



The Good Polity: Normative Analysis of the State.

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Ethics, Volume 101, Issue 1 (Oct., 1990), 189-191.

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Ethics
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for his family, etc., is not thereby a person of integrity if he believes that these things are morally required of him. That we should greatly admire such a person Halfon does not deny, but what we admire according to Halfon is not his integrity. The plausibility of this conclusion is elusive at the very least; it seems to render integrity unnecessary to living a minimally acceptable moral life.

Considerable attention is paid to the issue of moral consistency and the resolution of moral conflicts. A concept of revising moral principles in the light of experience is defended, which allows consistency despite change and is distinguished from moral compromise. Revision is possible, even desirable, for the person of integrity, but change in the form of moral compromise is a loss of integrity. One of Halfon's concerns here is with how to employ moral concepts in talk about various forms of agent regret and self-evaluation. As interesting as these issues are, however, the book misses the opportunity to discuss the kinds of conflicts most central to recent discussions of integrity and consequentialism. These are the conflicts that arise when the commitments of special personal relationships clash with those involved in considerations of impartiality. Those who are awaiting a book on integrity to clarify and resolve these kinds of issues as introduced by Williams will find very little to satisfy them in Halfon's book.

Despite the disappointments, however, there are aspects of Halfon's book that could prove helpful for introducing students to important problems regarding the conceptual framework of moral conflict.

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Hamlin, Alan, and Pettit, Philip, eds. *The Good Polity: Normative Analysis of the State*.

New York: Basil Blackwell, 1989. Pp. viii+207. \$45.00 (cloth).

The articles in this collection are said to represent a "second wave" of normative analysis of the state following on the work of Rawls, Arrow, Dworkin, Nozick, Sen, and others. If this wave is suggested to be of comparable impact, the editors, each of whom is included also as an author, have succumbed to surfers' exaggeration. The pieces are, however, generally of high quality, and all show the profound and laudatory influence of the "first wave," moving instructively and almost seamlessly between the insights and methods of economics, philosophy, and political science.

The editors begin with a discussion of several views about the state that unite the literature which they wish the collection to represent. Among other things, they discuss what they call the principle of individual relevance: "what makes a state good is that it constitutes or brings about something that affects people appropriately: something, we may suppose, that is good *for* people" (p. 8). This implies that only things that affect people are good for them. No argument is given for their claim that the principle of individual relevance, as so interpreted, "is endorsed by the tradition of assessing the state that is associated with normative political analysis" (p. 8). Indeed, they contradict their explicit effect requirement on well-being by counting equality as a good for people. Being equal to others is not itself an effect on a person, since I can be made equal to you by your assets (or whatever) being reduced. If it is, nonetheless, held to be something that is

good for people and that might, therefore, make a state good, then states are not being judged by their effects on people but only by how well-off people are in some less straightforward sense. If, however, it is only effects on people that matter, then it is hard to see how the editors have avoided the categories they claim to avoid, namely, emphasis on good *in* (subjective states of), good *by* (according to), or especially good *of* (goods that belong to) individuals.

The rest of the pieces are arranged into three groups of three. Under "Democracy" are articles by Joshua Cohen, Albert Weale, and Geoffrey Brennan. Cohen and Weale pursue a line inspired by Habermas and Rawls that seeks to distinguish paradigmatically "democratic" institutions from what are argued to be theoretically more basic democratic values. Cohen sees the essence of democracy to lie in an ideal, hypothetical procedure of deliberation and sees "no merit in the claim that direct democracy is the uniquely suitable way to institutionalize the ideal procedure" (p. 30). Weale endorses a contemporary "convergence of argument on the thought that the democratic attitude is tied not to particular organizational arrangements but to a critical mode of justification of political institutions" (p. 40).

Indeed, pushed to the limit, this approach must see it as a contingent matter whether actual processes of voting or public discussion ought to play any role at all in a society based on democratic values. It may be that under unfavorable circumstances voting and free speech, for example, are inappropriate institutions: where, for example, tolerance is, in Marcuse's phrase, repressive; or where voters are buried in "false consciousness." If that case can be made, though, we should find democracy itself to be inappropriate. To defend an arrangement that lacks these institutions is not the same thing as to show it to be, at root, democratic.

