



Private Consciences and Public Reasons.

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Ethics, Volume 107, Issue 2 (Jan., 1997), 358-361.

Stable URL:

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Ethics

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in this collection makes a start on that task. More, much more, along those lines is sorely needed.

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Greenawalt, Kent. *Private Consciences and Public Reasons*.

Oxford: Oxford University Press, 1995. Pp. 225. \$45.00 (cloth); \$19.95 (paper).

Kent Greenawalt's topic in this book is, "What grounds are proper for people making political decisions and arguments within a liberal democracy?" (p. 4). He is mainly concerned with the role of religious reasoning, and his answer is that there is a duty (usually) to refrain from offering religious reasons in public political justificatory discourse, but there is no general obligation to avoid religious reasons in coming to one's decision on political matters. There are variations according to whether one is a judge, a legislator, or a citizen, with the stringency of the requirements declining in that order, but in all cases grounds for coming to a decision are less restricted than grounds offered in public justification. Simplifying, citizens may *use* religious reasons even in some cases where they may not *give* them. So we might ask, first, what forbids their giving religious reasons? Second, what permits their using reasons they may not give?

Greenawalt's argument for the duty not to give religious political arguments is difficult to pin down. Plainly he places much weight on the fact that no religious perspective enjoys "nearly universal acceptance" (p. 29). If public political arguments must proceed from positions shared in a consensus, however, then there are probably no permissible political arguments. No substantial moral view is shared by all or even nearly all. But what reason is there to think that a few citizens could have this decisive power over political arguments, where nothing depends on the merits of their objections? It is unlikely that Greenawalt takes exactly this view, but it is not clear just how his view differs from it. He sometimes speaks of the requirement that premises and ways of reasoning be "shared in our political culture" (p. 146) and says that this test is easier to meet for some nonreligious moral views than for any religious view. This only avoids the unbridled veto if a view can count as shared in our culture even if it is not generally held. But now we should wonder why the dissenting minority deserves to be ignored. Can it be that the merits of their objections are irrelevant, so long as they are not very numerous?

Greenawalt discusses John Rawls's view in *Political Liberalism* (New York: Columbia University Press, 1993) sympathetically and at length, but Rawls's view has a feature that Greenawalt never seems quite comfortable with. Rawls argues that political justifications must be carried out in terms acceptable to all reasonable citizens. The merits of the opposing views are crucial to determining whether they are within reasonable bounds. If not, it does not matter how popular the view is. If the objection is reasonable, it is decisive even if it is held by very few. This view embodies the following sort of moral

inviolability that Greenawalt lacks if he thinks the numbers matter: one dissenter defeats a proposed justification, so long as the objection is not unreasonable, that is, it does not blatantly violate basic assumptions about the freedom and equality of all citizens.

Perhaps Greenawalt means to endorse this more judgmental standard and means to refer only to reasonable consensus and reasonable objections. But in that case, it is unclear why there is a different standard for what reasons a citizen can use in coming to a decision and those that citizen can give in public argument. If, following Rawls, the existence of a reasonable objection defeats a justification, then it does so whether the justification is actually voiced in public or is only privately pondered. Consider a justification for prohibiting gay marriage that depends on the assumption that God forbids it. If reasonable people can deny this assumption, then, according to the view that reasonable objections are decisive, that religious assertion is powerless to justify the prohibition on gay marriage.

If one's view is rather that the religious assertion retains its justificatory force so long as it is true (despite reasonable objections), then it is hard to see why it would be wrong to offer this justification in public. Rawls argues that in general the truth of a doctrine is not sufficient to permit its public use in political argument, but that is because of his theory of legitimacy according to which political justification must proceed from premises and forms of reasoning that are beyond reasonable objection. This is first a theory about what considerations are capable of justifying exercises of political power. Rawls calls it a criterion of legitimacy. The doctrine of public reason is only secondary, as a natural corollary: if a purported justification is bogus, one ought not to offer it as genuine.

This point is neglected in much current discussion of public reason: the question is not primarily whether giving certain reasons is morally wrong, but whether the position one thereby asserts is mistaken. Thus, the political justifications a citizen may offer in public are the same ones that may be relied upon in deliberating about how to use one's own vote or other political power: the nonmistaken ones. If Greenawalt thinks religiously based justifications can, at least sometimes, be relied upon in one's private political deliberations, then he must think, *contra* Rawls, that those same justifications are sometimes morally valid bases for the use of political power even despite reasonable objections. If he does not think that they can be valid, then on what basis does he believe it is permissible ever to rely on them? The deliberation may be private, but it is deliberation about what rules to impose on the whole public. When this is the question, there are no justifying reasons (such as religious doctrines) that are not acceptable to all reasonable people. At least, that is what Rawls's theory of legitimacy strongly suggests, and this book contains no argument to the contrary.

