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PRACTICE-DEPENDENT POLITICAL THEORY
AND THE BOUNDARIES OF POLITICAL IMAGINATION

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ABSTRACT

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It is often claimed that in normative political theory political imagination should remain unaffected by real-world contingencies: our idea of how the world "ought to be" should be independent from how the world "actually is". According to the practice-dependent thesis, instead, "[t]he content, scope, and justification of a conception of justice depends on the structure and form of the practices that the conception is intended to govern" (Sangiovanni 2008). This methodological approach conceives the relationship between theory and practice as an *interplay*: normative theory applies to practice, but practices are also able to affect the content of normative theory. In this paper, I argue that the interplay between theory and practices that the practice-dependent method generates has not been fully understood. Though it may – at a superficial look – appear as a method compliant with the status quo, I will show that this method implies an idea of political theory as an activity of continuous critical engagement. Given an extended account of the method, political imagination has boundaries but these are not fixed nor easily-definable: the real-world fact that constrains practice-dependent principles is the point and purpose of the practice they are meant to apply to, but this fact in itself is partly shaped and critically assessed by the theorist.

PRACTICE-DEPENDENT POLITICAL THEORY
AND THE BOUNDARIES OF POLITICAL IMAGINATION

GRETA FAVARA

1. INTRODUCTION[1]

My primary interest in this paper is to clarify the following issue: (a) In normative political theory, what conception of political imagination does the practice-dependent method entail?[2] But before engaging directly with this question, I am going to spend a few words on each of the key concepts that build it up in order to clearly explain what I aim at by discussing it.

Let me begin with the most general concept, that of "normative political theory". Political theory is a complex discipline which can endorse several functions. In this paper, I will deal with political theory as specifically intended in a *normative* sense. When political theory sets itself a normative task, its main goal consists in suggesting an answer to the timeless question "What is to be done?". Indeed, the core objective of normative political theory is to define what ought to be pursued in the political domain; namely, how we should act, given a corresponding conception of what would be desirable to achieve. Hence its "normative" role: normative political theory is ultimately concerned with identifying which *principles* political action ought to abide by.[3]

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[1] I am particularly grateful to Antonella Besussi, Giulia Bistagnino and Francesca Pasquali for discussing several parts of this paper. I must also thank all the participants to the panel "Questioni di metodo. Tra scienza politica e filosofia politica", at the Annual Conference of the Italian Political Science Association in Cosenza, for providing helpful comments. This paper was partly written during a research visit at the Centre for Philosophy of Natural and Social Science at LSE where I benefited from a supportive and stimulating environment. Any further comment on the arguments here presented is very welcome.

[2] Throughout the paper I will use PD instead of "practice-dependent" and PDM instead of "practice-dependent method".

[3] For a useful classification of the different goals political theory can pursue, see List and Valentini (2014).

Moreover, I am mentioning here a specific "method" used within the discipline. In fact, my purpose is to deal with normative political theory endorsing a specific point of view: my main interest is indeed methodological. This means that the focus of the paper lays on *how* political theories ought to be construed, not tantamount which particular political theories ought to be favoured.

The interest in the methodology of construction of political theories is quite a recent development in the literature. The questions that have dominated the debate represent, for the most part, all different interpretations of a single fundamental concern; namely, *to what extent political theories ought to be sensitive to political reality?* That is, are brute facts able to affect and constrain the normative principles we ought to follow, i.e. our idea of what would be desirable to achieve?

Few (if any) theorists would deny that political reality ought to matter sensibly when political theories are to be *applied*. For, given the features that characterise the diverse circumstances of application of normative principles, it will hardly be the case that one principle will imply the same action in every context. For instance, implementing a principle of equal opportunity will plausibly imply different actions in different contexts: in certain contexts it might require reforms against gender inequality, in others it might demand policies against religious discrimination. However, I want to examine the problem of the relationship between facts and principles by dealing with a different approach to the issue. I can, then, introduce the third key concept that appears in (a). In fact, another way in which real-world facts could affect political theories has also been suggested: more controversially some have argued that facts could affect the *justification* of normative principles, not merely their application. According to those who defend a similar methodological approach — which, following the recent literature, can be dubbed the "practice-dependent" method — the context of application of normative principles fundamentally shapes and alters the reasons we might exhibit for adopting them. In this sense, the context is not merely the field of application of certain principles independently stated; rather, for PD theorists, the context itself contributes to determine which normative principles would be appropriate to adopt for its regulation.

At this point, I can state more clearly my objective by introducing the fourth crucial concept which appears in (a), that of "political imagination". With political imagination I define the set of imaginary worlds political theory could legitimately consider an evaluative standard for normative purposes. According to the use I make of this concept, political imagination identifies the set of all the possible worlds that political theory *could* consider desirable to achieve and, correspondingly, whose realisation might be demanded of us. Then, rephrasing (a), my main task consists in understanding which worlds might be considered as legitimate normative standards in case the PDM were employed and consistently followed.

Now, given the brief characterisation of the PDM I provided above, we know that the set of possible worlds that will define the borders of the PD political imagination will be shaped, in part, by some factual considerations. Indeed, precisely because the PDM states that the content of political theories (i.e. the normative principles it prescribes) ought to be context-sensitive, the set of worlds that such method will judge desirable to achieve will be a function of some descriptive information about the theory's field of application. Hence, by setting up an inquiry into the conception of political imagination entailed by the PDM, my purpose is to provide a better understanding of how the interaction between facts and principles is conceptualised and is supposed to work within the PD methodological framework.

The reason why I judge this question crucial is that I believe some fundamental methodological implications of the PDM have so far remained unrecognised, despite the recent attention such method has received. As I will show, these further implications, if taken together, display a picture of the interaction between reality and theory engendered by the PDM much complex.

It is my conviction that such analysis would prove to be useful especially for two categories of recipients: those who profess themselves as PD theorists, and (some of) those who are willing to take a critical stance against it. On the one hand, my analysis should favour a better implementation of the method itself by specifying which tasks a PD theorist ought to fulfil in order to consistently apply the method. On the other hand, such a picture should mitigate the worries of those who might fear that such method — precisely because starts from existing practices, and does not conceptualise desirable worlds from scratch — leads to a collapse of the normative dimension into the descriptive one, thereby betraying the very task of normative theory, i.e. providing an authoritative standpoint from which to criticise the actual world. For, as I will explain, in the PDM the relationship between theory and reality is far from being one of passive acceptance of the status quo. The PDM has several resources to actively criticise existing practices, and it must rely on all of them in order to abide by its basic methodological commitments. So, those who fear an excess of status quo bias might find the analysis that follows clarifying.

My discussion, however, will not help to counteract criticisms of a different sort. Those who think that normative political theory, as a normative enterprise, ought not be in any sense fact-sensitive, will not find my analysis helpful; nor will those who feel dissatisfied about the justification PD theorists provide of their method.[4] Criticisms of this sort do not raise complaints about the supposed insufficient distance that the PDM sets between the actual world and the normative standard assumed, but move against the very methodological commitments which ground their method; namely, the link between facts and principles itself, or the specific

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[4]   I am grateful to Vincenzo Maimone for pushing me to clarify this point.