The structure of Cohen and Weale's approach to democracy is mirrored in Alan Hamlin's contribution to the section "Contract and Compliance." Hamlin argues that the value of liberty is best emphasized at the level of justification, leaving any role for liberty in actual institutions as a contingent matter. As he says, a liberal theory of the state does not necessarily imply a liberal state, and it is the former that is especially important. Taking these three writers together, one is asked to believe that a regime lacking any typical civil liberties, or institutions of popular voting or public discussion might yet, in principle, have a bona fide liberal and democratic justification. The implausibility is less in their having some real justification (though that is a question too) than in the view that liberty and democracy are primarily matters of determinate theory rather than of determinate practice.

In the third of the pieces on democracy, Brennan seeks, unsuccessfully, I think, to bring democratic-socialist doctrine within the assumptions and methods of public choice theory by arguing that voting ethically can be explained without giving up the public choice assumption that individual political behavior is self-interested. Voters get the benefit of expressing their principles, on the analogy of cheering for a favored team.

Russell Hardin's contribution to the section "Contract and Compliance" has some relevance for the generally social-democratic approach of the three writers on democracy. Hardin points out, with perhaps unnecessary machinery, that there may be two ways of making everyone better off, but both of which make some better off than others, and which differ as to who gets the greatest benefits. There can be a strong element of conflict over which mutually advantageous scheme to adopt. Democratic theorists must keep in mind that common interest,

or mutual advantage, does not simply imply unanimity, even if everyone understands their interests perfectly.

The remaining pieces are by Robert Sugden (in the section "Contract and Compliance") and Robert Goodin, Philip Pettit, and Partha Dasgupta (making up the section "The Responsibility of the State").

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Elster, Jon, and Slagstad, Rune, eds. *Constitutionalism and Democracy*. Cambridge: Cambridge University Press, 1988. Pp. vii+359. \$39.50 (cloth).

Consider the contrasting pictures: Mikhail Gorbachev, standing on a street corner in Vilnius, locked in foundational debate about the structure of the Soviet Union with a crowd of Lithuanian nationalists, and the vacuous rituals of American electoral politics which passed the point of parody during the 1980s. If this contrast provokes you to new reflection about what it means for a political system to be democratic, then the present collection of essays should interest you. "Constitutionalism," Jon Elster tells us in his introduction, "stands for the rare moments in a nation's history when deep, principled discussion transcends the logrolling and horsetrading of everyday majority politics, the object of these debates being the principles which are to constrain future majority decisions." It is the dynamic relationship between constitutionalism, thus understood, and democracy that these authors seek to explore.

The essays are abstract and theoretical but richly informed by evidence and example. They are intelligent and well written, and almost all previously unpublished. There is considerable internal dialogue in the book and a useful concluding chapter from Cass Sunstein summing up the points of agreement and disagreement among contributors and offering a spirited critique of Bruce Ackerman's account of politics as oscillating between "constitutional moments" of basic institutional restructuring and the "normal politics" that separates such moments from one another.

Lacking the space here to evaluate—or even to describe—any of the arguments in detail, I will try to give a flavor of the volume's two principal preoccupations. The first is institutional; it revolves around the question whether constitutional constraints should be thought of as supplying limits to majoritarian politics in the conventional liberal way, or whether constitutional requirements find their ultimate justification in a democratic logic, as enabling conditions for the operation of democratic systems, for the transition to democracy, or for the management of institutional pathologies peculiar to democracy. The contributions by S. Holmes, A. Przeworski, R. Slagstad, B. Ackerman, and Sunstein all explore aspects of this issue. The second major theme, which centrally preoccupies J. Nedelsky and F. Sejersted, but about which Elster and Przeworski also have much to say, concerns the political economy of democracy and the relationship between democracy and property rights. Here the issues are whether private property is a precondition for effective democracy or an obstacle to it, how the democratic ethos should inform realms of life other than the narrowly institutional (if it should), and whether and how political and economic rights should be distinguished.