

1. Introduction

Should we bring about a radically egalitarian (or socialist) society in which everyone has extensive and equal access to what they need to lead a flourishing life? Any conception of social justice like this, animated by ambitious principles, faces the common worry that what it prescribes is unrealistic. There are at least three kinds of response to this worry. The first is to make the normative principles of the conception less ambitious and thus more practicable. The second is to dismiss practical concerns about feasibility as irrelevant to the truth of theoretical claims about what justice demands. These responses face further challenges. The first risks surrendering in the face of a morally rotten status quo, and the second fails to illuminate the relation between principles of justice and their fulfillment in the real world. Although I address ways in which these first two strategies could be defended against these challenges,¹ in this paper I focus on the constructive task of developing a third strategy that combines normative ambition and feasibility. I propose a *dynamic approach to the relation between justice and feasibility*. Some feasibility constraints are “soft” rather than “hard”: they are malleable over time (e.g. several cultural, political, and economic mechanisms are soft, while logic and physical laws, when true, are hard). When demanding principles clash with soft rather than hard constraints, an appropriate response may be one that neither deems the principles null nor disengages feasibility considerations. We can use our *political imagination* to envisage alternative ways to fulfill principles in different contexts, and recognize *dynamic duties* to expand our ability to fulfill

¹ Defenders of the first strategy can say that their focus is only on what to do here and now; defenders of the second strategy can say that their focus is not on what to do, but on the truth of fundamental normative principles. See, respectively, Sen 2009 and Cohen 2008, and responses in Gilabert 2012a and Gilabert 2011. For the debate about ideal and nonideal theory see Valentini 2012.

those principles over time. We can thus retain idealism about principles and realism about feasibility and combine them in a way that is practically consequential.

I have identified some scattered elements of this approach in previous work.² Besides identifying elements missed before, in this paper I present a systematic articulation of the approach, and illuminate its significance for the development and defense of ambitious conceptions of justice. In section 2, I explain what feasibility is, why we should care about it, and how we should take it into account when developing normative judgments. In section 3, I propose the dynamic approach to the pursuit of justice, which is focused on the importance of political imagination and the expansion of agents' power to realize ambitious normative principles. This paper presents a program. It offers a conceptual framework to think about the relation between justice and feasibility and a substantive approach to normative problems concerning that relation. Inevitably, some details regarding the issues addressed will not be fully settled. But I hope that this deficiency is offset by the novelty and fruitfulness of the account proposed. Despite the importance of the topic for political philosophy, there is to my knowledge no other similarly systematic account of the relation between justice and feasibility.

2. The nature, importance, and role of feasibility

In this section I explain how considerations of feasibility should be incorporated into our normative deliberations. I propose a framework to guide a form of inquiry that is practical. It is concerned with shaping how we choose to act in the social world. I anchor my exploration in the deliberative stance of agents.³ I organize my exposition by addressing the following three

² Gilabert 2008, 2009, 2011, 2012a, 2012b; Gilabert and Lawford-Smith 2012.

³ I assume throughout that moral reasons are normatively dominant in our deliberation about what to do, so that we never have conclusive reason to do what we have conclusive moral reason not to do, and if we have conclusive moral reason to do something that is the thing for us to do. Furthermore, I concentrate on reasons of social justice, which are central in politics, but what I say could be couched in more general moral terms.

questions: What is feasibility? Why should we care about it? How should we handle feasibility claims?

2.1.What?

The expression "... is feasible" is often used when considering political processes involving individual or collective agents seeking to bring about certain outcomes or states of affairs in certain circumstances. It is used to address the issues whether, and to what extent, the agents in the circumstances have the ability or power to bring about the outcomes they might seek.⁴ Thus, feasibility is a relational concept of power or ability that connects three basic elements: an agent, certain outcomes, and certain circumstances. A schema to articulate this concept is the following. An agent A has the power to bring about an outcome O in circumstances C if and only if O would occur if A tries, in C, to bring it about (and A can indeed try). When we consider specific processes, it is often useful to break down the variable for outcomes into several components. Three such components are (i) the agent's deciding to act; (ii) the agent's acting; and (iii) the action's producing the desired consequences. Thus, when we consider the feasibility of a group of workers obtaining a salary raise by means of strike action we explore the ability of various workers who support the strike action to form the intention to strike, to initiate and continue the strike action throughout the appropriate period of time, and to obtain through their actions the concessions from managers they were aiming at.

As in previous formulations, I understand feasibility claims as involving a conditional: they say what would happen if agents take certain initiatives.⁵ But I now emphasize that this account should be phrased more carefully to include a complex view of outcomes and the assertion that

⁴ In this paper I use the terms "ability," "power," and "capacity" interchangeably.

⁵ Gilabert and Lawford-Smith 2012. Brennan and Southwood 2007 proposed the conditional approach. I am not assuming that feasibility can only be analyzed in this way.

agents can take the relevant initiatives. This ensures that various important issues are not rendered invisible. Thus, there may be feasibility issues regarding the aspects (i)-(iii) mentioned in the previous paragraph. To show that certain desired consequences are feasible for an agent to produce it may not be enough to show that the agent would produce them if they engaged in the relevant actions. One may also have to show that the agent has the power to engage in such actions. Furthermore, to show that performing certain actions is feasible for an agent it may not be enough to show that they would perform them if they decided to do so. One may also have to show that the agents would be able to form the decision to act and sustain the intention to act through the duration of the relevant actions. There are at least three points of discussion about the feasibility of agents' bringing about certain outcomes, concerning whether the agents are able to produce what is mentioned in (i), (ii), and (iii).

Not noticing this complexity makes our moral judgments and our political deliberations poorer, as these often rely on assumptions about what agents are able to achieve regarding (i) and (ii) besides (iii). Here are two examples. We should hesitate to say that it is feasible for Pedro to brush aside the spider that is on the table and is about to attack his helpless friend if his arachnophobia would make him unable to form the decision to engage in the close contact with the spider that is necessary to brush it aside, *even if* he would easily brush aside the spider if he did decide to approach it. If Peter should save his friend, he might do better by asking for assistance from someone else. The challenges the workers face to get their salary raise once striking may be importantly different from the challenges they face when seeking to get their collective action of striking off the ground. Particular workers may find these challenges to be of different levels of difficulty. John may find it hard to bargain well with management (e.g. to express himself boldly and compellingly), and Maria may find it hard to join the strike (e.g. to

overcome her tendency to free ride). John and Maria may still be able to do what is so hard for them, but the degree of feasibility of doing it is affected by the psychological phenomena mentioned. Surely these considerations matter as strike action is planned.⁶

Feasibility claims often have this form: “A (an individual or collective agent) has the power to bring about O (a certain outcome—possibly quite complex, as in (i)-(iii) above—in circumstances C.” This formulation takes feasibility to allow (like possibility) for presence or absence but not degrees. Now, there is a sense of feasibility that is indeed *binary*. It sharply says that an agent is able (or unable) to achieve something in certain circumstances. But we also need to capture another sense of feasibility that is *scalar*. This sense is not an “on/off” one, but is graded. Claims of scalar feasibility have this form: “A has the power to bring about O in circumstances C to the degree, or with probability, P.”

Both senses are relevant for moral and political deliberation. The binary sense is used to conclusively rule out certain outcomes. Feasibility parameters involved here concern, for example, laws of logic and nature. When true, these laws impose *hard constraints*. The strikers

⁶ Estlund 2011 considers whether there are any motivational constraints on requirements of justice. He accepts for the sake of argument that “ought” implies “can do” but explores, and rejects, the different view that “ought” implies “can will.” He claims that there are cases in which an agent ought to do something even if they cannot will to do it. Even if some people are so selfish that they cannot bring themselves to avoid littering when this costs them some extra effort, we think that they ought to do it and do not take their motivational incapacity to block the requirement (pp. 219-20).

A problem with Estlund’s argument is that the examples he picks are not intuitively clear cases in which an agent “can’t will” to do something. The littering case seems instead to involve a prediction that the agent “won’t will” or/and “won’t do” something, which is not obviously requirement blocking. Estlund puts aside what he calls “clinical cases” (involving phobias and other powerful psychological mechanisms—p. 219). But these are the most promising examples of “can’t will.” And he allows that they may block requirements. The cases Estlund focuses on (concerning selfish tendencies) do not seem genuine cases of incapacity but rather cases where willing to do something is hard or unlikely, and so they do not provide a clear counterexample to the claim that “ought” implies “can will,” and when he does consider better candidates for motivational incapacities (as in the case of phobias) he allows that they may block requirements (thus potentially confirming rather than challenging the claim).

