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The Two-Dimensional Analysis of Feasibility: A Restatement

<https://doi.org/10.1515/mopp-2018-0049>

Abstract: Pablo Gilabert and Holly Lawford-Smith have, both in collaboration and individually, provided a compelling account of feasibility, which states that feasibility is both ‘binary’ and ‘scalar’, and both ‘synchronic’ and ‘diachronic’. This two-dimensional analysis, however, has been the subject of four major criticisms: it has been argued that it rests upon a false distinction between ‘hard’ and ‘soft’ constraints, that it ignores the importance of intentional action, and that diachronic feasibility is incoherent and insensitive to the existence of epistemic limitations. In this paper, I will argue that such objections do not undermine the persuasiveness of Gilabert and Lawford-Smith’s analysis. Nevertheless, I will contend that the latter is susceptible to two other challenges. First, it mistakenly appeals to morality, and, second, it lacks an analysis of ability. I will maintain, however, that such criticisms can be addressed and that a revised version of the account should be adopted.

Keywords: David Wiens, feasibility, Holly Lawford-Smith, non-ideal theory, Pablo Gilabert

1 Introduction

The concept of feasibility is highly significant: political principles and theories, which would otherwise be seen as desirable or persuasive, are often dismissed outright by critics as infeasible (Räikkä 1998, p. 39). It is, therefore, vital for political theorising, and political practice, that we should be absolutely clear about what feasibility means (Räikkä 1998, p. 39). Despite the central role that feasibility has played in many recent discussions about ideal and non-ideal theory, political realism and moralism, and the role of facts in political philosophy more generally, until recently it had rarely been discussed in its own right and little was known about what it actually meant

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or ought to mean. This situation began to change with the publication of Gilabert and Lawford-Smith's (2012) article entitled 'Political Feasibility: A Conceptual Exploration' and Lawford-Smith's (2013) essay 'Understanding Political Feasibility'. Since then, we have witnessed a growing body of literature on feasibility (e.g. Brennan and Sayre-McCord 2016; Gilabert 2017; Hamlin 2017; Southwood and Wiens 2016; Stemplowska 2016; Wiens 2015).

This paper aims to contribute to this debate. Specifically, my goal is to defend the conception of feasibility advanced by Gilabert and Lawford-Smith (2012) and Lawford-Smith (2013) from its critics and to refine it in order to eliminate some of its shortcomings. Their account has two main dimensions: the first concerns the *type of constraints* relevant to a feasibility assessment, while the second dimension concerns the *time* of a feasibility assessment. For want of a better term, I will refer to this theory of feasibility as the 'two-dimensional analysis of feasibility' (TD, for short).¹ Four important challenges have been levelled against it, namely, that (a) TD's distinction between 'hard' and 'soft' constraints is false; (b) it neglects the importance of intentional action; (c) its defence of dynamic feasibility is both incoherent and (d) ignores considerable epistemic limitations. I will argue that these objections do not undermine the cogency of TD. However, I identify two issues that do. First, Lawford-Smith (2013) mistakenly appeals to morality in her discussion of soft constraints. Second, neither Gilabert and Lawford-Smith (2012) nor Lawford-Smith (2013) explicitly endorse an analysis of ability, which, I will maintain, they should.

In Section 2, I will outline TD. Section 3 will challenge the objection that it is misguided to distinguish between 'hard' and 'soft' constraints. Then, in Section 4, I will address the criticism that TD's definition of binary feasibility does not pay attention to the significance of intentional action. Section 5 will tackle the charge that dynamic feasibility is incoherent and susceptible to intractable epistemic limitations. After that, in Section 6, I will argue that Lawford-Smith (2013) mistakenly appeals to morality. In Section 7, I will address Gilabert and Lawford-Smith's (2012) and Lawford-Smith's (2013) problematic lack of an analysis of ability. Finally, in Section 8, I will conclude.

¹ Some scholars (e.g. Stemplowska 2016, p. 274) have called this account the 'conditional account of feasibility'. For me, this sounds slightly misleading if we are specifically talking about Gilabert and Lawford-Smith's analysis because the notion of 'feasible conditional on trying' does not seem to be the defining feature of that theory. Moreover, the term 'conditional' might lead to some confusion with the 'conditional analysis of ability'.

2 Feasibility: Binary and scalar, diachronic and synchronic

According to TD, one of the two main dimensions of feasibility concerns the kinds of constraints relevant to a feasibility assessment. This dimension can be sub-divided into two: a binary and a scalar dimension.

An outcome is feasible in the *binary* sense if, and only if, there is an agent (individual or collective),² at a given time t , whose performance of a certain action at t would result in that outcome coming about at t (Lawford-Smith 2013, pp. 250, 253). There are only two options here: either the outcome is feasible or it is not (Gilabert and Lawford-Smith 2012, pp. 813, 815; Lawford-Smith 2013, pp. 250, 253).

Binary feasibility is, therefore, another term for ‘possibility’, at least in some contexts. After all, we could change the terminology and still mean the same thing here: we could claim that an outcome is *possible* if, and only if, there is an agent (individual or collective), at a certain time, whose performance of an action will lead to the outcome in question. The only case in which we could not use the terms ‘possible’ and ‘feasible in the binary sense’ interchangeably is when we are talking about outcomes that are *not* brought about by agents. For example, it is possible that the sun rise in the morning. But there are no agents who can carry out an action that will lead to the sun rising in the morning, so we cannot say that it is feasible in the binary sense that the sun rise (Lawford-Smith 2013, p. 247). Feasibility, whether binary or scalar, is concerned with *agency* (Gilabert and Lawford-Smith 2012, p. 812; Lawford-Smith 2013, pp. 244, 247, 253).

