

1 A PHILOSOPHER OF SCIENCE LOOKS AT IDEALIZATION  
2 IN POLITICAL THEORY\*

3  
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7 *Abstract: Rawls ignited a debate in political theory when he introduced a division between*  
8 *the ideal and nonideal parts of a theory of justice. In the ideal part of the theory, one*  
9 *presents a positive conception of justice in a setting that assumes perfect compliance with*  
10 *the rules of justice. In the nonideal part, one addresses the question of what happens under*  
11 *departures from compliance. Critics of Rawls have attacked his focus on ideal theory as*  
12 *a form of utopianism, and have argued that political theory should be focused instead*  
13 *on providing solutions to the manifest injustices of the real world. In this essay, I offer a*  
14 *defense of the ideal/nonideal theory distinction according to which it amounts to nothing*  
15 *more than a division of labor, and explore some scientific analogies. Rawls's own focus*  
16 *on the ideal part of the theory, I argue, stems from a felt need to clarify the foundations of*  
17 *justice, rather than a utopian neglect of real world problems.*

18 Rawls ignited a debate in political theory about how much compliance  
19 can be legitimately assumed in constructing a theory of justice. The roots  
20 of the debate lie in Rawls's distinction between ideal and nonideal theory.  
21 He writes:

22 The intuitive idea is to split the theory of justice into two parts. The  
23 first or ideal part assumes strict compliance and works out the princi-  
24 ples that characterize a well-ordered society under favorable circum-  
25 stances. It develops the conception of a perfectly just basic structure  
26 and the corresponding duties and obligations of persons under the  
27 fixed constraints of human life. My main concern is with this part of  
28 the theory.<sup>1</sup>

29  
30 The idea is to form a positive conception of justice, in a setting that  
31 assumes perfect compliance, and take up the question of what happens  
32

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40 me to contribute to the discussion, against my own better judgment, but with the effect of  
41 including me in a conversation that has been very rewarding for me.

42 <sup>1</sup> John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1999), 216.  
Partial compliance theory is to be devoted to ascertaining "how the ideal conception of justice  
applies, if indeed it applies at all, to cases where rather than having to make adjustments to  
natural limitations, we are confronted with injustice."

1 under departures from compliance in a different part of the theory. As  
2 he says

3  
4       When we ask whether and under what circumstances unjust arrange-  
5       ments are to be tolerated, we are faced with a different sort of ques-  
6       tion. We must ascertain how the ideal conception of justice applies,  
7       if indeed it applies at all, to cases where rather than having to make  
8       adjustments to natural limitations, we are confronted with injustice.  
9       The discussion of these problems belongs to the partial compliance  
10      part of nonideal theory.<sup>2</sup>

11  
12 The assumption is made not because it is held to be true, or approximately  
13 true, but to fix ideas about what justice looks like when everyone is acting  
14 as he or she should, in one part of the theory and to address issues about  
15 how much compliance can be expected, and how to respond to noncom-  
16 pliance, separately, in another part of the theory.

17       In what follows, I am going to be exploring some scientific analogies.  
18 I will begin with the rationale for focusing on ideal theory. Then I'll say  
19 few words about idealization in science and introduce the analogies that  
20 strike me as illuminating. I will go on to look at some of the objections  
21 that have been leveled against ideal theory and use the analogies to offer  
22 responses. I will argue that Rawls's focus on the ideal part of the theory  
23 stems from a felt need to clarify the foundations of justice, rather than a  
24 utopian neglect of real-world problems. Although I will rely on Rawls's  
25 own remarks about ideal theory, I will not limit myself to them. The goal  
26 will be to offer a *Rawlsian* case for ideal theory.

## 27 28 I. THE NEED FOR A THEORY OF JUSTICE 29

30       Rawls thought that there was a special need for a systematic under-  
31 standing of justice. Why do we need an ideal theory of justice according  
32 to Rawls? To help clarify the concept, link it to pre-theoretic ideas about  
33 fairness, and offer explicit principles to assign basic rights and duties and  
34 to determine the division of social benefits. Our ideas about justice are  
35 emotionally charged, but confused and inchoate. Ideal theory articulates  
36 the justification by tracing it back to a conception of fairness in the orig-  
37 inal position and provides explicit principles for the design of institu-  
38 tions for regulating their claims against one another. Rawls undertakes to  
39 show in *A Theory of Justice* how the explicit principles follow from original  
40 agreement in a situation of equality. He takes his theory to be justified  
41 both by the conception of fairness embodied in the original position and  
42 the agreement of its implications with pre-theoretic intuitions about the  
43  
44

45       <sup>2</sup> Rawls, *Theory of Justice*, 309.

1 just distribution of benefits. Showing how the less intuitive derived prin-  
2 ciples<sup>3</sup> follow from rational choices in the original position is supposed to  
3 lend support to those principles, and to the consequences of those princi-  
4 ples in disputed cases.

5 The ideal part of the theory in Rawls's system was devoted to the con-  
6 struction of a model of a just society in a setting of perfect compliance.  
7 Questions about how to deal with noncompliance were separated for the  
8 purposes of fixing the core content of the concept and clarifying its links  
9 to fairness. That concept would then be deployed in settings where the  
10 presence of other factors makes its expression more complex.

11 The ideal part of the theory *organizes the demands of justice* around the  
12 idea of rational choices made in the original position in something like the  
13 way that a physical theory organizes its empirical consequences around a  
14 compact set of principles embodied in the laws. In doing so, the ideal  
15 part of the theory: (i) displays the content of "justice" in a purified  
16 setting, (ii) derives its implications for the basic rights and duties of the  
17 individual and the design of institutions, and (iii) articulates its justifica-  
18 tion by showing it as derived from rational choices that would be made in  
19 an original position of equality.

20 The point of the project is to systematize our understanding of what  
21 justice is, and to make it precise enough to form the basis of a set of orga-  
22 nizing principles for society. The ideal part of the theory grounds the less  
23 intuitive principles in a recognizable kind of fairness, and (thereby) makes  
24 its justification transparent. One may object to the conception of equality  
25 embodied in the original position, but if the rest of the development of the  
26 theory is correct, you know where to aim your disagreement.

## 27 28 29 II. IDEALIZATION IN SCIENCE

30 Because of the widespread use of idealization across the scientific dis-  
31 ciplines, philosophers of science became interested in understanding its  
32 role in scientific practice. If one were looking to the philosophy of science  
33 for discussion of idealization, one would find a large and somewhat dis-  
34 organized literature containing a great deal of discussion of models or  
35 explanations of phenomena that make assumptions about the systems to  
36 which they are applied that are known to be false.<sup>4</sup> The question in those  
37  
38

39 <sup>3</sup> There are intermediate derived principles, for example, that each person is to have an  
40 equal right to the most extensive basic liberty compatible with similar liberty for others, and  
41 more specific corollaries.

