Can the Right of Necessity Be Both Personal and Political?
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Review of: Alejandra Mancilla (2016) *The Right of Necessity: Moral Cosmopolitanism and Global Poverty*. **London: Rowman and Littlefield International. 140 pp.**

In *The Right of Necessity: Moral Cosmopolitanism and Global Poverty*, Alejandra Mancilla argues that agents whose basic rights to subsistence are not realised should be entitled to "take, use and/or occupy the material resources required to guarantee [their] self-preservation, or the means necessary to obtain the latter" (4). This *right of necessity* (RoN hereafter) is, according to Mancilla, a "concrete expression" of the basic right to those material provisions necessary for survival (70). When an economic order guarantees its members secure access to the content of their subsistence rights (food, water, shelter, etc.), the exercising of the RoN would be limited to rare emergency cases. But in a world such as ours, in which very many human beings experience severe and chronic deprivation, resort to the RoN would be far more common. In this sense, the RoN serves as a check on any system of property rights: if a socioeconomic regime does not create conditions within which the basic right to subsistence is fulfilled for all, then those whose rights remain unmet – or others acting on their behalf – are entitled to act to guarantee their survival. "Demanding otherwise from them would be unreasonable, as it would be

irrational for them to accept", according to Mancilla (68). The RoN is a Hohfeldian "*privilege* compounded by a *claim* against others (including the owners of the targeted property) not to interfere with the agent's actions" (85 italics in original). Defining the RoN as a privilege means that those who act to secure their survival have no duty not to do so. Combining it with a duty held by others not to interfere with the legitimate exercising of the RoN strengthens a right that would otherwise be weak.

The principal audience for this argument is moral cosmopolitans: those who hold that all individual human beings are equally the ultimate units of moral concern. One of Mancilla's general aims is to rebalance the conversation on cosmopolitanism and global poverty in favour of a focus on "what the needy may be morally permitted to do by themselves and for themselves to fulfil or satisfy their basic right to subsistence" (3). Such a shift is indeed sorely needed: most contributions to the global justice debate to date have focused on the duties and (in)action of the well-off, treating the global poor simply as passive recipients of aid or sympathy. Another sense in which Mancilla's contribution is very welcome is the careful and considered historical recovery of the arguments for the RoN provided by Aquinas, Grotius, and Pufendorf. These accounts demonstrate that RoN has a rich but as yet under-recognised historical pedigree.

In general, Mancilla's case for the RoN is compelling: I found little to disagree with in many of the arguments she offers. Issues remain, nevertheless. Here, I focus on three. The first two relate to the assumptions she makes; the third to the likely practical and political implications of her argument.

Feasible conditions

Mancilla makes four normative and two factual assumptions, upon which the rest of her case for the RoN relies. Her normative assumptions are moral cosmopolitanism, the existence of the basic right to subsistence, the acceptance of the institution of property, and belief that any reasonable system of property rights must

satisfy everyone's basic needs. I will not discuss Mancilla's normative assumptions as I have no quarrel with them. Her factual assumptions are more controversial, however. The first is that "certain minimally favourable material and technological conditions hold at the global level, that make it not utopian but feasible to have everyone's basic right to subsistence satisfied" (16).

The problem with this assumption is that the feasibility of the satisfaction of subsistence rights for all is not fully determined by 'material and technological conditions' alone. As John Rawls says, when it comes to a society ensuring that all of its members enjoy human rights, while "money is often essential", "political culture" is "all-important" (Rawls 1999, 108-109). Rawls gives the examples of famines that occur as the result of political and institutional failure, as opposed to simple lack of food (1999, 109). He also refers to the difference that the position of women can have on population levels and the sustainability of the economy (Rawls 1999, 109-110). Attitudes about the status of women are often deeply embedded within cultural and religious practices, and not necessarily reducible to 'material and technological conditions'.

Rawls' comments on this topic are far from perfect or complete. In particular, he does not elaborate on the specific ways a regime can be burdened by unfavourable conditions, and the sense in which political culture is implicated in each of these ways. The general point is clear, however: in order to make the realisation of the right to subsistence truly feasible, a society would need to have a political culture that was hospitable to it. It is not clear that conditions globally can currently be characterised in this way (which is not to say that it can never be), even if one did accept that anything like a single global society existed. This takes us to the next problem.