What makes an outcome infeasible in the binary sense are the ‘hard constraints’ imposed on the relevant agent’s action (Gilabert and Lawford-Smith 2012, p. 813; Lawford-Smith 2013, p. 252; see also Räikkä 1998, p. 32). These ‘include facts about what is logically, conceptually, metaphysically, and nomologically impossible’ (Lawford-Smith 2013, p. 252; but cf. Spencer 2017). So, for instance, the key reason why I cannot bring about the outcome in which Hitler was killed and World War II never happened is that time-travelling is not an action that I am able to perform. Identifying what is infeasible in the binary sense helps us definitely reject certain courses of action as impossible and it is thus crucial for normative theorising (Gilabert and Lawford-Smith 2012, p. 812f; Lawford-Smith 2013, p. 252f).

² An individual agent is a single person, while a collective agent can be any coordinated group of individuals, such as a company or state, that is not merely an aggregate of individuals (Lawford-Smith 2013, p. 247).

Yet, to say that something is infeasible in the binary sense at some period of time does not mean that it will necessarily be infeasible in the binary sense at another point in time (Gilabert and Lawford-Smith 2012, p. 811, p. 814f; Lawford-Smith 2013, p. 249; see also Gilabert 2017). This is where the second main dimension of feasibility—time—comes into the picture. Like the first dimension of feasibility, it can also be sub-divided into two dimensions, the synchronic and diachronic dimensions. For example, it is impossible for a person who does not currently know a word of Portuguese to start speaking Portuguese fluently. However, if that person were to study Portuguese, it might then become possible, at a future date, for her to speak it fluently (Lawford-Smith 2013, p. 249). This means that there is often a *diachronic* or *dynamic* aspect to binary feasibility, in addition to its more obvious *synchronic* dimension (Gilabert and Lawford-Smith 2012, p. 811, p. 814f; Lawford-Smith 2013, p. 249).

But let us return to the constraints dimension of feasibility. The latter, on top of having a binary aspect, also has a *scalar* sense. Scalar feasibility is concerned with the likelihood of an outcome that is feasible in the binary sense obtaining. So when we talk about something having a low or high feasibility, or when we say that something is more or less feasible, we are referring to feasibility in its scalar sense (Gilabert and Lawford-Smith 2012, p. 815; Lawford-Smith 2013, p. 254). An outcome is more/less feasible at a given time t if, and only if, there is an agent (individual or collective) whose performance of an action at t , is more/less likely to result in the outcome in question at t (Gilabert and Lawford-Smith 2012, p. 815; Lawford-Smith 2013, p. 258).³

The things that make an outcome less feasible than it could otherwise be are the ‘soft constraints’ imposed on the relevant agent’s action at the given time. Soft constraints include economic, institutional, and cultural circumstances and other people’s (though not one’s own) motivation (Gilabert and Lawford-Smith 2012, p. 813f; Lawford-Smith 2013, p. 254ff; see also Rääkkä 1998, p. 34). For example, socialist policies have a low likelihood of being enacted in a capitalist society today because capitalist institutions are well-entrenched and even if some agents support reform, many do not (Lawford-Smith 2013, p. 255). However, unlike hard constraints, *all* soft constraints can be overcome (Gilabert and Lawford-Smith 2012, p. 814f; Lawford-Smith 2013, p. 255). What is currently very unlikely to take place may become less unlikely in the future, if

³ Curiously, Gilabert and Lawford-Smith omit the time element from their statement of scalar feasibility while explicitly mentioning time in their definition of binary feasibility, even though their overall argument seems to support the temporal character of both binary *and* scalar feasibility. My example on same-sex marriage in Section 5.1 shows why I think scalar feasibility has a time component.

some actions are undertaken. In other words, there is also a diachronic or dynamic aspect to scalar feasibility.

In summary, feasibility has two main dimensions, each of which can be subdivided into two further dimensions. First, feasibility is both binary and scalar. Binary feasibility is only bound by hard constraints while scalar feasibility is affected by both hard and soft constraints. Second, binary feasibility often has two elements—a synchronic and a diachronic aspect—while scalar feasibility *always* has a synchronic and a diachronic dimension.

Let me now consider the criticisms that have been levelled against TD.

3 The distinction between ‘hard’ and ‘soft’ constraints

Wiens argues that it is a mistake to distinguish between hard and soft constraints, as TD does (Wiens 2015, p. 450, p. 452ff). Sure, he concedes, ‘in some respects’ it makes sense to make that distinction (Wiens 2015, p. 450).⁴ Nevertheless, he continues, ‘there are hard limits to the economic, institutional and cultural resources we can obtain..., thereby placing hard limits on what we can achieve with such resources’ (Wiens 2015, p. 450). The world provides us with a finite amount of motivational, financial, institutional and technological resources (Wiens 2015, p. 452ff). Although we could change the composition and size of our current resource stock so that in the future some states of affairs might become feasible, Wiens maintains, there are, nonetheless, further ‘hard’ constraints to the alleged ‘soft’ constraints posed by our motivational, financial, institutional and technological resources (2015, p. 452ff).

First, there is a limited number of ways through which we can change our current resource stock; second, there are opportunity costs associated with how we opt to change our resource stock and with how we choose to spend that resource stock; finally, and relatedly, Wiens continues, the states of affairs that a resource stock can attain are limited to those that can be achieved jointly—so, for example, two states of affairs might each be realisable separately, given the available resources, but if they cannot be achieved simultaneously, then we cannot say that they are feasible (2015, pp. 452ff.).

