

CONTENTS

Preface and Acknowledgments · xi

PART I.	LOOKING UP TO JUSTICE	
CHAPTER 1	An Unrealistic Introduction	3
CHAPTER 2	Overview	25
CHAPTER 3	Anti-Anti-Moralism	40
CHAPTER 4	Circumstances and Justice	62
PART II.	UNBENDING JUSTICE	
CHAPTER 5	Utopophobia	81
CHAPTER 6	Mitigating Motives	101
CHAPTER 7	Justice Unbent	124
PART III.	BEYOND CONCESSIVE JUSTICE	
CHAPTER 8	Concessive Requirement	149
CHAPTER 9	Bad Facts	173
CHAPTER 10	Prime Justice	188
PART IV.	THE CULPRIT PROBLEM	
CHAPTER 11	The Puzzle of Plural Obligation	207
CHAPTER 12	Plural Requirement	231

PART V. THE PRACTICAL AND THE IDEALISTIC

CHAPTER 13	Progress, Perfection, and Practice	255
CHAPTER 14	The Fallacy of Approximation	271
CHAPTER 15	Countervailing Deviation	288
CHAPTER 16	Beyond Practicalism	304
CHAPTER 17	Informed Concern	316

Epilogue · 329

Notes · 333

Index of Examples and Propositions · 367

General Index · 369

CHAPTER ONE

An Unrealistic Introduction

They were Utopians, which meant that they saw imperfection everywhere they looked.

—MICHAEL CHABON, *THE YIDDISH POLICEMEN'S UNION*

I BEGIN WITH SOME METHODOLOGICAL remarks and introduce a methodological project. The aim of this preface is to locate the book's motivating concerns in the context of traditional and contemporary political philosophy. (In a more impressionistic way, this is also one of the purposes of the diverse epigraphs at the head of each chapter.) Then, in the next chapter, I provide a substantive overview of many of the main issues and lines of argument in the book, which might help the reader to see in advance how the various parts are to fit together. In the remaining two chapters of Part 1, I confront the important underlying issues about "moralism" in political philosophy, and about the supposedly anti-idealistic implications of the "circumstances of justice" as understood especially in Hume and Rawls.

1. Being Realistic, and the Alternatives

Imperfection is everywhere, and it doesn't take a utopian to see that. Indeed, critics of "utopian" approaches to political philosophy are often emphatic about the robustness of human moral deficiency. In that realistic unromantic spirit, the guiding question of this book is whether people might also be robustly politically deficient (at least in principle—I do not take up the question whether we actually are or not). Political "realists" and others often say, in effect, "no." They reject the cogency of unrealistic standards for evaluating political arrangements, and that would settle, by a kind of conceptual fiat, that humans (in all their moral deficiency) do not robustly fall short politically.¹

Standards, then, are either bent to fit—and thereby to condone?—our political proclivities whatever they might be (at least if they are robust), or

perhaps standards for politics are eschewed altogether. Either way, the possibilities for critique of human political life are, with questionable reason, curtailed. My aim here is not to engage in a sweeping political critique drawing on high standards, but to resist this and related lines of argument that would foreclose it. The issues to be treated here are of more than academic interest. When I was a teenager in the 1970s my father, like many parents I suppose, would say, “You’re an idealist; I’m a realist.” Many people even outside academic debates have strong views and deep questions about what it would mean to put idealism and realism about politics in their proper places. Stated very broadly, that is my question.

I hasten to point out that the approach taken here is, in one fundamental sense, realistic—though it is too late to reclaim the term “realism” for this usage—in refusing to foreclose, prior to substantive investigation, the possibility that human societies might be prone (maybe even for deep human motivational reasons) to being significantly unjust, possibly even forever. Let us hope that is not true, and I don’t say that it is. But the conception of political philosophy or theory that rules it out by assumption or definition will be scrutinized and rejected here, and the alternative approach that allows unrealistic standards will be developed and explored in several ways.

The argument to come is not a defense, nor is it a critique, of any particular conception of what justice requires. The guiding idea is rather, roughly stated, that an account that requires more than we ever expect to achieve is not thereby in the least flawed, even if it is not everything worth having. Whether anyone ought to set out for justice given pessimistic prospects is a separate matter; futility is plausibly a defect in a practical project.² A second theme, then, is that the connection between sound political philosophy and guidance for political practice has often been exaggerated, and not just in recent times.

In the later parts of the book, I consider the difficult question of what value there might be in understanding the nature of justice, including its having unrealistic aspects—or the value of exploring what unrealistic justice might require either in detail or in broad principle. That is a different issue, and I don’t explore it in this work. Debates about the value of engaging in a certain inquiry bear little on the question of what is learned or not learned, be it valuable or not, in their pursuit. Whether or not such inquiries are valuable, as I will argue, in passing, that they are, is a wholly separate question from whether arguments encountered in such work, including arguments in this book, are successful.

There is a proverbial tension between the best and the good, and we are advised to avoid their becoming enemies, even perhaps by ignoring the best altogether. This is just one of the ways in which it has become customary for political philosophers to urge each other to keep their feet on the ground and eyes straight ahead—or, more accurately, slightly lowered. There is important work to be done right here and now—work in the social world, that is. And according to this eyes-lowered approach, the work we do as thinkers, as philosophers, ought to serve the most urgent practical tasks we see around us.

There are two parts to this view: our philosophical work ought (only?) to serve practical purposes, and then, additionally, it ought (only or mainly?) to serve the practical purposes presented to us here and now. This practicalist outlook is not universally shared, of course, and I am one of those who does not accept it. Rather than attempt to refute this thesis about how philosophers ought to spend their time, I will mostly ignore that question until Part 5. My principal objective is to defend some unfamiliar, if not novel, claims about the nature (not the content) of social justice.

We are told, by Machiavelli and others, that, in effect, political philosophy must not be utopian.³ I am sure there is wisdom in this vague injunction, but there is also the danger of a chilling effect. Unless we are very clear about what kind of theorizing can appropriately be proscribed, there is the risk that a broader set of projects go unpursued, and for no good reason. Machiavelli says that theories of politics that describe things that have “never been seen or known to exist” could not be useful. He admits in the next breath, however, that there is “a great distance between how we live and how we ought to live.” He admits, then, that it is one thing to ask what sort of thing we might write that will be “useful to anyone who understands,”⁴ and quite another to ask how we ought to live. The two questions do not, even in Machiavelli, collapse into the useful, and so my project is, perhaps surprisingly, not at odds with his or those of various followers in that way.

Rousseau writes, in the Preface to *Emile*, “‘Propose what can be done,’ they never stop repeating to me. It is as if I were told, ‘Propose doing what is done.’”⁵ Few writers believe that things are already, or are bound eventually to be, precisely as they ought to be, and so almost all normative political theory departs from “realism” in this strict sense. Any theory that implies criticism of actual institutions or behavior is not as realistic as it could be. For example, a normative framework that criticizes existing legal regulations on political advertising for being either too strict or too lax is not entirely maximally realistic. A theory that criticizes actual voters for being too selfish—or even too idealistic—departs from strict realism in exactly the same way. Since no one will insist on this extreme kind of realism in normative theory, we can safely give it a derogatory label: *complacent realism*.

On the other hand, there are surely ways in which normative political theory can be too morally idealized. It was Rousseau, again, who, in *The Social Contract*, influentially pledged to proceed by “taking men as they are, and laws as they might be.” This sentiment is widely embraced even as its meaning is far from clear. When, for example, Rawls endorses the Rousseauian dictum, he interprets it as merely confining political philosophy within the laws of nature.⁶ It is not made clear what those laws are, but they are held to allow, within those broad limits on what is “realistic,” significant, even “utopian,” extensions of our view of what is possible in human affairs. “Utopian,” of course, is often (though not in Rawls) an epithet (its etymology suggests “no place at all”) used to ridicule theories that are thought to violate some version of the

Rousseauian stricture—to be too unrealistic about people and their motivational nature. Rawls, whose concession to realism is no more than to limit his prescriptions to what is possible, however unlikely it might be, attempts to reclaim the term, speaking of his own “realistic utopianism.”⁷ I prefer to speak, less eloquently, of a noncomplacent and nonconcessive approach to social justice. A narrower constraint—to take people as they are, now, in their observed aims, conviction, and tendencies—is (if anyone were to recommend it) to set the bar indefensibly low for the investigation of principles of social justice. To charge a theory of justice with being “utopian” seems generally to imply that its standards are false because they are too unrealistic—still a vague charge, since there are various ways in which theories might fail to be sufficiently realistic. Utopophobia, we may say, is the unreasonable fear of the sin of utopianism, and it can lead to the marginalization of inquiries and insights without demonstrating any defect in them.

There are many cases where what we are required to do is conditioned by the fact that we do not live up to what is required of us in other areas. “Since you have stolen, you ought to apologize.” “Since you will not put money away each month, you ought (prudentially) to set up an automated transfer.” “Since we will not comply with socialist institutions in sufficient numbers, we ought not to build them.” These are, indeed, requirements, but they are, in a certain way, not fundamental. They concede violations and ask what is required in that “concessive” context, as I shall call it. That is all I mean by a “concessive” principle or requirement: it is a requirement that is in place owing to our conceding certain violations of other requirements. Some requirements are in no way conditioned by violations in that way, such as the requirement (duly formulated) not to steal in the first place. That is nonconcessive. Much thought about social justice is in a concessive mode, taking people “as they are,” or responding to the facts of human life, and so forth. There is nothing wrong with that, of course. But that is not fundamental in a certain way, since it may well be that those facts of human life themselves incorporate violations of requirements of morality or justice. There certainly are questions about what ought to be done conceding certain other violations. But there is also the nonconcessive kind of question: What ought I to do, morally, if I don’t concede any moral violations on my part? So, in a formulation whose frequent appearance may tax the reader’s patience, there is a fine concessive question about justice: Given the predictable violations by humans as we know them, including tendencies not to comply with certain things, what institutions ought we to build? But there is also the nonconcessive kind of question: What institutions ought we to build and comply with? The fact, if it is one, that we will not comply with those very institutions, opens up the concessive question, but is not responsive to the nonconcessive one.