A deeper problem is that it is not clear that accepting that “ought to do” implies “can do” is consistent with denying that “ought to do” implies “can will to do,” as Estlund hopes (p. 213). The problem is that “can do” seems to imply “can will to do” if the *doing* we focus on is *intentional*. Intentional action is indeed the focus of Estlund’s discussion (see note 9 below). If the agent cannot will to do something, they cannot intentionally do it. Regarding intentional actions, “ought to do” implies “can will to do” if “ought to do” implies “can do,” because “can do” implies “can will to do.”

cannot succeed if they aim at securing for all workers in a nation at time $t1$ a salary higher than the average salary for workers in the nation at $t1$. The scalar sense engages different feasibility parameters. They are *soft constraints* involving, for example, various economic, political, and cultural mechanisms. These are soft because they are not inviolable. They affect instead the probability of success of the pursuit of certain outcomes. Labor activists are more likely to unionize workers in a country where there is a strong solidaristic political culture than in a country where competitive individualism is rampant even if they are not, strictly speaking, incapable of reaching high-levels of unionization in either context. The previous example concerning John and Maria also engages scalar feasibility. Despite its great importance (discussed below), the scalar sense of feasibility has been neglected in political philosophy. As a result, feasibility claims are often phrased in binary terms when they should instead be graded.⁷

2.2. Why?

In what circumstances, for what purposes, do we talk about feasibility? Different occasions and aims might affect the account of feasibility we go on to develop. Here I focus on issues of justice, and on shaping our normative political reasoning regarding how we should act.

We have, I think, the twin intuitions that we should be wary of both naive idealism and conservative realism. The first surfaces when we pursue outcomes that are desirable but whose feasibility is extremely low, and the latter surfaces when we surrender to a morally rotten status quo, taking as fixed what we could change through lucid action. Political history is full of examples of both failed voluntaristic radical strategies and successful revolutionary changes. These intuitions are important aspects of a desideratum of ethical responsibility and serious care

⁷ The scalar sense is introduced in Gilabert and Lawford-Smith 2012; Gilabert 2012b: chs. 4 and 7; Lawford-Smith 2013. Although I think it is most fruitful to leave soft constraints for scalar treatment, some construe binary feasibility so as to include them (characterizing outcomes as infeasible if the probability that agents would produce them if they try is below some threshold). See Wiens 2015.

for what we bring about (or do not prevent) through our actions (or omissions). To honor these intuitions, to make ethically responsible choices, we should use feasibility considerations that include both the binary and scalar forms.

Binary feasibility claims can be deployed through the familiar “ought implies can” principle.⁸ When we are unable to produce a certain outcome, we take any requirement to produce it to be null. This helps us engage the worry about naïve idealism. It may also help us engage the worry about conservative realism. We can refuse to automatically drop the search for outcomes that are hard, but not such that we are strictly speaking unable to get. The use of scalar feasibility deploys a more diffuse, “feasibility affects all-things-considered choices” principle. It engages the worries about naive idealism and conservative realism in further, more complex ways.

Since the force of binary feasibility is obvious, I will say more about the use of scalar feasibility claims in the responsible generation of all-things-considered choices. This is a crucial area of normative reasoning. Scalar feasibility is important because practical deliberation often involves comparative assessment of strategies on account of their prospects for success. The strikers wonder whether to ask for a 20% raise or a 10% raise. None of the final outcomes (the raises) may be impossible to achieve, but the probability of success may be different. And this may have normative significance. Imagine that the probability of getting the 20% raise is very low and the probability of getting the 10 % raise is very high. If the workers suffer severe economic deprivation, then knowing these probabilities would support a choice of settling for a 10% raise. If their situation were not onerous, taking the risks and going for 20% might be less problematic. In both cases the higher raise is in itself the more desirable outcome. But the probabilities of success are also important in deciding what to choose.

⁸ I do not challenge this principle here. For the debates see Vranas 2007. Southwood 2016 argues that deliberation about what to do is constrained by what can be done.

Consider another example. Celeste is the leader of a political party. She has great political talent and experience, and she is committed to the best views about social justice. She has been the leader for a very long time. She is now considering whether to step down. If she does, Delia will become the new leader. Delia has the same commitments to justice. But she is less talented than Celeste. If they performed at their best, Celeste would help advance social justice more than Delia. However, given her long tenure in a position of power and certain psychological weaknesses, Celeste justifiably fears that she is far more liable to become corrupt than Delia, and thus to end up advancing the cause of social justice less. To make her choice, Celeste has reason to consider not only what she and Delia can do in a binary sense, but also the extent to which, in a scalar sense, each is likely to succeed at fulfilling the ideals they cherish as party leaders.

Conflict with hard constraints renders a putative duty of justice infeasible, and makes its prescriptive force null. Conflict with soft constraints renders a putative duty less feasible to fulfill than it would otherwise be, and might make a dent on its prescriptive force. When we consider soft constraints and scalar feasibility, our question is not whether normative requirements are blocked. We move beyond the application of “ought implies can.” Our question is how, if at all, the probabilities of success in fulfilling various normative ideals if we take various initiatives to do so should bear on our choices about what to do. To avoid naive idealism, we may sometimes have to avoid paths of action that have low probability of success. To avoid conservative realism, we may sometimes have to pursue those very same paths. Soft constraints are real, and they can be overcome. Responsible choice turns on weighing the importance of both points in the relevant circumstances.

To engage in responsible choice, it is important to resist the temptation of imposing fixed thresholds on scalar feasibility assessments to turn them into binary ones. This would be a bad

idea as a general conceptual policy. The problem, from a deliberative standpoint, is that it would disable some fine-grained comparative assessments we need to make when choosing between options that are above or below the threshold. Thus, two options that are above the threshold would count as binary feasible, but we would not focus on whether one is more feasible than the other. However, this is something we have reason to do to choose lucidly between them (e.g. to avoid wasting resources that could be used in valuable ways).

Some might want to use a binary idea of feasibility to apply the principle that “ought implies can” in a way that captures a certain view of agents’ abilities. For example, they might recognize that the concept of ability is different from that of possibility, but characterize ability in binary terms as an agent’s tendency to succeed at producing the outcome they seek to produce.⁹ A tendency to succeed could be characterized by referring to what is at or above some threshold of probability. Now, I think that we should handle this suggestion with care. Sometimes it may be possible for someone to do something even if they are not able to do it (in the binary senses of possibility as not violating hard constraints and of ability as having a tendency to succeed given hard and soft constraints). It is important to consider such cases because some obligations may exist in them. Imagine that a psychopath tells me, “I will kill your son unless you draw a jack of hearts from this shuffled deck in a single draw.” If the threat is credible and my only relevant options are to pick a card or not to pick one, that there is a possibility but not a tendency that I will draw the jack of hearts when picking a card might make a claim that I have an obligation to

⁹ E.g., “A person is able to (can) do something if and only if, were she to try and not give up, she would tend to succeed.” On this view, ability is different from mere possibility. It would be possible for someone to draw a jack of hearts from a shuffled deck in a single draw, although we would not say that they are able to do so (Estlund 2011: 212). For further discussion on probability thresholds see Gilabert 2012b: sect. 7.6. For exploration of different levels of ability (involving differences in the extent to which agents have control over outcomes), see Mele 2003.

draw a jack of hearts awkward, but would not block my obligation to try by picking a card. Extremely low probability below the threshold may keep some obligations running.¹⁰

2.3. How?

How should we incorporate considerations of feasibility into a conception of justice? I will propose a general strategy in the next section. Here I introduce two key distinctions that will enable that strategy. The first is the distinction between *evaluative* and *prescriptive* judgments. As I construe the distinction here, both components make claims about what ought to be done, but they differ in how they handle feasibility conditions because they answer different questions. Schematically, and respectively, the questions are the following: “Ought I to bring about O if it is feasible for me to do so?” “Ought I to bring about O given the actual feasibility constraints I currently face?”¹¹

¹⁰ Alternatively, the notion of ability may be characterized contextually, with thresholds of “tendency to succeed” varying on the basis of various considerations, including value-based ones (e.g. imposing lower thresholds when the stakes are high). But this would involve a mixed concept of feasibility that smuggles desirability considerations. It is better to keep the notions of feasibility and ability descriptive rather than normative, to include a scalar dimension, and to see the combination with value-based considerations as a separate exercise to be undertaken explicitly in ways appropriate to the context at hand.

¹¹ My characterizations are stipulative, and not meant to grasp the wealth of ordinary usage. The key difference between the evaluative and the prescriptive concerns how they relate to feasibility. But consistent with that difference, the evaluative can be construed in various ways. I focus on evaluative claims that range over what one ought to do, and in particular on “oughts” of justice. Notice that these need not have a consequentialist form. They can also include pro tanto deontological norms.

I introduced the distinction in Gilabert 2011 to articulate and discuss Gerald Cohen’s views, especially his claim that there can be requirements of justice that are infeasible. Although I agree that evaluative judgments are crucial, I do not share Cohen’s downplaying of prescriptive judgments in political philosophy. Cohen underestimates the task of identifying what he calls “rules of regulation” (which derive from ultimate, fact-insensitive principles of justice together with facts and/or values other than justice). Such rules are often not something we “adopt” in a weak sense that involves their being “optional” (Cohen 2008: 265-7, 277). The search for the right rules to “adopt” may be as strict as the search for the fundamental principles to “believe” (there may be some that we have most reason to follow in contrast with others). It is, in any case, central for political philosophy. And so is to illuminate judgments of articulation that move from general and hypothetical statements about what ought to be done to specific and categorical ones about what some people ought to do in certain circumstances. The move involves substantive claims that come intertwined with descriptions and evaluations of various facts, and is not a mere exercise of deduction. Think about the identification of what specific liberties should be protected under a general principle demanding equal civil and political liberties.