⁴ Wiens does not clarify, though, in which circumstances it makes sense to hold that distinction.

Wiens's criticism of the hard-soft constraint distinction is problematic for two reasons. First, by claiming that 'there are hard limits to the economic, institutional and cultural resources we can obtain' (2015, p. 450), Wiens is simply saying that those *are* hard constraints. They were never soft to start with. Second, and most importantly, there is nothing incompatible about agreeing that there are some *hard* financial, institutional and technological constraints and accepting that there are also some *soft* financial, institutional and technological constraints. Nothing in Wiens's argument about the need to consider the limits of our resource stock undermines TD's claim that there also exist soft constraints.

For example, a theory that required an infinite amount of money to implement its principles would be ruled out by TD's account of binary feasibility as 'metaphysically ... impossible' (Lawford-Smith 2013, p. 252). Or take an institutional example. There cannot exist *both* a thriving liberal democratic state *and* a ruthless theocracy exercising jurisdictional authority over the same people in the same specific territory. There is a clear opportunity cost here: we can either have one or the other. Again, TD would endorse this conclusion—it would note that the co-existence of the two institutional arrangements in the same place is 'conceptually ... impossible' (Lawford-Smith 2013, p. 252).

Yet, acknowledging that there are some hard constraints pertaining to economic, institutional and technological factors does not necessarily invalidate claims about the 'soft' character of many economic, institutional and technological constraints. For instance, there is nothing in the US's current resource stock stopping the relevant agents in that state from changing the US healthcare system to make it fairer and more efficient (see, e. g. Gaffney 2018). After all, it is well known that better and cheaper institutional arrangements exist in other countries, such as the publicly funded NHS in the UK or the privately financed, insurance-based system in Switzerland. What is, in fact, preventing the improvement in healthcare provision in the US is the political culture and vested interests of a section of US voters, political representatives and pressure groups (see, e. g. Brill 2015). However, this hostility to a fairer system on the part of some voters, politicians and interest groups could be circumvented by persuasion, political trade-offs and all sorts of other strategies, which is why we should say it is a *soft* constraint.

One might retort that we should not be so quick in asserting that the US's resource stock allows for improvement in healthcare. After all, one might contend, the *efforts* needed to bring about change are finite (see Wiens 2015, pp. 453ff). People need to pick certain causes over others: there is an opportunity cost in campaigning for one kind of political change over another. It might be the case that a group's campaigning for the extinction of the US Electoral

College and the establishment of proportional representation would deprive that group of the time and financial resources to campaign for healthcare reform. An analysis of feasibility, Wiens would add, cannot make feasibility assessments of each state of affairs separately, because that would ignore the fact that their *joint* realisation might actually require an amount of resources that does not currently exist or an amount that is not attainable in the future (2015, pp. 454f).

I have two replies. First, this line of criticism overlooks the importance of agent-relativity for feasibility assessments. It certainly seems plausible to claim that a small non-governmental organisation made up entirely of US volunteers who have ordinary day jobs will not be able to devote itself to all the worthy causes that exist out there. They may decide to focus on electoral reform and ignore healthcare reform. However, the importance of considering agent-relativity becomes evident here. If we were assessing the feasibility *for individual members of the US Congress and the US President* (as opposed to the feasibility for a small group of average US citizens) of improving the US healthcare system, we would notice that the resource stock available to US representatives should be considered separately from the resource stock available to ordinary US citizens. Far fewer resources are needed for the former to enact political reform.

If a bill that would make healthcare better and cheaper in the US were proposed by the US president, all that it would be required for it to become law would be for a majority of Representatives and Senators to approve the same version of the law and for the President to then ratify it. Certainly, if those who vote for the bill are running against the wishes of their constituents, donors and party leaders, it is quite likely that they will lose office in the next election. But such considerations are irrelevant for feasibility assessments, as worries about risk and desirability involved in an agent's acting a certain way do not matter to what is feasible *for her* (Gilabert and Lawford-Smith 2012, pp. 816f; Lawford-Smith 2013, p. 245; Wiens 2015, pp. 455f. But cf. Brennan and Sayre-McCord 2016; Rääkkä 1998). If I am currently a US Senator and a fair healthcare bill has been put to a vote in the Senate, to make it more likely that it will pass, all I have to do is to vote for it. That requires considerably less time and money than that required of political campaigners trying to persuade voters and politicians to change their attitudes about healthcare.

My point here is that Wiens's emphasis upon the need to factor in the *world's* total resource stock when making feasibility assessments is misguided. It is, indeed, true, as he contends, that there is a finite amount of resources, processes to change the composition and size of those resources, and ways to spend them. But what matters to a feasibility assessment is, first and foremost, the resource stock available to *each agent*, and not to the world at large. What may be a technological, institutional, economic or cultural limit for one agent

may not be a constraint (or may be a far lesser one) for another. Resources are agent-relative. Wiens's focus on the 'big picture' ignores that fact.

My second reply addresses Wiens's argument that the fact that a state of affairs may be feasible if pursued on its own does not necessarily mean that it would also be feasible if pursued alongside other goals, given the finite nature of the world's resource stock (2015, pp. 454f). Wiens might be right here. But, in our feasibility assessments, why should we start, as Wiens does, with the assumption that we are planning to realise *all* morally desirable states of affairs? Why can we not start by assessing the feasibility of a single state of affairs and leave to a later stage the task of determining whether that state of affairs would still be feasible if other outcomes were to be pursued alongside it?