While already familiar to Rousseau and Machiavelli, the debate about utopianism in moral and political philosophy continued in the late nineteenth

century between, among others, the philosophers Henry Sidgwick and Herbert Spencer about the merits of Spencer's approach, in which individuals (and perhaps also social relations) were assumed, for certain philosophical purposes, to be morally perfect. For the most part, their dispute was about whether such a study would serve the pressing practical aim of determining what ought to be done under actual and decidedly nonideal conditions. Spencer argued in the affirmative, that the study of the ideal case was an essential step toward eventual understanding of real and more complicated moral conditions. This "first step" defense of highly idealized theory anticipates Rawls's suggestion that "ideal theory" is a crucial first step to systematically addressing nonideal theory. Rawls famously—perhaps notoriously—wrote:

Obviously the problems of partial compliance theory are the pressing and urgent matters. These are the things that we are faced with in everyday life. The reason for beginning with ideal theory is that it provides, I believe, the only basis for the systematic grasp of these more pressing problems. . . . I shall assume that a deeper understanding can be gained in no other way, and that the nature and aims of a perfectly just society is the fundamental part of the theory of justice.⁸

Spencer used analogies from mathematics, mechanics, and astronomy to argue that understanding the real and imperfect cases would be impossible without first understanding idealized and pure cases of circles, straight lines, perfectly rigid levers, and so on. He wrote, "[T]he philosophical moralist . . . determines the properties of the straight man; describes how the straight man comports himself; shows in what relationship he stands to other straight men; shows how a community of straight men is constituted."⁹ Spencer and Rawls make this *priority claim*: sound understanding of what is required in realistic nonideal conditions is severely constrained without a prior sound understanding of the requirements under conditions of full compliance. This has met with voluminous criticism. At least as I have stated it, the claim is not that there is no point in undertaking nonideal inquiry until ideal theory is understood, but it asserts more than I will argue for (in the book's last part), which is only (and yet this is disputed, as I have said) that both have significant value.

Sidgwick objected that not only is it beyond our grasp to ascertain what the content of moral rules would be in such a fantastical scenario,¹⁰ but even if we could know that much, it is far from clear that such knowledge would be of any practical value with respect to the question of what we ought to do in the very different actual conditions we are bound to find ourselves in. Sidgwick frankly embraced the conservatism this entails, the implication that the appropriate form of society, as far as we can know, will then turn out to be "one varying but little from the actual, with its actually established code of moral rules and customary judgments concerning virtue and vice."¹¹ (Neither Rawls nor

Sidgwick is known for reckless flights of conjecture, but they could hardly be more different on this question.)

Neither Sidgwick nor Spencer made much effort either to ascertain the content of such moral rules, or to investigate (rather than declare) whether there would be valuable things of a less practical nature to learn from such a project. They were mostly focused on the question of the practical usefulness of proceeding in one way or the other. Only in passing did Spencer bother to mention his belief that the requirements applicable to ideal agents are *true*.¹² The question is of at least philosophical interest: whether the more realistic approach favored by Sidgwick and so many others deserves to be seen as the method by which to understand the *truth* about moral standards, including those of social justice. Famously, it would be comical to look for one's dropped car keys far from where they surely lie simply because the light is better there. What we cannot clearly see (supposing that were true of full justice) is not for that reason unreal.

As I say, the term "utopian" is sometimes, though not always, a term of abuse, and it will be here. In 1848 Marx and Engels introduced the term "utopian socialism" in *The Communist Manifesto* to chastise certain "unscientific" forms of socialist thought: roughly, those that (a) presented what are often called "blueprints" for the institutional structure of the highest form of socialism, but (b) supplied no basis in the predictable course of history for seeing how the envisaged arrangements might ever come about.¹³ Certainly, hesitation about what we might call ungrounded blueprints has a lot to be said for it. That issue is more substantial than whether the oft-ridiculed extravagances of some utopian writers are indeed ridiculous, such as those of Fourier, who argued:

When . . . the globe shall be duly organized, and have a population of three thousand millions, it will contain, commonly, thirty-seven millions of poets equal to Homer, thirty-seven millions of astronomers equal to Newton, thirty-seven millions of dramatists equal to Molière, and so on with all imaginable talents. (These, of course, are only proximate calculations.)¹⁴

Fourier is just one example of a utopian thinker, but a fecund one. In addition to his bizarre predictive calculations, we also get from him obsessively detailed blueprints for the ideal society, including floor plans, work schedules, and much else. The difficulty here is not their being out of reach—there is no patent impossibility in gathering eighteen hundred diverse people to live and work in a vast edifice, and so on, as he proposes. Nor is there a clear moral objection, since he does not propose to assemble them by force. What is troubling about his specificity is partly that we cannot ascertain enough from our profoundly dissimilar standpoint to know which highly specific arrangements would fa-

cilitate the fulfillment of plausible principles of justice and promotion of welfare. Very likely, the minute details need to be left to judgment that could be informed by the whole empirical context as well as by good principles (which would themselves plausibly be refined in the light of experience). A second concern about detailed utopian blueprints is that they might illegitimately bypass the moral necessity, or so it will often be thought, for arrangements to be determined in certain ways by those who will be subject to them. Granted, a blueprint could serve as one proposal to be entered into democratic deliberation, and this latter concern would be mitigated in that case, though the former would remain.

It might be argued that in light of those sources of indeterminacy there is really nothing at all to be said about what standards must be met by basic social structures. But the points made so far tend to block that possibility. For example, we have already conjectured that there is some requirement of democracy or responsiveness. Regardless of the form that requirement takes, it sets at least one standard. Also, we observed that such indeterminacy results from the wide variety of possible fact sets, which are hard to know in advance. That implies that given a single fact set, at least some requirements (or a much-narrowed range of requirements) would indeed be the applicable ones. This in turn suggests that there are principles according to which a fact set narrows the range of requirements. The actual variety of facts across societies and over time is not, on this ground, any obstacle to formulating the principles (fallibly, of course).

For my own part, as I say, I am not going so far as to offer any particular account of principles of justice, much less institutional specifics, since my point is higher order—methodological and metanormative. I also argue that while it is by no means guaranteed that sound principles of substantive social justice would turn out to be wildly unrealistic, it would not count against them if they did (see chapter 10: “Prime Justice”). I also grant that Marx and Engels might also have meant to criticize the very general idea of critical standards by which current arrangements might be evaluated. But even if so, they unfortunately do not offer any argument that such standards are flawed, or impossible to know, or that they have no value, in the way they do suggest some formidable arguments against ungrounded utopian blueprints. None of the above arguments for the limited, or negative value of detailed blueprints takes aim at *general principles of justice* on the ground that they are unrealistic. So far, then, an account including principles of full social justice, so long as it does not presume to fix too much institutional detail, and so long as it is not presented to activists, vanguards, or governments as a practical proposal, is free of the mentioned vices. For these reasons, when recent critics of “ideal theory” target authors who “build Utopias” (in theory, they mean), they risk stalking a straw philosopher. However unrealistic they might (or might not) be, conceptions of

justice such as those of Cohen or Rawls do not presume to fix institutional details with any precision.¹⁵ To say that they are building Utopias may misleadingly imply the kind of fictional world building, with blueprints and details, that has sometimes been seen in utopian writers from previous centuries. There is certainly “ideal theory” being done, in various senses, and there are things to scrutinize about such approaches, but “Utopia building” has been mostly absent from the scene of prominent political philosophy for many decades, perhaps a century.

The concern, often attributed to Marx and Engels, regarding the absence of a plausible causal or historical account of how the high standards might come to be met does not have any clear force on its own. It may be a serious problem in the context of an institutional blueprint that is urged as a practical proposal—a goal to set out for. Leaving aside the pitfall of excessive detail, it is indeed often reckless to set out for an attractive goal when there is no adequate understanding of what path might lead there¹⁶ (though even here such a constraint can take overly fastidious forms), but it is important to stay mindful of the difference (introduced above) between principles and practical proposals.

Suppose we are hiking, and we spy a beautiful spot some miles off, down the slope, across the valley. It isn't just beautiful, it looks like a great place to stay, or even to live. Alas, it is not yet clear whether we can get there, so we might try to contain our excitement. Be realistic. Things are fine where we are, so we could just conclude that the new spot is not really worth considering. It is unrealistic in one way simply because it is not where we are, but this complacent realism has little appeal, as we have seen. If we admit that the new spot is beautiful, we might nevertheless come to conclude that it is impossible to get there. (As I proceed, let the scenery change from a pastoral landscape to the space of political alternatives.) If we cannot get there, then there is no sense in worrying too much about the different routes we could try. Alternatively, we might think that it is possible to get there, or might be for all we know, but, realistically, we *will not* get there because we are likely to make careless navigational errors, or eventually just to give up prematurely. This differs from our being unable, but it is still practically important. However, if we are not sure that it is beyond our abilities, then even if we are unlikely to get there, it could be worth thinking about how we might. This is not yet the same as recommending that we set out for it. That would be a different and later question. Perhaps the slim chances of success will give us sufficient reason to make other plans. But why jump to that conclusion? After all, the place is beautiful, and for all we can tell getting there is not beyond our abilities. In a way, this little story emphasizes hope, where the question about what role there might still be for hopeless (but not impossible) standards remains open. It suggests that we should, to some cautious extent, relax about the line between hopeful and hopeless standards in a spirit of hope. I accept this.¹⁷

We are reminded here that something might be a desirable destination—it might even be one that differs from alternative, unacceptable destinations in being at least *acceptable* in certain respects, even if we ought not to set out for it. In the pastoral example, if the obstacle is a chasm that makes our progress impossible then the desirability of the destination is not action guiding. In the political cases I am concentrating on, however, where the obstacle is the fact that certain things will not be done even though they could be done, then the imperative to do those things and get to the destination is action guiding in an important sense—our tendency, however robust, not to set out and carry through is powerless as a refutation of the requirement (here, a requirement of prudence or rationality, perhaps) to do so.

Just a few years before Marx and Engels, Bentham listed the term “Utopian” in his *The Book of Fallacies* (with a fairly similar meaning):

As to the epithet Utopian, the case to which it is rightly applied seems to be that to which, in the event of the adoption of the proposed plan, felicitous effects are represented as about to take place, no causes adequate to the production of such effects being to be found in it.¹⁸

I will follow these classic thinkers (thereby departing from Rawls’s usage) in using “utopian” as an epithet, which refers to a vice, sin, or defect, and I follow them more or less in its definition as well: in my usage of the term, a social proposal has the vice of being utopian if, roughly, there is no evident basis for believing that efforts to stably achieve it would have any significant tendency to succeed. The argument of this book is *not* a defense of proposals that are utopian—unrealistic in the stated way. Oversimplifying a little for now, this is because the arguments here are not in defense of proposals at all, but of principles (or standards, or requirements—as you prefer) of justice. Irrealism (the property of being unrealistic) is a vice of proposals, but not a vice of principles, and so while this book is no defense of anything utopian in the narrow sense I adopt here, it is a defense of unrealistic principles of justice—not of any highly specific principles (much less of any practical proposals)—but as a counter to the charge that irrealism is a defect of such principles.