A final clarification. Evaluative judgments are not contingent upon the feasibility of what they recommend, but they may be sensitive to certain facts. Fundamental evaluative principles identify ideals we should strive for. But their content encodes normative responses to valuable features of human beings (or other entities). Thus, principles

We use evaluative judgments to compare the intrinsic moral desirability of various states of affairs. To do so, we neutralize consideration of feasibility by assuming that we have the power to bring them all about. We can further assume that the probability of our reaching the outcomes if we seek them is 1 (the maximum). For example, we can compare three distributive arrangements in which income accrues to workers in the context of (a) a highly de-regulated competitive economy; (b) an economy where there is competition for jobs but where there are mechanisms securing that those who come from economically poorer backgrounds get support to develop their talents (e.g. via excellent public education); and (c) an economy in which, in addition to the measures in (b), the wages of the less talented are supplemented. If we endorse luck-egalitarianism (the view that it is unfair for some to be worse-off than others through no choice or fault of their own), we would judge that (c) is superior to (b) and that (b) is superior to (a). This judgment is not contingent upon feasibility parameters.

On the other hand, we use prescriptive judgments to identify what we should do once we factor in actual feasibility. For example, if only (a) and (b) are feasible, then it is (b), not (c), that we should go for. The two kinds of judgments involve two different senses of the idea of *injustice*. In the first, there is an injustice whenever the state of affairs that occurs is not among the morally best. In the second, there is an injustice when agents (or agent-controlled institutions) fail to bring about a morally desirable state of affairs they could (and ought to, in the prescriptive sense) bring about.¹²

of liberty may be responsive to the fact that human beings are capable of autonomous judgment. (On the view that fundamental normative principles “reflect,” or as state how to appropriately “respond” to certain features of human beings—or other entities—see Kagan 1998: sect. 7.4.) Consequently, although I agree with Hamlin and Stemplowska 2012: 51 that there is a useful contrast between a “theory of ideals” that identifies various feasibility-independent principles and a continuum between “ideal” and “nonideal theory” that handles their application once considerations of feasibility are brought in, I think that this contrast cannot fully account for the relation between facts and principles. Some forms of fact-sensitivity go beyond issues of feasibility.

¹² The two cases can come apart. The presence of (b) and the absence of (c) could involve an injustice from the evaluative standpoint but not from the prescriptive standpoint. Both senses are worth retaining. Definitions of justice

Both kinds of judgments are crucial. The importance of prescriptive judgments is obvious: they provide a straightforward basis for deciding what to do. But evaluative judgments have several important roles. Here are four. First, they help us develop the right attitude and demeanor towards others. The evaluative judgment that (c) is the best state of affairs would give us reason to approach interpersonal relations under (b) in an appropriate way. The better-off should be somewhat circumspect, and show humility, in their interaction with the worse-off. The inequality, given that (c) is not feasible, may simply be the result of the natural lottery. Second, if we cannot achieve the best outcome in our evaluative rankings, the rankings may help us choose among the remaining outcomes that are feasible. The ranking $(c) > (b) > (a)$ helps us choose between (b) and (a) when (c) is infeasible. Third, keeping this ranking in mind helps if the infeasibility of (c) is temporary. In the future (c) may become feasible. We will then be ready to straightaway go for (c). Finally, (c) may be such that it will become feasible (or more feasible) in the future if we take certain steps in the present to make it so. By keeping (c) in view, we will be on the look for the relevant steps to make (c) accessible. The strategy I propose in section 3 exploits these points at different levels of reasoning in the pursuit of justice.

Notice that by engaging in both evaluative and prescriptive considerations, and by connecting them, we service the intuitions springing from the ethical sense of responsibility and care for the results of our actions (see 2.2). If we only focused on evaluative judgments we would risk naive idealism. If we only focused on our immediate prescriptive judgments, we would risk conservative realism. If, instead, we engage in both kinds of judgments *and explore their*

that range only over states of affairs, or only over feasible actions, would miss part of the picture. An example of the former occurs in Gheaus 2013: 448. Disconnecting justice from feasibility has the advantage of unshackling our exploration of ambitious normative views. The risk is failure to illuminate how they shape our reasoning about what to do in the real world when feasibility is factored in (as eventually it must). Keeping the distinction between evaluations and prescriptions while seeing both as relevant for justice allows us to be normatively ambitious *and* practically lucid. Our ethical sense of responsibility requires both. (I do not claim that Gheaus's account is false, but that it is incomplete: it does not address—although it does not exclude—the prescriptive sense of injustice.)

relations, we can combine normative ambition and political realism, and enable ourselves to choose the best strategies of action for the present and the future. As we do this, we take soft constraints seriously, but also consider whether to go against them (which is, as we will see, a choice we should sometimes make.)

The second key, enabling distinction is more familiar, and can be presented succinctly. It is the distinction between *pro tanto* and *all-things-considered* judgments. A *pro tanto* judgment that we ought to do A is not final. To identify what, conclusively, we ought to do in certain circumstances C, we must factor in feasibility considerations and the full palette of *pro tanto* judgments that bear on the choice in C. Prescriptions are *all-things-considered* judgments, the result of the balancing of various considerations. Thus, there is much debate amongst political philosophers as to whether we should, *all-things-considered*, go for (c) (i.e. what luck-egalitarianism demands).¹³ (c) might be infeasible because we have no epistemic access to the differences in people's natural talents, or to how they affect productive output. Alternatively, this knowledge might be accessible, but to get it we would have to force people to engage in "shameful revelations," or use it to make public decisions that would be humiliating to those deemed to have "inferior" native talents. Obviously, what is happening here is that in addition to the *pro tanto* judgment about fairness supporting luck-egalitarianism, we may hold *other* commitments regarding liberty, privacy, respect, etc., which, given feasibility considerations, may lead to conflicting demands. So to move from evaluations along different axes of appraisal to prescriptions about what to do in certain circumstances we need to balance various *pro tanto* judgments, given feasibility considerations, to reach *all-things-considered* judgments. I will say more about this below. But it is important that recognizing this complexity does not debunk the

¹³ For the challenges see Anderson 1999 and Wolff 1998. Responders acknowledge the tensions, and emphasize the *pro tanto* nature of luck-egalitarianism (Cohen 2008: 7-8, 271; Gilibert 2012c; Swift 2008: 382-7). Egalitarians can be pluralist about normative grounds (Temkin 2009: 155-78). For epistemic issues involved see Herzog 2013: 279.

importance of making evaluative judgments that do not depend on feasibility. We would not be fully alive to this complexity without them. They identify the relevant ideals that make the cases complex. And the complexity is morally engaging and the resulting conflicts tortuous because the evaluative judgments track important reasons of justice.

Let me illustrate the significance of the distinctions made in this section by considering an interesting type of cases for practical judgment. Here agents have to determine whether to pursue a path leading to a morally desirable outcome when its achievement collides with soft but not with hard feasibility obstacles. This situation of choice may be hard to deal with. Recall Celeste. She has reason to choose to stay as leader (she could perform at her best and help achieve more social justice than Delia). She also has reason to step down (she could, and in fact is likely to, become corrupted and help achieve less social justice than Delia). What should be her choice, all-things-considered?

My intuitions are in tension here. On the one hand, I want to avoid an approach that lets agents off the hook and is too deferential to the status quo that is morally rotten. That people will not do something that is morally desirable, or have a very low probability of success even if they try, is not something that can simply dissolve a duty to do it. Only strict inability would have that upshot. Celeste *could* succeed. She ought to go for it. On the other hand, choosing to do something when one is unlikely to, or will not do it may be morally irresponsible. One should be mindful of the harm one may cause, or fail to avert. Predictably, Delia will go further in the pursuit of social justice than Celeste. Celeste ought to get out of the way.

How can we address this situation, in which two conflicting moral conclusions seem warranted: (i) Celeste ought to choose to stay as leader, and (ii) Celeste ought to choose to step down? It would not do to say that (i) is superior to (ii) because it honors moral reasons. Even if

moral reasons are decisive in practical reasoning, (i) need not win. This is because (ii) is also backed by moral reasons. The worry about irresponsibility is a worry about harm or failure to bring about what is right (in this case, social justice).

It is also relevant in this situation that we are not only considering an act, but also an initial choice, a subsequent set of acts, and a certain final outcome. The possibility of failure arises if one chooses to act in a certain way, does some of the necessary acts but not all, and the final outcome fails to materialize. Things would be less complicated if the issue was whether to bring about the final outcome by just pressing a button when one already has a finger on it and could just press it. Extended processes (such as Celeste's activities as leader of the party) include numerous occasions for the agent's will to weaken or lose the right orientation.