A basic global economic structure

Mancilla's second factual assumption is "that there is such a thing as a basic global economic structure of which most human beings take part" (16). I take the reason why she needs this assumption to be that it provides a single global entity which can be held responsible for global poverty. Mancilla follows Thomas Pogge in interpreting human rights as "direct moral claims against social institutions imposed on oneself" (73). However, the crucial question Pogge does not consider in great depth, according to Mancilla, is what those whose human rights are not fulfilled are entitled to do for themselves while their institutions are failing. Mancilla regards her defence of the RoN as offering an answer to this question.

There are two problems with Mancilla's assumption of a 'basic global economic structure', both of which suggest it is redundant. First, it is not at all clear that she needs it in order for the most striking implications of her argument to win through. Even if it was not the case that most human beings participated in a single economic order, the global poor would still presumably be able to exercise the RoN within their local, national, and regional settings. Indeed, all of the cases Mancilla cites as examples of when something close to the RoN has been invoked in the real world (the *callamperos* in Chile, for example, or the *Movimento dos Trabalhadores Rurais Sem Terra* in Brazil) are distinctly local in character (87-88).

The second problem is that, even if you accept Mancilla's assumption of a 'basic global economic structure', it does not follow from this that such a structure itself has the capacity to guarantee the subsistence rights of all. The reason for this is that a 'structure' is not necessarily an institutional agent – that is, a macro-level agent able to regulate relations amongst other sub-level agents in line with a given pattern or goal. The presence of capable institutional agents is necessary if individuals are to have secure access to the content of their subsistence (and other) rights. The paradigmatic example of such an institutional agent in our current world is the state, but capable global institutional agents need not be exact replicas. A number of global justice theorists – including Henry Shue, who Mancilla cites approvingly throughout the book – have persuasively argued that it is precisely the *absence* of capable institutional agents which helps to explain the present levels of global poverty and inequality (Ronzoni 2009; Scheffler 2008; Shue 1988).

If Mancilla believes that the current levels of global economic interaction and interdependence is equivalent to the existence of a set of global institutional agents capable of regulating relations between all individuals such that all enjoy the basic right to subsistence, then she is mistaken. Alternatively, if she holds that the right to subsistence can be realised in the absence of capable institutional agents, this would be mistaken too. Indeed, given that Mancilla herself accepts that basic rights generate "final duties" to "create conditions under which the legitimate exercise of the right of necessity by the chronically deprived simply disappears" (76), it is not clear that the assumption of a 'basic global economic structure' is doing any useful work in her account at all.

Practical and political implications

The final problem with Mancilla's argument for the RoN which I will discuss relates to its practical and political implications. This has two dimensions: personal implications for the agent exercising the RoN, and political implications for wider society. On the personal level, one question Mancilla deals with is whether those invoking the RoN can use force if others interfere with the exercise of their right. Mancilla's response is disappointing (87-88). First, she distinguishes between violence and resistance with no explanation of what this distinction consists in. Then, she simply rules out violence *a priori* with an approving reference to Pogge where there should be an argument. Finally, she gives three examples of real world cases where the RoN has been successfully claimed without resort to violence, presumably to show that such results are possible. But the question is not whether it is *possible* to successfully exercise the RoN non-violently, but whether non-violence is all that can ever be *justified*. Given the current scale of deprivation globally and the inevitability of the resistance from those whose property will become vulnerable to appropriation by the needy, a more nuanced discussion of the characteristics of violence (directed at what, for example?) and fuller defence of pacifism is necessary. Does Mancilla really wish to rule out any resort to violence even if peaceful re-

sistance is itself met with obstinacy and force? Such a move would have the unfortunate implication of rendering the ANC's campaign against Apartheid unjustified, for example. This takes us to the political dimension.