42 <sup>4</sup> Landmarks in this literature include: Nancy Cartwright, *How the Laws of Physics Lie*  
43 (Oxford: Oxford University Press, 1983); Ronald Giere, *Explaining Science: A Cognitive Approach*  
44 (Chicago: University of Chicago Press, 1988); Ernan McMullin, "Galilean Idealization,"  
45 *Studies in History and Philosophy of Science* 16, no. 3 (1985): 247–73. Cartwright's book set off  
a firestorm of discussion. It is a collection of essays that argues that practices of idealiza-  
tion provide arguments for causal entity realism. Giere's book is a discussion of the role of

1 cases is how the models can be good models of real systems if they  
 2 explicitly *mis*represent them, or how explanations can be good explanations  
 3 if they explicitly make false assumptions. Philosophical controversy has  
 4 been centered on questions about the nature and legitimacy of idealiza-  
 5 tion. The view of most scientists about the use of idealized models to rep-  
 6 resent real systems is pragmatic and pluralistic. There are various kinds  
 7 of legitimate and useful types of idealization. The justification for them is  
 8 practical, relative to representational goals, and depends quite specifically  
 9 on the details of the case. Idealizations in models used to represent real  
 10 systems can be useful, but they can also go badly wrong. There are some  
 11 cases of uncontested illegitimacy, and many cases of contested legitimacy.  
 12 As interesting as this literature is, it is of limited value for the purposes of  
 13 understanding the role of ideal theory in political philosophy. If we want  
 14 to look for scientific analogues of Rawlsian ideal theory, we should not  
 15 be focusing on the representational uses models. We should be looking  
 16 at nonrepresentational uses: places where scientists produce models that  
 17 represent behavior under pure (or “ideal”) conditions, without any illu-  
 18 sions of *representing the actual world*.  
 19

### 20 III. NEWTON’S IDEAL PENDULUM

21  
 22 In Book I, Propositions 51–52 of the *Principia Mathematica*,<sup>5</sup> Newton  
 23 introduces the term “*corpus funependulum*” to refer to what we would  
 24 call a “simple pendulum,” or “ideal pendulum.” This is a weight sus-  
 25 pended on the end of a massless cord suspended from a pivot. An ideal  
 26 pendulum experiences no air resistance. There is no friction in the pivot,  
 27 and there are no exogenous influences. There are two dominant forces  
 28 acting upon a pendulum weight at all times during the course of its  
 29 motion; the gravitational force pulling it toward the center of the Earth,  
 30 and the tension in the string pulling it upward toward the pivot. Newton  
 31 derives an equation for the behavior of an ideal pendulum (known as the  
 32 law of the pendulum) that relates the period of the pendulum to its length  
 33 and the strength of the gravitational field:  
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 35

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36  
 37 models in science that includes an argument for idealized models as realistic representations  
 38 of empirical systems. McMullin’s paper uses historical examples to explore the epistemic  
 39 implications of a type of idealization traced to Galileo. There were some early attempts  
 40 to draw general lessons about science from the use of idealizations, but pluralism and  
 41 pragmatism about the many different uses is more characteristic of recent work. See, for  
 42 example, “The Strategy of Model Based Science,” *Biology and Philosophy* 21 (2006): 725–40;  
 43 Richard Levins, “The Strategy of Model Building in Population Biology,” in E. Sober, ed.,  
 44 *Conceptual Issues in Evolutionary Biology* (Cambridge, MA: MIT Press, 1966), 18–27; Michael  
 45 Weisberg, “Three Kinds of Idealization,” *Journal of Philosophy* 104, no. 12 (2007): 639–59;  
 and Newton da Costa and Steven French, *Science and Partial Truth* (Oxford: Oxford  
 University Press, 2003).

<sup>5</sup> Isaac Newton, *Philosophiae Naturalis Principia Mathematica* (London, 1687).

1  $T = 2\pi\sqrt{L/g}$ , where  $T$  is the period,  $L$  is the length of the pendulum (in  
2 meters) and  $g$  is the strength of the gravitational field.  
3

4 Newton was under no illusions that actual physical pendula fit this  
5 description. He coined the term partly to distinguish his ideal pendulum  
6 from the material ones discussed in Book 2,<sup>6</sup> where he described experi-  
7 ments with real pendula that he used to explore the resistance of fluids. To  
8 understand why he bothers talking about ideal pendula, we need to look  
9 to the larger purpose of the *Principia*. The book was intended to unify cele-  
10stial and terrestrial mechanics by showing that the motion of planets was  
11 due to the same force as the fall of an apple from a tree. It was intended,  
12 that is to say, to provide a unified theory of gravity. The book is organized  
13 axiomatically. After the preface and definitions, Newton presents his three  
14 laws. The rest of the book presents the mathematical and philosophical  
15 development of the theory, drawing out consequences of the laws and  
16 definitions. At the point in the *Principia* where he introduces his corpus  
17 funependulum, he was showing that the independence of the period of a  
18 pendulum from its mass follows from the first two of his laws. This result  
19 agreed with what was known about the behavior of actual pendula since  
20 Galileo's time, so its derivation from the laws lent important initial sup-  
21 port to the laws, and it would play an important role in the derivation of  
22 further results.

23 But the primary reason that Newton talked about ideal pendula is that  
24 he was interested in *gravity*. For his purposes, air resistance, friction, and  
25 the inevitable presence of exogenous influences were all distractions. They  
26 introduced complications that made the equations of motion for actual pen-  
27 dula much more complicated and obscured the content of the gravitational  
28 laws. The effect of gravity on the motion of a mass close to the surface of  
29 the earth could be isolated and precisely characterized by suppressing these  
30 exogenous factors, but if they were included, they introduced terms whose  
31 values varied from case to case and obscured the common element due to  
32 the effect of gravity. Ideal pendula play both a theoretical role and an expo-  
33 sitory role. The theoretical role was that the derivation of the ideal pendulum  
34 law is an important stepping-stone in the development of the theory, which  
35 is later used to derive the planetary motion. The expository role is that they  
36 help fix ideas about what gravity is. For if you want to know what gravity  
37 *is*, you need to know what gravity *does*, and the ideal pendulum provides  
38 an especially pure and easily visualized illustration of the effect of gravity  
39 on the movements of a massive body. Newton's practice is followed to this  
40 day in physics textbooks and classrooms. The ideal pendulum law remains  
41 one of the first results derived from Newton's laws of motion, and the ideal  
42 pendulum remains a useful way of visualizing the effect of gravity.  
43  
44

45 <sup>6</sup> *General Scholium*, at the end of sec. 7.