PD interpretation of it.[5] The point of view which I am here adopting is wholly internal to the PD methodological paradigm: I do not assess its foundations, nor judge its merit against other available methods; I assume the validity of such method with the aim of precisely unfolding its implications, in particular its way of construing the relationship between facts and principles.

Now that the meaning and relevance of (a) should be clearer, before engaging with its discussion, let me add a final remark essential to understand the analysis that follows. I will specifically try to clarify how the PDM conceives the relationship between facts and principles through the notion of "model". I will indeed employ the notion of "model" as a conceptual tool throughout the paper. But what is a model? Here I borrow a quotation selected by James Johnson in "Models Among the Political Theorists", as it perfectly states the sense in which I will employ the concept of "model" throughout the paper.

> "A model can be a precise and economical statement of a set of relationships that are sufficient to produce the phenomenon in question. Or, a model can be an actual biological, mechanical, or social system that embodies the relationships in an especially transparent way, producing the phenomenon in question as an obvious consequence of those relationships. These two meanings of 'model' are not very different" (Schelling 1978, 87, cited in Johnson 2014, 547).

A model, as I will use the term here, is a representation of a set of relationships which, if suitably interpreted, are sufficient to explain a given phenomenon. Notice, crucially, that in this definition "relationships" and "phenomenon" could be filled by several different entities. Then, if we interpret "phenomenon" as a normative outcome, models are also those devices which explain how a set of factual relationships connects with a set of specific normative principles. Why does such notion prove to be useful in the present context? For two reasons mainly. First, because I said I am interested in assessing how and to what extent political theories are shaped by facts within the PDM. As I will explain, the main device through which the PDM derives conceptions of justice can be explained as a model — as a process through which a set of principles is derived from a set of suitably represented facts.[6] Second, and more generally, because the notion of model proves to be a powerful tool to systematise my methodological analysis. In fact, tackling the issue raised through the notion of model helps to easily clarify and classify which argumentative strategies the PDM can draw from in order to define what normative principles apply to us, as well as to understand in which respects the PDM differs from other typical methodological approaches. In other

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[5]   For a critique along these lines see especially Cohen (2003).

[6]   Notice that *models* are not *theories*. A model does not explain, in itself, why a certain relationship between inputs and outputs actually holds. It is the theory behind the model which defines that certain models are relevant and valid. So, the way in which we come to ascertain that a specific relationship between facts and principles does subsist is a matter established by the theoretical apparatus that supports the model. On the difference between models and theories see Frigg and Hartmann (2012).

words, in the present case, models provide us with an efficient interpretative key to understand to what extent the PDM allows theories to depend on real-world facts.

For this reason I will conduct my discussion of (a) endorsing a particular key of analysis. I will try to answer (a) by providing an answer to: (a*) "in normative political theory, which models should the practice-dependent method employ in order to appropriately understand what normative principles apply to us?"[7]

Specifically, making use of the model-jargon throughout the paper, I will argue that there are four argumentative strategies that must compose a PD research method. Two of those have been extensively discussed by the recent literature. The other two have been neglected, though they are direct implications of this classic account of the PDM provided by PD theorists. Together, these four strategies give us a complex, and much more detailed, picture of the kind of political imagination implied by the PDM. To this aim, I will proceed as follows. In Section 2, I will introduce the PDM and explain the justificatory method it endorses and the model it explicitly employs. In Section 3, I will show that there are other models the PDM ought to rely on, beyond the standard ones discussed. In my concluding remarks (Section 4) I will deal directly with (a) suggesting how we ought to interpret political imagination within a PD framework, in light of the discussion conducted through Sections 2 and 3.

2. The PDM and the interplay between theory and practice: the standard account

How does the PDM work? In this section I will give a brief outline of such method with the main intent to clarify which models PD theorists regard legitimate to employ in order to justify a political theory. Specifically, my focus will be on PD theories *of justice*. This choice is due to the fact that discussions around the PDM have been developed in the context of global justice debates, hence theories of justice have been the main focus and I will follow, for simplicity, the terms employed in those analyses.[8]

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[7]   By discussing (a) and (a*) we should also be able to say something about: (a**) How are models employed in normative political theory? In fact, despite the connection between models and political theory might look at first glance awkward, models are widely employed in political theory, but this fact is rarely acknowledged – a notable exception being Johnson (2014). However this second issue is supposed to emerge only indirectly from the analysis of the PDM, which is my core concern. Nonetheless, I regard this paper as an attempt to shed some light also on (a**).

[8]   However, as Robert Jubb (2014) notices, such a connection is not necessary, the PDM could be equally employed to justify theories of other political values, such as liberty or legitimacy. The PDM just states that when we want to construe a theory for a given political value we ought to justify it with reference to current practices. For a practice-dependent analysis of legitimation, see Rossi (2012).

Although the practice-depended method has come to be known with this name in an article written by Aaron James (2005), where he first suggested a fully PD interpretation of John Rawls's methodology, we owe the most systematised account of this method to Andrea Sangiovanni's article "Justice and the Priority of Politics to Morality" (Sangiovanni 2008). The PDM has then been defended in a series of later articles and essays which partly corrected or refined Sangiovanni's work;[9] however, "Justice and the Priority of Politics to Morality" still qualifies as the best starting point to illustrate the PD justificatory procedure.

In "Justice and the Priority of Politics to Morality", Sangiovanni defines the core thesis of the practice-dependence approach as follows:

> "*Practice-Dependent Thesis*: The content, scope, and justification of a conception of justice depends on the structure and form of the practices that the conception is intended to govern" (Sangiovanni 2008, 138).

Where with "practice" Sangiovanni means, following a definition originally proposed by Rawls, "any form of activity specified by a system of rules which defines offices, roles, moves, penalties, defences, and so on, and which gives the activity its structure" (Rawls et al. 1999, 20).

Then, as Sangiovanni's *Thesis* clearly states, for PD theorists there is a fundamental connection between political reality and conceptions of justice: according to the PDM, the content, scope, and justification of conceptions of justice depends on the practices which the conception is meant to apply to. So, how a PD theorist will end up defining which states of affairs ought to be pursued strictly depends on which kind of connection is supposed to hold between practices and principles. But how does a PD theorist conceive the construction of justice from existing practices?

