

indirect and manipulative. In his conclusion, Macmullen concedes that attempts to shape students' motivations by, for example, visiting prisons or hearing about the dangers of drug use often backfire. In the end, he is much more persuasive about the nature of civic virtue than he is about whether it could be imparted to children.

**The Neo-liberal State.** By Raymond Plant. Oxford: Oxford University Press, 2012. 283p. \$95 cloth, \$40 paper.  
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— Christopher W. Morris, *University of Maryland*

In this book Raymond Plant tries to accomplish two large goals: “The first is to give a faithful account of the major aspects of the neo-liberal theory of the state and its relation to the economy and the wider society. . . . The second aim is to provide the basis for a critique of these doctrines” (p. 1). He succeeds in both aims, though that is not to say that the critique ultimately succeeds or, more interestingly, that it fully engages with the doctrines he wishes to understand and to challenge.

One of the most impressive features of *The Neo-liberal State* is the seriousness with which Plant takes his adversaries. There are many works that seek to expose and destroy political adversaries, but most do not first try to understand them. Plant devotes slightly more than two-thirds of his book to describing and analyzing the views of Friedrich von Hayek, James Buchanan, Robert Nozick, and other political thinkers who have offered challenges to the social democracy that he wishes to defend. He has spent a lot of time with his opponents and takes them very seriously.

Even if most of the thinkers Plant examines are American or have spent much of their lives in the United States, the book is, not surprisingly, quite British in its concerns and understanding. In the United States, these thinkers are routinely labeled “conservative” or, better, “libertarian,” the term ‘liberal’ having been captured by the Left or Center Left. More importantly, the author fully understands how radical and anticonservative these thinkers are: “The idea of the rule of law lies at the heart of the neo-liberal view of the nature of and role of the state. . . . On the neo-liberal view social democracy and socialism are outside the rule of law” (p. 5). The conception of neoliberalism as privileging the value of the rule of law is central to his account of this influential tradition, as well as to his critique of it. And Hayek is in many respects the best exemplar of the kind of position.

Plant's critique of the neoliberalism is “immanent”; he tries “to present the strongest case for the neo-liberal theory that [he] can, and then [tries] to point out the serious defects which emerge within that theory” (p. 1). To a great extent, I think he is right in concluding that social democracy is not as incompatible with neoliberalism as he

characterizes it—it does not seem necessarily to be incompatible with the rule of law. But I think he does not take up all of the important challenges of neoliberalism, which may not rely very much on the value of the rule of law.

As many readers of Hayek have noted, his neoliberalism is not as systematically antagonistic to welfare-state programs as is that of many other neoliberal or libertarian thinkers. Hayek is not opposed to state programs to help the poor and destitute, and he recognizes a state role for the provision of public goods (in the technical sense of indivisible and nonexcludable goods). He is an enemy of old-fashioned socialism, dependent on central planning, but contemporary welfare states are not committed to this kind of view. But Hayek is wedded to his criticisms of “social justice,” and a defect of this book is not providing a clearer analysis of this thing. Social justice is a species of justice (references in the index are rightly found under “justice” and not under “social”). Many if not most of the neoliberal thinkers discussed in this book would acknowledge that we have duties to rescue others, at least in emergency situations (e.g., people shipwrecked on the high seas or stranded in the desert). Such duties are “positive,” and so their acknowledgment would block the doctrine that the duties (and rights) of justice are exclusively negative. They seem, I should note, to be duties of justice: If one fails to rescue people clinging to a life raft and they drown as a consequence, one has *wronged them*. But are those committed to social justice arguing only that we have some positive duties? I do not think so. Many supporters of social justice seem to have “patterned” conceptions of justice, to deploy Nozick's concept. A patterned conception of justice would have justice in distribution determined by a pattern, to each according to his or her \_\_\_\_\_. (See Robert Nozick, *Anarchy, State, and Utopia*, 1974, pp. 155–60.) Many social democrats clearly think of justice as patterned in this sense, and I am not sure that Plant fully appreciates the criticisms that Nozick and, in effect, Hayek make against such conceptions.

In some respects, Nozick presents a sharper and possibly more serious challenge to social democracy than does Hayek. Nozick's argument in *Anarchy* relies on a conception of natural rights, supposedly “Lockean.” Plant thinks that these rights are understood to be “absolute”; I think this interpretation mistaken (see Plant's references to “moral catastrophes” on p. 247), but this misunderstanding is not crucial. Merely assume that people have defeasible rights to order their lives and possessions as they wish, and that there are a number of things one may not do to them without their agreement. The question then arises: By what right may the state restrict the behavior of their subjects as they do? It is one thing to forbid people from doing things that are unjust independently of the law; it is another to say that they must obey the law because it is the law (of a legitimate and

just state). Many contemporary political thinkers take for granted a familiar modern picture, that we live in states (or “nation-states”) and that as long as these are relatively just, we are obligated to obey them. But both the justice of our states and our obligations to obey are quite problematic, as the work of contemporary thinkers have made evident. Helping others in some circumstances may be required by benevolence or charity, but not if so doing is inconsistent with justice.