As Mancilla rightly emphasises throughout *The Right of Necessity*, the overall aim of moral cosmopolitanism must be the establishment of conditions within which all human beings enjoy secure access to the content of their basic subsistence (and other) rights. For this reason, her discussion of what she calls the "Remedy Worse Than Disease objection" – which suggests that accepting the RoN would have highly negative consequences for social order and lead to a worse state of affairs for all, including the poor – is very interesting (106-107). Mancilla's response is twofold. First – and rightly, I think – she questions why the burden is placed on the needy to sacrifice their subsistence for the sake of the status quo. Second, she suggests that the exercising of the RoN may in fact spur the global wealthy to take steps to reform the global order in line with cosmopolitan aims. Mancilla concedes that this as an "empirical claim" (107) – the problem is that it seems an implausible one. The few examples of real-world cases where peaceful invocations of the RoN have led to semi-permanent social reform do not evidence her claim; they are striking precisely because they are atypical. While it may not lead to near-anarchy, as Mancilla's interpretation of the objection assumes, the RoN may lead to the overall aim of moral cosmopolitanism being harder, as opposed to easier, to realise. The likely response of those in power must always be borne in mind when engaging in action which seeks to have wider political effects, especially when these effects involve cost for those with power. This is part of the reason why resistance takes the form of civil disobedience (e.g. non-violent, public, etc.) in some contexts (see King 1991), and why the justificatory bar for violence is so high (which is not to say that violence can never be justified, as Mancilla suggests). Without a more careful discussion of the likely political implications of the RoN, Mancilla has no basis to claim that it could bring us closer to the overall cosmopolitan aim. It looks just as – perhaps more – likely to do the opposite.

Despite the problems just noted, Alejandra Mancilla's *The Right of Necessity* is a timely, well-argued and original addition to the literature on global justice in general, and moral cosmopolitanism in particular. The most significant contribution it makes is to shift attention to the agency of those typically considered the victims of injustice. The central question we are left with is a pertinent one: what if the actions necessary to secure immediate needs are in tension with the overall cosmopolitan aim?

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Biography

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**Dialectics of Secular Revelation:
Jameson's Cognitive Mapping Aesthetic, Thirty Years On**
Marc Tuters

Review of Alberto Toscano and Jeff Kinkle (2015) *Cartographies of the Absolute*. **Alresford: Zero Books, 311 pp.**

How do we, as the increasingly atomized individuals of capitalist societies, formulate a collective relationship to capital when conditions seem constantly to mitigate against such an effort? This is, perhaps, the central question of Western Marxism, a once vibrant tradition of critical thought, for which it has been claimed that the American literary critic Fredric Jameson today stands as the foremost living exemplar (Anderson 1998, 74). In *Cartographies of the Absolute*, Alberto Toscano & Jeff Kinkle take Jameson's conceptual framework to be axiomatic, along with most of the political and philosophical foundation of Western Marxism; and while their intention is not to comment directly on Jameson's hermeneutics, the book could nevertheless be understood as *the* single most sustained response, within the entire field of cultural analysis, to Jameson's challenge, made at the conclusion of his famous essay on postmodernism, that "[t]he political form of postmodernism, if there ever is any, will have as its vocation the invention and projection of a global cognitive mapping, on a social as well as a spatial scale" (1984, 92). In addition, then, to touching on a few of the book's own unique contributions, in what follows

I will be sketching an outline of a particular discursive tradition with which, I will argue, this book finds itself deeply enmeshed.

Referred to as both his most influential concept (Tally 1996, 399) and his least defined concept (Jameson 1992, viv), Jameson initially formulated the notion of cognitive mapping as a kind of metaphorical remedy to his metaphysical diagnosis of subjective disorientation under conditions of late capitalism — as an imperative to represent the hidden totality of class relations through the development of a new aesthetic form. Formulated, in part, as a kind of dialectical response to the epistemological relativism characteristic of intellectual trends in American academia at the time of writing in the mid-'80's, Jameson was also responding to formal preoccupations in the field of architecture, thus orienting much of his analysis to a study of the built environment, which he saw as the "privileged aesthetic language" of late capitalism, due to its "virtually unmediated relationship" to capital (1984, 79 and 56). In essence, Jameson's project could be understood as a continuation of the basic problematic of Western Marxism, as inaugurated by Georg Lukács (1971), concerning the dialectical relationship between, on the one hand, the divisive symptoms of capitalism that result in social class divisions and, on the other, attempts to represent the a priori totality underlying those same processes.

If Toscano & Kinkle's approach can be identified with Jameson, then it can also be counter-posed to the work of Bruno Latour, another highly influential yet very different type of thinker who likewise tends often to be preoccupied with metaphors drawn from cartography. Indeed, the opening chapter of their book puts forward a rather in-depth critique of Latour's incapacity to comprehend the larger dynamics of capitalism from within the bounds of a methodology (derived in part from ethnography) that refuses to accept the a priori existence of any so-called "social explanations" (2005, 1) including, most notoriously, the existence of capitalism itself (1993, 173). Whereas Jameson's cartographic epistemology is an attempt "to think the impossible totality of the contemporary world system" (1984, 80), for Latour "[t]otality does not present itself as a fixed frame, as a constantly present context; it is obtained through a process of summing up, itself localized and perpetually restarted" (2006, NP). While it is perhaps understandable why