According to Sangiovanni — who follows, in this respect, Dworkin's idea of *constructive interpretation* (Dworkin 1986) — a PD normative justification must be structured around three steps: the *pre-interpretive* step, the *interpretive* step, and the *post-interpretive* step. These three steps allow the PD theorist to move from the descriptive to the normative by focusing on specific features of the practices we currently inhabit. So it is crucial to illustrate them clearly. The first step, the pre-interpretive, is meant to specify which practice constitutes the object of our normative analysis. In this first stage, for the interpretation to be a workable starting point, it ought to be supported by a sufficient degree of consensus. Following the definition mentioned above, examples of practices that might fall under our attention could be — just to mention some — the family, the basic structure of society, or the international law for humanitarian aids. The first step, then, is meant to be merely descriptive. It is the second step that turns the argument into a normative justifica-

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[9]   See Banai, Schemmel, and Ronzoni (2011), James (2012; 2014), Ronzoni (2009; 2012), Rossi (2012), and Valentini (2011).

tion. The interpretive step is — as the name suggests — devoted to uncovering what is the *normative purpose* of the practice identified in the first step. Here, the interpreter should ask herself what is the point and purpose of the practice under exam, namely what are the values it is meant to foster. In order to reach a sound interpretation, the interpreter ought to understand both what are the reasons that push participants to evaluate and comply with that practice, and what are the goods the practice actually provides. The objective of this second step, then, is to reach a coherent and plausible explanation of what is the social significance of the practice under scrutiny. Finally, it is the third step, the post-interpretive, that generates the principles that ought to govern the practice in question. In the third step the conception of justice is construed selecting those principles which, if followed, would make possible to fully achieve the point and purpose of the practice, as specified by the second step. Namely, the post-interpretive stage defines which social conducts best serve the value(s) that practice is meant to foster and, correspondingly, how that practice should be governed, or reformed, to the pursuit of that goal (Sangiovanni 2008, 148-52).[10]

Before saying something about the kind of political imagination that seems to be implied by such a method, I want to underline an essential feature of this justificatory procedure: the third step of the justification could be described as relying on a specific *model*. In the introductory section I said that whenever a correspondence between facts and principles is established, this could be expressed in the form of a model which would allow us to derive normative conclusions from a set of well-specified factual relationships. This is precisely what seems to happen in the third step just illustrated. The third step says that we need to construe principles of justice as those principles which would grant the full achievement of the point and purpose of the examined practice. So how could we assess when this condition is fulfilled? In order to conclude that some principles do indeed grant that the practice in question correctly follows its purpose, we could efficaciously refer to a model. More specifically, we could start from a representation of a practice which effectively abides by the point and purpose identified by the interpretive step. Then, by looking at this imaginary structure, we could understand which dynamics would govern it. From this particular perspective we would, therefore, easily figure out the appropriate conception of justice for existing practices: what justice demands of us would be given by the meaning and function justice would assume within that appropriately designed practice in order to grant its correct functioning. This seems precisely the kind of reasoning which is required by the third interpretive step. In order to easily identify it, I want to dub this PD model as the "idealised model".[11] The model, indeed, depicts what would constitute the "ideal"

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[10]   This three-step procedure is also extensively explained in James (2005, 298-308).
[11]   This definition does not refer in any sense to the technical notion of idealisation as opposed to abstraction which is proposed by Onora O'Neill in *Towards Justice and Virtue*, see O'Neill (1996).

form actual practices would take if they had to fully realise their normative purpose.

Let us now turn to the issue of political imagination. As we have seen, the justificatory procedure the PD approach sets up creates an essential connection between conception of justice and point and purpose of the practice it is meant to govern. The scope of states of affairs that a PD theory would judge as desirable to pursue is then quite limited: only those worlds which instantiate the normative purpose of already existing practices fall within the set of political circumstances we could imagine as worthwhile to achieve.

Seen in this light, the limits of political imagination for a PD theorist may result particularly narrow. In fact, it is easy to accuse the PDM of being founded on a status quo bias which severely undermines its normative enterprise. If our idea of what ought to be done is strictly dependent upon the point and purpose of *already* existing practices, it seems that justice would lack one of its fundamental functions: the ability to criticise, and possibly radically revise, the arrangements we happen to live in. The PDM seems indeed to passively convert empirical facts into truths about justice, thereby preventing a critical revision of actual practices and tacitly accepting the status quo.[12]

But to what extent is this status quo bias charge warranted? In order to appropriately assess to what degree, in the PD framework, political imagination is constrained and affected by political reality, we need to carefully understand what theoretical resources PDA might draw from in order criticise actual practices. This is what I will try to clarify in the remaining part of this paper.

To this end, I will proceed in two stages. Firstly, in the remaining part of the present section I will specify which methods of inquiry the PDM fundamentally opposes, and I will conclude with some preliminary remarks about the status quo bias. In the section that follows, instead, I will turn to an analysis of the additional theoretical tools the PDM ought to employ in order to make possible a criticism of existing practices. Only then, we will have a better idea of how a PD theorist could interpret and answer the status quo bias charge.

2.1. The PDM and the flaws of theory

So, as I said, let us first of all see which methods of inquiry the PDM fundamentally opposes. There are two basic methodological claims that seem to follow from the constructive interpretation PD theorists propose: i) Adequate principles of justice cannot descend from justificatory systems which do not employ models; ii) Adequate principles of justice cannot descend from justificatory systems which employ irrelevant fictional models. Both i) and ii) refer to classical justificatory

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[12]   Jubb and Banai raise and discuss at length the same possible worry.

strategies in political theory; however, they constitute theoretical resources unavailable to the PDM. Let me explain them in turn.

i) Against justificatory systems without models
To begin with what is probably the most obvious observation, the PDM rejects justificatory strategies which proceed deducing principles of justice directly from a set of more fundamental moral principles. As Sangiovanni explains, in purely deductive systems principles of justice are "justified by appealing solely to moral values or to facts about human beings as such" (Sangiovanni 2008, 139-40). In similar systems, then, the context of application of a theory does not matter for the justification of principles of justice. As the conception of justice is entirely deduced from a set of moral premises, the context of application gains importance only when the conception of justice has been fully understood and has to be implemented.

A typical example of a purely deductive justificatory procedure might run as follows: starting from the basic principle that every individual ought to be treated as morally equal, we could argue that any inequality that is due to brute luck ought to be repaired as fundamentally unfair; in addition, given the fact that the place of birth is certainly a matter of luck, we could argue that the scope of principles of distributive justice ought to be global, then concluding that we ought to follow a global egalitarian conception of justice. In this sketchy reasoning — which is typical, for instance, of different versions of global egalitarianism[13] — no reference is made to existing practices for the justification of principles: principles descend from the equal moral worth of individuals coupled with the recognition that the place of birth is arbitrary, and practices matter when we need to understand how to implement justice. Then, the essential structure of purely deductive justifications could be expressed by a sequence $(P_0...P_n) \rightarrow P_J$; namely, from a set of principles and their implications a full conception of justice is derived.

Purely deductive systems, therefore, would evaluate current practices by, first, figuring out what its conception of justice would entail in practice and, second, comparing those fully just circumstances to our actual ones. Such a strategy is much common in political theory, but it is unavailable to PD theorists. As we have seen, for a PD theorist a conception of justice does not follow from a set of moral principles. As conceptions of justice must be drawn from the point and purpose of actual practices, the only world it can meaningfully compare to ours, from the point of view of justice, is the one instantiating practices which fully abide by the point and purpose of existing ones.

ii) Against justificatory systems which make use of (non-idealised) fictional models
An alternative classic approach to the purely deductive process we have just seen is represented by those justificatory structures which do employ models in order

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[13]   See Caney (2005) and Tan (2004).

to derive conceptions of justice — as the PDM does — but in which the models taken into account are not idealisations of the practice according to its point and purpose.