Nozick’s work has had considerable influence on contemporary political philosophy, perhaps more in the United States than in the UK. One group of theorists, dubbed “left-libertarians,” accept Nozick’s assumption that we have certain rights over ourselves—“self-ownership.” But they deny that natural resources, in particular land, may be acquired in the ways that Locke and Nozick suggest; instead, everyone retains a title to them. Natural resources that are not the creation of anyone may belong to all of us. This idea has a lot of currency in contemporary political philosophy, and it would have been interesting had Plant examined it and its implications.

There are other ways in which *The Neo-liberal State* is incomplete. The challenge of the Virginia Public Choice school, founded by James Buchanan and Gordon Tullock, is not taken as seriously as I think it might be, even if it is considered. Neoliberals and social democrats wish to constrain states, however much they disagree about the proper tasks of states, but the Public Choice school suggest that constraining government is much harder. But Plant takes seriously neoliberal challenges to social democracy and does point to ways in which they do not rule out some forms of social democracy. The book represents a serious effort at understanding some neoliberal challenges to social democracy and at challenging them. There is much that I have not touched on, and students of these topics would be strongly encouraged to study this impressive work.

**War Crimes, Atrocity, and Justice.** By Michael J. Shapiro.  
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— Elisabeth Anker, *George Washington University*

Michael Shapiro’s work constantly pushes against the boundaries of knowledge established within political science, rejecting separations between theory and empirics, war and peace, violence and justice, politics and pop culture. He has described his method as “postdisciplinary,” and his energizing refusal to be hemmed in by preestablished categories of analysis is on full display in his most recent book, *War Crimes, Atrocity, and Justice*. Shapiro does not ask familiar, though difficult, questions about these topics, such as: What is justice? Should we classify this or that violent event as a war crime? Has justice been

served in a particular criminal trial? Rather than aiming to establish universal definitions of justice, or seeking to determine the truth about a war crime and its perpetrators, Shapiro asks different questions: How does a specific violent event reveal the larger global apparatuses that enable war? What forms of justice are activated or foreclosed by war crimes trials? How might film or literary texts offer more reflective images of justice and accountability than the law? Drawing inspiration from the continental philosophers Michel Foucault and Gilles Deleuze, Shapiro is most interested in scrutinizing the mobile and contingent notions of crime and justice that emerge out of criminal political events, and in asking how aesthetic forms can offer more robust justice-related imagery than juridical forms of representation.

Shapiro contrasts the international trial and military institutions with what he calls the global justice *dispositif* and the war *dispositif*. The latter two not only encompass these institutions but also incorporate militarized police agencies, inequalities of resources across and within states, shadow markets, security protocols, affective sensations, commercial practices, environmental topography, residential patterns, philosophical inheritances, and other factors, in addition to state militaries, international peacekeeping efforts, and Geneva convention protocols. For instance, in Chapter 4, Shapiro carefully examines the film *Miss Bala*, which investigates drug trafficking between Mexico and the United States by focusing on a beauty contestant unwillingly dragged into it. While the standard narrative of the war on drugs is that international gangs cause drug violence and the border patrol stops it, the film portrays border agents who are part of the problem by increasing the drug traffic they are supposed to stop. The network of apparatuses that make up the border security *dispositif* in *Miss Bala* also includes weapons manufacturers, humanitarian agencies, news media, neoliberal economic circulations, the industry of beauty pageants, the army, patriarchy, and even the experience of the protagonist herself, who is meant to stand in for all victims of drug crimes. The film’s aesthetic strategies for portraying this *dispositif* reveal the intricate networks of power that contribute to drug trafficking in ways that the policy provisions of the War on Drugs, for instance, cannot.

Power and responsibility in global justice are complex, and in some cases one form of global justice actively foments another global injustice. Shapiro shows in Chapter 1 that United Nations peacekeeping efforts often increase sex trafficking in the areas they are monitoring. Troops often pay for many illegal prostitutes while keeping the peace, but are simultaneously protected from criminal prosecution. The cessation of some war crimes thus encourages others, and peacekeepers engaged in both gain a “mobile non-judicial space within juridical space” that shields them from the international law they are