1       When Rawls wrote *A Theory of Justice*, and focused on the ideal part of  
 2 the theory, he did not set out to produce what purported to be a model  
 3 of the actual world and *fail* any more than when Newton described the  
 4 behavior of an ideal pendulum, he set out to describe the behavior of an  
 5 actual pendulum and *failed*. In both cases, they were using the idealized  
 6 model to express a part of the content of their theory. In Newton's case, it  
 7 was to exhibit the effect of gravity on the motion of an object close to the  
 8 surface of the earth in a pure form, unobscured by the presence of other  
 9 forces. It was also to show how that effect follows from his first principles  
 10 (namely, his three laws of motion). In Rawls's case it was to exhibit what  
 11 a just society looked like in its purest expression, unobscured by noncom-  
 12 pliance. It was also to show how the principles that organize such a  
 13 society follow from the account of justice as rational choices from an origi-  
 14 nal position of equality. The full development of a complete theory of jus-  
 15 tice should have the resources to deal with the effects of noncompliance,  
 16 but the ideal part of the theory is the part of the theory that most clearly  
 17 displays the *content* of, and *justification* for, his notion of justice.<sup>7</sup>

18       There are other examples of the use of models of ideal systems in science  
 19 that play a similar expository and theoretical role. The study of mechanics  
 20 begins by learning about the behavior of ideal machines. These are non-  
 21 actual mechanical systems (for example, pulleys, levers, crank and pis-  
 22 ton assemblies, wheel and axle systems) in which energy is not dissipated  
 23 through friction, deformation, wear, or other inefficiencies. In relativity,  
 24 we learn about the behavior of ideal clocks and measuring rods. These are  
 25 systems that perfectly measure proper time and spatial intervals, never  
 26 wearing out, running out of energy, or suffering the bumps and scratches  
 27 that plague our own watches and rulers. In thermodynamics, one learns  
 28 about the behavior of ideal gases. These are gases whose molecules  
 29 occupy negligible space and have no interactions. Models of ideal systems,  
 30 employed in this mode, are not *misrepresentations* of actual systems. They  
 31 are not typically being used to *represent* real systems at all. They are used  
 32 to teach something about what the theory says. In mechanics, we focus  
 33 on ideal machines to assimilate the principles of statics and mechanics. In  
 34 relativity, we focus on ideal rods and clocks to operationalize notions of  
 35 space and time. In thermodynamics, we talk about ideal gases to focus on  
 36 global mechanics. Ideal models allow us to isolate certain relationships,  
 37 suppress complicating factors that we are not interested in, and explore in  
 38 isolation features of the world that always come together in practice. What  
 39 is being modeled in these cases are actual forces or laws in non-actual set-  
 40 tings, that we find to be revealing for various purposes.

41  
 42  
 43       <sup>7</sup> The terminology of "ideal and nonideal *theory*" is a little misleading. It is more accurate  
 44 to talk of ideal and nonideal models, or the ideal and nonideal *parts*, of the theory of justice.  
 45 There is only one theory, but it has parts that focus, respectively, on idealized and nonideal-  
 ized systems.

1 Note that when talking about ideal machines, ideal gases, or ideal  
2 pendula, the word “ideal” would be misleading if one took its evaluative  
3 connotations seriously. An ideal pendulum is not a “perfect” pendulum in  
4 the sense that it is a particularly *wonderful* pendulum, a *utopian* pendulum,  
5 and the kind of pendulum that we should all *hope* and *strive* for. The sense of  
6 “ideal” in play here is the one that contrasts with “real.” An ideal pendulum  
7 is one that simply suppresses factors that are present in real pendula.<sup>8</sup>

8 There is no presumption that the factors that are suppressed in ideal  
9 models are *unimportant* for the purposes of understanding real systems. In  
10 some cases, the factors suppressed do not make much of a difference to the  
11 behaviors that we are interested in, so the conclusions that we draw about  
12 the ideal carry over to real systems. But in some cases, they make a big  
13 difference. Indeed, in some cases, we suppress particular factors because  
14 when they are present, they dominate, so the only way to understand  
15 *nondominant* influences is to suppress them.

16 Finally, note that the focus on ideal systems does not mean that we are  
17 not *ultimately* interested in real systems. It is rather that we work our way  
18 up to understanding what our theories say about real systems by under-  
19 standing what they say about these simpler systems first. The theory  
20 of ideal machines makes this point clearly. Ideal machines suppress  
21 the effects of friction and wear and other ways in which energy is dissi-  
22 pated to the environment. Far from being unimportant, dealing with these  
23 inefficiencies is the defining problem of mechanical engineering. Even if  
24 we have a purely practical interest in making engines, however, we learn  
25 about ideal machines because one does not have a good understanding of  
26 the mechanics of real engines unless she has a good understanding of the  
27 mechanics of ideal ones. Understanding ideal machines is part of under-  
28 standing the more complex reality of actual ones.

29 People sometimes make the mistake of thinking that the fact that no  
30 real pendulum behaves exactly like an ideal pendulum shows that Newton’s  
31 laws are only *approximately true* of actual pendula. That is incorrect.  
32 Assuming that we live in a classical world, every system is modeled with  
33 perfect accuracy and precision by the Newtonian laws.<sup>9</sup> But the form that  
34 the laws would take for actual pendula is more complicated, because  
35 actual pendula are subject to other forces and exogenous influences that  
36 vary from one to the next. The correct thing to say is that actual pen-  
37 dula only approximate the *simple form of the laws* exemplified by an ideal  
38 pendulum. Newtonian models of real pendula are much more complex.  
39 That complexity makes them better at representing real systems, but  
40

41 <sup>8</sup> An ideal pendulum is a perfect exemplar of simple harmonic motion, so it is in that sense  
42 “ideal,” and an ideal machine is maximally efficient, so it is in that sense “ideal,” but “ideal-  
43 ization” in its most basic meaning here is simply the suppression of factors that are present  
44 in real systems.

45 <sup>9</sup> Of course, we do not live in a classical world, but that will not matter for our purposes.  
The reasons that we do not live in a classical world do not affect the points made here.

1 worse at conveying the contribution of gravity, because the contribution  
 2 of gravity is obscured by the presence of other factors.  
 3

#### 4 IV. THEORIZING: HOW AND WHY 5

6 In the presentation of a physical theory, the laws and the quantities that  
 7 are part of the theory are introduced together and expressed as first prin-  
 8 ciples. The development of the theory shows how all of the complicated  
 9 movements of actual objects can be seen to flow from them. This allows the  
 10 organization of all of the motley motions of material bodies around three  
 11 simple laws. The theory is justified (to the extent that it is justified) by  
 12 the fit between the consequences and the phenomena. The actual process  
 13 of coming up with a theory is a constant movement back and forth, pro-  
 14 posing first principles and adjusting them to get the right fit between  
 15 their consequences and the phenomena. We *craft* our first principles so  
 16 that they allow us to derive consequences that match the phenomena,  
 17 and then we *use* our first principles to derive predictions about what will,  
 18 or would happen, under conditions that have not been observed. So, the  
 19 theory gets *justified* by showing us how to recover phenomena that have  
 20 been observed, and then *applied* to derive new phenomena.

21 There's a natural analogy with the reflective equilibrium that Rawls  
 22 describes as the process of arriving at a theory of justice. The first principles in  
 23 that case are not laws, but a conception of justice. In Rawls's theory, that con-  
 24 ception of justice is captured in the idea of rational choices from an original  
 25 position of equality. The theory gets *justified* by showing us how to recover  
 26 judgments about intuitively clear examples of injustice, and then *applied* to  
 27 adjudicate grey cases and deliver principles for constructing institutions.<sup>10</sup>  
 28  
 29

30 <sup>10</sup> There are differences between descriptive and normative theories, but they do not affect  
 31 the epistemic analogy drawn here. In both cases we have a set of first principles, conse-  
 32 quences are drawn from them, and compared against a stock of beliefs obtained from an  
 33 independent source. And in each case, the theory is judged by how well it does reproducing  
 34 the stock of independently sourced beliefs.