An interesting phenomenon here concerns the adoption, by the agent engaging in deliberation, of two perspectives. When Celeste selects (i) she mainly sees herself from the first-person perspective, as a free agent. When she selects (ii) she hesitates, steps back and sees herself as it were from sideways and predicts that she will fail to achieve the outcome if she chooses to pursue it. There is something troublesome, morally speaking, about the third-personal detour. She *can* do it after all. Seeing oneself as a stone helplessly falling from a cliff seems both inaccurate and morally faulty. It is *up to her* to try hard and avoid corruption, isn't it? And yet, one's will is not all-powerful. It would also be a failure of self-knowledge not to notice one's vulnerabilities and weaknesses. Celeste may still act freely when she chooses (ii). But she does so in a way that takes notice of how free choice (if there is such a thing) is surrounded by obstacles and risks such that it may fail to hit its favorite targets.¹⁴

¹⁴ In our interactions, we take a double perspective. We expect others to sometimes act rationally, and to sometimes be overwhelmed by physical or emotional forces. We often approach ourselves this way. Given these expectations, it is rational to organize our lives by providing ourselves with strategies to respond in cases in which we act irrationally. This kind of meta-rationality at the prudential level has use for moral purposes. One reason why we

Even if the right choice, all-things-considered, were not to try to bring about the evaluatively best final outcome, agents would not be off the hook. First, they should feel regret or remorse when not going for that outcome. Second, they could train themselves to become better persons who are more likely to follow through in the pursuit of the right goals. Third, they could reshape their circumstances to make this pursuit easier in the future. Thus, Celeste could choose to step down, but also seek help to strengthen her resolution to avoid corruption, and work to change the internal rules of her party and of the political system more widely to dis-incentivize corruption. This choice to change feasibility prospects over time involves the kind of attitude a dynamic approach to justice seeks to articulate. I turn now to developing this approach.

3. The pursuit of justice: a dynamic approach

How should evaluative and feasibility considerations interact in the pursuit of justice? How can this interaction proceed in a way that normative ambition and political realism are both catered for in a responsible way? This section answers these questions, developing a dynamic approach to the relation between justice and feasibility.

3.1. Three dimensions of a conception of justice and deliberative reflective equilibrium

The first step in the development of the dynamic approach consists in explaining, in a systematic way, how normative desirability and feasibility interact at different levels of deliberation about the pursuit of social justice.

If we seek to articulate a conception of social justice that can guide political practice, then we have reason to identify demands that are both normatively desirable and feasible.¹⁵ We are

accept coercive backing of just laws is to provide ourselves with extra, prudential reasons to do what we have moral reason to do.

¹⁵ Goodin and Pettit 1995: 1.

aiming at identifying all-things-considered prescriptions whose fulfillment would produce the expectably best results given our best efforts of inquiry about what is desirable and feasible. How can we go about pursuing such a target? We can proceed by seeking a maximally satisfactory combination of truths about desirability and feasibility for each of the different dimensions of a conception of justice. These dimensions involve normative claims about:

DI: Core principles—including evaluative principles (DIa) and prescriptive principles (DIb).

DII: Institutions and social practices.

DIII: Processes of transformation.

Once our conception is worked out, the contents of DIII logically depend on the contents of DII, which in turn depend on the contents of DI. We demand institutions and social practices that implement our core principles, and strategies of reform that lead agents from where they are to a social situation in which the appropriate institutions and practices are in place. As we move from one dimension to the next, we decrease the level of abstraction, and entertain desirable specifications and applications of the demands of previous dimensions in more circumscribed circumstances. Binary feasibility concerning hard constraints is of course relevant for all three dimensions, but as we will see considerations of scalar feasibility addressing soft constraints involve important variations.

I will state the targets for each dimension and illustrate them by using elements of Rawls's familiar theory of social justice.¹⁶ At DI, we identify a set of pro tanto evaluative principles (DIa) and formulate the prescriptive combinations of them (DIb) that are most appropriate for the

¹⁶ See Rawls 1999: 266 (for the two principles), sect. 22 (on the “circumstances of justice”), and sect. 77 (on the capacities of rationality and reasonability as the “basis of equality”). I use Rawls's theory for illustration purposes. Alternative interpretations are of course possible. What follows revises the statements in Gilabert 2008: 412-4, 2012b: 122-4; and Gilabert and Lawford-Smith 2012: 819-21. DI is reformulated by addressing DIa and DIb, the “circumstances of justice” are characterized differently, and the relations between DI, DII, and DIII are explored further.

range of social contexts we wish to address (which may be fairly wide). Take Rawls's two principles of justice, the first demanding an extensive set of equal civil and political liberties and the second requiring economic distributions that maximize the prospects of the worst-off against a background of fair equality of opportunity. They constitute a prescriptive package (with the first having priority over the second) that balances various evaluative ideals concerning equality, liberty, efficiency, and reciprocity. These ideals involve pro tanto principles that respond to general features of human beings such as their rationality and reasonability (i.e., their capacities to form, revise and pursue conceptions of the good life, and to impartially entertain and honor conceptions of what is right). Their articulation into a structured set of conclusive, prescriptive principles is sensitive to facts that make their fulfillment feasible, such as the "circumstances of justice" involving only moderate material scarcity and conflict of interests and certain relevant features of human psychology and social organization. The circumstances of justice involve soft constraints. In some periods of human history material scarcity was extreme rather than moderate, and it is not impossible that extreme scarcity may reappear in the future (e.g. as a result of massive climate change). The probability of achieving or of moving away from the circumstances of justice may vary. But Rawls's prescriptive articulation of his principles takes them as fixed for modern contexts in the foreseeable future. The circumstances of justice thus operate, for all practical purposes in a certain subset of possible contexts, as a hard constraint.¹⁷

As we move to DII, we notice that there are various candidate social arrangements. The task is to identify some that are no worse than any alternative at implementing the principles from DIb in certain specific contexts. To do this, we engage again in considerations of desirability and

¹⁷ This is a case in which we could contextually identify probability thresholds regarding soft constraints, constructing binary feasibility claims out of scalar ones (see note 7). I do not deny that there are obligations of justice in situations of extreme scarcity. Besides dynamic duties to overcome them, agents may have other prescriptive principles to immediately fulfill. These prescriptions articulate evaluative pro tanto principles in ways that may differ from the articulations for circumstances of moderate scarcity.

feasibility. Social arrangements are desirable to the extent that they fulfill the principles from DIb. They are feasible to the extent that they are *stable*. A social arrangement is stable to the extent that once established it is likely to remain in place. (Stability contrasts with accessibility—discussed below—which is paramount at DIII.¹⁸) For example, Rawls discusses five specific candidates for contemporary societies: property-owning democracy, liberal democratic socialism, laissez-faire capitalism, welfare state capitalism, and state socialism with a command economy.¹⁹ He argues (holding constant, it seems, some facts about the likely functioning of a modern economy) that only the first two are appropriate implementations of his two principles. This preference is based primarily on desirability considerations. Laissez-faire capitalism and welfare state capitalism would condone unacceptable levels of economic inequality and would not secure the fair value of citizens' political freedom, while state socialism with a command economy would unacceptably limit civil and political liberties.²⁰ The choice between the remaining arrangements depends on scalar feasibility. The political culture of certain countries may make one more realistic than the other, and advocates should choose which one to pursue accordingly. For example, Americans are more likely to embrace property-owning democracy.

When we turn to DIII the task is to identify a trajectory of political change producing the social arrangements from DII that is all-things-considered reasonable. Again scalar feasibility and desirability considerations are necessary. Regarding feasibility, a social arrangement is

¹⁸ The accessibility question is “Can we move from here to there?” and the stability question is “Can we stay there?” (Cohen 2009: 56-7). The former is arguably also relevant for DII, as its prescriptions might be dented by difficulties in accessing what they demand. And stability at DII is relevant for DIII, as the decision to embark in a transition may be affected by beliefs about the stability of the destination. Furthermore, very general facts about human psychology may make some prescriptions at DIb unstable (e.g. Rawls 1999:119, 153-5, argues that utilitarianism leads to instability by demanding excessive self-sacrifice). This would differ from the more specific forms of instability arising from certain institutions in some specific situations at DII.

¹⁹ Rawls 2001: 135-40.