I stated that this oversimplifies matters somewhat for the following reason. It may seem that what I have called nonconcessive institutional principles must count as utopian *proposals* in the above sense.¹⁹ In fact, however, they do not, since what they require are conditions such that, should the relevant set of agents all set out for them, they would indeed have a sufficient (not to say strong) tendency to succeed. Of course, such a prescription addressed to the complete set of members is not a proposal aimed at any subset of them, such as governments or activists.²⁰ *Their*—the subset’s—setting out for it might, given the actual behavior of others, have an insufficient chance of success, and it would be inappropriate on that basis for it to be either

proposed or required. But, formulating this carefully now: nonconcessive principles only issue requirements to agents or sets of agents that would tend to be successfully met if the agents were to try and not give up. I assume, for the sake of argument, that there is no requirement unless there is ability.²¹ So nonconcessive requirements do not suffer from the vice of being utopian under the definition adopted here, a vice that only practical proposals can have. Insofar as they are unrealistic, the requirements I discuss are not proposals but principles. Insofar as they call for action, they are not unrealistic. To have a handy formulation, we might say that the sin of utopianism attaches to *unrealistically optimistic proposals*. In the case of principles, by contrast, there is no sin in being unrealistic, and so principles, as such, cannot possess the defect of being utopian. This might seem like mere semantics, but that would be unfair. The important and non-terminological point underlying this adopted usage is this: being unrealistic is not a defect in a principle of justice, though it would be in a proposal.

2. *Human Nature*

Kant was probably correct²² that since (or at least partly because) we humans are flawed morally and in other ways—our timber is crooked—there will never be a fully just society.²³ Approximate justice would be a very good thing—approximately a great thing—but it is dangerous to assume that approximating a constitutional and institutional framework for a perfectly just society would approximate justice. Without the motives and behaviors for which the framework is designed, it might be a disaster.²⁴ What arrangements we should build or promote given that we will not be a just society (domestically or globally) will always be a pressing question, and a sound understanding of full justice might or might not be of any use at all for that purpose. If some such normative outlook is of no such use it might lose its grip on us, of course. We might begin to think the whole idea of social justice is a philosophically bankrupt vestige of, say, Christian ideas which claim that we humans are, through our own fault, and yet inevitably, moral failures. This might now seem to be an inhumane, otherworldly, impossibly straight imaginary line by which to measure social life. Such a test might seem inappropriate if we are sure to fail. We might wonder whether a more adequate view would show that we are not inevitably defective after all. One way of pursuing that project would take our bent, the human bent, to constrain the shape of moral standards. It would lash the moral standards for politics (if not for all agency) to the serpentine shape of real (not to say fixed or unchangeable) human proclivities. On that view, Kant erred in imagining some straight alien standards by which we appear to be crooked. By philosophical fiat, instead, our timber no longer counts as crooked. It does not, after all, deviate from supposedly appropriate evaluative

standards, and is in that sense, straight—nondivergent—after all. In a helpful pun, I will argue that this Bent View of social justice—is indefensible.

The Bent View

Standards of justice are shaped in order to ensure that people could, at least in due course and without oppressive control, bring themselves to behave in ways such that justice is achieved.

I defend the Unbent View: there is no adequate argument that the content of justice ought to defer to our proclivities (now and as they might vary across time and context) as in the Bent View.

3. Justice and Basic Social Structure

Before turning to an overview of the book's arguments in the next chapter, I conclude this introduction with a few remarks about how I will understand the idea of social justice for present purposes. It may be helpful to briefly situate my approach to that idea with respect to important recent approaches of Rawls, Sen, and Cohen. My thesis in this book is, as I have emphasized, only indirectly about social justice itself. It is more directly methodological—about how we are to think or theorize about justice—how “realistic” we need or needn't be. Still, social justice is central to my concerns in that way. I will carry no brief for or against egalitarian, Rawlsian, liberal, free-market, global, etc. accounts of the content of social justice. This rough neutrality ought to avoid misleading readers into thinking any of my points are meant either to be supported by, or to lend support to, or to be refuted by, certain positions in these debates. That would distract from what I take my arguments really to be.

In some theories of social justice, it might be said that it is not the basic social structure but something else that is up for evaluation, such as whether the sum of utility is maximized, or certain individual outcomes are equalized, or people's holdings are owed to morally permissible acquisition and transfer, and so on. We might say, on the other hand, that such theories do not really evaluate the entire society as just or unjust, but only certain of its distributions or historical trajectories, though this semantic quibble hardly carries much weight against such approaches. Alternatively, such theories, or closely related ones, might evaluate a society itself as just or unjust according to whether it is institutionally arranged (perhaps dynamically) so as to facilitate or promote satisfaction of the preferred principle. At any rate, that is the form in which my assumption that justice is about the basic social structure will accommodate friends of those principles. The emphasis on basic structure is a distinctive feature of Rawls's approach, and this indirect role for principles applying to outcomes (especially the Difference Principle) also characterizes his view. Admittedly, this emphasis on social structure does not accommodate views

according to which a society is itself just only insofar as some such principle—such as a principle of equally distributed wealth or opportunity—is actually met, regardless of anything else about social structure. Consequently, my approach is not entirely neutral as far as different normative theories of justice are concerned.

The focus on social structure as the subject of justice is more than a trivial simplifying device, since it fits with my treatment of social justice as a requirement over actions (in a plural fashion)—so long as the basic structure of a society ultimately just consists of certain patterns and orientations of action. In that respect, it is indeed a distinctive way of framing the issue, and so, as I say, not entirely neutral as between different normative approaches. Still, it is more a formal methodological feature than it is a normative commitment, even if it is not wholly non-normative. It does not side for or against any particular principles the promotion of which is the test of the basic structure, from the standpoint of social justice. The principles could be utilitarian, egalitarian, libertarian, or many others. Having said all this, I suspect that little of what I say will run afoul of this lack of complete generality in any important way.

I will assume that for a society to be just is for its basic structure to be the way it ought to be in certain respects. So, the “subject of justice” is the basic social structure, following Rawls. As understood here, the basic social structure is partly constituted by certain prevalent attitudes, motivations, and patterns of behavior even including many patterns of behavior not significantly associated with law or government.²⁵ It will not be necessary to have a precise account of what exactly constitutes the basic structure. Instead, I will take up questions of that kind as they arise.

G. A. Cohen lets the “subject of justice,” that which is just or unjust by standards of social justice, include individual behavior, but strongly resists counting such behavior as part of the basic structure. So there are two questions: How capacious is the basic structure?²⁶ Is the subject of justice still something broader than the basic structure properly construed? I prefer to think of institutional structure in terms of patterns and motives of behavior rather than something else which somehow constrains all behavior. So when Cohen insists that certain aspects of behavior in the family or in the market are within the purview of standards of justice, it is tempting to think that would be enough to show they are part of the basic structure. But he resists.²⁷ So there is a question whether some things that are not properly regarded as basic structure—even letting the idea of basic structure expand beyond merely coercive institutions—are nevertheless part of the “subject of justice.” That is indeed how Cohen sees it, for example.

We can avoid some of the difficult associated questions in the following way: there is some content (possibly highly disjunctive) included in the re-

quirements of justice, which can be fully met regardless of what motives or intentions anyone has with respect to justice. Some of it can, plausibly, be met by the very existence of certain institutions, though it might not all be institutional, some of it being perhaps purely distributional. Then there is a further achievement, which can either be built into the idea of full justice, or conceived as something in addition to justice, namely a society's being well-ordered, in Rawls's sense, by a sound conception of justice. (We could let the characterization "well-ordered" apply even when the shared conception is either false, or, alternatively, true but not actually satisfied, but when the relevant common knowledge, compliance, and motivation are present. It need not be claimed that there is any value in well-orderedness in that case, but only in the case where the society is indeed just as well.)

Notice that there must at least be some part of a standard of justice that makes no reference to justice-oriented motivations of the kind named in well-orderedness. Call this *thin justice*. Otherwise, there would be no coherent content available *for* such motivations. There is, additionally, a plausible dimension of social justice consisting in its being well-ordered—where it is common knowledge that all accept and are motivated to promote the satisfaction of a shared and sound conception of thin justice. Without well-orderedness, on the basis of thin justice alone, there is nothing that constitutes (or much less manifests) *respect or proper regard* for people, their interests, and their rights. People may be getting what they are owed, but not because it is owed to them (this is not the same as a "publicity" requirement). So it is reasonable to say that thin justice together with well-orderedness represents a fuller achievement of justice, which I will call *thick justice*.

Now, Cohen's points, even if correct, do not show that thin justice reaches beyond the basic institutional structure. They would show only that thick justice does. But this is obvious in the very idea of well-orderedness—it is the point of well-orderedness. It is hard to see how it is a critique—as Cohen says it is—of Rawls. Rawls says the subject of justice is the basic social structure, but he also (and seminally) insists that a full kind of social justice goes beyond this to certain motives and understandings that are not comprehended by institutions themselves. The subject of justice here must mean the subject of thin justice, which is then a determinate content that one can assume enters into people's motives when the question of thick justice is taken up.

So I will assume, following Rawls, that the question of the subject of social justice, as discussed in this work, is the question of thin justice—the basic institutional structure of society. There is room for broader or narrower views of what even this includes, since the idea of the institutional is far from perfectly clear. Then, regardless of how that might be settled, it can be allowed that a fuller, thick kind of justice depends not only on thin justice but also well-orderedness—the common knowledge of acceptance and compliance with a

conception (or family of conceptions, as Rawls, sensibly, would have it) of thin justice.