To draw an analogy, imagine I am assessing the feasibility of my baking a chocolate cake next Sunday. According to Wiens, the way to proceed would be for me to examine whether my resources would allow me to produce not only the chocolate cake in question, but a number of other cakes and desserts I like, all my favourite hors d'oeuvres and main courses and every drink I could possibly see myself sipping. If my resources allow me to prepare all of my favourite food and beverage *simultaneously* next Sunday, only then could we say that it is feasible for me to make a chocolate cake next Sunday, or so Wiens would claim. Yet, that strikes me as somewhat bizarre.

I believe there is a less counter-intuitive way of incorporating Wiens's insight about the need to pay attention to the finite nature of resources. First, the object of a feasibility assessment should be a *single state of affairs*, and we should only take into account whether the relevant agent's current (or attainable) resource stock can produce that state of affairs. If the agent can produce that state of affairs, given her/its resource stock, then the state of affairs is feasible (binary feasibility). If the relevant agent can, given her/its resource stock and given soft constraints, more or less realise that state of affairs, then we can say that that state of affairs is more or less feasible (scalar feasibility). Our feasibility assessment ends there.

We should only move on to the second stage of a feasibility assessment if our specific goal is to make an *all-things-considered judgement*, i.e. a judgement about what an agent ought to do here and now, given moral, prudential and feasibility considerations.⁵ Here we would have to identify the states of affairs that are individually feasible and calculate which combination of these is compatible with our current (or attainable) resource stock and with moral and prudential considerations. The states of affairs that cannot occur alongside the other desirable outcomes thus become infeasible (or less feasible). Meanwhile,

⁵ On the nature of all-things-considered judgements see, e.g. Gilibert (2017, p. 104).

some states of affairs may *not* be individually feasible but become feasible (or more feasible) if they are pursued together with another goal, so we should also take this fact into account when making all-things-considered judgements. Finally, if several combinations of feasible outcomes are possible, we would then have to examine which one is the best, all things considered.

4 Binary feasibility and the need to consider intentional action

Zofia Stemplowska argues that TD's definition of binary feasibility is inadequate because it ignores the importance of intentional action, and so it is susceptible to problematic counter-examples (2016, p. 289). She gives us the example of a person with no medical background who could, in theory, perform open-heart surgery on another individual—after all, there is nothing metaphysically, conceptually, logically, or nomologically impossible about an average person performing a complex surgery (Stemplowska 2016, p. 275). The amateur surgeon (and her patient) might be wildly lucky and the surgery might end up being a success (Stemplowska 2016, p. 275). However, she claims, surely there is something highly counter-intuitive about that case and, more generally, about seeing binary feasibility merely in terms of possibility⁶ (Stemplowska 2016, p. 289). Taking into account an individual's knowledge and skills and, therefore, whether this individual's action is intentional or not, she argues, should certainly matter to what is feasible in the binary sense (Stemplowska 2016, p. 289).

Stemplowska is right in that regard. Nevertheless, TD is not vulnerable to this criticism. Stemplowska seems to be under the impression that TD's definition of binary feasibility revolves around the concept of *simple ability*. Simple ability can be defined as the possession of the physical capacity and opportunity to do something at a given time, but where knowledge, skill and intention are not necessary to perform the event in question (Clarke 2015, p. 894). Think, for example, of the simple ability able-bodied individuals in the possession of a fair dice have of tossing a six (Clarke 2015, p. 894). That does not require any knowledge, skill or the intentional action of tossing a six, but it still is a kind of ability (Clarke 2015, p. 894). This is the sort of ability that an amateur

⁶ A concern with the alleged permissiveness of TD's account of binary feasibility can also be seen in Wiens's own definition of binary feasibility (2015), which he tellingly calls the *restricted possibility* account of binary feasibility.

cardiologist could be said to have if, by a stroke of good luck, her performance of open-heart surgery turned out to be successful.

The case of open-heart surgery is just like the case of the person who cannot speak Portuguese. Someone who has not learned Portuguese at time t will not be able to speak it at t , but may be able to do so at a later time t' if she studies hard. One could insist that that person *can* speak Portuguese at t , given that if she somehow, by a stroke of luck, manages to utter the right sounds, her Portuguese-speaking interlocutor will understand her. However, I do not think exponents of TD would agree with that. So it would be fair to say that speaking Portuguese without knowing the language and performing open-heart surgery as an amateur are not feasible in the binary sense. For performance of the relevant action in both cases requires extensive knowledge and skills. Just as it is preposterous to suppose that one's tongue, lips and vocal cords could, by chance, arrange themselves so as to form coherent Portuguese sentences, it is unreasonable to believe that one's hands could, by a stroke of luck, arrange themselves so as to perform open-heart surgery successfully.⁷

Although both Gilabert and Lawford-Smith (2012) and Lawford-Smith (2013) refer throughout their papers to the *actions of agents* and, therefore, can hardly be said to ignore the importance of intentional action for binary feasibility, some extra clarification might be useful.