²⁰ We can also criticize these three regimes on feasibility grounds. If people care enough about the liberty and equality these regimes depress, they might move away from them. Notice that this is different from a challenge on moral grounds. The latter is based on the actual moral costs of those regimes, while the former refers to believed moral costs.

accessible to the extent that agents are able to reach it from where they are. The desirability of a process of change depends on the moral appeal of its results (whether it turns out to be what DII calls for) and on the severity of the moral costs that it would involve. Dimension DIII is the least explored in political philosophy. Rawls had little to say about it, although he did emphasize the importance of combatting the “curse of money” in politics, which slants the political playing field so that it is very hard for poorer citizens to promote reforms leading to the regimes selected at DII. He also emphasized that we should use principles from DI to identify priorities, and measure moral costs, of the processes of reform in DIII.²¹

To summarize, the targets of each dimension of a conception of justice are the following. At DI, we select a prescriptive package (DIb) that is maximally satisfactory in terms of honoring fundamental pro tanto evaluative principles (DIa) given general facts about human beings and social organization and the societies we seek to regulate. At DII, we select a set of institutions and social practices that is maximally satisfactory at implementing the principles from DI in the set of specific contexts within the societies we are considering. At DIII, we select a process of political reform that is maximally satisfactory at reaching the social arrangements from DII without imposing unreasonable moral costs. Each target is the result of comparative judgments where alternatives are assessed in terms of feasibility and normative desirability.²² Of course, the inquiry tracking these targets is fallible. What we expect to have maximal normative value may not actually have it. We can (and should) revise our beliefs as we continue our inquiry.

²¹ E.g., if liberty has priority over other demands of justice, then we should take the establishment of liberties (and their fair value) as the first goal and pursue further reforms only if they do not collide with liberties if we can secure them (Rawls 1999: 132, 215-8). Rawls did not claim that the priority of liberty holds in all conceivable circumstances (p. 267).

²² I phrase the targets in terms of what is maximally satisfactory (i.e. no worse than the alternatives) rather than in terms of what is optimal because we may sometimes be unable to rank certain options (e.g. two options may be equivalent in their overall normative value). To simplify my formulations, I sometimes talk about our “best” views regarding DI-DIII, but the reader should keep in mind that when the set of the best includes more than one view we should revert to the “maximizing” formulation.

There is a gaping hole in political philosophy when it comes to DIII. I will take steps to fill it in section 3.2. But before proceeding, let me characterize the methodology for the articulation of the three dimensions. Since it shapes the deliberation of acting agents, this methodology is also an essential aspect of the dynamic approach to justice and feasibility.

The foregoing presentation might make it seem that the inquiry into the components of a conception of justice is strictly sequential, that one first fixes the contents of DI and only then proceeds to DII, and that one fixes the contents of DII and only then turns to DIII. In epistemic practice things are more complicated. The development of a conception of DI-DIII is a matter of fallible, ongoing search for *deliberative reflective equilibrium*. This means, first, that the content of each dimension is open to change by considering its relation with the contents of the other dimensions. We already saw how variations at DII might respond to what results at DI, and how changes in DIII may be guided by results both at DI and DII. But notice that changes can also proceed in the opposite direction. We may wish to revise the principles at DI as a result of our inquiry at DII. Libertarians could revise their sweeping prescriptions regarding economic liberty after noticing that limiting some economic liberties of owners of capital is crucial to realistically secure effective political freedom for all at DII (a value they may already hold, or have come to accept). Changes at DI and DII may result from consideration of issues regarding DIII. Socialists could add explicit requirements of civil and political liberty to their view of DI and to their institutional designs at DII after exploring undesirable consequences of some of their historical experiments in which those liberties were trampled with. Anarchist might revise their criticisms of democratic political theory and practice when they notice that creating a political organization of society that includes no coercive mechanisms has an extremely low score of scalar feasibility. Thus, we have reason to pursue an ongoing inquiry in which changes at each level may motivate

changes at other levels. We should be open to successive revisions yielding successive reflective equilibria.²³

Second, the reflective equilibrium we should aim at is “deliberative” in two senses. To begin with, it is not a description of our existing beliefs, but an attempt to form and integrate the best we can muster. We are not merely trying to make explicit what we already believe to be feasible or desirable. We are trying to determine what *to* believe.²⁴ Further, we should ideally seek a reflective equilibrium that is intersubjective, involving various agents for whom the issues at stake are relevant. This includes, of course, political agents on the ground. But it could also include social scientists undertaking feasibility assessments, philosophers of science reflecting on how those assessments are methodologically framed, and political philosophers articulating core concepts and principles of justice. This intersubjective pursuit is difficult, and often missing.²⁵ It is difficult because the parties may have different practical exigencies, use different methods, and be unfamiliar with each other’s activities. But these are not reasons to avoid the

²³ “The method of reflective equilibrium consists in working back and forth among our considered judgments (some say our ‘intuitions’) about particular instances or cases, the principles or rules that we believe govern them, and the theoretical considerations that we believe bear on accepting these considered judgments, principles, or rules, revising any of these elements wherever necessary in order to achieve an acceptable coherence among them.” Daniels 2011.

My account of three dimensions of a conception of justice differs from Rawls’s (1999: sect. 31) “four-stage sequence” (including selection of principles, a constitution, legislation, and individual decisions). Both envision progression from more abstract to more specific prescriptive judgments. But there are differences. First, I do not present the characterization of DI-DIII as working within the thought-experiment of the original position. Second, Rawls’s sequence has no explicit place for the issue of accessibility. Third, I emphasize the epistemic back-and-forth when determining what to accept as the content of each dimension. I note, however, that Rawls is not always consistent. When he introduces the four-stage sequence, he says that what is figured out at each stage coming after the first “inherits” the results of earlier stages (it must be consistent with the latter, and apply their results to more specific circumstances) (p. 175-6). But at one point (p. 174) Rawls says that we will find the “best constitution” by “[m]oving back and forth between the stages of the constitutional convention and the legislature.” This is incompatible with a strictly sequential view. I think that on reflection Rawls would agree with a not strictly sequential view of the relation between the stages in the order of knowledge given that for him reflective equilibrium is the ultimate epistemic test.

To avoid misunderstanding, I note that when I talk about a back-and-forth I focus on the order of knowledge. There is a sense in which I agree that there is a strict sequence. As I say at the beginning of this section, when an overall conception has been settled, the final product has to exhibit a logical sequence: DIb articulates the evaluative principles of DIa into a prescriptive package, DII implements the principles of DIb, and DIII targets the process that generates what DII demands.

²⁴Scanlon 2003.

²⁵ Herzog 2013: 284.

intersubjective exercises. We need them for at least two reasons. One is epistemic. Each party has something to contribute which the others are unlikely to provide on their own in the most satisfactory way. Political philosophers are not particularly good at making feasibility assessments, and would thus profit from interaction with social scientists when it comes to the identification of appropriate institutional proposals. Philosophers can be provoked by political actors to formulate conceptual and normative questions that have real political significance. Social scientists may benefit from normative theories and political agents on the ground to formulate questions of research that are interesting rather than trivial. They may also need help from philosophers to articulate their core concepts in perspicuous ways, and to gain awareness of the epistemological strengths and limitations of their research. Citizens and activists on the ground would also profit from the work by philosophers and scientists. Arguably that work is a technical continuation of inquiries they already engage in when they wonder about what makes their situation unjust, what ideals to strive for, and what are some reasonably feasible ways to act in a complex social world where causal mechanisms are not always transparent. These cooperative exercises are also important for normative reasons. We should shape our politics democratically. It is important that the agents who will endure the consequences of important political decisions are able to have a say on them. To do this they need (inter alia) real opportunities to form lucid opinions on the matters at stake.

I do not want to give the impression that the difficulties in reaching deliberative reflective equilibrium are not serious. A source of difficulty is the increasing fragmentation, both at the epistemic level (within and between groups of social scientists, philosophers, policy makers, etc.) and at the political level (e.g. between citizens, political parties and leaders, and bureaucrats). On the other hand, successful interactions have existed and can be fostered. I also do not want to

overestimate the value of actual agreement amongst those involved in the plural conversations aiming at reflective equilibrium. Sometimes the best contribution will be one that undermines agreement in the short-term. To illustrate, new social movements often formulate new grievances that are not in the radar of mainstream philosophical and scientific research, but help reshape them. Think about the consequences of working-class and feminist movements, and, more recently, the revival of discussion on inequality sparked by the Occupy movement in 2011. Another example is when some philosophers stubbornly insist that ambitious ideals of justice be explored even when the feasibility prospects for their implementation in the here and now seem low. It is part of the job of political philosophy to keep ambitious ideals clear and visible, and to criticize a political culture when it becomes complacent and superficial. In 3.2 I will unpack the importance of these forms of insistence.

A third way in which reflective equilibrium regarding DI-DIII may be deliberative is that it is related to how each of us, as political agents, decides to act. A problem here is that there may be multiple reflective equilibria held by different people. There may be no theoretical solution to this problem. Each has to act in the social world, and each will have to do it on whatever balance of reasons seems best to them after inquiry. We can hope for, seek, and achieve more convergence. But it may not materialize in time. There may be a meta-feasibility issue here. As we choose how to act, we may have to think about the feasibility of our converging on our normative and descriptive views, and determine the significance of the results in our overall practical reasoning. The deliberative nature of the reflective equilibrium leading to choice is basic in the sense that we cannot unload the task to others.²⁶

²⁶ Even philosophers and scientists have to act as political agents. They can shape philosophical and scientific work so that it illuminates the choices of political agents. In this way, philosophers and scientists can retrace their activities to the aim of illuminating the praxis of changing the social world to make it more just.