Toscano & Kinkle would find Latour's methodological commitment to the small-scale ill-suited given the scale of ambition in *Cartographies of the Absolute*, at the outset of the book their polemical stance against Latour seems to preempt the possibility of exploring more productive tensions in the dialectical relationship between different cartographic modes of thought. Whilst this opening polemic is not necessarily representative of the book as a whole, it does however demonstrate their scholasticist fealty to a particular type of hermeneutics. In conclusion, then, whilst their book is original — even, at times, idiosyncratic — in the way that they have selected their objects of study, I will argue that in terms of their methodology Toscano & Kinkle are, in fact, quite traditional.

Jameson first expanded upon his initial call to develop "an aesthetic of cognitive mapping" (1984, 89) at a famous conference on the topic of "Marxism and the Interpretation of Culture" (Nelson & Grossberg 1988), and then in a book-length version of the postmodernism article in which he described the challenge of cognitive mapping in quasi-gnostic terms as a revelation of "the true economic and social form that governs experience" (Jameson 1991, 411). Jameson was, in effect, writing a kind of artistic manifesto *avant la lèttre*, calling for: the development of "a whole new technology, which is itself a figure for a whole new economic world system" (1984, 58); the development of a pedagogical art-form, whose objective would be "[t]o teach, to move, to delight" (Nelson & Grossberg 1990, 347); but also, calling for experimentation at the formal level, instructing his readers to forget "all figures of maps and mapping" in order to "try to imagine something else" (Jameson 1991, 409). Thirty years later, then, Toscano & Kinkle have set out to assess the extent to which Jameson's call has been answered, producing what amounts to a taxonomy of the "cartographic turn" in the arts of cinema, television, photography, and installation. Matching Jameson in terms of scope, interdisciplinarity and theoretical ambition, Toscano & Kinkle read these cultural artifacts "symptomatically" as material traces of a late capitalist world system in crisis. In separate chapters centered around the critically lauded cable series *The Wire* ('02-'08) as well as the now forgotten genre film *Wolfen* ('81), for example, Toscano & Kinkle read depictions of the decaying inner-city landscapes of Baltimore and New

York City — both, respectively, around the period of a major financial crisis — as commentaries on what Marx called the "vampire-like" quality of capital.

Whilst Jameson was evocatively vague in his initial discussion of the cognitive mapping concept, he would go on to apply the term to describe his own method of cultural analysis, when, in an analysis of 1970s Hollywood 'conspiracy films', he stated that "in the intent to hypothesize, in the desire called cognitive mapping — therein lies the beginning of wisdom" (1992, 3). Jameson's approach here was itself indebted to Louis Althusser's technique of symptomatic reading — an exegetical approach to cultural analysis concerned with the "necessary invisible connection between the field of the visible and the field of the invisible" and the "psychological weakness of 'vision'" (1970, 19) that was also influential in the field of film criticism in the 1970s. Believing capitalism, then, to be the ultimate referent and true ground of being, a kind of actually-existing metaphysics whose fundamental laws could be mapped, Jameson's cognitive mapping method — the fundamental framework for Toscano & Kinkle's whole approach — was therefore to render visible the noumenal economic base hidden in the cultural artifacts of the superstructure.

Referencing a 1928 letter to Henry Ford in which the Colombian poet José Eustasio Rivera claimed that, if rubber could speak "it would exhale the most accusing wail" (193), Toscano & Kinkle discuss, for instance, an approach that they refer to as "materialist prosopopoeia" (43) as a name for a cognitive mapping aesthetic that attempts to show "that the causes of 'our' social life [lie] elsewhere, in the processes of extraction, dispossession and subjugation that constitute imperialism and colonialism" (16), discussing, as exemplary, a piece by the British contemporary artist Steve McQueen entitled *Gravesend*, that uses the medium of video installation to portray the commodity chain of rare earth minerals in electronics manufacturing. While attempts at debunking the seeming 'bargains' of globalized capitalism has, as of recent times, become a kind of cause célèbre of liberal virtue — with campaigns for ethical consumerism attempting to bring a measure of transparency to the working conditions in Chinese smart-phone factories, and regulatory schemes for corporate social governance seeking, on paper at least, to redress the problem of conflict minerals — Toscano & Kinkle view the former as weak and ineffective

symbolic actions that, in attempting to render commodity chains transparent, paradoxically represent "a new kind of opacity" (201). They are thus fascinated by attempts to render multinational global capitalism visible whilst at the same time being fundamentally suspicious of the contemporary discourses of ethical transparency.