35 One reason for suspecting that there is an important disanalogy may stem from an overly  
 36 simplistic view about how theoretical terms in science get their reference. One might think  
 37 that in the case of gravity, there is a thing out in the world that our various theories of gravity  
 38 are trying to characterize correctly. Our theories go wrong by mischaracterizing the behav-  
 39 ior of that thing. The standards that govern correctness, in that setting, are independent of  
 40 the theory and independent of any choice or definition on our part. Whereas in the case  
 41 of justice, we are presented with theories that introduce different conceptions of justice as  
 42 a definition, and there is no fact of the matter, independent of the standards for accepting a  
 43 theory, about whether the theory gets it right.

44 This disanalogy is illusory. Gravity is a theoretical concept introduced by a theory that  
 45 systematizes motion. The everyday idea that gravity is what pulls things toward the center  
 46 of the earth gives the concept a little pre-theoretic content, but not much. When you accept a  
 47 set of laws into which gravity enters, you accept a definition of what gravity is, in something  
 48 very like the way that when you accept a theory of justice you accept a definition of what  
 49 justice is. In neither case is there a fact of the matter, independent of the standards for accept-  
 50 ing a theory (at least none that plays a role in science), about whether the theory gets it right.



1 other forms of partiality play a role in practical reasoning, and they often  
2 weigh against the demands of justice. What is the rationale for focusing  
3 one's energy on understanding what justice would look like in a setting  
4 in which there was perfect compliance, if perfect compliance cannot be  
5 realistically expected?

6 Rawls bracketed noncompliance, in the way that Newton bracketed air  
7 resistance and friction: namely, not because they are negligible or to be  
8 disregarded, but because he saw a need for clarifying the foundations of  
9 the concept. The idealized model conveys the content of his conception of  
10 justice, and exhibits connection between justice and fairness in the clearest  
11 and most transparent way.<sup>12</sup> Since the connection between justice and fair-  
12 ness motivates the principles of justice across all contexts, including their  
13 expression in settings where there is noncompliance, it plays an important  
14 heuristic role. An analogy with dividing a dinner bill is helpful here. If you  
15 are presenting rules for dividing dinner bills, it makes sense to start with  
16 the case in which everyone is doing his or her part, because it is in that set-  
17 ting that the ideas of equality and fair share that guide the division have  
18 their simplest and most transparent expression. The more complex rules  
19 that apply to settings in which some people have left without paying can  
20 then be motivated by reference to the pure case, by showing how fairness  
21 becomes complicated by noncompliance.

22 There is nothing in this division of labor that suggests that facts about how  
23 likely people are to comply with it should be *ignored*, or that the effects of  
24 noncompliance are negligible. It is simply an attempt to clarify the founda-  
25 tions of the concept in a setting in which the connections to rational choice in  
26 a position of equality are most transparent. Taking noncompliance into  
27 account clouds those issues, though it is of acknowledged practical impor-  
28 tance for the purposes of actually building a (more) just society. The concep-  
29 tual effort of clarifying the content of his conception of justice and exhibiting  
30 its justification is one that is motivated, in Rawls's mind, by the fact that  
31 our ideas about justice are too confused, equivocal, incomplete, and too con-  
32 cretely tied to emotions to provide principles for constructing institutions.  
33 But they are also fundamental to the foundations of decent society.

## 34 VI. OBJECTIONS TO IDEAL THEORY

37 The assumption of perfect compliance has encountered resistance for  
38 various reasons. First, because how much compliance is to be expected  
39 depends on what the principles of justice are. It is, that is to say, an

41  
42 <sup>12</sup> One might fairly wonder why models of justice in a setting of full compliance should  
43 have a privileged role fixing the content of justice, if full compliance cannot be expected.  
44 That is not quite the right way to think of it. The right way to think of it is not so much that  
45 the idealized model has a privileged role *fixing* the content of justice, as that it *displays* that  
content in a particularly clear way.

1 endogenous variable, and it has been argued that a conception of justice  
2 that places unrealistically high demands (demands that nobody would  
3 comply with) cannot be workable as a society for human beings. That is  
4 certainly correct. Let us suppose that it is a well-defined question how  
5 well some particular conceptions of justice will fare once the facts of non-  
6 compliance are taken into account. In asking how much compliance can be  
7 legitimately assumed in constructing a theory of justice, we consider the  
8 degree of compliance that can be expected after suitable socialization.<sup>13</sup>  
9 That is something that can and should be taken into account in evalu-  
10 ating institutional designs as things that we should try to implement. But  
11 to build the expectation of noncompliance into our concept of justice is  
12 like building into our conception of the correct cooking time for a soufflé,  
13 a correction for the fact that we always overcook. We might reasonably  
14 build the correction into our cooking *instructions*, which are formulated to  
15 optimize the resulting behavior; but to build it into our idea of the correct  
16 cooking time is to mischaracterize the concept. If we have a conception  
17 of what the correct cooking time is, guidance for the formulation of  
18 instructions should be obtained by comparing the *correct* cooking time  
19 with information about how we tend to miss it. Having a concept of the  
20 correct cooking time is not always necessary. We might be able to get by  
21 with instructions crafted to bring about the right result. But the extra  
22 articulation is desirable because it helps us become better cooks. It allows  
23 us to improve, that is to say, and also provides a flexible schema for  
24 generating instructions that bring about the right result for people with  
25 different tendencies.

26 One might still wonder how we should *evaluate* theories where the  
27 demands of compliance are too high to have any real expectation of being  
28 fulfilled? There are really two questions here: (1) How should we evaluate  
29 theories of justice *as conceptions of justice?* and (2) How should we evaluate  
30 them as solutions to the practical problem of designing institutions? I will  
31 discuss these questions in turn.

32 (1) Can it be justice if it demands more than human beings will real-  
33 istically do? We can make perfect sense of the idea that people are not  
34 generally as just as they should be. Or even that they are not *typically* as  
35 just as they should be. Justice can (and should) demand more of us than  
36 we tend to give anyway. It can (and should) be aspirational. But can  
37 the requirements on individual behavior in a just society be so strong that  
38 they make compliance very unlikely, people being what they are? Let's ask  
39 the same question about other concepts. We have relatively well-defined  
40 conceptions of altruism, courage, and cruelty, and it is arguable that we  
41

42  
43 <sup>13</sup> This allows us to pass over subtleties about whether we should be thinking of the degree  
44 of expected compliance as merely a *fact*, or a necessity grounded in human psychology. We  
45 leave open what counts as "suitable" socialization, though presumably, it should be neither  
coercive nor overly costly.