4. Charles Mills on Ideal Theory

In a seminal article, “Ideal Theory as Ideology,”²⁸ Charles Mills criticizes what he calls “ideal theory” in moral and political philosophy in strong terms. Putting aside several other kinds of idealization, he focuses on “ideal as model”: the development of models of morally good people and a just society. Ideal theory, so understood, is argued to “ignore” female subordination, centuries of white supremacy, and increasingly inequitable class society.²⁹ “Perform an operation of Brechtian defamiliarization, estrangement, on your cognition,” he suggests. “Wouldn’t your spontaneous reaction be: *How in God’s name could anybody think that this is the appropriate way to do ethics?*”³⁰

As I have said, in this book I do not propose any particular theory of justice, and so I cannot be accused of engaging in ideal theory in that way. On the other hand, I am obviously defending an approach to thought about justice that fits under that somewhat vague rubric. I argue that social justice might be best understood as a certain social-structural element of a sweeping moral requirement in which not only institutions, but also individual behavior, are rightful. And I argue in chapter 4 that the idea of circumstances of justice does not entail that such idealized scenarios are beyond the very idea of justice. In this section I want to suggest that the sorts of enterprise that I defend are not, despite natural appearances, bound to be targets of Mills’s critique.

While Mills obviously objects to something he describes as “ideal theory,” it is important to notice that he speaks without hesitation of ideals whose acceptance and realization would be desirable. He writes,

A nonideal approach is also superior to an ideal approach in being better able to realize the ideals, by virtue of realistically recognizing the obstacles to their acceptance and implementation. . . . Summing it all up, then, one could say epigrammatically that the best way to bring about the ideal is by recognizing the nonideal, and that by assuming the ideal or the near-ideal, one is only guaranteeing the perpetuation of the nonideal.³¹

Mills, then, does not eschew the place of “ideals” in proper normative theory. Mills is not, I think, criticizing the very enterprise of seeking philosophical understanding of the criteria for a fully or ideally just society. None of his arguments appear to take that enterprise as their target. It is also no part of Mills’s purpose in that piece to raise objections to the content of the ideal theory of justice that is his central example of an objectionably “ideal” theory, that of Rawls. We get no such normative objections, though he may well harbor them.

Instead, Mills emphasizes all that is *missing* from Rawls: the absence of any serious discussion of the glaring injustices around race, gender, poverty, and class, their ineluctable marks on our social relations and our thought, and questions about corrective justice.

In this light, we see that much of the argument is devoted to criticizing the academic *hegemony* of ideal theory in Anglophone philosophy. Mills is not so much criticizing thinking about full justice, as he is criticizing what he takes to be the dominant method of attempting to understand what full justice requires in a way that is entirely cordoned off from, and silent about, the real injustices before our eyes and the bearing they must undeniably have on how to understand people, institutions, and social structure accurately and perceptively. Understood in this fashion, Mills's critique may be best seen as a critique of a method, employed in the field as part of a collective enterprise, and maybe also in the works of any single theorist, that neglects the study of real social injustice. Among the many passages in the essay that fit this pattern, as mounting a critique of the neglect of nonideal theory, we read, "What distinguishes ideal theory is the reliance on idealization *to the exclusion, or at least marginalization, of the actual.*"³² And there are others.³³

The way that political philosophy is damaged by the neglect of the real world including its injustices, is, according to Mills, that the very concepts with which theorists build their normative theoretical structures float free, untested by any attempt to use them in understanding and acting in societies and with people as they actually are, as known by, for example, our best historical, empirical, and explanatory theories—lumping these together, let's call this "social theory." Mills calls for political philosophy that is more continuous with empirically and historically informed social theory. Part of the contribution that philosophy might make to that nexus of enterprises, he argues, would be the identification of the concepts that best map social reality, and the incorporation of these reality-forged concepts into normative moral and political thought.

Now, in recommending a "nonideal approach,"³⁴ there may be a danger of insisting on an overly strong primacy of nonideal theory, the mirror image of the much criticized Rawlsian thesis of the primacy of ideal theory. Social theory that is philosophically unsophisticated about morality and justice is in danger of adopting concepts that fit some intuitive or culturally current ideas about justice that cannot be philosophically sustained. There is no such thing as starting with the project of first understanding how things actually work, to the exclusion of all else. Which things would you want to know about? Just anything? Marx, whose work is often pointed to as an example of that primacy, was plainly driven to his analyses of capitalism, among other things, partly by his moral disgust with the practices of early industrial times. Would the concept of exploitation of labor ever have occurred to him were it not for the fact that it seemed to be unjust in its taking advantage of the workers? A social

theory *will* be informed by normative assumptions and commitments whether the latter are philosophically well considered or not.

In any case, Mills's line of argument need not, it seems to me, be burdened with that strong (reversed) doctrine of primacy. Its emphasis is on the impoverishment of political philosophy that is not adequately conversant with the most observant and injustice-attuned social theory. So the point is not only that there should be nonideal theory alongside ideal theory. It is that theorizing about ideal justice cannot be done well without fruitful formative engagement with social theory. The reverse might also be true, as I have suggested, though that is not Mills's emphasis.

To summarize Mills's critique of ideal theory: the field of political philosophy has, for no good reason, fixated on trying to understand full justice. The problem is that by neglecting to take any close look at real injustices—historical and ongoing—there is a strong likelihood, or at least a grave danger, that the very concepts philosophers bring to political thought are naïve, or distorted, or ideological, since they have never had to confront the stark realities of real injustice properly understood. A better set of concepts is bound to arise if there is more nonideal theory, and more engagement with it. Then, once the concepts are no longer so deficient, there may indeed be value in trying to deploy them in understating the requirements of full social justice. If this last proposition is available to the Mills perspective, as I believe it is, then there is nothing in this book with which it is inconsistent.³⁵

5. Justice as Ingredient or Recipe

Theories of the justice of the basic social structure have a rather unclear stance on whether certain outcomes of the just structure, as distinct from the structure itself, are better or worse than others with respect to justice. On one hand, outcomes can be said to be just if and only if they were legitimate outcomes of a just social structure—a “pure procedural,” or in Nozick's term, “historical,” way of counting as just. On the other hand, it is often held that some outcomes, such as certain distributions of wealth or opportunity, ought to be aimed at or promoted by a basic social structure if that structure is to count as just. But why? If there is no difference with respect to justice between one outcome and another, so long as either one is produced by the right kind of procedure, why should the procedure aim at some outcomes but not others? Maybe it is on account of some value other than justice, such as efficiency, but this is not always what is going on. In Rawls's theory, of course, the distribution of primary social goods ought to be as good for the worst-off class as any alternative arrangement, so long as the prior principles are also met. But the difference principle is not a principle of efficiency. It is a principle of justice. But then there must be a difference, as a matter of, justice, between its being met and its not being met. Whether it is met is not settled by showing that the

basic structure is aimed at meeting it, since it is assumed to be fallible. This shows, I think, that the pure procedural account of the “justice” of any outcome of a just basic structure does not really provide a full account of that theory if there are also principles of justice the procedure should aim to satisfy. It is a weaker standard than the one that is met by a distribution’s *both* being produced by a just social structure and its meeting the difference principle, and other principles at whose satisfaction it is to be aimed. Of course, Rawls’s theory is just an example that will be widely familiar, and nothing in my argument in this book depends on accepting Rawls’s conception of justice. I make this distinction in order to emphasize that while I will conceive of the justice *of a society* as being about the basic structure, I intend to allow for distributions or other outcomes that a social structure ought to aim at or promote, and that these, as well as the basic structure itself, must be granted, in a sense, to admit of justice or injustice.

Even if we limit social justice to the basic social structure in this way, it might still be understood to be either a moral standard in which justice is an *ingredient*, one of a number of values which apply to the basic social structure that ought morally to be met according to some proper balance, or a *comprehensive* standard for the basic social structure (not “comprehensive” in the sense of Rawls’s distinction between comprehensive and political conceptions of justice),³⁶ in which all the applicable values are met according to their appropriate balance. Sen conceives of social justice as a dimension that morally ranks alternatives that are faced in contexts of social choice, and so he is apparently conceiving of justice comprehensively.³⁷ After all, social choices ought to take due account of all applicable values, not just some of them. Cohen rejects that way of conceiving of justice because he believes that some of the values that ought to be taken into account in social choice are plainly not relevant to justice properly conceived.³⁸ The point is important to Cohen, since it plays a role in his critique of Rawls.³⁹ For now it is enough to note this distinction, and I do not need to choose sides. The distinction will come up a number of times, and I will just try to keep the terms sufficiently clear.

6. Compared to Cohen

There is a strong affinity between my approach and that of Cohen in that, for example, we both argue that it is no defect in a conception of social justice if it is, in certain ways, unrealistic. Pointing to this common ground omits important differences, however, and stating some of the differences here will help to avoid misunderstanding. First, Cohen holds that the fundamental truths about justice are in no way dependent on facts. I take no stand on this issue. I argue that it would not have the normative significance that Cohen seems to hope for in any case.⁴⁰ I do emphasize how truths about justice must not be

concessive to certain kinds of *bad facts*, a view that differs from Cohen's, even if there are traces of it in some of his arguments.⁴¹

Second, Cohen holds that principles of justice (and morality generally) may perfectly well require things that are beyond the abilities of any agents individually or collectively. He finds it entirely comprehensible that it may not be possible to achieve justice. He is not quite rejecting the widely held axiom that 'ought implies can,' but insisting that something might be unjust even if remedying it is impossible, and might on that ground not be something that *ought* to be done. He holds that there are normatively more fundamental truths than ought claims if the latter depend on our abilities, namely, things we ought to do *if we can*.⁴² This is, to my mind, an important suggestion that is worthy of more investigation, but I do not commit myself to it here. Since I consider justice to only be free from certain kinds of bad facts rather than from all facts, I am not led, as Cohen is, to confront the question whether it is even free from facts about what agents could do. As I have said, I allow, then, for the sake of argument, that nothing is a requirement of social justice that relevant agents are unable to do. It is a central theme of my argument that this is less of a brake on highly idealistic content than it is often taken to be, especially since many things that are taken to be inabilities—such as what we often describe as what an agent cannot bring himself to do—are not inabilities at all.

Third, while they might easily be conflated, Cohen's important distinction between principles of justice and rules of regulation is different from mine between concessive and nonconcessive principles. (Here I am presupposing some familiarity with Cohen's distinction, though later it will be explained more fully.)⁴³ First, the structure of the difference between concessive and nonconcessive requirement has a direct application even within the domain of rules of regulation. Even if we ought to implement and comply with rule set R, there is also the question of what rules we should implement if we would not comply with R were we to implement it. That suffices to show that there are two distinctions here. This is because the question remains whether the structure of concessive vs. nonconcessive requirements applies also within the domain of what Cohen calls principles and values. Suppose there is a fully nonconcessive or ideal balance of all values relevant to the quality of a basic social structure, without yet specifying anything about what rules should be implemented. There is also a substantial question of what the best balance of values given some specified deviation from the ideal would be. It cannot be assumed that any remaining subset of those values is the best option, since their value may depend on the presence of things that will be missing.⁴⁴ So some things that are required by nonconcessive justice might be contrary to what is required in a concessive context. So, by introducing the concessive question, we are not slipping from the domain of principles and ideals into the domain of which rules of regulation to implement. The structure of concession can apply

within each of those domains, making the two distinctions cross-cutting or orthogonal.