The use of models is indeed much common in political theory, it is not a unique feature of PD approaches. Moreover, the models which are employed in political theory all share a common structure and a common purpose. However, they can considerably vary with respect to the circumstances they depict: and this is where the problem for PD theorists lies. Therefore, we need to understand which models — despite sharing a common structure and purpose with the idealised model — PD theorists would not find acceptable; namely, which theoretical tools they are prevented to employ in normative theory.

I want to call the models generally employed by political theorists as "fictional models", where the idealised PD model above-illustrated represents a specific kind of model which falls within this broad category. A fictional model, as I am going to use the term here, is a model that is built upon *unrealistic* representations; where, with "unrealistic representation", I refer to a wide variety of cases having in common the feature of depicting circumstances which are not (though they might be) met in reality. To give an idea of the variety of models I am referring to, the following are all instances of fictional models: models representing reality in a much simplified way, models adding unrealistic features to realistic descriptions, or models depicting fully artificial circumstances.

Partly, we have already seen how fictional models can be helpful in normative reasoning. The model PD employs is fictional because it depicts an artificial situation in which the point and purpose of current practices is fully realised. Such unrealistic situation proved to be essential within the PD justificatory method, because it allowed the PD theorist to clearly see what justice would require of us if we had to fully comply with the point and purpose of existing practices. Then, the fictional model in the PD approach plays a fundamental role of conceptual clarification: it allows us to see what we are unable to see while we are embedded in the complexity of real-world scenarios. By modelling imaginary circumstances in an appropriate way, the requirements of justice emerge easily and vividly. In fact, this is the way in which models are used in political theory more generally. The main scope of fictional models is typically the one of clarifying our intuitions by setting up appropriate circumstances against which we ought to assess them: the artificial cases employed are meant to allow the exclusion of interfering factors or biased judgements, thereby shedding light on the subject at stake.[14]

Once again, to make my case more vivid, let us consider one of the many forms a model may assume in political theory. Among all the models used in political theory that could be recalled, the Original Position John Rawls introduces in *A Theory*

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[14]   On this point see Stemplowska (2008) and Valentini (2009).

of Justice is surely the one worth recalling (Rawls 1971).[15] The Original Position describes an artificial situation in which a group of individuals is imagined as engaged in a discussion about what principles of justice ought to govern their society. By figuring out what they would choose in that situation, Rawls argues, we would better understand what principles of justice do indeed apply to us. How this can happen? The Original Position is meant to provide a better understanding of justice because the situation represented there is tailored in such a way as to avoid the interference of contingent factors and to simplify the evaluation: the participants are placed behind a "veil of ignorance" which puts them in a condition to ignore which social position they will end up occupying in real circumstances, and they are provided with a list of conceptions of justice among which they might choose from. Reflecting from such a peculiar perspective, according to Rawls, allow us to gain a much brighter vision upon justice and its requirements precisely because we bracket the contingencies that would otherwise obfuscate our understanding. In fact, the introduction of the veil of ignorance assures that other factors such as economic status, social position or balances of power, do not affect judgements about justice, and the choice of providing the participants with a list of conceptions of justice assures that the representative device is able to explain how the discussion would be conducted.[16]

In what relation does the PD approach stand with respect to justificatory structures which make use of fictional models like the Original Position? As in the case of justificatory structures which do not employ models, it seems that the PD approach cannot avail itself of fictional models other than the idealised one PD theorists necessitate in order to accomplish the third step of the constructive interpretation. Indeed, in a PD perspective, there would be no point in assessing our intuitions about requirements of justice starting from fancy representations which bear little, or none, resemblance with how our practices actually work. Fictional practices construed on the basis of criteria which are not the idealisation of the point and purpose of actual practices would picture circumstances structured around other social meanings and practical purposes. For a PD theorist, who grounds justice on the social meanings we attribute to actual practices, this would constitute a

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[15]   Another example that could be mentioned is Ronald Dworkin's Shipwreck scenario (Dworkin 2000). The Shipwreck scenario is an imaginary setting Dworkin creates in order to better understand how distributive justice ought to be conceived. The idea, in its fundamental terms, is the following: a group of people, after a shipwreck, find itself in a remote island and they have to find a mechanism to distribute the available goods in order not to disappoint any member of the group, i.e. not to create disadvantage. Dworkin's idea is that the best way to conceive how goods would be distributed among them is to set up a hypothetical auction: every participant has an equal number of clamshells they might use to bit to assure themselves the goods they value more. Starting from this artificial setting, we are asked to imagine how such distribution would end up look like. In this way, Dworkin hopes to better define how an equal distribution, which preserves preferences but eliminates the effect of brute luck, ought to be arranged.

[16]   For a discussion of the Original Position as a model see Johnson (2014).

fundamental theoretical error.[17] But then, the PDM is also prevented from relying on a much common resource which is usually employed to clarify our normative commitments.

So, in order to understand what justice requires of us and evaluate actual circumstances, the PDM cannot avail itself of classic theoretical tools which are widely employed by other approaches. For the PDM it would be pointless to assess present circumstances relying on imaginary arrangements other than the ones which fully abide by the point and purpose of our practices, be they fully alternative political worlds or simply fictional models: in the PDM the criterion of desirability is defined by the point and purpose of existing practices, other theoretical exercises distance ourselves from understanding what justice entails.

2.2. The PDM *and the flaws of practice*

As I anticipated, I would like to conclude this section by delving more deeply into the status quo bias charge. Has the PDM resources to counteract that charge, even if it cannot avail itself of argumentative strategies which are typically employed by political theorists? There are two major ways which PD theorists can use to substantively revise actual circumstances and that are commonly pointed out in the literature to explain why their method is not a mere reiteration of the status quo. In the next section, as I said, I will add two further tools to this list, arguing that they must be conceived as implication of the argumentative strategies which are already recognised by the literature. By now, let us see the two argumentative strategies classically recognised.

The first one consists in strictly following what the interpretive process itself leads to. Some indeed may say that those who move the status quo bias charge actually fail to appreciate the whole potential of the interpretive procedure.[18] In fact, the interpretive process is designed as to unfold what objectives a certain practice ought to pursue in order to fulfil its purposes. Then, if the interpretive process led us to recognise that current arrangements depart from what they would be supposed to deliver, we would be justified — in fact we would have a duty — to re-

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17   On this point see Ronzoni (2012) in which she criticises Gerald Cohen's argument in favour of his two socialist principles of justice raising doubts about his justificatory strategy. In *Why Not Socialism?* Cohen (2009) justifies the two socialist principles setting up an imaginary example which would prove the desirability of his conception of justice: the camping trip case. According to Cohen, the circumstances of a camping trip help us to understand why the two socialist principles would realise a desirable cooperation schema and would be happily endorsed by every participants in that imaginary setting. Ronzoni, arguing from a PD perspective, accuses the model employed by Cohen of inappropriateness. As a camping trip is a social practice which has a point and purpose much different from that of the institutions which govern a nation state, the principles that prove to be valid in the first setting cannot be uncritically regarded as valid also in the second one. For this reason, the fiction Cohen employs must be regarded as an inadequate device of justification.