1 get an especially pure expression of what altruism, courage, or cruelty *is*  
 2 by seeing how people would act if everyone acted only out of that motive.  
 3 The fact that nobody might realistically behave that way does not stand  
 4 against these hypothetical results as expressions of the content of altruism,  
 5 courage, or cruelty.

6 Here, I am echoing David Estlund's elegant defense of the claim that  
 7 might be a requirement "on any conception that is a serious candidate for  
 8 implementation, but it is hard to see how it could be part of the notion  
 9 of *justice*."

10 And again,

11  
 12 Surely, society should not implement institutions that people will  
 13 not be able to bring themselves to comply with . . . . The question is  
 14 whether that is a constraint on the content of justice. The rules and  
 15 institutions that should be constructed given what is known about  
 16 everyone's likely compliance are hardly guaranteed to be rules and  
 17 institutions that qualify a society as just.<sup>14</sup>

18  
 19 But how far does this go? Could it be *justice* if it demanded more than  
 20 any (or most) of us could — in a suitably strong sense of could — give?  
 21 Does a theory of justice fail to capture the content of justice if it entails that  
 22 real people always (and perhaps inevitably) fall short of its requirements?  
 23 Perhaps it is somehow implicit in the notion of justice (as distinct from  
 24 altruism or courage, for example) that perfect justice must be — by its  
 25 nature — attainable for an ordinary human being. Perhaps, for example,  
 26  $(x \text{ is just}) \rightarrow (x \text{ can be reasonably demanded of me})$ , and  $(x \text{ can be}$   
 27  $\text{reasonably demanded of me}) \rightarrow (I \text{ can } x)$ , in some suitable sense of "can."  
 28 This kind of requirement is implicit in the comment that people often  
 29 make about morality when they say that we should not be looking for a  
 30 theory of morality for angels, but a theory of morality for humans. This  
 31 is a delicate issue. One might argue that we get a better understanding of  
 32 the concept of what justice is if we can see justice for humans, justice for  
 33 Martians, and justice for angels, as all recognizable as forms of *justice*. In  
 34 that case, justice for humans would emerge as a special case of a general  
 35 concept, obtained by seeing how human limitations shape its content.<sup>15</sup>  
 36 For our purposes, however, this is not a point we need to press. There is  
 37 nothing unrealistically demanding about what compliance demands on  
 38 Rawls's conception of justice, and he was quite concerned that it not do so.

39  
 40  
 41 <sup>14</sup> David Estlund, "Human Nature and the limits (if any) of Political Philosophy," *Philosophy and Public Affairs* 39, no. 3 (2011): 226. I am indebted to Estlund's probing and careful discussion.

42  
 43 <sup>15</sup> Science, or at least physics, characteristically seeks this kind of articulation. A natural scientific analogy here is the relationship between the Special and General Theories of Relativity. The Special Theory emerges as a special case of the General Theory, obtained by setting the curvature tensor to 0.

1 He would have seen it as a defect of his conception of justice if it were not  
2 realistically attainable for human beings.<sup>16</sup>

3 (2) The second question — How should we evaluate theories where the  
4 demands of compliance are too high to have any real expectation of being  
5 fulfilled as a practical solution to the problem of designing institutions? — is  
6 easy to answer. A theory of justice would be a terrible solution to the practical  
7 problem of designing institutions if the expected outcome of trying to  
8 implement it is far from the ideal. Solutions to practical problems should  
9 *optimize expected outcome*. The connection between the expression of the  
10 ideal and the expected outcome of an attempt to implement it is by no  
11 means direct. A theory that has no realistic hope of successful implementation  
12 may be not worth aiming at for various reasons, not only because  
13 there is no hope of getting there, but because aiming at an unattainable  
14 ideal is not guaranteed to be a good way of approaching it. Indeed,  
15 aiming to realize such a theory may even produce worse results than  
16 we currently have.<sup>17</sup> We can make this point with the example of ideal  
17 machines. An ideal machine is one that exhibits maximal efficiency. If we  
18 construct an engine on the model of an ideal machine, we will inevitably  
19 construct one that does not work. An ideal machine does not lose energy  
20 through dissipation into the environment. Any real engine does. This simply  
21 emphasizes that nonideal theory is essential and ineliminable in producing  
22 solutions to practical problems. Whether the ideal is something  
23 that we should implement or aim at depends in detail on facts that are not  
24 internal to the ideal theory.

25 This is a place where the word “ideal,” and its history in political philosophy,  
26 might have a misleading and pernicious influence. It strongly suggests something  
27 to be aimed at. There is less tendency in the scientific examples to be misled  
28 in this way, but perhaps Rawls would have done better to choose a different word.  
29 It is not clear whether he himself was entirely clear on the matter. So, for example,  
30 in *Law of Peoples* he writes, “until the ideal theory is identified . . . nonideal  
31 theory lacks an objective, an aim, by reference to which its queries can be  
32 answered.”<sup>18</sup> This has been taken by some to suggest that ideal theory is  
33 required as a target for steps in the right direction, and has consequently sent  
34 people along a path that turned out to be a dead end. In retrospect, it is easy  
35 to say that Rawls should have been rather firmer about the distinction between  
36 an ideal conception of justice as (i) a gauge for how just a society is,  
37 (ii) the model or template on which an actual society is to be built, and  
38  
39

40  
41 <sup>16</sup> Thanks to Michael Gill for this observation.

42 <sup>17</sup> These were points that were very effectively made by Amartya Sen, *The Idea of Justice*  
43 (Cambridge, MA: Harvard University Press, 2009), and David Schmidtz, “Ideal Theory:  
44 What It Is and What It Needs To Be,” *Ethics* 121 (2011): 772–96 in response to Simmons’s  
45 attempt to defend Rawlsian ideal theory as necessary in order to rectify injustice: A. John  
46 Simmons, “Ideal and Nonideal Theory,” *Philosophy and Public Affairs* 38 (2010): 5–36.

<sup>18</sup> Rawls, *A Theory of Justice*, 90.

1 (iii) something to “aim at” in taking steps to make an unjust society more  
 2 just. He should have endorsed (i), but not (ii) or (iii). He should have abandoned  
 3 any suggestion that the ideal theory provides something to aim at.  
 4 And he should have emphasized the content-defining and justification-  
 5 displaying role of his theory of justice, that is, its role articulating the  
 6 content and consequences of his conception of justice.<sup>19</sup>

7 Considerations of compliance should be “set aside” only for the  
 8 purposes of defining the concept of justice. They need to be addressed  
 9 explicitly and systematically in the nonideal, practical part of the theory.  
 10 The inevitable inefficiencies of actual engines are set aside only for the  
 11 purposes of assimilating the principles of statics and kinematics. They are  
 12 addressed explicitly and systematically in the practical part of mechanics.  
 13 It is certainly true that, as David Schmitz and others have emphasized,  
 14 solving idealized problems does not generally yield approximations of  
 15 solutions to real problems. But we can motivate ideal theory without  
 16 making that mistake by insisting on the ineliminability of the nonideal  
 17 part of the theory for the purposes of identifying practical solutions, and  
 18 giving the ideal theory a different role. The rationale for ideal theory is  
 19 only the rationale for a certain division of labor, one that allows the clear,  
 20 explicit articulation of a concept of what justice demands in one part of the  
 21 theory, and separate consideration of what to do when those demands are  
 22 not met in another.