The central concern of the book is to respond more completely than has normally been done previously to two influential critiques of much political philosophy: anti-idealism and anti-moralism. Neither implies the other, so a settled view of one leaves the other yet to be settled. While I resist both of those positions, residues of both remain. As for anti-moralism, while I argue that the extant critiques of moralism are not persuasive, the normativity of judgments about social justice and injustice are, indeed, difficult to interpret as straightforwardly moral. My conclusions about this matter keep justice judgments tied to agential moral normativity, but without being instances of it. They are best seen as still moral, but only in a broader sense of the moral than the agential conception. As for anti-idealism, the view here is less, but still slightly, equivocal. There are serious problems involved when either trying to do without the idea of full justice, or when calibrating or relativizing the standard of full justice to realistic assumptions about individual moral deficiency. I find insufficient reasons to decide between calibrating justice to full moral compliance, and a variant that takes account of some moral deficiencies, namely those that would not themselves count a society as unjust (if they could be adequately distinguished in the necessary way). Either way, the idea of full justice would not shape itself to a realistic picture of human behavior, which can still be expected to be significantly non-compliant. There is no argument here that on the best account of justice its requirements will indeed be unrealistic in this way, but only that, short of substantive normative considerations there is no defensible conceptual or methodological precept, laid down in advance, that rules it out. This defense of what we might call political irrealism brings us to a further point that frames the book's argument in a very central way, namely that no one—certainly not me—can seriously dispute that political thought must, among other things, make and consider proposals about what is to be done given the best information about, among other things, how real people can be expected to behave and respond in real circumstances. There can be disagreement about which such assumptions are, to what degree, probable, but that is an entirely different matter. Proceeding on the basis of what are known to be false or improbable assumptions is obviously indefensible. There is no interesting divide in political theory about that. What it leaves open is whether what we have most reason to realistically expect of people also sets the outer limit of what social justice requires. Realism of that kind is an obvious constraint on practical proposals, but I argue—contrary to a widespread view—that it is an illegitimate constraint on what principles of justice might require. The arguments for this, and understanding its implications, must wait for the chapters to play out, but the distinction between so constraining practical proposals and so constraining principles of justice in this fashion ought to be kept in mind from the beginning.

7. *Enoch on Multiple Agents*

In a valuable discussion of several papers that appeared prior to this book, David Enoch grants that a requirement applying to a society or collectivity cannot be refuted by the fact that the society will not comply. Still, he points out, a requirement on, say, the state subsystem can be refuted by facts about the behavior of the society's members.⁴⁵ He adds that political philosophy importantly includes questions about requirements of that second kind even if it also includes the first.⁴⁶ These points are obviously correct. He argues, however, that these points, which he acknowledges that I accept,⁴⁷ undermine what he understands as my main line of argument, or rather, "a very natural and common understanding of [my] *point*" in several of my earlier papers.⁴⁸ This natural understanding, he says, would be that I argue that, "worries about feasibility cannot defeat a normative theory in political philosophy." But, of course they could, since a normative theory will often be concerned not only with the content of justice but also with questions about practical proposals when justice is not a realistic possibility.⁴⁹ What I argue for (in those papers and in this book) is the more specific proposition that, contrary to what might be supposed, one kind of infeasibility—the fact that the society would not comply with certain institutions even if they were implemented—cannot refute a theory according to which those institutions are required of that society by justice. For that reason, principles of social justice cannot be plausibly assimilated to practical proposals, though the latter are of unquestionable importance.⁵⁰

I use the term "concessive theory" for questions regarding what institutions society ought to build or maintain, given that it will not comply with what justice requires. If we ask what the state, as a social subsystem, ought to do given that citizens or society will not comply with what justice requires, that is not, as Enoch notes, concessive in the same intrapersonal sense.⁵¹ And surely there can be, in that intrapersonal sense, nonconcessive theory addressing what some agent other than society—perhaps the state—ought to do given what others will do. All this is compatible with my arguments that what justice requires of a society given that it will not comply with justice, would fall into concessive theory. Now this might be of little interest if it were thought that the question of social justice is nothing but the question of what the state should do given what others will do. But social justice does not seem to be simply what some part of society, the state or any other, ought to do given what others will do, as I will argue next.

Before turning to that, I should point out that the argument in chapter 10, "Prime Justice" is that full justice might be best conceived as the political portion (so to speak, simplifying here) of the case (satisfaction of what I call the Global Prime Requirement) in which each agent does as they should *given* how others will act. Since I do not posit a group agent that comprises "society," the

only requirements on agents that I countenance are conditional on what (they and) other agents will do whenever this is relevant. So, at bottom, it is all a question of multiagent requirement in Enoch's sense after. Still, Enoch's critique raises the question not only about the group-agent form of the point, but also more generally about the interest or importance of requirements that apply to the society as a whole.

Enoch is surely right, in one sense, when he writes that, "Political philosophy is essentially about multiple agents."⁵² Much of political philosophy will concern questions about how one agent or set of agents ought to act given how other agents will act. There is also a stronger possible thesis worth addressing, namely that questions about what an agent or set of agents ought to do, given how that very agent or set of agents will act, are of only the most marginal importance or interest in political philosophy. The *main* questions for political theory may seem to be (what we are calling) multi-agent questions: What ought the state to do given what the citizens will do? What ought certain activists to do given what other citizens will do? And so on. There is no dispute about whether questions of that form are highly important and in no way marginal. The question at hand is whether they are, more or less, *the* real subject of political philosophy.

To test that suggestion, consider the following thought experiment, focusing on the state as one agent operating in an environment where the citizens are the other agents: Can you devise a scenario in which the state acts exactly as it should given how the citizens will act, and yet this is patently not a just society? This is rather easy, I think. Suppose that a virulently racist citizenry would furiously and successfully resist fully equal civil rights, and these are genuinely, but not terribly, unequal at present. Plausibly, at least, the state ought not to press ahead with that agenda if there is virtually no chance of success (lower the chance as much as you need to in order to accept this assumption), and an overwhelming likelihood (again, set this where you need to) that it would lead to civil war, still with no hope of equal civil rights at the end. Indeed, we might add the supposition that in the imagined conditions the most likely outcome of such a civil war is destruction of even the modest degree of equality in the *status quo ante*. In this case, the state that retreats from the egalitarian agenda does as it should given what the citizens will do. But this is patently not a just society. The question of what the state should do is not the question of what social justice requires of this society.

We can try a similar thought experiment, focusing on citizens as agents (not counting the state as a citizen): Can we devise a scenario wherein the citizens do just what they should given what the state will do, but in which the society is nevertheless patently unjust?⁵³ Again, this seems easy. Suppose the society is structured by a racist constitution, and the state is virtually guaranteed to continue to entrench the racist nature of its structure, the citizenry being unfortunately powerless to change this. In that case, whatever the citizens ought

to do, suppose they do it. This will nevertheless be an unjust society. The question of what the citizens should do given what the state will do is not the question of what social justice requires of that society.

The line of argument generalizes as follows: no account of what some agents ought to do given what others will do could capture the requirements of full social justice if, as will often be the case, the actions of those others, which are taken as given by that approach, already constitute social injustice. This is not meant to question the obvious importance of such multiperson requirements. Rather, the upshot, as I see it, is this: it would be an important mistake to infer from the fact, if it is one, that practical proposals concerning improving social justice must normally operate under the constraint that full justice will not be achieved, that this constrained practical domain is the true locus of the requirements of social justice.

Now, Enoch agrees that, “the fact that an aspirational theory may be hopeless, and that it may therefore not be the best guide to practical goal-setting, doesn’t show that it’s false.”⁵⁴ If that is granted, it might nevertheless seem that the requirements of social justice must be of little interest or importance. I will address this question directly in chapter 17. For now, I ask the reader, have you now lost interest in the kinds of injustice posited in the two examples of deeply rooted racism just above? You might even ask this imagining yourself as part of the oppressed racial group in those examples. Is that fact of racism, even if is categorized as social injustice, not of any great importance unless there is, fortunately, something that some agents other than society as a whole could and ought to do to change it? I have not tried to disprove that possible view, but I doubt many will find it an attractive position.

INDEX OF EXAMPLES AND PROPOSITIONS

Note: Page numbers in italic type indicate where the example or proposition is explained.

- Ability Bridge Principle, 127–28, *127*
Action Is All, *307*
Anti-relativism, *46*
Argument from Cruelty, *136*
Argument from Partiality, *136*
- Bent View, *13*, 103–4, 105, 111–12, 114, 129, 133, 137, 144, 173–74, 336n2
- Conditional Analysis of Ability, *246*
Conditional Analysis of Plural Ability, *246*
(Context Independent) Summation, 283–87, *283*
Contextual Holism, *283*
Contextual Summation, *283*
- Difference Principle, 13, 18–19, 179, 182, 281–82, *281*
Distributivity, *154*, 156–58, 161–63, 235, 251. *See also* Plural Triggered Distributivity; Restricted Distributivity; Individual Triggered Distributivity
Doctor Divot, 216–17, *216*
- Epistemic Conception of Free Speech, 288–89, *288*
Equal Basic Liberties, 281–82, *281*
- Fair Equality of Opportunity, 281–82, *281*
Fallacy of Approximation, 272–303, *275*
Follow-through, *157*
Forbidden Pair, 159–60, *159*
Fundamental Political Principles, *116*
- Glass Bridge, 110–11, *110*
Good Motives Slice and Patch, 240–41, *240*
- Heterogeneous Oughts, 161, *162*
Human Nature Constraint, 28–29, 28, 86–89, 87, 336n2
- Individual Triggered Distributivity, 234–35, *234*
Institutional Principles, *116–17*
Institutional Proposals, *116*
Instrumental Value as the Only Kind, *307*
Intellectual Practicalism, *308*
- Line behind Bill, *29*
Luck Egalitarianism, 45–48, *46*, 181
Luck Egalitarianism (constitutive), 47–48, *47*
Lying example, *27*
- Mastodon Hunt, *245*
Messy Bill, 28, 97, 99, 101–3
Methodological Comparativism, *264*, 269
Methodological Conservatism, *267–68*, 268–69
Methodological Practicalism, *262*, 264
Missing Emergency Problem, *227*, 232
Mitigating Motive Bridge Principle, *128*
Moral Failure, *33*
Moral Fundamentalism, 45–48, *45*
Motivational Incapacity, *91*
Mutual Assured Destruction, *241*, 242
- Naturalism, *46*
Negative Synergy, 285–86, *285*
No Agent without Subjective Reasons, *218*
Nonconcessive, *31*
Normative Intellectual Practicalism, *308*
No Violating Agent, *33*
No Wrong without Obligation, *33*
- Optimal Rules (schema 1), 46–48, *46*
Optimal Rules (schema 2), *47*
Organic Holism, 283–84, *283*
- Plural Ability (PA), *244*, *247*
Plural Requirement Entails Individual Ability, *244*
Plural Triggered Distributivity, *235*

