the central problem the book establishes and explores. In the 1980s and 90s, sociologists such as Ulrich Beck observed that for a range of reasons the contingency of modernity had become reflexive. Because nothing could be guaranteed, life became a matter of more risk and less trust. Thus, if, for one reason or another, individuals reject the guarantees which the state and its institutions provide for them, they will have to bear the consequences themselves. Unfortunately, such an imperative has been very difficult for most people to swallow categorically. Instead, unregulated social life is generally viewed as a matter of getting caught or getting away with it. Above all, the trick is to find someone else to blame, and thus the moral advantage of someone else to fear.



In the face of these attitudes the dominant modern liberal approach to legal practice and jurisprudence is powerless to establish its own legitimacy in its own terms because these are not shared, accepted or recognised by legal subjects except for instrumental or, as Rawls said, 'wrong' reasons. Moreover, the self-serving liberal assumption that individuals are rational insofar as they agree with its axioms and accept its conclusions is simply ignored without the bother of argument or debate. Devastatingly, whereas liberalism justified the appropriation of a monopoly of force on the basis that doing so guarantees individual protection, individuals now regard states and their systems as a resource to be used as a means to further their own individual ends and demand to receive at least the equivalent of what they contribute to it. No one is prepared to pay the cost of entering into a covenant of obedience in return for creating jobs for civil servants. Similarly, the democratic conscience of liberalism, which sought to set limits to state action in order to protect individuals from it, has the status of a weakness to be exploited. Individuals regard their conflicts with the state as of the same order as their conflicts with other individuals, and their conflicts with the state often derive from its refusal to support them in pursuit of their aims.

When distributive justice has become the distribution of justice how is justice possible? Barbara Hudson's book addresses the issue in two parts. The first four chapters discuss the main challenges to the liberal tradition, with the second, on the complex contemporary relations between legal practice, policing and criminology and welfare, being particularly enlightening. For example, in order to manage and control risk, it has been suggested that individuals deemed to demonstrate the potential to develop serious personality disorders are eligible for legal constraint. The dominant trend on the front line is to develop therapeutic approaches that seek reconciliation by working on individual subjectivities. In either case everyone is 'at risk'. But what is interesting about these developments is that they demonstrate how the state and its legal and penal systems are primarily concerned to protect themselves from risk and to demonstrate that they have 'systems in place' to do that and to reduce their own exposure to liability. The emphasis of Hudson's book is on finding philosophical justifications for such practices.

In addition to a first chapter outlining the internal tensions of liberalism, the other chapters in the section provide accounts of the philosophical and sociological communitarian critiques of liberal procedures and the feminist critique of liberal universalism. These themes are taken up in the three chapters of the second section which seek to find arguments that will reaffirm liberal justice in the light of its critiques. Hudson examines Habermas's attempt to reconcile the 'fact and norm' of rational agreement through communicative consensus with his sympathetic feminist critics and suggests that this approach can contribute to weakening popular desires for retribution. To further the



issue, Hudson turns to developments associated with poststructuralist thought and in particular Lyotard's emphasis on the incommensurability of justice as its internal limit, and Levinas's ethic of unconditional responsibility to the 'ultra-other'.

Each chapter of Hudson's book stands alone for its scholarship, exposition and readability and can be applauded and recommended for that reason. Yet it is difficult to get a sense of an overall argument adequate to the empirical challenges of risk society rather than the immanent philosophical critiques of liberalism. Some people will still fire bomb each others houses because of some obscure vendetta, and other people will still pay to exclude themselves from that society, and both types will avoid contributing to their own subjection, irrespective of what Habermas says about it. For example, one wonders how Levinas's notion of the Other, by which he meant Abraham's God and not Palestinians, could establish justice in the test case of the stereotypical conflict between the freedom seeking Muslim daughter and the tradition upholding Muslim parents, which Hudson discusses. Levinas would probably decide in favour of tradition, yet the case is only a case for liberalism. Indeed, one suspects that the poststructuralist emphasis on the 'alterity' and 'incommensurability' of justice might be used self-servingly by legal professionals and their support agencies as justification for law as an interminable process in which individuals may or may not get caught up. Perhaps the challenge of risk society requires further sociological research into how the legal system or, more accurately, 'network', plays its own risk creation and avoidance games in order to protect and expand its interests? Doing so could contribute to a philosophical critique of the content of law, beginning with the expensive stupidity of the persistence of premodern sumptuary laws such as those which criminalise the enjoyment of narcotics in which the interests of law and crime coincide exactly.

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