23 The separation of the ideal and nonideal parts of a theory like  
 24 mechanics is one that comes from within a theory, and emerges only as  
 25 the theory matures. Consider again Newton’s *Principia*. It was a considerable  
 26 achievement for Newton to be able to formulate precise laws for the effect  
 27 of gravity on the motion of a pendulum. Since the behavior of a  
 28 real pendulum is always more complicated than the ideal pendulum, in  
 29 order to isolate the contribution of gravity, he had to effectively solve for  
 30 the effects of friction, air resistance, and exogenous influences *at the same*  
 31 *time*. Only once those forces are themselves understood does the effect of  
 32 gravity emerge clearly and distinctly in a form that allows precise character-  
 33 ization. The separation of the contribution of gravity to the movements  
 34 of a real pendulum from the effects of these other forces is only a virtual  
 35 separation, since in practice they always come together. But it is a huge  
 36 theoretical achievement. When Newton presents his theory, he gives the  
 37 ideal part of the theory first — that is, the part that describes the effect  
 38 of gravity alone, and the simple, precise laws that describe that effect —  
 39 because the achievement of the theory is to isolate its contribution.

40 To the extent that the purpose of a theory of justice is to articulate our  
 41 moral ideas enough to separate justice as a distinctive notion — that is,  
 42 to say what claim justice has on the design of our institutions, and our  
 43

44 <sup>19</sup> Laura Valentini, “Ideal versus Nonideal Theory: A Conceptual Map,” *Philosophy Compass*  
 45 7 (2012): 654–64.

1 individual behavior (as against, for example, empathy or etiquette) — it  
 2 makes sense to strive for such a theory.<sup>20</sup> And it also makes sense to give it  
 3 priority in the presentation and teaching of the theory of justice. The very  
 4 same considerations, however, caution against thinking that the ideal part  
 5 of the theory is complete, or can stand alone. As with Newton's model of  
 6 the corpus funependulum, or the theory of Ideal Machines, it can be  
 7 related to the actual world only in conjunction with a nonideal part.  
 8

## 9 VII. THE NEED FOR PRACTICAL SOLUTIONS TO PRACTICAL PROBLEMS 10

11 This does not settle the issue entirely because we can recast the worry  
 12 as a concern that looking at justice under conditions of perfect compliance  
 13 does not give us a very interesting notion of justice, because it eliminates  
 14 the problems that a conception of justice is needed to solve.<sup>21</sup> It is like  
 15 coming up with a theory of how to fly in the absence of gravity. Where  
 16 there is no gravity, we do not need to *fly* to remain airborne. It is only  
 17 because of gravity that flying is needed. And just so, one might suppose,  
 18 in saying what justice looks like in a setting in which everybody is com-  
 19 plying with the demands of justice, Rawls does not solve any of the diffi-  
 20 cult problems. The difficult problems all lie in the part of the theory that  
 21 Rawls sets aside, namely, in cases where (as he says) "we are confronted  
 22 with injustice." An analogy with conditions of overabundance can be used  
 23 to motivate the worry. Rawls was well aware of Hume's famous remarks  
 24 on that topic. "Let us suppose," Hume says,  
 25

26 that nature has bestowed on the human race such profuse abundance  
 27 of all external con-veniences, that, without any uncertainty in the  
 28 event, without any care or industry on our part, every individual finds  
 29 himself fully provided with whatever his most voracious appe-tites  
 30 can want, or luxurious imagination wish or desire . . . . No laborious  
 31 occupation required: no tillage: no navigation. Music, poetry, and con-  
 32 templation form his sole business: conversation, mirth, and friendship  
 33 his sole amusement. It seems evident that, in such a happy state, every  
 34 other social virtue would flourish, and receive tenfold increase; *but the*  
 35 *cautious, jealous virtue of justice would never once have been dreamed of.* . . .  
 36

37 The idea here is that the difficult and interesting problems that princi-  
 38 ples of distributive justice are needed to resolve arise only in conditions  
 39 of moderate scarcity. Where there is abundant surplus, everybody can  
 40 have whatever he or she wants, and justice is trivial. Just so, one might  
 41

42  
 43 <sup>20</sup> Although Rawls's theory is, in the first instance, a theory about the design of institutions,  
 44 there is a connection to individual justice: knowing what would count as complying with the  
 45 demands of justice tells us what justice demands of each of us.

<sup>21</sup> See Jacob Levy, "There's no Such Thing as Ideal Theory," this volume.

1 say, the difficult and interesting problems for political theory are prob-  
 2 lems involved in confronting injustice. This is a concern that Schmidtz has  
 3 pressed with special persuasiveness. He writes:

4  
 5 We can and must set aside distracting details and focus on the  
 6 problem — on the human condition insofar as we are theorizing about  
 7 politics or justice — even though any characterization invites accusa-  
 8 tions of begging someone’s version of the question. But one thing we  
 9 must not set aside as a detail is the problem.<sup>22</sup>

10  
 11 And again, later, “We can go badly astray if we strive for what Rawls  
 12 called a ‘systematic grasp of more pressing problems’ by assuming away  
 13 those very problems.”<sup>23</sup>

14 Let us consider, again, the theory of ideal machines on which every  
 15 beginning mechanical engineer cuts her teeth. These are machines that  
 16 idealize away the defining difficulty of making engines, because they  
 17 do not dissipate energy through wear, or friction, or heat. Making engines  
 18 is all about how to deal with the fact that real machines are inefficient as a  
 19 matter of physical law. The example shows clearly that models of engines  
 20 that exhibit maximum efficiency do not tell us how to build an engine that  
 21 actually works, the world being what it is. Nor do ideal models tell us how  
 22 to build engines that are *more* efficient than the ones we have. Difficulties  
 23 arise in the difference between ideal and nonideal machines that take all of  
 24 the resources of the nonideal part of the theory to resolve.

25 One can understand the objection that Schmidtz is raising as the charge  
 26 that all of the *important* problems for political theory arise in the difference  
 27 between the ideal and the actuality. This leads directly to one of the most  
 28 influential complaints about ideal theory: that it does not address practical  
 29 problems, that is, that it is an intellectual exercise with little *practical* value.  
 30 This complaint does not challenge the thought that ideal theory plays  
 31 a role in defining the concept of justice. It simply questions the impor-  
 32 tance of that role. This evaluative judgment is explicit in some places in  
 33 Schmidtz’s writings. He says, for example: “If anything needs to be set  
 34 aside and treated as a mere distraction from *work worth doing*, it is visions  
 35 of how well a system would work but for the recalcitrant reality of human  
 36 beings.”<sup>24</sup>

37 I have said why I think there is a more sympathetic way of understanding  
 38 what Rawls is doing. He is not downplaying the need for practical work,  
 39 but advocating a division of labor that makes room for the theoretical  
 40 work of clarifying the foundations of the concept of justice. One might  
 41  
 42

43 <sup>22</sup> David Schmidtz, “Ideal Theory,” unpublished manuscript. I’m very grateful to David  
 44 for showing me his manuscript in draft and allowing me to quote from it.