As I mentioned above, TD's definition of binary feasibility does not rely on the notion of simple ability. But what does it rely on? It often seems to be supported by the concept of *wide* ability. Let us consider Clarke's definition of wide ability (2015, p. 894):

⁷ I would like to stress that I do not want to settle the specific empirical question of whether speaking Portuguese and doing heart surgery without the relevant knowledge of how to perform those actions are, indeed, infeasible in the binary sense. Nor do I wish to address the question of whether those are simply cases of determining binary feasibility or, rather, scalar feasibility. One might contend, for example, that it is not so much that it is infeasible in the crude, binary, sense that an amateur might successfully do an open heart surgery but, instead, that the amateur has a *very low chance* of succeeding and, therefore, that it is more a question of scalar feasibility. A 0.001% chance of success would still be higher than zero and, therefore, would still be a matter of scalar feasibility. I am unaware of real-life cases of a person truly speaking Portuguese without knowing a word of it or of successful amateurish open heart surgery. Even if there were such cases, it would be difficult to determine whether they (and similarly one-off cases and situations that seem to exemplify cases of very low feasibility) count as examples of something being feasible or of something being merely a fluke (see Southwood and Wiens 2016). The language and surgery examples are just intended to illustrate that feasibility, as understood by TD, is concerned with intentional action. I thank an anonymous reviewer for pressing me on this point.

having a wide ability to A at time t requires (i) having the requisite skill, competence, or know-how to A ; (ii) having at t the psychological and physical capacity to exercise this skill, competence, or know-how; and (iii) having the requisite access and opportunity to do so at t .

Now recall the definition of binary feasibility:

[a]n outcome is feasible *iff* there exists an agent with an action in her (its) option set within the relevant temporal period that has a positive probability of bringing it about. (Lawford-Smith 2013, p. 253)

This could often be rephrased, without any loss of meaning, as

an outcome is feasible if, and only if, there exists an agent with the *wide ability* to bring it about.

Consider the following example. It is feasible in the binary sense for a coordinated group of grape pickers, who are not currently busy, to go to a nearby vineyard and pick up all its grapes (Lawford-Smith 2013, p. 248). This case implies both (i) and (ii): the grape pickers must have the skill to pick grapes and the psychological and physical capacity to exercise that skill to be able to pick grapes. It also implies (iii): grape pickers are only able to pick grapes if they have the opportunity to do so. If one day a particularly powerful pest led all grape varieties to extinction, it would be absurd to claim that there is an agent able to pick grapes. There must exist the opportunity to pick grapes somewhere in the world for one to have an ability to pick them. Otherwise, it would be akin to saying that I am able to capture a dinosaur just because I am able to capture actually existing large animals such as elephants and giraffes.

Yet, let us return to the Portuguese language case. As that example suggests, to have an ability to A , one must have the knowledge and skill to A and, therefore, one must be able to intentionally A . Moreover, that example implies that one must have the psychological and physical capacity of exercising the knowledge and skill to A . These are elements (i) and (ii), respectively, of the account of wide ability quoted above. To speak Portuguese one needs to know how to do it and one must be psychologically and physically able to exercise that skill (for example, one must have the faculty of speech and must not be paralysed by extreme fear). Yet, it is unclear to me whether one also needs (iii), the opportunity to speak Portuguese, to be able to speak Portuguese and what that even means (e. g. does it mean that I need access to an interlocutor to be able to speak Portuguese? Surely, I can just talk to myself!).

In conclusion, TD's conception of binary feasibility often relies on the notion of wide ability, but that may not always be the case. However, what is always

the case is that it does *not* presuppose the notion of simple ability. TD necessarily refers to intentional action.

5 Two criticisms of dynamic feasibility

The final two major challenges that have been levelled against TD target its dynamic or diachronic aspect. Recall TD's explanation of dynamic feasibility: an outcome that is infeasible (or less feasible) now might become feasible (or more feasible) in the future. Some currently infeasible (or less feasible) outcomes might become feasible (or more feasible) only after a complex series of steps are taken over an extended period of time.

5.1 The incoherence of dynamic feasibility

According to Wiens, saying that a state of affairs that is currently infeasible may become feasible in the future is just the same as saying that it is *currently* feasible but through a highly complex route (2015, fn. 31, p. 469). The outcome was never infeasible to begin with! (Wiens 2015, fn. 31, p. 469)

Yet, Wiens neglects an important kind of counter-example, one where a presently quite infeasible outcome might become much more feasible in the future.⁸ I am referring to examples concerning the importance of generational attitudes. One's membership of a generation often influences one's attitudes to change, and so some reforms may become feasible (or more feasible) the more older generations are naturally replaced by newer ones (for general discussion, see, e. g. Jennings and Niemi 2014/1981).

A paradigmatic example of the often great impact of generational replacement upon the feasibility of certain policy outcomes is the legalisation of same-sex marriage in many liberal democracies. For instance, in the US it has been identified that, over the last couple of decades, younger people have tended to be more tolerant towards gay people and held more favourable opinions about gay marriage than more senior citizens (Armenia and Troia 2017, pp. 192f; Baunach 2012, pp. 375f). Meanwhile, in the last 30 years or so, support for same-sex marriage in the US rose dramatically, with a majority of the

⁸ Although Wiens's criticism is specifically about binary feasibility, it could also be extended to scalar feasibility. Given that most pressing social issues are usually a matter of scalar feasibility, it is the latter that I address in Section 5.1.

American population becoming in favour of it. According to the General Social Survey, while in 1988 only 12.6% of Americans supported gay marriage, by 2014 that figure had risen to 54.9% (Armenia and Troia 2017, p. 191; Baunach 2012, p. 368). To a large extent as a result of this increased level of support, gay marriage had been legalised by the majority of US states by 2015, eventually being legalised nationwide by a US Supreme Court decision in that same year (Armenia and Troia 2017, p. 185).

To be sure, the sharp rise in support for same-sex marriage in the US over the past three decades has not been solely the consequence of generational replacement: it is widely believed that many living individuals, across all generations, have adopted more tolerant views towards gay people and gay marriage in that period (Lee and Mutz forthcoming). Indeed, much of the social scientific research on changing attitudes to same-sex marriage in the US has tried to understand why exactly individuals have become more supportive of gay rights (Lee and Mutz forthcoming). The most promising explanations include increasing levels of personal contact with openly gay people, declining religiosity and rising education (Lee and Mutz forthcoming).