18   See Jubb (2014).

form them and to rearrange our political conduct accordingly (Sangiovanni 2008, 159-60). But this is not its only resource. The interpretive process may also lead us to demand the creation of *new* practices. It is indeed perfectly meaningful for a PD theorist to argue that existing practices prove to be insufficient to the fulfilment of the objectives they are valued for. In similar cases, a simple reform of existing structures would be inadequate; we would need, instead, to supplement actual practices with new ones.[19] And finally, there might even be cases in which, following the constructive interpretation, we would need to abolish some existing practices. This may happen when existing practices clash and cannot be harmonised. As Banai, Schemmel and Ronzoni (2011) emphasise, we live in a world of "overlapping practices", and these rarely can coexist harmoniously. So, according to a first strand of argument, the status quo bias must be at least reshaped: it is true that PD theorist ground justice on the point and purpose of existing practices, but this is far from saying that the PDM simply "accepts" actual circumstances as they stand.

The second strategy a PD theorist could follow to revise actual circumstances emerges from what the interpretive process *does not say*. We have seen that according to the interpretive process conceptions of justice ought to be construed in light of the point and purpose of the practice under scrutiny. For this reason, justificatory methods which derive principles of justice from a set of universal moral principles (i.e. bracketing practices) are not considered valid: principles of justice must be practice-dependent. However, this methodological thesis, in itself, does not deny the existence of basic universal moral principles. The PD justificatory process only says that from basic moral principles a conception of justice cannot be derived; nonetheless, it may still be the case that some basic moral principles ought to be recognised as valid. If it so, it could be the case that some basic moral principles might still have enough authority to set *negative constraints* on justice. In other words, the PD justificatory process, as it is construed, leaves entirely open the possibility that there may be some independent valid reasons to set a limit over the conceptions of justice that we are allowed to defend. And PD theorists, indeed, *do affirm* the existence of basic moral principles able to override any constructive interpretation of justice.

In the introductory section I specified that the task of this paper is not to delve into the foundations of the PDM. However, something at this point can and must be said. There is common agreement among PD theorists around "the principle that human beings are of equal, ultimate, and general concern" (Sangiovanni 2008, 147). That is, the fundamental unit of concern, and the starting assumption, of such method are individuals as thought of as possessing equal moral worth. This seems at first sight puzzling given that, as we have seen, existing practices are taken to be the starting point for the construction of a theory of justice. However, PD theorists would argue that taken by itself the equal moral worth of individuals

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[19]   See Ronzoni (2009).

will not say much about the distributive patterns that ought to govern our institutions. An essential part of the justification of principles of distributive justice must be played by the values concretely embedded in actual practices. But such a move is not conceived as a betrayal of the fundamental moral concern towards persons; rather, it is thought of as the best way to honour it.[20]

How is this PD basic assumption useful for the present analysis? Such fundamental concern sets precisely — what I formerly called — a negative constraint on conceptions of justice. In the PDM, indeed, the moral primacy rests on individuals and cannot be overcome or contradicted. Therefore, as Sangiovanni points out, "For a conception of justice to get off the ground, there must be some sense in which the terms of the institution are at least capable of being justified to all participants" (Sangiovanni 2008, 163). This means that in order to justify a conception of justice we ought to offer reasons that everyone might find in principle acceptable. What does this say with respect to the PDM's power of criticising current practices? According to Sangiovanni, there could be no admissible basis to justify state of affairs that are supported exclusively by unmediated coercion. As Sangiovanni goes on, "if the institution must depend on systematic and unmediated coercion to reproduce and sustain itself, then the institution is incapable of such a justification and must therefore be rejected" (Sangiovanni 2008, 163). The immediate consequence of this is that the *mere* existence of a set of institutions does not authorise the PD theorist to construe a conception of justice on the basis of the point and purpose it seems to foster. For a PD theorist there must be some sense in which the institution is voluntarily built, valued, and maintained by participants.

3. THE PDM AND THE INTERPLAY BETWEEN THEORY AND PRACTICE: AN EXTENDED ACCOUNT

Up to this point I have mainly reframed the methodological claims that can be usually traced in the PD literature. In this last section, I will try to expand this common reading by highlighting some of what I believe to be the methodological implications of such approach. In particular, I will try to further clarify such method by bringing attention to two additional theoretical tools — specifically, two additional models — the PDM could, and should, use in order to adequately understand what justice demands.

More precisely, I will argue that the two additional methods of inquiry I will shortly introduce ought to be conceived as a *necessary* part of a PD analysis of justice. However, as we will see, these two additional models affect the conceptions of justice that will be justified by the PDM only *indirectly*: this is the main reason why these additional theoretical tools prove to be consistent with the PDM fundamen-

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[20] As Valentini explains "[The PDM] is premised on a concern with preserving the distinctive values promoted within particular practices for the sake of individuals themselves." Valentini (2011, 406). On the same point, see also Banai, Schemmel, and Ronzoni (2011, 50), Sangiovanni (2007, 50), and Sangiovanni (2008, 147-48).

tal methodological commitments. I say "indirectly" because the two models do not allow PD theorists to draw direct conclusions about the content of a conception of justice (which is exclusively given by the constructive interpretation above illustrated); rather, they allow to critically rethink, and possibly change, the point and purpose of our practices, i.e. the foundation of conceptions of justice.

Because these two models enable a critical revision of the foundation of the conceptions of justice, I will conclude that the accuse of a passive acceptance of the status quo which might be moved against the PDM results sensibly curtailed. In the end, I will explain, political imagination in the PDM takes a peculiar form: the political worlds we can meaningfully judge desirable and worth pursuing are given by the point and purpose of our practices; however, the point and purpose of our practices is not simply a brute fact given by the circumstances and accepted by the theorist. In fact, the PD theorist has at her disposal several theoretical tools to assess, criticise and rethink the point and purpose of practices themselves. To show that this is the case, I will now deal extensively with these two additional models.

3.1. The role of modelling alternative implementations of principles

The first additional model that should be considered an integral part of a well-developed PD analysis consists in a representation of one possible instantiation of the principles of justice defined through the constructive interpretation. Indeed, I want to argue that the possibility that justice might be equally realised by a plurality of different social arrangements generates a specific methodological requirement on the PDM. As I am going to explain, the opportunity of comparing different, though equally just, states of affairs is a theoretical tool not only consistent with the PDM, but also demanded of it. Moreover, and more importantly for the present discussion, such theoretical exercise, besides being a necessary component of a consistent PD analysis, pushes the PDM towards an active examination and critique of the status quo. Let me explain why it is so.

As I said in the introductory part of the paper, the focus of the present discussion is *normative* political theory and, as I pointed out, when we are interested in normative theory our main task is typically that of imagining — as clearly as possible — the contours of the world we should strive for. Indeed, tracing a sufficiently clear image of the world we should aim at looks essential in order to effectively guide our actions and to allow us to evaluate, hence validate, that world. However, to achieve this goal, the ideal of justice so depicted — the ideally just world — does not need to be defined in every detail. In fact, it is plausible to imagine that just circumstances could be successfully instantiated by a set of different political arrangements.