44 <sup>23</sup> *Ibid.*, ?.

45 <sup>24</sup> *Ibid.*, ?.

1 think that this is work worth doing in its own right. But for someone who  
2 thinks that purely theoretical work has no intrinsic value, it is worthwhile  
3 saying why it is not so easy to separate the practical and theoretical. Rawls  
4 himself clearly thought that there was a *practical* need for the theoretical  
5 work, and the scientific examples support that suggestion. Consider again  
6 the theory of ideal machines. Ideal machines would serve very poorly, if  
7 deployed as models for building an efficient engine, because real engines  
8 wear out, break down; they dissipate energy into the environment. The  
9 practical difficulty of making engines is *all about* trying to overcome these  
10 inefficiencies. So the theory of ideal machines is worthless on its own for  
11 the purposes of making engines that will work. The ideal theory, how-  
12 ever, does not have to function *on its own*. It is an ineliminable *part* of a  
13 theory that has a nonideal part as well. The two come together as part of  
14 a package deal, and they work together to generate practical solutions to  
15 real-world inefficiencies. An engineering student who left school with the  
16 theory of ideal machines under her belt will have *only* the first step in an  
17 education that leads to practical knowledge, but she *will* have that first  
18 step. And her education would not be complete without it. The nonideal  
19 theory builds on the ideal theory, adding the factors that pull against the  
20 ideal, introducing the problem of inefficiency and also supporting instru-  
21 mental reasoning about how to deal with it. The theory of ideal machines  
22 is part of an articulated theory that defines maximal efficiency, identifies  
23 sources of inefficiency, and provides the theoretical knowledge needed to  
24 address these inefficiencies.

25 Is it possible to do engineering without a theory of ideal machines? Yes.  
26 People learn to make things without this sort of articulated understanding  
27 all the time. But they do not always do it as well. This sort of articulated  
28 understanding makes us better at predicting, intervening, and designing  
29 systems. All of its other virtues aside, science is a very useful handmaid  
30 to engineering.

31 There is another way in which it is hard to separate the purely theo-  
32 retical enterprise of clarifying the conceptual foundations of justice from  
33 the practical problems of making our societies (more) just. Understanding  
34 whether and in what sense the rules that regulate our societies are just can  
35 play a role in people's views about whether they *have a reason* to comply.  
36 To take the theoretical project seriously is to treat the citizens to whom  
37 the rules of justice apply with enough respect to think that clarifying the  
38 foundations of the concept of justice is worth doing. And that is — in its  
39 turn — just to recognize that how people behave is ultimately up to them.  
40 If considerations of justice are to mitigate people's strategic interests,  
41 having a clear presentation of its content and justification are essential.  
42 Getting people to comply should not be a matter of imposing rules, but of  
43 showing people that they have a reason to comply: providing a clear and  
44 convincing derivation of the rules of justice from a kind of fairness they  
45 can endorse.

1 It should also distinguish considerations of justice from kindness,  
2 altruism, civility, and other virtues. Knowing what distinguishes justice  
3 from these and other virtues gives it a different kind of traction in our  
4 practical reasoning. It would be nice if we were all kinder, more altruistic,  
5 and more civil than we are, but justice has a different kind of claim on our  
6 behavior that is revealed by the connection to fairness. Perhaps it is naïve  
7 to think that people care about justice, or to think that they care enough  
8 for it to impact their behavior. I don't believe that, but I also don't think it  
9 matters. The effort of clarifying foundations shows respect for the people  
10 to whom those principles apply.<sup>25</sup>

11 Schmidtz remarks that "Much of what we currently call ideal theory  
12 is an exercise in imagining how we would reinvent the world if only we  
13 could start with a clean slate and do a complete reset, rebuilding society  
14 from the ground up." That description need not apply to every exercise  
15 of ideal theorizing, although the word "ideal" used in this context, gets  
16 in the way because it suggests that "ideal theory" is a theory about what  
17 we would ideally do, or about "the ideal," rather than just the part of the  
18 theory that displays what justice looks like in a setting unadulterated by  
19 noncompliance. I have said why the fact that the ideal part of a theory  
20 does not provide practical solutions *on its own* does not mean that it is not  
21 a part of the task (and indeed, an *essential* part of *one way* of approaching  
22 the task) of providing solutions. It might be that political theorists have  
23 found this part of the theory more attractive and have neglected its practical  
24 component. And one might easily object to the choice to *start* with  
25 ideal theory in the order in which we actually set out trying to address  
26 the problems of the world.<sup>26</sup> One might well agree with Sen that there is  
27 enough manifest injustice in the world that our attempts to address practical  
28 problems should not wait for a solution to the theoretical problem of  
29 working out an ideal theory. To wait for a solution to the theoretical problem  
30 of working out an ideal theory before addressing practical problems  
31 would be like making the building of bridges wait until we have a final  
32 theory of physics. That is not how it happens in science, and there is no  
33 reason to think that it has to happen that way in political theory. The theoretical  
34 and practical parts can go on simultaneously and inseparably, each  
35

36  
37 <sup>25</sup> Jason Brennan and Geoffrey Sayre-McCord, "Do Normative Facts Matter . . . to What is  
38 Feasible," this volume) argue persuasively that normative truth matters to people and makes  
39 a difference to their practical reasoning.

40 <sup>26</sup> Rawls does seem to have thought that we start with ideal theory, and when that is  
41 finished, proceed to the nonideal part. He writes in *Theory of Justice*, "Nonideal theory, the  
42 second part, is worked out after an ideal conception of justice has been chosen." This is  
43 a large part of what Schmidtz finds objectionable: "articulating ideals is not the right place  
44 to start; if we start with a problem, then our starting point has the potential to discipline our  
45 reflection on what to count as a solution." The scientific examples support Schmidtz here.  
We start with the practical problem of making the world better; the ideal and nonideal parts  
of the theory develop together, as part of a package deal, judged by their joint capability to  
deal with real-world problems.

1 driving the other forward. Clarification of the conceptual foundations of  
2 justice — getting clearer and sharper on what justice is (and if not forging  
3 agreement, at least understanding our differences) — should be part and  
4 parcel of recognizing and addressing injustice.