3.2. Transitional standpoint, political imagination, and dynamic duties

3.2.1. Transitional standpoint

After identifying the dimensions of a conception of justice, their relations, and the methodology of their articulation and revision, I proceed to explain the features of the dynamic approach that directly orient political action in a way that enables us both to remain ambitious in our normative aims and to think lucidly about what practical steps to take. The first move is the adoption of a *transitional standpoint*. This is the standpoint of political agents in the process of changing central features of the institutional and cultural environment in which they act. It involves envisaging paths of action from the status quo to social arrangements in which principles of justice are fulfilled. What should happen at DIII is that political agents entertain trajectories of political reform such that social arrangements are (more or less suddenly, more or less gradually) transformed to reach the implementation of the principles envisaged at DII.

As we will see, various considerations are relevant from this perspective. But it is crucial to remember that these are increasingly specific as we move from DI to DII, and from DII to DIII. As we move from one dimension to the next the agents, actions, and circumstances of our political considerations become more circumscribed spatially and temporally.

Once the transitional standpoint is taken, the dynamic approach involves two further practical features. First, no single failure at DII is sufficient to warrant dropping the principles from DI. We can imagine alternative social configurations that do implement the principles. Second, no temporary inability at DIII to achieve the implementations envisaged for DII warrants their abandonment as political aims. We can entertain successive steps that expand our feasible sets of political action over time so as to eventually access the implementations envisaged. DI sets a

wide and long-term political horizon for DII and DIII. In what follows I explore these two key moves involving, respectively, *political imagination* and *dynamic duties*.²⁷

3.2.2. Political imagination

It is important to keep in mind the distinction between DI and DII, and to recall that the task of DII is to find a way to implement the evaluative and prescriptive principles of DI in a certain context. These points might sound obvious, but political theory and practice is awash with failures to honor them. There is a tendency to fetishize certain institutional proposals, taking the truth or relevance of the underlying principles of justice to be tied to their success. Sometimes the overall conception is simply identified with what it says at DII, with DI dropping out of view. This impoverishes political debate and unduly narrows our practical options. Some implementation of a prescriptive principle must work (on desirability and feasibility grounds) for that principle to be successful (as a prescriptive principle), but we cannot infer that the principle fails when any single implementation does not work. A typical example occurs in the socialist tradition, with its fixation on construing the socialist ideal in terms of state control of productive assets. Many historical experiments involved high levels of inefficiency (given the deficiencies of states' agencies when gathering and processing information about supply and demand in a complex modern economy), and also worrisome limitations of citizens' ability to control the economic and political processes (given extensive centralization of decision-making in the hands of a bureaucratic elite). It is common to hear that the socialist ideal is dead because a centrally planned economy is inefficient and oppressive.

²⁷ The dynamic approach has an important consequence for the debate between ideal and nonideal theory: it vindicates ambitious principles as important for DI, and thus as framing the content of DII and DIII.

But we should explore the possibilities opened up by the fact that there are different levels of generality within normative political judgment. We can use our *political imagination* to envisage alternative specifications at DII of the principles of DI. If we find a candidate at DII wanting (for feasibility or desirability reasons), then we can move up to DI and then back down to DII by imagining alternative implementations of the principles. This argumentative triangulation helps us distance ourselves from problematic political proposals without having to drop the principles that ultimately should animate our political practice. Thus, instead of fetishizing a particular institutional design, socialists should notice that what animates their practice is a set of principles and imagine better ways to put them into practice. Arguably what motivate their critique of capitalism are their commitments to deep forms of equality, freedom, and solidarity. The institutions of central command socialism were problematic because they did not implement those ideals. Alternative designs are conceivable, such as market socialism, or the recent proposal by Joseph Carens, and they might work.²⁸

Another problem that can be addressed through political imagination that is both attuned to ambitious principles and specific feasibility considerations is the tendency to take a social design that works in some context as valid for every other context. There is room for political imagination at DII partly because the “circumstances of justice” of DIb can take (at DII and DIII) multiple more specific forms. We can call those “situations of justice.” Thus, as mentioned above, if indeed property-owning democracy is as good as liberal democratic socialism at fulfilling the principles of justice as fairness, then there is no loss in taking the former rather than the latter as the institutional objective in the American context. Things could be the opposite in

²⁸ In market socialism, every citizen is initially provided with equal coupons they can use to get shares in firms. They cannot cash them to get money for consumption purposes, but they can get dividends from investing them. When they die, their coupons revert to the common pool for distribution to new generations. See Roemer 1994. In Carens’s proposal, markets are used to signal optimal intersections between the demand and supply of goods and services, but all incomes are taxed to equality. See Carens 2003.

many countries of Asia, Europe, or Latin America. If both designs are normatively equivalent as far as D1b is concerned, when in a certain situation we are finding it hard to implement one we may have reason to imagine and pursue the other.

As political agents, political philosophers, and social scientists envisage alternative feasible implementations of ambitious principles, they face ideological beliefs that clog the arteries of political imagination. These take some social configurations to be unavoidable, have transhistorical significance, or cater equally to the interest of all when they are in fact avoidable, of limited historical significance, and beneficial to some at the expense of others. Examples are the tendency to seek the indefinite accumulation of money (or some other economic means of exchange) and the tendency to construe self-respect as what results from winning in competitions for status positions. These operate as soft, not hard constraints. They are arguably contextually specific to capitalist societies. But they are commonly presented as fixed facts that any conception of social justice should accommodate or draw on. Thus, we are often told that we should accept some inequalities in rewards because they provide necessary incentives for highly talented or productive people to work hard. Now, it is obviously infeasible for everyone to be at the top and gain self-respect from being there (unless, implausibly, we could devise as many competitions as individuals), and we need not link expansion of productivity to inequality. Furthermore, we could imagine, and perhaps achieve, other forms of incentivizing talented people to develop and use their natural gifts. The self-realization that comes from the development and deployment of one's abilities in challenging work, and the satisfaction of increasing the material opportunities of one's fellow human beings, might be strong motivational forces. One could interpret the socialist principle "From each according to their abilities, to each according to needs" as including these ideas.

These operations of political imagination are possible partly because those engaging in them accept principles that are more abstract than their implementations. This means that, despite some complaints about it, abstraction, when handled properly, is a positive tool in politics. We have reason to identify high-level values and facts when we track true and important features of human beings and their social life. They enable us not to get stuck when some of our specific designs do not work. Principles range over many possible implementations, and without having a clear view of the former we are unable to shift from one implementation to another in thought and thus fail to identify alternatives we could and should pursue in practice. When we adopt normative principles, we envision an ethical and political *project*. A political project is different from a *program*, or a *plan*. The latter involve specific designs of institutions and practices. A project does not formulate its own application. It provides, instead, the core guiding standards by reference to which the programs and plans are to be drawn up, and evaluated.

As I said, abstractions are valuable when properly handled. We would not handle them properly when we neglect facts about human beings and social organization that are significant for the desirability and feasibility of principles or their implementation. Let me illustrate this point by exploring further the socialist principle “From each according to their abilities, to each according to needs” (the Abilities/Needs Principle).²⁹

This principle has been interpreted in many ways. On one interpretation, it merely describes, or predicts, a state of affairs in which the circumstances of justice have disappeared as a result of superabundance. On another interpretation, which I prefer, it is an evaluative principle that can be used to handle situations of moderate scarcity and conflict of interests in certain (prescriptive)

²⁹ The principle was formulated in Marx 1978: 531. In contemporary debate the principle is often labeled the “Needs Principle.” I call it differently, adding reference to “Abilities,” to emphasize the often-neglected fact that it refers both to the demand and the supply side. It states rights to receive, but also, and in conjunction, duties to give. See Gilabert 2015.

ways.³⁰ I think that the merit of this principle is that it foregrounds the importance of fair reciprocity, positive duties of solidarity, and meaningful work. Briefly, the key ideas are the following. In a just economy people contribute through productive activities if they can. Since productive abilities are partly based on unequal native endowments, the levels of productivity will differ. But if productive efforts are similar, receipt of income and other means for need satisfaction should be equal. Opportunities for meaningful work are important. Work can be meaningful in at least two ways. First, it is itself a satisfaction of needs when it involves development and actualization of workers' abilities (e.g. for creative and cooperative problem-solving). Second, it contributes instrumentally to the satisfaction of other needs by creating material goods that people can use and enjoy.³¹ Since any functioning economy that is not completely automated needs labor input, it should recruit it somehow. If, furthermore, human beings have a legitimate interest in meaningful work, then there is reason to make available to them forms of work that are meaningful.

Thus interpreted, the Abilities/Needs Principle assumes that human beings are interested in self-direction and self-improvement, that they can find self-direction and self-improvement in productive activities, that they have different native powers that affect their abilities to produce, and that they are profoundly vulnerable and dependent on the help of others to live flourishing lives. These are facts that call for normative responses, and set feasibility boundaries on principles and institutional and cultural configurations.³² When we pay attention to them, the socialist view becomes appealing, while other views turn out to be disappointing. For example, a view centered on radical independence that only prescribes negative duties not to depress the

³⁰ For an overview of the debate see Kymlicka 2002: ch. 5.