To make this idea more concrete, let us consider an example (and notice that the case is only meant to be explanatory of the point I am making, a PD analysis would certainly be much more complex and detailed than the one here depicted).

PD theorists are usually regarded as favouring "statism", meaning with this that they conceive the State as a crucial institution to preserve the point and purpose of the practices that are conducted within it.[21] In fact, according to PD theorists, States make possible the establishment of peculiar relationships between individuals, which guarantee the proviso of certain essential goods (Sangiovanni 2007, 25-27): it is for this reason that, within a PD framework, States are usually judged as institutions that ought to be preserved, whereas cosmopolitan views of global politics represent a failure to understand what justice fundamentally demands. So, assuming that the preservation of the State as an institution is a requirement of justice — as many PD theorists do claim — it might happen that we could fulfil such requirement in different ways. How could we tackle, for example, the problem of migration? As PD theorists maintain, the value of States consists in making possible an efficient redistribution of goods in a cooperative setting. It is precisely for this reason, so the argument goes, that it is pointless to seek a "global State": a global State would fail to provide the goods we judge valuable in current practices. Hence, we could not give citizenship to everyone who asked for it, nor we could accept an unlimited amount of migrants within our borders. But then, faced with a severe migratory flux towards our State, what could we do? It seems that we could answer in different ways, equally responsive to justice: we could close borders, we could strive to create better conditions in the migrants' home country, or we could set up international institutions with the aim of sharing the burden of migration, thereby making it costless for our institutions.

Strictly speaking, selecting one of these three options is a neutral choice from the point of view of justice. As I said, we could realise justice in many different ways. But there is a crucial point to notice: even though this choice is neutral from the point of view of justice (in this overly simplified example), it is by no means certain that the same choice will be *normatively neutral*. In fact, normative reasoning about politics is certainly not limited to a reflection about justice. As it is often noticed, justice is just one political value among others in the sphere of political normativity: normative theory should deal with other issues of fundamental political concern, such as — just to mention some — legitimacy, liberty, stability, and toleration.[22] This means that arrangements regarded equally just could be evaluated differently when examined from the point of view of other political values.

Therefore, it is possible to conduct a further theoretical exercise on the world we define as ideally just under present circumstances: we could try to imagine different instantiations of the ideally just world and assess their diverse implications. As I anticipated, I consider this kind of reasoning as a model-based reasoning consistent with the methodological commitments of the PDM. In fact, we can explain the reasoning behind such a comparative task as a theoretical work which needs a reference to models in order to be conducted appropriately. As in the case of the

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[21] See for example Sangiovanni (2007).
[22] For a discussion along these lines, see Rossi and Sleat (2014, 692-94).

third step of the constructive interpretation, in order to establish which instantiation of justice we ought to pursue, we would need to figure out with sufficient precision how the different instantiations of justice would work and, only in a second stage, we could assess which of the alternatives ought to be favoured. Moreover, this is a theoretical tool accessible to the PDM. In fact, this kind of theoretical exercise does entail a comparison solely among those worlds which ideally instantiate the point and purpose of the practices under exam. That is, such a theoretical tool does not involve an attempt to reframe the conception of justice with reference to criteria of desirability other than the one allowed by the PDM.

But why should this theoretical opportunity be relevant for the PDM? Why should PD theorists, who are engaged in justifying a conception of justice, be concerned with *other* political values? Indeed, I have just said that PD theorists *ought* to include this theoretical tool in their broad project of understanding and defining justice. To see why such claim is compelling, we must recall some of the fundamental characteristics of the PDM.

First of all, we must remember where the PDM takes its defining feature. As I have above explained, according to this method conceptions of justice are "practice-dependent" in the sense that their content is drawn from existing practices — or, to be more specific, from the value such practices have from the point of view of their participants. This means that the only legitimate way to understand the content of justice comes from an appreciation of the participants' reasons for approving and accepting the practice in question. And this means also that conceptions of justice are sensitive to empirical change: once practices come to be revised, the conception of justice will have to be revised too.

Secondly, and crucially, it must be noted that the PDM considers conceptions of justice as capable of having a direct effect on our practical world. As I said in the introductory section, PD theories are conceived as "normative" theories, i.e. theories aimed at guiding our actions in actual circumstances by showing us how fully just circumstances look like. Moreover, as we have seen, the belief that the values individuals endorse actually shape the institutions they come to take part in constitutes a fundamental rationale of the PD approach. In a PD perspective, then, normative theory must be regarded as intrinsically practical.

This second feature has some striking consequences for our analysis. Indeed, if we combine the two elements just raised (namely, the empirical sensitivity and the empirical power of PD theories) we soon realise that the PDM generates what we can call an *hermeneutic circle*: a conception of justice is built upon existing practices but, at the same time, it contributes at shaping practical reality, consequently affecting the system of values that will form the future meaning of justice itself. Notice that, given such hermeneutic dynamic, the conception of justice will tend to replicate itself, corroborating and reinforcing the structure of existing institutions. Correspondingly, in case some factors able to impress a change in the conception

of justice that applies in actual circumstances did exist, they would be rooted outside the scope of justice. But, as it will soon be clear, the diverse political values which come into play when justice needs to be applied are precisely the kind of elements able to generate an evolutionary process within the conception of justice itself.

Let us go back to the concrete example illustrated above. The choice among the three options suggested is not neutral with respect to what justice will entail. Indeed, we have good reasons to think that in case we pursued the third option — the creation of an international network of mutual aid — the future scenario may gradually push us to reconsider the primacy assigned to states in the global arena, given the value we come to assign to these new structures. Consider, for instance, an institution such as the EU. As PD theorists commonly recognise, the EU — given its point and purpose — triggers duties of justice which might interfere with state sovereignty. As Banai, Schemmel and Ronzoni explain,

> "the structural and cohesion funds of the EU, for instance, have the explicit aim of reducing inequalities in wealth and opportunities between different regions of the EU. This is particularly significant because not only do the funds have a clear comparative and distributive aim, but they also do so at the regional level, thus clearly interfering with some intra-state affairs of their members" (Banai, Schemmel, and Ronzoni 2011, 57).

Institutional changes like this one, then, might gradually lead us to reconsider our conception of the scope and the content of our duties of justice by introducing new practices, which bring about new social goods that have to be weighted and assessed against the other ones already existing. This means that, even if, within a PD framework, justice can only be conceived in relation to the point and purpose of actual practices — and so a conception of justice cannot be created "from scratch", PD theorists have the capacity to affect the new forms justice will take "from the bottom", reasoning about the current courses of action we can choose from.