5 Let me briefly review here some of the lessons of the discussion so far.  
6

- 7 • In the scientific examples, there is no such thing as “ideal theory.”  
8 There are models, rather, of ideal systems. These typically suppress  
9 factors that are present in real systems, or incorporate simplifying  
10 assumptions of other kinds. They are drawn from a theory that  
11 also has the resources to model nonideal systems.
- 12 • There is no general presumption that ideal models provide  
13 approximations to the actual case (something that is ill-specified,  
14 in any case, until we say what particular features are being  
15 approximated and the degree of precision in question). Sometimes  
16 they do, but sometimes they don’t, and they are not offered as  
17 approximations to the actual case in the scientific examples that  
18 provide the most illuminating analogues to Rawls’s use.
- 19 • It is misleading to talk about “idealizing assumptions” to the extent  
20 that this carries the suggestion that they are false assumptions  
21 about the actual world. We should speak rather of theoretical  
22 models of hypothetical systems. Theories aim for an articulated  
23 conception of their target domain, adequate to provide accurate  
24 models of real systems. Models of ideal systems allow us to  
25 explore in isolation, factors that always come together in practice,  
26 or to display a particular effect in a simplified setting.
- 27 • Idealizations are always specific in their content, and they typically  
28 serve a particular role. This can be useful in various ways, but they  
29 can also go wrong. Whether an idealization is appropriate depends  
30 specifically on the context and purpose. There is little of generality  
31 to say about what makes an idealization a good one. The only rule  
32 is that one should use discretion and care.  
33

34 The division between the ideal and nonideal parts of a theory of jus-  
35 tice is nothing more than a division of labor that separates the effects  
36 of noncompliance for separate treatment. It does not carry with it any an  
37 argument for neglecting the sort of practical engagement with real-world  
38 problems that opponents like Schmidtz and Sen advocate.  
39

#### 40 VIII. AN ALTERNATIVE TO IDEAL THEORY

41  
42 Schmidtz suggests an alternative conception of the project of political  
43 theory, one that does not demand ideal theory, but rather represents the  
44 task of political theory as crafting solutions to problems as they emerge.  
45 Schmidtz says: “Where there are facts, where facts are subject to change

1 in ways that matter, and where there is something we can do, we have  
 2 a problem . . . Problems give us criteria for sorting out what to count as a  
 3 solution."<sup>27</sup> I'm not sure that this can proceed entirely without ideal theory, as  
 4 conceived above. The facts are always subject to change in ways that matter,  
 5 and there is almost always something that we can do. An ideal theory of  
 6 justice fixes the content of the concept in a way that allows us to identify  
 7 injustice as *injustice* (rather than as simply a regrettable condition), which  
 8 gives it a special status and a special claim on us to address as a society.

9 Sen has argued that there is more important work to do that does not  
 10 demand a clearly articulated general conception of justice. To him, the  
 11 point of theorizing about justice is to help us characterize and then undo  
 12 *manifest* injustice. For those purposes, he argues, an ideal theory of justice  
 13 is neither required nor useful. My own view is that this underestimates  
 14 how much grey area there is. There are a lot of things that are manifestly  
 15 *wrong* with the world. But how much of it, and what parts, are *unjust*?<sup>28</sup>  
 16 Justice is a special concept with a special claim on public action to reme-  
 17 diate. It is just as important to limit its demands as it is to articulate them.  
 18 The centrality of the concept of justice, and the importance of its political  
 19 function, give the need to clarify its foundations a special import. People's  
 20 pre-theoretic conceptions of injustice are too thin a reed on which to hang  
 21 political theory. Like the angry child mentioned earlier who has explained  
 22 to her carefully how a division of favors (or a set of rules) that does not  
 23 seem fair at first, may nevertheless *be so*, one might look to political theory  
 24 to articulate and educate our pre-theoretic ideas about what is just. A case  
 25 for ideal theory that survives these critiques is the one that looks to go  
 26 beyond the cases of manifest injustice and articulate a concept that rules  
 27 on the great grey area and also provides a justification for pre-theoretic  
 28 intuitions about injustice.

## IX. A WORRISOME CHALLENGE

32 Schmidtz offers a more radical challenge to the idea that we should be  
 33 trying to articulate a positive conception of justice at all. He writes "what  
 34 if justice were simply an absence of injustice? In that case, seeking an  
 35 essence of justice would be like seeking an essence of "non-dog."<sup>29</sup> This is  
 36 an interesting suggestion, and it finds some support with a view of both  
 37 scientific and ethical theorizing that Philip Kitcher has advocated. Kitcher,  
 38 tracing the roots of his view to Dewey argues that science and ethics  
 39 should both be thought of as ongoing human projects without a clearly  
 40 defined goal or endpoint. Schmidtz thinks that political theorizing should

<sup>27</sup> Schmidtz, "Ideal Theory: What It Is and What It Needs To Be," 4.

<sup>28</sup> See Judith Shklar, *Faces of Injustice* (New Haven, CT: Yale University Press, 1992) for the difference between injustice and misfortune.

<sup>29</sup> Schmidtz, "Ideal Theory: What It Is and What It Needs To Be," 3.

1 likewise be a matter of responding to new forms of injustice as they arise,  
2 and he is suggesting here that the attempt to form a positive conception  
3 of justice might be misguided right out of the gate. An analogy might be  
4 made here by thinking about medicine. The goal of medicine is a negative  
5 one: the elimination of pathology. The method for achieving it has to be  
6 piecemeal and adaptive. We have to identify and address diseases one at  
7 a time, as they arise, developing tools to fit them in the context at hand.  
8 We cannot know in advance what the perfectly healthy person would be  
9 like because the body adapts to changing circumstances, new diseases  
10 coevolve with it, and an adaptation that serves us well in one setting might  
11 undermine us in another.<sup>30</sup> For these reasons there is no well-defined concept  
12 of perfect health that could be fixed in advance and made the target  
13 of inquiry. Whether justice is like that I want to leave as an open question.  
14 This criticism is not just a criticism of ideal theory specifically, but of  
15 theorizing about justice at all.

#### 16 17 X. CONCLUSION 18

19 From an outsider's perspective, the ideal/nonideal theory debate looks  
20 more like a dispute about what kind of theorizing is worthwhile doing  
21 than a competition between genuinely competing projects. The scientific  
22 analogies suggest that ideal and nonideal theory are actually deeply  
23 bound up with one another and that they can (and should) go on simulta-  
24 neously. It would be wrong to think that either type of theorizing should  
25 be foregone, or that either has the kind of priority that would make pro-  
26 gress on one wait on resolution of the other. As for dispute about where  
27 the important work for political theory lies, we can tolerate disagreement  
28 on that. The suggestion that it might be *a waste of time* to try to clarify the  
29 conceptual foundations of a concept that plays such an important role in  
30 public debate, in the construction of public institutions, and in the regula-  
31 tion of interactions among citizens, seems much too strong. I think that the  
32 most convincing take home lessons — very important ones, that perhaps  
33 needed to be made — is that political theory should no more be *only* about  
34 ideal theory, than mechanics should be *only* about ideal machines.

35 Defending a role for ideal theory, of course, leaves the substantive ques-  
36 tions about the content of justice, and the design of institutions entirely  
37 open. One might not agree with Rawls's theory, but to object to the  
38 attempt to clarify the foundations of the concept, and express it in the form  
39 of an ideal theory that transparently exhibits its content and justification,  
40 strikes me as misplaced.

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42 *Philosophy, University of Arizona*  
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44 <sup>30</sup> See also Alexander Rosenberg ("On the Very Idea of Ideal Theory in Political Philosophy,"  
45 this volume).