³¹ On the first point see Elster 1986: ch.3. The second involves socialism's affirmation of positive duties of solidarity or, as Einstein 1949 puts it, "a sense of responsibility for [one's] fellow men."

³² See note 11 for the various roles of facts.

opportunities of others to direct their own affairs and improve their own life conditions may then appear either undesirable or hardly feasible (or both). To neglect the features of human social life socialists insist on would be to engage in improper abstraction.

Finally, keeping in mind the distinction between DI and DII, and the internal complexity of DI, enable us to respond to the important charge that ambitious theories of justice that sketch pictures of the perfectly just society are of no help when choosing among immediately feasible alternatives, none of which is the perfectly just society envisaged. This charge has been recently pressed by Amartya Sen.

Sen anticipates the likely response that the picture of the perfect society could be useful to rank the immediately feasible ones through identifying their relative distance from it. A first problem with this response is that the imperfect societies may differ from the perfect one in different ways, and we may be unable to tell which way is more important. The second problem is that “descriptive closeness is not necessarily a guide to valuational proximity.” Sen illustrates this point with an analogy: “a person who prefers red wine to white wine may prefer either to a mixture of the two, even though the mixture is, in an obvious descriptive sense, closer to the preferred red wine than pure white wine would be”.³³

Sen’s complaints lose force if we keep in mind the distinction and the relation between DI and DII. An ambitious theory of justice does not only seek to imagine maximally desirable social institutions and practices (at DII). It also seeks to identify the principles that make them desirable

³³ Sen 2009: 16. This discussion touches upon the “problem of the second-best.” See Goodin 1995 and Swift 2008. Swift (pp. 372-8) also criticizes Sen for failing to pay attention to how normative principles affect relevant descriptions. Goodin (p. 53 n. 45) notes that the problem of how to choose when some of the items from the ideal package are unavailable resurfaces when dealing with principles. My comments on the complexity of DI partially address this issue by saying that evaluative principles (DIa) may help us choose between different packages of prescriptive principles (DIb). If the worry were reapplied to the set of fundamental evaluative principles, it is hard to think what could lie beyond them. Intuitive balancing seems all one can do then. And it is possible that the absence of an item of the preferred package forces us to reconsider what principles bear on our choice, and what their relative weight in the circumstances is.

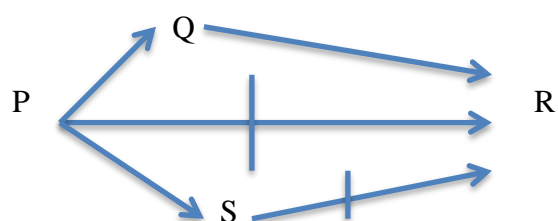
(at DI). It is largely those principles that determine what “descriptive features” are relevant, and what comparative importance they have. In fact, descriptive proximity may be quite significant if the descriptive features we track are the relevant ones (or the most important ones in the exercise) given our valuational commitments. (Something similar happens as we judge wines; perhaps color is less important than consistency of taste.)

It is also important to notice the internal complexity of DI. It could be that a preferred prescriptive combination (at DIb) of pro tanto evaluative principles (from DIa) is not feasible to implement in some situation. To decide between the alternatives, we look for other combinations of the pro tanto principles appropriate to the situation. Thus the Abilities/Needs Principle may have different weight in different situations, and may have to be combined with other principles (e.g. with a principle of free choice of occupation to make sure that the demand for meaningful work is a matter of opportunity rather than forced activity). Evaluative principles help us articulate the appropriate prescriptive principles given general feasibility considerations, and the latter help us select social institutions and practices given more specific feasibility considerations. If we look behind the perfect instances to identify the (evaluative and prescriptive) principles animating them, we can remain normatively ambitious. It is true that it is difficult to rank different axes of comparison. In justice as in other areas of practical reasoning we may lack a general algorithm. But the relation between DII and DI, and the internal complexity of DI, provide us with consequential resources.

3.2.3. Dynamic duties

In addition to the transitional standpoint and political imagination, the dynamic approach to justice and feasibility involves a third, crucial practical feature. According to the dynamic approach, we should focus not only on what is immediately feasible, but also on the long-term

and on our role in shaping it.³⁴ Perhaps perfect (or significantly less imperfect) social arrangements may turn out to be (more) feasible in the future. Focusing only on immediate feasibility may lead us to miss the point that our abilities for political action, involving soft rather than hard constraints, are open to temporal variation. What is not feasible (or has very low feasibility) now may become feasible (or be significantly more feasible) in the future if we take some steps to expand our political abilities. Consider this chart:



Make the following assumptions. R is the perfect outcome. From the status quo P, R is not immediately feasible. The two immediately feasible options from P are Q and S. S is intrinsically more desirable than Q. R would not be immediately feasible from S, but it would from Q. (To make formulations less cumbersome, here and in what follows I sometimes use binary phrasing for feasibility claims, but the reader should remember that scalar claims can and often should be made as well.) What should one choose? If one focuses only on the immediately feasible at P, then S should be chosen. But if one also factors in the long-term, then Q may be all-things-considered preferable. Thus, imagine that Celeste has to choose whether to form an alliance with a less progressive party for the coming elections. If she does, the alliance will win the election and go some way towards implementing policies of social justice; but since in the alliance the other party will be dominant, the political agenda will be so shaped that deeper reforms will become very unlikely for the foreseeable future. If instead she decides not to join the alliance, concentrate on extending the increasing reach of her party, wait until the next election and, let us

³⁴ This provides a further response to the challenge by Sen mentioned in 3.2.2.

assume, an alliance in that election will be under her party's hegemony, then again an election win is likely but much deeper reforms will be undertaken. To make a responsible choice, Celeste has reason to look beyond what is immediately feasible.

So when we face soft constraints, we should explore their temporal variation. Celeste's party can work to reshape the political culture in its country and become a stronger force for social change. In general, we may have what I call *dynamic duties*. Unlike normal duties, dynamic duties are not focused on achieving certain desirable outcomes within current circumstances. Their point is to change those circumstances so that certain desirable outcomes become achievable (or more achievable). Thus, dynamic duties direct a change, often an expansion, of an agent's power to bring about certain outcomes.³⁵ *Power* can in general be defined as follows: In certain circumstances C, an agent A has power with respect to whether some outcome O occurs to the extent that A can voluntarily determine whether O occurs. Now, dynamic duties involve a companion form of *dynamic power*, which we can define thus: A has dynamic power over A's power with respect to whether some outcome O occurs to the extent that A can, in current circumstances C1, voluntarily determine whether C1 change into different circumstances C2 so that A becomes more (or less) able to voluntarily determine whether O occurs.³⁶

³⁵ I say "often" because one could also entertain dynamic duties to reduce one's power to do certain things. Sometimes one may have a duty to make oneself *less* powerful. The elimination of nuclear arsenals may be an example. In this paper I focus on the case of expansion (i.e. empowerment).

³⁶ We can add time indices, and talk about A having power at time t1 with respect to O in tn, where tn coincides with, or comes later than, t1, and A acts in that period (Goldman 1986: 160-1). Economists explicitly use the idea of expanding feasible sets (e.g. Sen 2009: 384). For the more general idea of change in potentialities or abilities see Vetter 2013: 11-2.

Notice that my claims about dynamic duties to change a feasible set assume that the actions populating it are relative to agents placed in certain circumstances. Consider this scenario: in circumstances C1, A is not able to do X, in C2 A is able to do X, in C1 A is able to do Y to change C1 into C2. In a circumstances-relative sense of feasibility, A's feasible set in C2 is different from A's feasible set in C1 (X is included in C2 but not in C1). Now, A has control as to whether C2 comes about. It is perfectly intuitive to say that by doing Y in C1, A generates an ability to do (in C2) something (X) A was not able to do before (in C1). Someone may challenge this characterization by appealing to another according to which the feasible set is fixed at the outset. On this view, at the outset it is already feasible for A to do X later if A first takes appropriate means (does Y). I agree that this characterization is intuitive as well. Ordinarily, we talk both about developing new abilities and about the ability to

Within a conception of justice, dynamic duties come into play at DIII, when we consider how to generate the social institutions and practices that we prefer at DII. This is the issue of *accessibility* of a just society, which is different from its *stability*. Although there has been some work in political philosophy on stability, accessibility has been largely ignored. But accessibility cannot be ignored when we adopt a transitional standpoint, which we must adopt to fully assess proposals for social change. There are some issues that are relevant to both stability and accessibility, such as motivational problems regarding free-riding, but their treatment would differ. For example, a society implementing the Abilities/Needs Principle might be stable in dealing with free-riding by socializing its people into a strong ethos of solidarity and by imposing financial penalties on non-compliance. But when it comes to accessibility those mechanisms will not yet be in place, and different strategies would be appropriate. The relevant institutions and ethos must first be created.