- Plural Trying (or Setting Out), 247
- Political Moralism, 41–42, 41, 60
- Positive Synergy, 285
- Practical Conservatism, 268
- Practicalism, 4–5, 35–39, 239–40, 239, 269–70, 304–15, 306, 328. *See also* Intellectual Practicalism; Methodological Practicalism; Normative Intellectual Practicalism
- Principle Idealism, 40–41, 40, 256–57
- Professor Procrastinate, 29–30, 29, 36, 152–59, 161–62, 190–92, 208, 209, 216, 235, 250–51
- Proposal Realism, 40, 256–57
- Pure(-ish) Freedom of Speech, 297–302, 297
- Restricted Distributivity, 348n4
- Robust Prime Justice, 32, 193–94, 193
- Satisfaction Triggers Obligation, 236
- Slice and Patch Go Golfing, 33, 44, 137–38, 210–18, 211, 220–22, 224–29, 232, 234, 354n7
- Smokers. *See* Stranded Ambulance
- Standard Formulation of Second Best, 276
- Stash and Burns, 213
- Stranded Ambulance, 217–18, 217, 222–29, 234, 242
- Strong Negative Synergy, 286
- Superset Principle, 274, 275–82, 284–87
- Superset Thesis, 284
- Traffic Jam, 291–92, 291
- Two Out of Three (Pills) Ain't Bad? 272, 274, 291
- Typicality Adds Nothing, 102–3, 102
- Unbelievable Moral Progress Game, 260–61, 260
- Unearthed Rawlsian Principle, 175–77, 175
- Violations Are by Agents, 215

GENERAL INDEX

- Aas, Sean, 357n32, 357n35
- ability: conditional analyses of, 92–99;
incentive-induced, 130–32; in individual and collective cases, 126–29; motivation in relation to, 88–91; plural, 243–48; and plural requirement, 235–36; probability distinguished from, 85–86. *See also* bringing oneself to; ‘can’t will’
- ability condition, 89
- Aboodi, Ron, 366n14
- actualism, 151–52, 156, 161–67, 250
- Adams, Matthew, xvi
- agential conception of morality, 42–44
- agential oughts, 169–71
- agents: easy, 219, 221, 223, 238; groups as, 127, 208, 209, 217–22; knowledge possessed by, 214–15; moral obligation of, 214–16; one-person case, 216–17; prospective, 223. *See also* collective action
- Allam, Hannah, 362n15
- Alston, William, 364n1
- altruism, limited, 117
- Amighetti, Sara, xvi
- Anderson, Elizabeth, 87, 117, 346n23, 346n24, 355n13
- anti-idealism, 21
- anti-moralism, 21, 50–60
- approximation. *See* structural approximation
- Arendt, Hannah, 207
- Aristotle, xi, 329
- Arneson, Richard, 338n11, 350n15
- Arpaly, Nomy, xvi
- Arrow, Kenneth, 219
- Austin, J. L., 93
- Avedon, Richard, xi
- bad facts, 174, 182–83, 185–86
- Baldwin, James, vii, xi, xii, 333n1
- Barry, Brian, 340n13
- Barry, Christian, xvi
- basic research, 311–13
- basic social structure: justice in relation to, 13–15, 19, 29–32, 189; moral conception of justice and, 145; motives in relation to, 82
- behavioral need, 66–67
- Bellamy, Richard, 341n3
- Bentham, Jeremy, 11
- Bertea, Stefano, xvi
- bias, implicit, 113–14
- Björnsson, Gunnar, 357n31, 358n13
- blameworthiness, 104, 108–11, 125, 129, 137, 228–29, 233, 242, 322
- Blöser, Claudia, xvi
- Bobo, Lawrence D., 359n7
- Bojanowski, Jochen, xvi
- bootstrapping constructivism, 186–87
- Bowman, Derek, 357n32
- Bradley, Ben, 362n19
- Brennan, Geoff, xvi, 358n17
- Brettschneider, Corey, xvii
- bringing oneself to, 20, 28–29, 87–94, 96–100, 104, 128, 135
- Bronfman, Aaron, 363n10
- Broome, John, 349n11, 354n3
- Browder, Felix E., 365n5
- Brown, Campbell, 355n12, 362n22
- Brown, Mark, 170–71
- Brownstein, Michael, 345n19
- Buchanan, Allen, 359n8
- Buckle v. Vale*, 300
- Buddeberg, Eva, xvi
- Build and Comply requirement, 30, 35–36, 39, 116–17, 150–52, 155–65, 167–68, 185, 191, 197, 280, 305
- Bush, Stephen, xvii
- campaign finance restrictions, 296–302, 364n16
- ‘can’t bring oneself to.’ *See* bringing oneself to
- ‘can’t try,’ 97, 247
- ‘can’t will,’ 90–94, 96, 98, 102–3, 105, 128, 139, 156

- Carens, Joseph, 115–17, 135, 317, 342n17
Carens market, 103, 115–17, 305
Carr, E. H., 52–54, 337n3
categorical comparativism, 263
causal determinism, 90, 96
Chabon, Michael, 3
Chang, Ruth, 340n3
child rearing, 134–35
Chisholm, R. M., 343n33
Christensen, David, 364n3
circumstances of justice: defined, 62–63;
Hume and, 45, 62–63, 65–66, 68–69,
76; moral deficiency as, 75–78; Rawls
and, 62, 72, 75, 76–77
Citizens United, 364n16
Cladis, Mark, xvii
clinical motives, 94, 97, 99, 113, 133
Coates, Ta-Nehisi, 255, 304
Cohen, G. A., xvi–xvii, 333n1, 338n21,
339n35, 340n13, 341n11, 347n9,
347n17, 358n7, 358n15; on facts and
moral standards, 174–82, 198; and
ideal theory, xiii, 10; on incentive-
induced abilities, 132; on justice, 14–
15, 316, 330; on justice and morality,
45–47; on ‘ought implies can,’ 124;
overview of theory of, 19–20; on prin-
ciples, 106; on Rawls, 141, 175–83
collective action: ability for, 126–29; ex-
cuses for, 126–29, 137–40; moral prob-
lems of, 210–12; possibility of, 125–26;
prospective agency and, 223. *See also*
group agents; plural obligation, puzzle
of; plural requirement
Collins, Stephanie, xvi, 356n30, 366n10
comparativism, 262–69
competition, as source of the question of
justice, 62–63, 74–75
complacent realism, 5, 168
compliance. *See* moral compliance; prin-
ciples/standards/requirements of jus-
tice: compliance with; unilateral
compliance
concessive/conditional dilemma, 189–90,
195–96
concessive principles/requirements, 149–
72; actualism and, 166–67; Build-and-
Comply requirement and, 150–52,
155–66; defined, 6, 31, 164; nested,
167–69; nonconcessive vs., 20, 29–31,
149–50; no privilege among, 31; Pro-
fessor Procrastinate and, 152–56; value
of, 165
conditional intentions, 226–27, 232
conjoining, 190
Connell, William J., 333n3
Connolly, William, 341n3
consequentialism, 212–14
constructivism: bootstrapping, 186–87;
Rawlsian theory as, 178–79, 182, 183–
84; theory of justice based on, 183–85
contracts, as basis of justice, 140
conventions, rules compared to, 65, 67
coordinate motives of justice, 68–69, 76
countervailing deviation, 273, 289–303
“critical theory” principle, 57–60
“critical sense” principle, 57–60
“crooked timber of humanity,” 12, 114, 143,
151, 173. *See also* human nature
cruelty, 136
Culp, Julian, xvi
culprit problem, 174, 190, 196

Dancy, Jonathan, 345n13, 361n5
danger concern, 257, 290
D’Cruz, Jason, 363n3
demanding moral theories, 102, 119,
135–36
democracy, 56–60, 299–302
deontic agential moral requirements, 43,
169–72, 219, 221, 232, 234–38, 245,
248, 318–19
deontic oughts, 169–71
Dershowitz, Alan, 150
determinism. *See* causal determinism
Dietz, Alexander, 354n1
differential care, 179–80, 182
disabling motives, 94, 98–100, 110, 114,
132–33
disagreement: moral, 48; as source of the
question of justice, 62–63, 74–75
discrimination. *See* bias, implicit;
nondiscrimination
distant worlds, 352n7
distributive injustice, 237
Doris, John, 366n12
Dorsey, Dale, 355n15
dreams, pursuit of, 258–59