At this point, we must consider a third essential feature of the PDM. Above I have explained that the PDM finds its fundamental rationale in the belief that a conception of justice ought to be mutually justifiable, that is to say, mutually acceptable by every person subjected to it. And I was careful to point out that the mutual acceptability PD theorists are talking about is linked with a conception of persons as morally equal and ultimate units of moral concern. As we have seen, such a ground generated a claim against practices supported by a mere coerced acceptance. The acceptance which matters for PD purposes is a sincere and free adhesion to the practical values embedded in social practices. The underlying insight that moves a PD approach is that the theorist ought not dictate autonomously what justice demands; rather the theorist should help to systematise the implicit beliefs about justice participants hold and to enhance a critical self-reflection. The

conception of justice so construed has authority precisely because it is thought to reflect those rules which might gain the approval of those subjected to them.

Now that we have all the necessary elements at our disposal, why must the employment of this theoretical tool be considered mandatory for PD theorists? I started from the observation that the normative issues justice raises remain often underdetermined by PD theories: in fact, I have explained that assessing the implementation of justice requires referring to a plurality of values other than the one of justice. There is, we could say, a space of normative inquiry about justice which a PD conception of justice is not, in itself, sufficient to tackle. But this further space of normative inquiry is very relevant in a PD framework. This is due to the hermeneutic circle illustrated above: this space of normative inquiry left open can instigate a change of the conception of justice itself. And — this is my final point — given the PD commitment towards an uncoerced and unbiased acceptance of social arrangements, the PD theorist has a special duty to clarify and critically discuss the diverse possible implementations of justice. By discussing the competing available ways of applying justice a PD theorist helps to make possible a well-formed (because informed and conscious) evolution of the conception of justice over time. In the open discussion of competing instantiations of justice a PD theorist finds a space from which she can promote a well-formed public debate on issues that might — in the future — come to form the basis of those social understanding that will compose a conception of justice. And this is an inescapable task for a PD theorist given the foundational assumption that conceptions of justice ought to mutually justifiable.

3.2. A new role for fictional models

In the concluding remarks of the former section, I underlined that, precisely because the PDM requires conceptions of justice to be justifiable, the PDM cannot offer justification for institutions exercising unmediated coercion against some of its participants: for instance, the PDM cannot accept as valid a conception of justice which justifies slavery, even if slavery is historically accepted within the institution we are interpreting. In other words, a conception of justice which cannot offer reasons in support for the existence and maintenance of a certain institution, except the brute "reason" that that institution has enough power to impose its will on some of its participants, cannot be considered a conception of justice at all. For this reason, the PDM has the capacity of demanding the abolition of entire institutions.

However, can we limit ourselves to identify and counteract cases of manifest coercion in order to fulfil the justifiability requirement? If disallowing (as invalid) conceptions of justices which merely reflect the prevailing balances of power is a core requirement of every justification of justice, we should take particular care in diagnosing cases of coercive acceptance. Yet — some might argue — the most rooted and subtle forms of coercion are often those which are not as manifest as the case

of the institutionalisation of slavery. In fact, some could point out, the most ine-radicable forms of coercion are precisely the ones so effective as to be hidden be-hind a veil of acceptance by those who are subjected to its influence. But has the PDM the necessary tools to individuate such cases? By letting justice to depend on an interpretation of the participants' reasons for acceptance, are not PD theorists merely reinforcing current power unbalances? This is a criticism which may well be posed by the Critical Theory tradition, and Sangiovanni recognises that such a charge could be a powerful argument against the PDM.[23] As critical theorists are well aware of, the acceptance of a certain institution can be the result of a form of "false consciousness", meaning with that a state of consciousness which "prevents the agents in the society from correctly perceiving their true situation and real in-terests" (Geuss 1981, 3). If false consciousness is a concrete possibility — and PD theorists do not deny it — we should better devote our efforts in freeing ourselves from the dominant ideology rather than strengthening it attributing normative rel-evance to the alleged point and purpose of our practices.

Which resources has the PDM to reduce the power of such criticism? As Sangio-vanni acknowledges, the PDM could welcome the suggestions of critical theorists: the two approaches are not to be seen as rivals. In fact, an attentive process of social criticism could be required as an additional part of the PDM, precisely as a further check on our interpretations. Specifically, in order to offer a coherent and unbiased interpretation of the point and purpose of a given practice, the PDM could usefully avail itself of tools like the "Critical Theory Test" as suggested by Bernard Williams. According to Williams, since a justification cannot be accepted "if the acceptance itself is *produced by* the coercive power which is supposedly being justified" (Williams 2005, 6), we should try to analyse our interpretations through a series of reflexive tests which in their general form sound like: "If [the participants of a practice] were to understand properly how they came to hold [a certain] belief, would they give it up?" (Williams 2002, 225-32). If the PDM aims at uncovering what are the fundamental reasons that push participants to attribute value to a giv-en practice, tools like the critical theory test seem to constitute a necessary part of the interpretive process. However, as Williams (2002, 225-32) himself recognises, understanding what is produced by whom is by no means an easy task. Social criti-cism, precisely because deals with unrecognised and accepted structures of coer-cion, is a never-ending process of interpretation.[24] Many cases will be too contro-versial to be assessed, or simply too rooted to be recognised.

Hence, I want to suggest the importance of an additional theoretical tool available to PD theorists which would further curtail the charge of status quo bias usually advanced against the PDM. As we have seen, PD theorists condemn the reference

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[23]   See Sangiovanni (2008, 161-63). About the Critical Theory charge, see Geuss (1981), and also Williams (2002, 219-32).

[24]   Not least because disagreements in Critical Theory do exist. Sangiovanni indeed points out that Williams and Geuss have different opinions on the status of liberal institutions. San-giovanni (2008, 163).

to fictional models when these are employed to vindicate a conception of justice for present circumstances. Above, I have argued that controlled variations of ideally just practices represent a crucial resource to allow a critical rethinking of justice. Here, I want to suggest that also fictional models (other than the idealised PD model) might play a role in a PD framework — where, of course, such a function cannot be that of deriving a conception of justice, nor that of imagining alternative desirable worlds, otherwise we would betray PD commitments.

So, how could the PDM take advantage of fictional models? Earlier in the text I defined fictional models as tools for theoretical exploration: the function of unrealistic representations is usually the one of clarifying our intuitions by offering a new and simplified perspective on the problems we are tackling. Intended in this way, as tools that allow us to reason from a perspective unconstrained by the complexities of reality, fictional models could contribute to the operation of social criticism that seems to be required by the interpretive procedure itself. Imagining fictional models could work as a tool to tease our normative intuitions, where devices like the Critical Theory Test are uninformative. In fact, precisely because fictional models push us to reason endorsing a radically different perspective, designing fictions stimulates a critical rethinking of our practices, because it introduces new ways of interpreting reality within the schema of thought we are accustomed to.[25]

Once again, the point gets clearer if we consider an example; and this time, I will propose a well-known one: Michel Foucault's Panopticon. To explain my point, I will rely to a large extent on the analysis of the Panopticon as a model James Johnson proposes (Johnson 2014, 51-52). Foucault's Panopticon is the representation of a prison designed in such a way as to enable a single watchman to check on the behaviour of every inmate at any time, without them knowing when they are being monitored. In this particular institution, the watchman is not able to observe all the inmates at the same time, however the inmates are well aware that they could be under surveillance in any moment. This imaginary structure is used by Foucault to illustrate how the mechanisms of disciplinary power — by which he means "those systems of micro-power that are essentially non egalitarian and asymmetrical" which "have the precise role of introducing insuperable asymmetries and excluding reciprocities" (Foucault 1979, 222, cited in Johnson 2014, 551) — operate and sustain themselves. The Panopticon is particularly effective in explaining