Nevertheless, the fact remains that generational replacement did play an important role in shifting the overall level of support in favour of gay marriage. This is suggested by data showing that in 2017 the level of support for same-sex marriage in the US still differed markedly across generations, with 73% of Millennials, 65% of Generation Xers, 56% of Baby Boomers and only 41% of Silents being in favour of it (Pew Research Center 2018, p. 30).⁹ Notably, not only do most Silents still oppose gay marriage, but 2017 was the first year in which the majority of Baby Boomers actually supported same-sex unions (Pew Research Center 2018, p. 30). In other words, while all generations have become more tolerant over the last three decades, there are still clear divides along generational lines (Pew Research Center 2018, p. 30), which lends credence to the thesis that as younger, more tolerant, generations, have increased their share of the population, overall attitudes to gay rights have become more positive. It would be fair to say, therefore, that while the feasibility of the legalisation of same-sex marriage was quite low in the 1980s, given overwhelmingly hostile public opinion, it became rather high in the 2010s, partly because of generational replacement. Crucially, the legalisation of same-sex marriage was *not* highly feasible in the 1980s, 'albeit by a complicated and protracted series of steps' (Wiens 2015, fn. 31, p. 469). It was not highly feasible *then* and it

⁹ The Pew Research Center (2018, p. 2) defines the Silent generation as those born between 1928 and 1945; Baby Boomers as those born between 1946 and 1964; the generation X as those born between 1965 and 1980; and Millennials as those born between 1981 and 1996.

would only become so many years later. Wiens is thus misguided in his charge that the dynamic aspect of feasibility merely conflates future feasibility with current feasibility.

5.2 Epistemic limitations

However, there is another important criticism of the diachronic dimension of feasibility. The objection is that we simply cannot look too far into the future, that there are epistemic limitations to what we can know about long-term outcomes (Miller 2013, p. 236; Wiens 2015, p. 467). If I took, today, the first step to the achievement of justice, I would, nevertheless, not be able to tell whether my descendants would take the required further steps towards that goal (Miller 2013, p. 236). Making calculations about the future, particularly if we are talking about long-term, as opposed to short- or medium-term, predictions, is incredibly difficult (Wiens 2015, p. 467). And trying to make predictions about far-reaching changes to the status quo is even harder (Wiens 2015, p. 467). Human beings are not well equipped to assess the feasibility of long-term goals and it is unreasonable to think that they are (Wiens 2015, p. 467). This is why, the argument concludes, the notion of dynamic feasibility is so deeply misguided (Wiens 2015, pp. 467f).

I agree that there are severe epistemic constraints upon feasibility assessments. However, the sweeping claim that we cannot make feasibility assessments about *any* long-term states of affairs is just unwarranted.

To begin with, Wiens (2015) does not clarify what he means by ‘long term’. Such clarification is essential, given that different authors have taken ‘long term’ to mean different things. For example, Wintle, Boehm, and Rhodes et al. (2017) use ‘long term’ to refer to a period of 10 years or more, while Muir (2017) uses it to characterise a 140-year period.¹⁰

If we were talking about a time span of just a few decades, it might be possible to make a relatively accurate feasibility assessment. For instance, suppose that a normative theory demands that people significantly reduce the amount of meat that they eat because of, say, concerns about animal welfare or worries about the high carbon footprint of a meat-based diet. One way individuals could be discouraged from eating meat is by passing a law banning the advertising of meat products and mandating the use of plain packaging for

¹⁰ In the case of Miller (2013), given that he is talking about the prospect of future generations taking the next step on the road to ideal justice started by their ancestors, it is fair to assume that he is referring to a time span of many decades or centuries.

meat-based products, including ready-made meals. Much like it has been done with cigarettes in many countries. Yet, drastically reducing meat consumption today through such a law has a very low feasibility, given the prevailing culture and the power of agribusiness.

However, there is one institutional mechanism that could enable the implementation of that law in the coming decades, so-called ‘sunrise’ legislation. A sunrise law is a piece of legislation that will only come into force many years after it has been approved by legislators (Herz-Roiphe and Grewal 2015). It is an instrument that makes the implementation of important reforms more likely by placating policy-makers, voters and interest groups who would otherwise be hostile to the reforms if these took place here and now (Herz-Roiphe and Grewal 2015). Sunrise laws are more likely to be successful in established democracies than in newer democracies and non-democratic regimes, where respect for the law may not be the norm. Furthermore, sunrise laws will be more effective if they are not easily repealed (Herz-Roiphe and Grewal 2015, p. 1985). In the UK, for example, where there is no written constitution and a simple majority in the House of Commons is enough to change legislation, including constitutional law, sunrise laws might not be very effective. In the US, by contrast, where it is notoriously hard to alter the Constitution, once an amendment has been passed, it is very unlikely that it will be repealed in the future. So if an amendment to the US Constitution prohibiting advertisements of meat-based food and determining the use of plain packaging were passed today but only became effective in, say, 50 years’ time, then a radical reduction in meat consumption could become highly feasible then.¹¹