- Dreier, Jamie, 349n15
Dunn, John, 341n3
Dystopia, 25
- easy agents, 219, 221, 223, 238
Edmundson, William A., 221–22
eligible patterns, of justice, 70
Emery, Nina, 341n11
Engels, Friedrich, 8, 9, 10
Enoch, David, 22–24
Euthyphro problem, 55, 176
evaluative oughts, 169–71, 209, 234
excuses: for actions or omissions, 104–5, 108–11; in individual and collective cases, 126–29, 137–40; for injustice, 137–40
- Fabre, Cecile, xvi
facts. *See* bad facts
factual detachment, 159, 238
fallacy of approximation, 152
family, disabling motives concerning, 132–35
feasibility: motivational, 141–43; as plural ability, 243–48; political philosophy and, 22, 83, 141–43, 317
Fermat's Last Theorem, 314
formalism, xiv–xv
Forrester, James, 349n8
Forst, Rainer, xvi
Fourier, Charles, 8, 134
Frankfurt, Harry, 91, 108, 343n33
Frazer, Michael, 334n15, 366n11
freedom of speech, 288–89, 292–93, 297–302
Fuchs, Tobias, 359n4
full compliance theory, 120
full social justice: alternatives to theories of, 329–30; defense of value of, 18, 21, 24, 26, 261–62, 294–95, 316–28, 331; factual circumstances determinative of, 174, 183; as ideal theory, 9, 18; prime, nonconcessive justice as, 31–32, 189, 191–92, 331; Rawlsian conception of, 141; realism and, 21; structural approximation of, 272–87
- Galston, William, 341n3
game theory, 293
- Gardner, Martin, 365n11
Gaus, Gerald, xvi, 334n16, 359n1, 359n3, 360n19, 365n3
Gauthier, David, 351n25
Gavron, Daniel, 347n15
Geuss, Raymond, 337n1, 339n26, 341n3
Gibbard, Alan, 212, 355n10
Gilabert, Pablo, xvi, 341n4, 342n21, 343n32
global prime justice, 189, 199–201
global prime requirement: defined, 22, 30–31, 188; justice-related, 31, 191–92, 194–97; plural requirement and, 32–34, 249
Goldman, Alvin, 364n1
Goldman, Holly S., 344n3, 344n4, 348n2, 356n17
Goodin, Robert, 357n31, 361n7
Goodman, Rachel, 364n18
Gourevitch, Alex, xvii
Graham, Peter A., 344n9
Gray, John, 341n3
Greene, Amanda, 363n4
Greenspan, P. S., 348n2
group agents, 22, 127, 208, 209, 217–22
Guyer, Paul, xvii
- Habermas, Jürgen, 271–72
Halliday, Dan, xvi
Hamlin, Alan, 346n29
Hammond, Peter J., 360n16
Hampshire, Stuart, 341n3
Hardin, Russell, 355n9
Hardy, G. H., 313–14, 364n4
Harel, Alon, xvi
Harman, Gilbert, 366n12
harsh theories, 119, 135. *See also* demanding moral theories
Hart, H.L.A., 242, 340n10
Hawthorne, Geoffrey, 341n3
Healy, Richard, 363n3
Hitler, Adolf, 165
Hobbes, Thomas, 62–63, 76
Holton, Richard, 81, 91
Honig, Bonnie, xvii, 341n3
Honoré, T., 242
Hooker, Juliet, xvii
hope, 10
hopeful realistic normative theory, 119–20

- hopeless theory, 84, 118–20, 169
- Hornsby, J., 344n34
- human condition, 203
- human nature: as constraint on moral standards, 12–13, 28, 86–89, 134–37; socialist theory of justice and, 115–17. *See also* ‘crooked timber of humanity’
- Humberstone, I. L., 348n2
- Hume, David, 45, 62–63, 65–66, 68–69, 76, 340n14
- Hurka, Thomas, 338n14, 362n19, 362n22, 365n7
- idealism: benefits of, 258–61, 269–70, 294–95, 331; dangers of, 256–59, 290; in political philosophy, 3–5, 10, 16–18; about principles, 40–41, 151; pursuit of, 258–59; realism vs., 331
- idealized democracy, 299–302
- ideal/nonideal theory debate, 83
- ideal theory: and complete and universal moral virtue, 120–21; correctness of, xiii, 3–4; criticisms of, 16–18; full compliance and, 120; Mills on, 16–18; prevalence of, xiii; value of, xiii, xiv, 4, 7, 270, 331
- implicit bias, 113–14
- impossibility, of actions, 85–86
- incentive-induced ability, 130–32
- individual prime requirement, 30
- informed concern, 37–38, 318–28
- injustice: concessions to, 195–201, 240, 243; countervailing deviation and, 291–303; excusable, 124–25, 137–40; ideal theory criticized for ignoring, 17–18; moral attitudes in relation to, 37–39, 318–19, 322–23; plural requirement and, 209–10, 229–30, 232–33, 246, 318
- insistent motives, 108–11
- institutional countervailing, 295–303
- intellectual work, value of, xiii, 35–36, 304–28
- interfering motives, 103–11
- Jackson, Frank, 156, 158, 166, 214, 218, 220–22, 238–39, 336n3, 348n2, 352n4, 353n1
- Jamieson, Dale, 359n8
- Jevons, William, 360n16
- judgmental oughts, 169–70
- Julius, A. J., 356n27
- justice: artificiality of, 73; basic social structure in relation to, 13–15, 19, 29–32, 189; comparisons of, 262–69; concessive vs. nonconcessive principles of, 31; conditions for, as competition and disagreement, 62–63, 65–66; constructivist theory of, 183–85; contract-based, 140; individuals’ action requirements for, 126–27; informed concern for, 37–38, 318–28; as ingredient in basic social structure, 19; mitigating motives and, 111–17; moral attitudes in relation to, 37–39, 318–19, 322–23; moral compliance in relation to, 32; moral conception of, 144–45; morality in relation to, 50, 194–97; as moral standard, 42–45; multiple realizability, 70; need for mechanism of, 72–74; overview of, 13–16; political conception of, 141–45; politics in relation to, 64; as recipe for basic social structure, 19; reciprocity in relation to, 207–8; socialist theory of, 115–17; specifications of, 70–71; thick, 15; thin, 15; as a value, 36–37; as virtue in context of vice, 188. *See also* circumstances of justice; injustice; principles/standards/requirements of justice
- justification, for actions or omissions, 104–5
- Kagan, Shelly, 346n26, 347n17, 362n23
- Kant, Immanuel, 12, 173, 213, 316, 350n2, 351n25
- Kavka, Gregory S., 340n9, 346n31
- Kelly, Daniel, 345n19
- Kennedy, Edward (Ted), 260
- Kennedy, Robert, 259–60
- Khalek, Nancy, xvii
- Kibbutzim, 134
- Kiesewetter, Benjamin, 251, 343n31, 348n5, 349n14
- Kim, Hwa Young, xvi
- Kitcher, Philip, 359n8, 365n8
- Kratzer, Angelika, 349n13
- Krause, Sharon, xvii
- Krysan, Maria, 359n7

- Lai, Ten-Herng, 363n8
Lancaster, K. J., 273–76, 278, 346n25
Lamore, Charles, xvi, xvii, 49
Lawford-Smith, Holly, xvi, 341n4, 343n32, 356n26
LeBar, Mark, 339n2
legitimacy: defined, 57; of political standards, 57–60; Rawls's liberal principle of, 142
Lehrer, Keith, 344n35
Leopold, David, 334n13, 347n15
lesser needs, 156–66
Lewis, David, 343n30
Lewis, Tal, xvii
liberal principle of legitimacy, 142
limited altruism, 117
Lipsey, R. G., 273–76, 278, 346n25
List, Christian, 219, 337n9, 348n22
Luper, Steven, 353n18
Lynch, Michael, 364n1
- Machiavelli, Niccolò, xii, 5, 25, 51, 53, 329, 333n3
Maier, John, 342n24
“making sense” principle, 57–60
Marcuse, Herbert, 25, 288–90, 292–93, 297, 301
Margalit, Avishai, 361n7
Marusic, Berislav, 344n37
Marx, Karl, 8, 9, 10, 54, 68
Marxen, Chad, xvi
mathematics, value of, 310–15
McKinsey, Michael, 349n12
McMahan, Jeff, 333n6, 349n18
McNamara, Paul, 349n9
McQueen, Alison, xvi, 337n1
mechanism of justice, need for, 72–74
“men as they are,” xii, 5–6, 82
Mendola, Joseph, 343n27, 343n32, 344n36, 356n19
Mill, John Stuart, 288–90, 292
Miller, Christian, 366n12
Miller, David, 323, 366n11
Mills, Charles, 16–18, 290, 292, 336n1
minimalism, about political standards, 57–59
mitigating motives, 104–17, 128
Moody-Adams, Michelle, 359n8
Moore, G. E., 46, 282–84, 286–87, 362n13
moral attitudes, 37–39, 318–19
moral collective action problems, 210–12
moral compliance: justice in relation to, 21, 29, 32, 123, 193, 195, 198–200, 202; plural requirement for, 34
moral deficiency, as circumstance of justice, 75–78
moral dispositions, 225–27
moral hazard, 179–80
moral individualism, 43, 338n9
moralism, political, 40–41. *See also* anti-moralism
morality: agential conception of, 42–44; constructivist theory of, 183–85; disagreement in, 48; and informed concern, 324; justice in relation to, 40, 42–45, 50, 194–97; knowability of, 203; mitigation of, 104–11; naturalism and, 45–46; politics in relation to, 48–50; progress in, 259–61; as rationalization, 52–53
moral luck, 227–29
moral particularism, 275
moral perfection, 122–23
moral standards: concessive, 192; facts in relation to, 174–87; justice standards as, 232; minimalism about, 57–59; not prior to politics, 51–56; practice-relative, 56; produced by politics, 55–56
moral virtue, 323–26
More, Thomas, 329, 333n3
Morgenthau, Hans, 40, 53, 149, 163, 337n3
motivational capacity condition, 87–89
motives: ability in relation to, 88–91; basic social structure in relation to, 82; clinical, 94, 97, 99, 113, 133; for compliance with justice, 65, 67–69, 76; disabling, 94, 98–100, 110, 114, 132–33; insistent, 108–11; interfering, 103–11; mitigating, 104–17, 128; plural requirement and, 240–42; qualified approach to deference to, 105–8; selfishness, 101–3; severe, 105, 108–11; weighty, 105–8. *See also* bringing oneself to; ‘can’t will’
Mouffe, Chantal, 341n3
multiple agents, 22–24
multiple realizability, of justice, 70
mutual advantage, 63, 73–74

- Nagel, Thomas, 87–89, 101, 107, 141,
344n5, 345n10, 357n33
naturalism, 45–46
nepotism, 199–200
Newey, Glen, 341n3
Ng, Yew-Kwang, 361n7
nihilism, 53–55
nonconcessive principles/requirements,
31; as aspirational, 84–85; concessive
vs., 20, 29–31, 149–50; conditional re-
quirements for, 190; fact-ignoring
character of, 121–22; institutional ca-
pacity of, 117; practicality of, 35; pri-
macy of, 30, 31, 188; Utopian propos-
als distinguished from, 11–12. *See also*
principles/standards/requirements of
justice
non-deontic agential moral requirements,
43, 171, 221, 236–37, 250
nondiscrimination, 114
nonideal theory, xi, 7, 16–18, 83, 271, 279
nonmoral disvalue, 223–24
normative theory, 118–19
Nozick, Robert, 18, 304
Nussbaum, Martha, 359n8