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[25]   This idea of fictional model as a tool to tease our intuitions is certainly not an innovative one, though it has not found much space in political theory's debates. The notion itself of "fictional model" is widely used in the philosophy of science to describe models which do not exhibit a clear connection with real-world circumstances and which, nonetheless, are able to tell us something about our world by pushing us towards a reframing of old problems. See, for example, Morrison (2009) and Cartwright (2010, 19-31). A significant, though very different, parallel might be also found in the field of arts. In avant-garde artistic movements the fiction represented by the work of art was precisely intended as a provocative object aimed at teasing our intuitions against dominant cultural tendencies. For a classical reference in this direction, see Marcuse (1978).

disciplinary power because it represents those asymmetrical relations in their pure form allowing us to clearly see both their origin and their effects (Johnson 2014, 551).

Certainly, we can regard this structure as an example of fictional model. The Panopticon is unrealistic in many respects: it differs from actual practices by, for example, degree of complexity, size and participants. Foucault himself, tellingly, does not conceive the Panopticon as a mere description of how social practices actually work. But the Panopticon is not a fiction built according to PD standards: it does not "idealise" existing practices. So what is its function? Significantly, Foucault admitted that he had "never written anything but fictions", but that those fictions could contribute to generate "truth" (Foucault 1980, 193, cited in Johnson 2014, 552). The whole point for Foucault is to set up a vivid image of how social practices could work, even if just in fiction, to both warn us and awake us against the possibility that social practices might be structured around disciplinary powers. As Johnson clearly states, "he aims, in other words, less to establish that we now inhabit, or ever have, a fully functional disciplinary society, than to warn us to remain vigilant regarding the myriad ways disciplinary mechanisms infiltrate and redefine social and political relations" (Johnson 2014, 552).

Hence, Foucault uses his fictional model precisely as I intended it here: as a tool to offer a new perspective on reality, by providing us with a description of a practice much far from ours but that, nonetheless, has the ability to push us to rethink our own practices. Fictional models, in other words, help us not to take for granted our beliefs about current practices and invite us to endorse a critical perspective towards reality.

Conceived in this way, fictional models seem to be consistent with PD and to fully serve its cause. Indeed, these models, even if fictional, have not a normative purpose. From fictional models we cannot conclude anything direct about conceptions of justice; a PD theorist can only make use of them in order to revive our intuitions and encourage a critical assessment of current practical relationships. Moreover, as in the case of the models of instantiations of just practices, these additional available models are not merely theoretical exercises the PD theorist may decide to take advantage of without betraying her fundamental methodological commitments. The PDM, I am suggesting, ought to include fictional models as a necessary part of its broad reflection about justice: this must be the case precisely because fictional models serve the justifiability requirement by enhancing social criticism. Seen in this light, attempts to create new narrations of our own practical reality by relying on fictional models seems a requirement that every PD theorist ought to fulfil.

4. Conclusions

I opened the paper with this question: (a) "In normative political theory, what conception of political imagination does the practice-dependent method entail?" I explained that such question was motivated by an interest towards the methodological controversy around the relationship between facts and principles in normative political theory. In particular, I specified, by answering this question my objective was to clarify to what extent normative principles result constrained by facts, in case we chose to employ a PD methodology. To this aim, I proposed to tackle the question (a) by rephrasing it in another form, namely: (a*) "in normative political theory, which models should the practice-dependent method employ in order to appropriately understand what normative principles apply to us?" This proposed reformulation was meant to facilitate the inquiry into (a) since, I argued, models prove to be useful to tools to understand and systematise the relationship between facts and principles within theories.

I have dealt with question (a*) in Section 2 and 3, in an attempt to explore which models the PDM ought to refer to in order to appropriately understand the requirements of justice. Accordingly, the answers to (a) should also be clearer now. What can be said about the border of political imagination of the PDM, given the discussion conducted so far? Following what has been said in Sections 2 and 3, I want to suggest that the answer we were seeking for to question (a) can be formulated in two much different ways: the first one simply refers to what the constructive interpretation explicitly tells us, the second one takes also into account the whole process of construction of a PD theory. The second version of the answer, that I am now in a position to provide, proves to be crucial as it allows us to adequately understand the conception of political imagination implied by the PDM.

On the one hand, we can answer question (a) in a quite straightforward way. As we have seen, according to the PD approach, the conception of justice has to be built upon the point and purpose of existing practices. Following the constructive interpretation PD theorists suggest, the political worlds we ought to pursue are those that fully accomplish the point and purpose of actual practices. Then, we could answer question (a) saying that the border of political imagination is given by those worlds which represent ideal embodiments of the point and purpose of the practice under scrutiny. If read in this way, this first answer to (a) easily corroborates the status quo bias charge: the PDM seems merely to accept and strengthen existing beliefs about justice.

However, now that we have a better knowledge of the theoretical tools a PD theorist ought to employ in order to construe an adequate conception of justice, such answer looks a bit too hasty. In fact, saying that PD conceptions of justice are built upon the point and purpose of practices does not say much, in itself, about how, and to what extent, facts constrain principles within this approach. In order to understand how exactly facts constrain principles in the PDM we need something more: we need to understand how the "brute fact" of the point and purpose of practices is conceptualised with the theory. It is by delving into this second is-

sue that we can appreciate how complex the relationship between facts and principles within the PD approach is: such a relationship can hardly be reduced to a simple dependence of the theory from the point and purpose of practices.

As we have seen in Sections 2 and 3 the attitude of the PD theorist, far from being one of passive acceptance of current practices, must be one of active and continuous critical engagement. The PD theorist — so as to abide by her fundamental methodological commitments — needs to refer to a plurality of theoretical tools in order to appropriately deal with the factual basis of her normative proposals. As I have tried to emphasise, PD theorists, in light of their methodological foundations, need to ascertain the justifiability of the practices we inhabit, to actively stimulate an open and public discussion around normative issues outside the scope of justice, and to foster an incessant activity of critical scrutiny about our actual beliefs.

Accordingly, the resulting picture of the boundaries of political imagination will be much more complex than the one depicted at first. The point and purpose of practices that will put the basis of a conception of justice will be one that is able to pass the justifiability test, that is partly shaped by the reflective activity of the theorist herself, and that is robust against the kinds of examinations proper of critical theory. If it is so, the straightforward answer we gave to (a) — namely, that the border of political imagination for the PDM is given by the worlds which ideally realise the point and purpose of actual practices — hides a complex methodological scenario, and should be read carefully. The "fact" that will constrain PD principles is indeed the point and purpose of the practice in question, but this "fact" in itself is partly shaped and critically assessed by the theorist. Hence, strictly speaking, there is no easily-definable border of political imagination in the PDM: the relationship between facts and principles will result from the overlap of the different theoretical tools I put forward in the course of this paper.

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