At DIII, political agents consider what dynamic duties they have given their dynamic powers. They ask themselves what processes of transformation they (and their successors) should pursue to implement their principles from DI through successive social institutions and practices to eventually instantiate their long-term goal concerning DII. A historical example is workers mobilizing for their inclusion in the political system through expansion of the franchise and then, with their voting power, pressing for the realization of basic socioeconomic rights (regarding minimum pay, labor time, workplace safety, etc.). More ambitiously, some socialists, following Marx, have envisaged the trajectory toward full socialism as taking two phases. In the first, after some resources are put aside to secure the maintenance of economic infrastructure and satisfy

achieve certain ends through certain means. The contrast is merely terminological. The approaches are compatible (taking means to an end may involve developing a new ability, so that the feasibility of the end is a function of this development). I highlight the first characterization to illuminate the substantive issues addressed in this paper (concerning empowerment and dynamic duties).

basic needs (e.g. regarding health care and education), distribution of access to consumption goods follows the so-called Principle of Contribution (“To each according to their contribution”). In the second, distribution is based on the Abilities/Needs Principle. This principle is evaluatively superior. But it is not feasible during the early stage of transition, as moral and political culture is still colored by bourgeois principles (such as the principle of exchange of commodities with equivalent value—which disadvantages workers with lower natural talents), and there is not yet enough material abundance. Introducing the less intrinsically desirable scheme first would, however, ease the transition away from capitalism (by delivering on its unfulfilled promise to reward on the basis of productive activity rather than class position) and toward more desirable distributive schemes (through incentives to increase productivity that would make distribution according to needs more viable and thus a lively option).³⁷

Are large-scale sequential projects of this kind worth pursuing? If so, how should the required all-things-considered normative political judgments be framed? I don’t know whether an algorithmic decision procedure can be identified. But I will suggest four elements that help in forming those judgments.

First, we can adapt some guidelines from decision theory. For example, we can compute the expected value of alternative paths of transition (as well as the status quo) by considering their intrinsic desirability and probability of success and favor ones with maximal score. We can also factor in the moral costs and risks that the processes might incidentally produce. Thus, the sequence P-Q-R may not be a case of “one step forward, then another step forward.” Q may involve violations of basic civil or political rights. “One step backward, two step forward” is sometimes an unacceptable strategy that sacrifices the rights of some for the benefit of others (or

³⁷ Marx 1978: 528-32. Another possibility is to envision a sequence with market socialism first and Carens’s proposal second (see note 28). The latter is arguably more desirable because it addresses inequalities resulting from different natural endowments, but it may be less immediately feasible.

the same people) in the future. Another difficulty is path-dependence: Q may be more likely to become self-replicating than to give way to R. Also, it could be that besides rendering R accessible, Q involves a serious probability of leading to T, a catastrophic outcome. If Q involved a form of economic growth that could unleash deep environmental destruction, then perhaps the standard of equal access to conditions for a flourishing life should be catered for in different ways. Failing this, perhaps S is after all the preferable alternative. We have reason to engage in prospective choice seeking to maximize expectable normative value, guiding ourselves by the normative standards from DI, and the aim of approximating the realization of the preferred social formation at DII. The full palette of options and ethically relevant issues would not even be visible without entertaining this ambitious normative project.

The foregoing considerations assume that we can assign probabilities to outcomes. But this of course is not always immediately achievable, in which case when comparing different paths of action we may have to appeal to other typical strategies of choice under uncertainty. For example, if the stakes are extremely high, a “maximin” rule selecting the path whose worst possible outcome is among the least bad may be appropriate. When the stakes are low, taking risks with a “maximax” rule selecting the path whose best possible outcome is among the highest may be appropriate. What we may not do if we are to make responsible choices is to simply ignore the future.³⁸ Uncertainty about the future is no reason to disregard it. Notice that uncertainty could also affect the status quo. We may be unable to ascertain whether the current social situation will endure into the future, and what moral costs it will involve. So omitting the envisioning of alternatives to the status quo may itself amount to choosing an uncertain path. Notice also, and this is the second main point I want to make, that epistemic limitations are

³⁸ We should take seriously the worries captured in the famous Keynes’s (1923: 80) line that “in the long run we are all dead.” But we should also remember that in the long-term future generations are born. We owe them something.

themselves soft constraints we may have dynamic duties to overcome. If we keep our aims high even when they are not immediately realizable, and imagine social realizations at DII that would implement our principles from DI, then we will approach the tasks of transformation at DIII in a more serious way. We can engage in social-scientific work to learn more about political history and the dynamics of social change. There are numerous examples of scientific research that was sparked by political debates and fed back into them to make alternatives less indeterminate.³⁹

The two final points I want to make concern the problem (mentioned in 3.1) of incongruence between views held by different agents regarding what should be done. How should Celeste approach political agents who disagree with her proposals for social transformation? Should she argue from an internal point of view that builds only on what they already accept or should she adopt an external approach? The former may be motivationally more appealing but lead to less profound social transformations, while the latter may target deeper transformations but be less motivating. In response, I think that two moves are important. The first is to focus on situations of crisis. In those situations people are sometimes more open to envisaging deeper political projects. Their self-regarding interests are threatened by the status quo, and the normative principles they already hold dear are seriously underserved. Situations of crisis may also be such that people are more open to revise their normative commitments, and thus the external approach may get a hearing as well. For example, during a deep economic crisis, the positive duties of solidarity and fair reciprocity involved in the Abilities/Needs Principle may become appealing.

³⁹ De Swaan 1988 reports how history and social science helped shape the introduction of the welfare state. Ostrom 2009 explains how social science can help solve the “tragedy of the commons” in dealing with common-pool resources. Sen 2009 shows how social choice theory and normative political philosophy can shape anti-poverty development policy. Wright 2010 outlines how sociology can help identify feasible strategies for socialist transformations. I am not suggesting that social scientists and philosophers can provide fully detailed blueprints for action. I agree with Isaiah Berlin that in the end virtuous political agents “behave like artists who understand their medium” (Berlin 2000: 139). But, as Berlin would agree (see p. 140), we should avoid an artificial dilemma between comprehensive scientific planning and choices only based on personal hunches. Science and philosophy cannot provide the former, and the latter may be the output of erroneous prejudices and irresponsible indifference to genuinely illuminating research.

The second move is to seek institutions and practices of egalitarian political empowerment. To see the importance of this, agents can take not only the first-personal and third-personal attitudes discussed above (see 2.3), but also a second-personal attitude in which they seek to generate conditions in which they can argue with each other and decide together in a fair and inclusive way. This is a desirable configuration of their dynamic power. If the principles at DI and the ideal social structures at DII involve deep democratic self-determination, then shaping the practices of political transformation at DIII in ways that include egalitarian political empowerment would begin to instantiate the change agents are aiming at. Additionally, although processes of transformation may involve painful choices where each option involves some loss, these are less troublesome if they are made by the ones having to live with their consequences. When we think about what we, together, should do to pursue justice, it is important that the “we” be inclusive, taking people as protagonist of their own political history.

4. Conclusion

In this paper I proposed a program of inquiry about the relations between justice and feasibility. When we pursue justice, descriptive considerations about what we are like and what we are able to do are important. They trigger application of our principles of justice, they identify features of human beings that give rise to normative responses, and they illuminate our ability to implement them. Feasibility affects our power to change the social world to make it more just. We should pay attention to feasibility in order to make responsible choices. But we should distinguish evaluative claims of justice that focus on what we should do if we were able to do whatever we prefer and prescriptive ones that focus on what we should do given what we actually are able to do. We should take the former as our ethical compass when we factor in descriptive claims to articulate the latter. Prescriptions of justice operate at different levels, with different feasibility

constraints. Principles involve more general constraints than their implementation, and the latter involve more general constraints than the strategies of reform leading to them. These differences are important to develop a dynamic approach to facts blocking the pursuit of justice. We can imagine alternative implementations of principles, and we may have dynamic duties to reshape feasibility constraints over time. When we adopt this dynamic approach, our deliberations about how to pursue justice take a long-term transitional standpoint in which we are both normatively ambitious and hard-nosed about the realities of social life.

The tension between the ideal and the real is typical of political practice. As I see it, the job of political philosophy is not to help us escape from this tension by focusing only on evaluative principles without paying attention to feasibility, or to dissolve it prematurely by tying principles to specific and changeable feasibility constraints. Instead, political philosophy should help us relate to this practical tension in a lucid, hopeful, and effective way. The dynamic approach to justice and feasibility that I propose offers a way to do this. It might be objected that it makes the best an enemy of the good, encouraging agents to rush for ideal projects that are likely to fail, only to then recoil from political action, turn apathetic, and fail to bring about less ambitious but valuable changes they could easily secure. But since the approach I propose has built into it an ethics of responsibility that factors in the probabilities that various strategies would succeed, this consequence is not encouraged. Furthermore, we should not make the good an enemy of the better, or even the best. We can aim high if we pay attention to how to get there.⁴⁰

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