¹¹ This is not as far-fetched as one might think. Just note the decision by the French government in 2017 to ban the sale of diesel and petrol cars by 2040 (Chrisafis and Vaughan 2017). Although it is unclear whether the French government plans to entrench this goal through sunrise legislation, the ban on diesel and petrol cars nonetheless illustrates the dynamic aspect of feasibility at play. It is very unlikely that the ban would be successful if it were applied today. But it is very likely that in 20 years it will be. One challenge that sunrise legislation faces is that it may be regarded as illegitimate, given that those passing the law may not be subject to it, given the time lag (Herz-Roiphe and Grewal 2015, pp. 1981, 1991, pp. 2004ff). This should not, however, be a problem for feasibility assessments because feasibility does not rely upon moral considerations. In any case, Herz-Roiphe and Grewal (2015, pp. 2007ff) suggest a persuasive solution to the legitimacy question: sunrise amendments are only legitimate if they enhance democracy for the generations that will be subject to those laws. In my example about meat, one might argue that a sunrise amendment would be legitimate because high levels of meat consumption are an important contributor to global warming, which, in turn, undermines one’s ability to exercise one’s democratic autonomy. After all, it is harder to be autonomous in a world ravaged by a lack of food and water caused by extreme weather conditions. However, I do not wish to defend this position here—I only bring it up as an interesting aside.

As Gilabert (2017, pp. 114f) put it, in the context of another discussion, we should use our ‘political imagination’ to devise institutional mechanisms to replace those that do not work. If the challenge we face to the implementation of a reform is epistemic, then we should try to think of an apparatus that circumvents that kind of problem. The result of our inquiry might turn out to be disappointing, but if we do not even try, we will be bound not to make progress. The potential of forcing our political imagination to overcome implementation problems is clear in the case of sunrise amendments. As the example about meat suggests, we certainly do not know what will happen over the next 50 years. Nevertheless, the little we understand about the workings of electoral representative democracy allows us to devise an institutional mechanism that will implement that reform without requiring knowledge of events that have yet to occur. Thinking hard about solutions to our epistemic limitations might yield fruitful results and is certainly, in my view, preferable to the sort of resignation that Miller and Wiens adopt. The fact that at least some political reforms could become more feasible in the long term through sunrise law-making is an important counter-example to Miller’s and Wiens’s position against diachronic feasibility. It shows that they cannot indiscriminately dismiss as impossible *all* long-term feasibility assessments.

Now, if we were to talk about the possibility of making relatively accurate feasibility assessments of *very* long-term projects, by which I mean those occurring several centuries from now, I would have to broadly agree with Miller and Wiens. I cannot think of a counter-example to the claim that we cannot assess the feasibility of a state of affairs obtaining 500 years from now.¹² This is potentially bad news for theories advocating outcomes that could only conceivably occur, if at all, several centuries in the future, such as a perfectly just society or a world state.¹³ However, it is not so much cause for concern for TD. At most, it highlights that the notion of diachronic feasibility should be approached

¹² Given that we cannot assess the feasibility of very long-term projects, one might wonder whether we should not just work under the assumption that they are feasible. After all, critics cannot claim otherwise. One cannot argue, for example, that a perfectly just society is infeasible so we might as well assume that it is feasible. However, this approach is problematic because it could be generalised to all sorts of cases of epistemic uncertainty, not just cases of very long-term feasibility assessments. It could licence, for example, the belief that we are brains in a vat and that our reality is an illusion. Sure, for all we know, that might be true, but that does not mean that it should be our *default* position. I thank an anonymous reviewer for pressing me on this.

¹³ It would be bad news, that is, if one were looking for a theory to guide action, as opposed to one that merely tracks what is morally right. For discussion, see, e. g. Estlund (2011).

with caution and that we should be suspicious of attempts to examine the feasibility of very long-term goals.

6 The appeal to morality

The four objections raised against TD do not undermine its cogency. Yet, TD, as it has been articulated in the literature, is susceptible to two shortcomings, the first of which I address in this section. The first problem lies in Lawford-Smith's (2013) claim that one's own motivation, on top of its not being a hard constraint, is not a soft constraint either. She does not persuasively defend this assertion. Her argument both contradicts her earlier claim about the independence of feasibility from morality and is based on a non sequitur.¹⁴

She contends that we should always take for granted the relevant agent's carrying out the relevant action:

[W]e *assume* the agent's choosing a particular action.... [W]e ... assume the trying of the agent we're interested in. Why? Primarily because we don't want to let agents off the moral hook.... What matters is the extent to which the action in her option set is likely to produce the relevant outcome. (Lawford-Smith 2013, pp. 254f, original emphasis).

She later elaborates:

Motivation seems like something we should exclude as a soft constraint. The fact that a person won't do what he ought is no reason to think he cannot do it; the fact that a person is unlikely to do what I want him to do is no reason for me not to try to get him to, at least, if his doing so is very important and I am not choosing between competing actions of similar value. (Lawford-Smith 2013, p. 256)

However, this seems to be misguided. We cannot appeal to morality when we are trying to establish how feasibility should be defined. We cannot say that one's own lack of motivation does not matter to what is more or less feasible 'because we don't want to let agents off the moral hook'. After all, as Lawford-Smith herself argues, '[f]easibility is independent of both desirability and risk' (2013, p. 245).

Lawford-Smith's argument for excluding motivation as a soft constraint can be broken down as follows:

¹⁴ By contrast, Wiens (2016, p. 336) claims that what is wrong with Lawford-Smith's argument here is its question-begging character. Yet, it is unclear to me how that is so.

P1: Soft constraints are malleable, contingent, things that make an outcome less feasible than it could otherwise be, at a given time, by constraining the action of the agent in question at that time.

P2: If a person does not bring about a certain normatively desirable outcome exclusively because of her lack of motivation to do so, she commits a moral wrong and is, therefore, morally blameworthy.

Conclusion: A person's own motivation is not a soft constraint.