In the same manner that Jameson performed symptomatic readings of 1970s Hollywood conspiracy films as another example of a cognitive mapping aesthetics, Toscano & Kinkle also survey a selection of Hollywood films from the 2010s addressing the global economic crash of 2008 in which they are much less interested in the quality of their narratives than they are concerned with decoding how, for example, in the filmic diegesis, "the inanity of built space (alternating between the triumphant banality of the glass skyscraper and the tawdry iteration of 'luxury apartments' and sundry cubbyholes) are 'realistically' depicted in these films" (169). According to Georg Lukács — the former theologian, who, as we have seen, may be thought of as a cornerstone in the Western Marxist hermeneutical framework — it is precisely at these moments of transition and crisis that the fundamental gap between the false appearance of things and their underlying reality becomes apparent. While Toscano & Kinkle draw from this framework when they speak of "crisis [as] a... *synthetic rupture*, potentially rendering visible the unity between seemingly disparate domains" (79), they are also critical of what we might call the post-industrial sublime, as for example represented in the photography of Lewis Baltz or Edward Burtynsky, which depict the effects late capitalism has on the built environment and on landscapes. Here, by contrast, they celebrate the works of Allan Sekula, to whom the book is dedicated, as well as those of Harun Faroki, visual artists, both of whom frame and narrativize their own work in critical essays that Toscano & Kinkle celebrate as attempts to rethink visual imagery as indexes of the machinic operations of global-spanning logistical processes — as opposed to naïvely realist modalities of representation.

While Toscano & Kinkle do speak of an idealized "realism shorn of didacticism" (193), as with Jameson's original concept, their approach to aesthetics seems to value the pedagogical above all else. In so doing they might be said to re-stage the same relationship of inequality between those who know and those who passively absorb an image, a notion of passive spectatorship that Jacques Rancière (2009) associates with Guy Debord — another Western Marxist figure who stands behind Jameson and Toscano & Kinkle, with Kinkle having, in fact, written his PhD on Debord. Against the ideal of critical art that he identifies with Debord — to "turn the spectator into a conscious agent of world transformation" through "build[ing] awareness of the mechanisms of domination" (2009[2004], 45) — Rancière advocates an approach that appreciates the capacity of art to open up a world of phenomenological experience that reveals the fundamental contingency of how the sensible world is distributed, a political promise that he argues may be contained with even the most self-secluding, and seemingly apolitical, of artworks. Embracing polemics over ambivalence, Toscano & Kinkle's emphasis on the role of theory in producing univocal symptomatic readings — as well as in their preference for 'critical' artists— seems to lead to the conclusion that the aesthetic of cognitive mapping that Jameson had called for some thirty years previously, today finds its realization not in the field of aesthetics so much as in the interpretation of aesthetics in line with the same old framework that had called for the development of a new form of aesthetics in the first place. Within that framework, Jameson had initially conceptualized cognitive mapping as a kind of antidote to his famous postmodern diagnosis of subjective dislocation, in which he announced "a mutation in the object, unaccompanied as yet by an equivalent mutation in the subject" (Jameson 1984, 80). Perhaps then, when, in their conclusion — in spite of the many postmodern equivocations that they, like Jameson, have made regarding the fundamental partiality of perspective —Toscano & Kinkle speak wistfully of a future "politics with a totalising impetus" (241), the ultimate forebear of this call to critical awareness in face of unimaginable complexity might be understood less in terms of Western Marxism than of Kant's third critique, according to which it is in the ultimate inadequacy of representation, in cartography's very failure to systematically divide the boundlessness of the absolute, that reason becomes intuitively palpable and, through this critical act, that the individual comes to make sense of her true location in the world.

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Biography

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As an educator at the University of Amsterdam's department of New Media and Digital Culture, through his affiliation with the Digital Methods Initiative (DMI) and as director of the Open Intelligence Lab (oilab.eu), Marc Tuters' research seeks to ground media theory in an empirical engagement with the materiality of new media infrastructure. While his past research contributed to the field of new media art discourse by developing the concept of "locative media", his current work looks at how online subcultures use digitally-native formats to constitute themselves as political actors, with particle attention to the so-called alt-right.