The book contains numerous critical accounts of extant views of the legitimate role of religious reasons in politics, and countless questions and reflections about the variety of possible views of the matter. While these are of some value, the argumentation throughout neglects central questions of political legitimacy, obligation, and justification. The subject of public reason is treated largely as a more earnest cousin of etiquette. There is constant worry about whether offering certain reasons will be offensive to many people,

or whether some will “feel imposed upon” (p. 157), or whether certain doctrines of impermissible reasons will be asking too much psychologically of religious believers (pp. 138, 159), or (one hears this objection a great deal in others) whether our public discourse will be thereby impoverished (p. 94). If certain kinds of arguments fail to establish the political obligations that they purport to, it is beside the point to ask whether our discourse would be impoverished if citizens refrained from using them. The primary question about public reason is not how to comport ourselves in public, but what it takes for the use of political power to be justified. The constraints of public reason then arise largely out of the obligation frankly to acknowledge our exercises of political power for what they are, and so openly to acknowledge the constraints that apply to justifications, whether they are publicly stated or not, in that realm.

The question of when, if ever, citizens or public officials are permitted to wax religious in public discourse, then, seems to be fairly easily settled by this sort of view: religious discourse is in no way discouraged or denigrated by this view in contexts where there is no thought of offering reasons that purport to justify the use of political power over others who reasonably disagree with the religious premises. There certainly are other ways in which to appeal to religion in public speech, such as speaking to one’s fellow believers, or attempting to win converts, or addressing moral questions that are not immediately political ones (such as the moral permissibility of an act which is granted not to be legitimately proscribable by law), and so on. The view of public reason that is derived from the principle that reasonable objections to political justifications are decisive implies no moral restrictions on religious discourse of these or any other kinds, and it certainly implies no legal limits to freedom of religious discourse—even that which violates the moral constraints of public reason. All it implies is that it is an abuse of power (though legally protected) to offer as a political justification something that is not morally competent as a political justification because it is subject to reasonable disagreement.

If Rawls’s underlying theory of legitimate political justification is correct, then this constraint on public reasoning follows irresistibly. Opponents of this doctrine of public reason, therefore, must explain what is wrong with the theory of legitimate political justification. There is room for interesting debate about these matters: How can the crucial category of the reasonable be defined in a nonarbitrary way? Is there really anything substantial that can be held to be beyond reasonable disagreement? Why think that the value of these liberal constraints will always be greater than the value of pursuing the controversial moral truth?

Another interesting question that occurs at this more pertinent level is why religious reasons should be thought to be open to reasonable disagreement. Unlike the others, this question is given some interesting and sustained attention. Greenawalt argues, for example, that religious experience is a better reason for the subject than it can be for those to whom it is reported. If this weren’t true, then either both subject and listener would be unreasonable to resist its religious implications or both would be unreasonable to accept them. The result would be, roughly, that either atheism or theism would be beyond reasonable objection. This is one of a number of interesting

questions taken up in the book that I have not addressed in order to focus on my central criticism.

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Hardin, Russell. *One for All: The Logic of Group Conflict*. Princeton, N.J.: Princeton University Press, 1995. Pp. xiv + 288. \$24.95 (cloth).

This is a book about the pathology of collective action. Group-oriented self-sacrifice often merely subserves an intergroup conflict yielding prolonged violence that is worse for everyone. Hardin's book about this phenomenon has an explanatory and a normative thesis. The explanatory thesis extends the argument of his earlier book *Collective Action* (Baltimore: Johns Hopkins University Press, 1982). Even in these pathological forms, where it leaves participants not only individually but also collectively worse off, group identification and action remain explicable as the outcome of a series of individually rational actions of predominantly self-interested agents. The normative thesis is that, on top of its potential for producing terrible consequences, there is no intrinsic value to exclusionary forms of group identification and thus no communitarian justification of it.

Hardin's explanatory task is essentially to show how the life of a group can develop through a series of four stages, and why it does so in some circumstances but not others. The first of these stages is group identification—the phenomenon of individuals' self-recognition as belonging to, say, a certain ethnic classification. Action by and on behalf of the group, however, requires a further explanation: ethnic identifications existed largely unmobilized in the former Soviet Union, for example, requiring the new circumstances surrounding its dissolution for their expression in group action. Furthermore, group action needn't be conflictual: the third stage is to explain the existence of group conflict where it arises. And finally, we need to explain why that conflict sometimes but not always expresses itself in violence.

This large task is impressively handled, through the sustained discussion of a large number of examples, ranging from the use of slang among black youth in U.S. inner cities, to the medieval Icelandic vendetta and the European dueling code, to contemporary ethnic conflicts in the Balkans and central Africa. The central line of analysis is this. The source of power for ethnic groups is not exchange power—the power that resides in the ability to deploy resources—but coordination power—the power created by the coordination of many different individuals behind a leadership. Given the likely accumulation of that power by a group of which I am a potential beneficiary, it is in my interests to identify with the group; and that can be made likely by political leaders with the ability to emphasize vivid coordination points, such as ethnic identities naturally provide. (The costs to those leaders are worth paying, given the prospective personal benefits.) To explain, next, individuals' actions on behalf of a group with which they identify, we need only invoke the group's ability to sanction free riders—minimally by exclusion, but by further means