It seems clear to me that the conclusion does not follow from its premises. While I believe that both P1 and P2 are individually true (though I also believe P2 should also take into account context and possible extenuating circumstances before assigning blame), I do not see how they could possibly support the conclusion, given that P1 says nothing about normativity. The definition of soft constraints contains no mention of moral claims and so moral claims cannot be used to demarcate what counts or not as a soft constraint.

Nonetheless, the intuition that motivation is *not* a soft constraint is strong. I believe it can be explained by considering what analysis of *ability* should support the two-dimensional analysis of *feasibility*. Before I look into that, it is first necessary to turn to the other major flaw of TD as it currently stands, namely its lack of an analysis of ability.

7 The lack of an analysis of ability

Neither Gilabert and Lawford-Smith (2012) nor Lawford-Smith (2013) explain what they mean by having an ability.

Consider the definition of binary feasibility:

[a]n outcome is feasible *iff* there exists an agent with an action in her (its) option set within the relevant temporal period that has a positive probability of bringing it about...

An agent has an action in her (its) option set *iff* her performing that action is not ruled out by any hard constraint. An action has a positive probability of (stably) bringing about an outcome *iff* the outcome being produced (stably) by that action is not ruled out by any hard constraint. (Lawford-Smith 2013, pp. 250, 253).

By having an action in one's option set, Lawford-Smith is referring to 'having an ability'. However, she does not explain (and neither do Gilabert and Lawford-Smith 2012) what she means by having an ability. She says that an agent has an ability '*iff* her performing that action is not ruled out by any hard constraint'

(Lawford-Smith 2013, p. 253). We know what a hard constraint is, so we could say that an agent *S* has an ability to do an action *A* if, and only if, *S* can do *A* in a way that does not violate what is ‘logically, conceptually, metaphysically, and nomologically impossible’ (Lawford-Smith 2013, p. 252). That sounds about right. Yet, surely, when it comes to defining ability, we need to explain *both* what ‘*S* can do *A*’ means *and* what ‘logically, conceptually, metaphysically, and nomologically impossible’ means. It seems to me that Gilabert and Lawford-Smith (2012) and Lawford-Smith (2013) have focused mainly on the second question and completely ignored the first. As I noted above, we can establish that ‘*S* can do *A*’—at least in the context of discussions about feasibility—does *not* imply simple ability. However, saying what ability is *not* about is not enough. We also need a positive definition of ability.¹⁵

This issue could be rectified by the adoption of the so-called ‘conditional analysis of ability’ (CA). CA states that *S* has the ability to *A* if, and only if, *S* would *A* if *S* tried to *A* (Maier 2014, § 3.1). The main criticism that has been raised against CA is that, arguably, sometimes *S* may not be able to *try* to *A* (Maier 2014, § 3). However, it is fair to say that in the overwhelming majority of cases that are relevant to political philosophy, *S* will have the ability to try to *A* (Silva 2018). As I argue elsewhere (Silva 2018), drawing upon Pickard (2015), neither pathological mental conditions (such as addiction, phobias, and psychopathy) nor, by implication, *non*-pathological mental conditions, block one’s ability to try to act. If even the majority of heroin addicts can muster the motivation to stop using heroin without any clinical help, then a voter can certainly try to refrain from voting for a racist and misogynistic politician at the poll station, a customer can try to boycott a clothing shop that sells products manufactured in sweatshops, and a wealthy person can try not to direct her accountant to find loopholes in the legislation so that she does not pay tax (Silva 2018).

To be sure, there exists a kind of mental state, which is distinct from pathological mental disorders, so-called ‘states of frenzy’, that potentially prevent one from trying to act in a certain way. A person being attacked by an armed robber, for example, might become ‘paralysed by fear’ and thus genuinely unable to try to act otherwise (Pickard 2015, p. 154; see also Silva 2018). However, states of frenzy have little relevance for political philosophy, given

¹⁵ Furthermore, Clarke’s definition of wide ability cited above does not say anything about what an ability itself is. It is supposed to be neutral among different conceptions of ability. In addition, it is worth noting that Gilabert, acknowledging this gap in the literature, has turned his attention to theories of ability in a more recent article. However, that work is mainly a critique of the conditional analysis of ability and does not advance an analysis of ability (see Southwood and Gilabert 2016).

that political theorists are primarily concerned with mental states connected to *social* issues, and not with mental states pertaining to rare, one-off, events (Silva 2018).

CA not only fills the gap left by the absence of an analysis of ability in TD, but it is also in harmony with our intuition that one's own motivation is not a soft constraint. Crucially, CA advocates the exclusion of one's own motivation as a soft constraint without appealing to moral claims.

8 Conclusion

TD is a compelling account of feasibility, according to which feasibility is seen as both binary and scalar, both diachronic and synchronic. I have contended that the challenges levelled against it have not been particularly persuasive: the distinction between soft and hard constraints is not false; TD's account of binary feasibility is not insensitive to the importance of intentional action and is not too permissive; and diachronic feasibility is neither incoherent nor incompatible with the existence of epistemic limitations, though assessments of dynamic feasibility may not be appropriate when one is addressing very long-term projects.

Nevertheless, TD, in its original formulation, suffers from two shortcomings. First, it mistakenly appeals to morality as a justification for disregarding one's own motivation as a soft constraint. Second, it does not provide a definition of ability. Yet, I have argued, we can address both problems by embracing the conditional analysis of ability.

Acknowledgements: For their very helpful comments, I would like to thank the two anonymous reviewers of this journal. I am also grateful to Laura Brace for her feedback on the original dissertation upon which this article is based. Finally, I would like to thank Veronica Silva, Marcelo Silva and Vanessa Nogueira for their support.

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