Obama, Barack, 259–60
obligations, requirements compared to,
171, 233
OIC. *See* ‘ought implies can’
Ollman, Bertell, 334n13
O’Neill, Onora, 120–21
organic unity, 282–87
original position (OP), 175–83
‘ought implies can’ (OIC), 20, 26–29, 86,
93, 124, 127, 131, 236, 243–44, 248
ought-statements, 169–72, 209

Pareto optimality, 73, 293
Parfit, Derek, 212, 214, 220–23, 337n7,
353n1, 356n20, 356n21, 365n5
Pargetter, Robert, 156, 158, 166, 336n3,
348n2, 352n4
Parr, Tom, xvi
partiality, 132–33, 136
particularism, 345n13
partitionism, 262–69, 360n13
perfection. *See* moral perfection
Peter, Fabienne, xvi
Pettit, Philip, 219, 337n9, 348n22

Philp, Mark, 341n3
Pidgen, Charles, 339n24
Plato, xii, 90, 134, 176, 329
Platonism, 45–48
plural obligation, puzzle of, 33–34, 44,
207–30; agents’ knowledge, 214–15;
group agents, 217–22; moral disposi-
tions, 225–27; moral luck, 227–29;
nonmoral disvalue, 223–24; one-
person case, 216–17; prospective
agency, 223; unilateral compliance,
222–23
plural ought implies can question, 243
plural requirement (PR), 231–51; ability
and, 235–36; agential aspects of, 231,
236; characteristics of, as a require-
ment, 171–72; conjunctive version of,
233; and deontic obligation, 234–39;
disjunctive, 237–38; distributivity and,
234–35; good motives and, 240–42;
hybrid (agential–non-agential) char-
acter of, 216, 221, 236; and injustice,
126, 137–39; non-agential standard of,
45, 209, 233; and ‘ought implies can,’
243–44, 246, 248; practicality of, 239–
40; of prime justice, 32–34; prime jus-
tice and, 249–51; as structural injus-
tice, 232–33; types of oughts
applicable to, 169–71
Podgorski, Abelard, 352n7
Pogge, Thomas, 350n8
political moralism, 40–41
political philosophy: and ability/probabil-
ity distinction, 86; feasibility issues
for, 22, 83, 141–43, 317; idealistic vs.
realistic approaches in, 3–5, 10, 16–18;
moral perfection in relation to, 122–
23; multi-agent questions in, 23; prac-
ticality of, 305, 311–15; value of,
316–28
political realism, 41, 53, 56–57, 83, 337n1.
See also realism
politics: justice in relation to, 64; morality
in relation to, 48–50; priority to, seen
as error of moralism, 51–56
Portmore, Douglas, 344n3, 344n9,
344n37, 349n15, 357n31, 357n32
possibilism, 152, 166–67
Powell, Russell, 359n8
PR. *See* plural requirement

- practical reason, 104
practice-relativity view of political standards, 56–57
prerogatives, 107–8, 134–37
present-polishing concern, 290
prime justice: defined, 31, 188–89; as full social justice, 31–32, 189, 191–92, 331; global, 189, 196–201; hopefulness of, 192–94; knowability of, 202–3; plural requirement and, 32–34, 249–51; robust, 32, 193–94; specific, 189, 196–201
priming, 190–91
principles/standards/requirements of justice: applicability conditions of, 65–66, 68, 72, 74–75; benefits of studying, 269–70; compliance with, 65, 67–69, 76, 120, 184–85, 193–94; dangers of defending/advancing, 257–58; defined, 26; facts in relation to, 174–87; idealism about, 40–41; as moral principles/standards/requirements, 232; practicality of, 316; probability in relation to, 83–85; proposals distinguished from, 11–12, 26, 256–57; resting on, vs. operating on, facts, 177; rules compared to, 20, 64–70, 177–78; selfishness no exemption from, 101–3. *See also* nonconcessive principles/requirements
Pritchard, Duncan, 366n17
probability: distinguished from ability, 85–86; requirements of justice in relation to, 83–85
problem of second best, 262, 272–82, 284–87
production view of political standards, 55–56
progress, moral, 259–61
proposals: principles distinguished from, 11–12, 26, 256–57; realism about, 40; Utopian, 11–12
prospective agency, 223
pure tolerance, 288–90, 297
RA. *See* reciprocal ability
Räikkä, Juha, 341n4, 361n7, 361n12
Rawls, John, 339n3, 339n29, 344n5, 346n32, 360n13; on basic liberties, 289, 295–96, 363n15; and circumstances of justice, 62, 72, 75, 76–77, 340n14; Cohen's critique of, 141, 175–83; and concessive requirements, 149, 164; difference principle of, 18–19; and fallacy of approximation, 292; and full compliance theory, 120, 193–94; on human capacities for justice, 87; and ideal theory, xiii, 7, 10, 255; on justice and facts, 175–82; on justice and morality, 32, 42–43, 56, 338n9; Mills's critique of, 16–18; and minimalist moralism, 59–60; and the original position (OP), 175–83; on political philosophy's constraints, 82; principles of just society for, 281; on purpose and practice of political theory, 5–6; and realism, 140–46; on realistic Utopianism, 334n7; on second best arrangements, 271, 288; on social structure and justice, 13–16, 43, 337n8, 338n10
realism: complacent, 5, 168; dangers of, 258–59, 261; idealism vs., 331; moralism vs., 40–41; in political philosophy, 3–5, 10, 16–18; about proposals, 40; Rawls and, 140–46; specific prime justice and, 197–99. *See also* political realism
reciprocal ability (RA), 244–45
reciprocity, 207–8
reconciliation, 203
Regan, Donald, 212, 214, 353n1, 356n30
Renzo, Massimo, xvi
requirements, obligations compared to, 171, 233
rightness, subjective vs. objective, 220
Roedder, Erica, 345n19
Rogers, Melvin, xvii
Rommel, Erwin, 165
Rorty, Richard, 359n8
Rosen, Gideon, 366n15
Ross, Jacob, 362n14
Rossi, Enzo, 56, 338n20
Rousseau, Jean-Jacques, 5–6, 333n6
rules: conventions compared to, 65, 67; need for, 66–67; principles/standards/requirements of justice compared to, 20, 64–70, 177–78
Russell, Bertrand, 52–54
Ryle, Gilbert, 98, 343n33

- Sangiovanni, Andrea, 56, 57, 337n3, 338n20, 361n5
- Sankaran, Kirun, xvi
- Sartorio, Carolina, 354n7
- Saul, Jennifer, 345n19
- Scanlon, T. M., 184, 344n8
- Schechter, Josh, 341n10
- Scheffler, Samuel, 130, 132, 136–37, 346n26, 347n9, 347n17
- Schink, Philipp, xvi
- Schmidtz, David, 346n30
- Schroeder, Mark, 338n15, 354n4
- Schuman, Howard, 359n7
- second best. *See* problem of second best
- selfishness, 101–3
- Sen, Amartya, 19, 262, 269, 325, 360n13, 360n14, 360n15, 366n16
- severe motives, 105, 108–11
- Shelby, Tommie, 363n3
- Shklar, Judith, 341n3
- shyness, 108–9
- Sidgwick, Henry, 7–8, 170, 188, 202, 234
- Simmons, A. John, 346n28, 360n2
- Singer, Peter, 341n2, 346n26
- slavery, 149–50
- Smith, Adam, 231
- Smith, Holly, 344n37
- Smith, Michael, 366n14
- Smith, Thomas H., 354n1
- Sobel, Howard, 348n2
- social conventions. *See* conventions
- socialist theory of justice, 115–17
- social justice. *See* justice
- social rules. *See* rules
- social structure. *See* basic social structure
- Socrates, 327
- Sosa, Ernest, 364n1
- Southwood, Nicholas, xvi, 342n21, 344n37, 358n16, 358n17, 359n9
- specifications, of justice, 70–71
- specific prime justice, 189, 196–201
- Spencer, Douglas, 364n16
- Spencer, Herbert, 7–8
- standard for just arrangements, 71
- standards of justice. *See* principles/standards/requirements of justice
- Steeh, Charlotte, 359n7
- Stemplowska, Zofia, xvi, 341n5, 346n29, 356n16, 359n18
- structural approximation: countervailing deviation and, 289–303; fallacy of approximation and, 272–87
- Sturgeon, Nicholas, 342n18
- success conditional, 92–96
- Sunstein, Cass R., 361n7
- Swift, Adam, 341n5, 346n32, 364n2
- Syme, Timothy, 335n25
- Tännsjö, Torbjörn, 356n20
- tax schedules, 178–79, 181
- Thalberg, Irving, 343n29
- Thatcher, Margaret, 207
- thick justice, 15
- thin justice, 15
- Thomason, Richard H., 348n2
- tolerance. *See* pure tolerance
- Tomasi, John, xvii
- trying conditional, 94–98
- Turri, John, 366n17
- unilateral compliance, 222–23
- utilitarianism, 119, 212, 355n10; act utilitarianism, 212, 355n10; rule utilitarianism, 355n10
- utility maximization, 293
- utility theory, 266
- Utopian blueprints, 8–10, 25–26
- Utopianism: criticisms of, 5–6, 8–12, 26; debates about, 6–7; Nagel's critique of, 87; principles vs. proposals in, 11–12; realistic, 334n7
- Utopian socialism, 8
- Utopophobia, 6, 26
- Valentini, Laura, xvi
- Vallier, Kevin, 337n5
- veil of ignorance, 184
- Vermeule, Adrian, 361n7
- Vesper, Achim, xvi
- Vihvelin, K., 342n21, 343n33
- virtue, 323–26
- virtuosity, in intellectual work, 314–15
- Vranas, Peter B. M., 171
- Waldron, Jeremy, 48
- Walen, Alec, 339n2
- Wall, Steve, 360
- Walzer, Michael, 349n17, 349n18
- Watson, Gary, 366n13

- Weber, Max, 255
Weber, Michael, 337n5
Wedgwood, Ralph, 166, 170–71
weighty motives, 105–8
Wenar, Leif, xvi, 333n1
wide-scope conditional obligation, 160
Wiens, David, xvi, 171, 342n25, 344n5,
358n17, 359n9, 361n4
Wiles, Andrew, 314
Williams, Bernard, 41, 49, 56, 57–60, 103–
4, 170, 171, 337n1, 337n3, 338n20,
341n3, 344n7, 346n26
Wittgenstein, Ludwig, 259
Wood, Abby, 364n16
Woodard, Christopher, 353n1
Young, Iris Marion, 357n1
Zimmerman, Michael, 349n12, 357n34,
362n19