

# IDEAL THEORY AND ITS APPLICABILITY – ARE PRINCIPLES INDEPENDENT FROM FACTS?

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In this article we will analyse the relationship between ideal theory and nonideal theory. We will discuss problems that ideal theory faces concerning its applicability in unfavourable circumstances. Some arguments about the role of ideal theory to real politics and possible limitations will be displayed. Finally, we will analyse G.A. Cohen's claim about the independency of principles from facts. We will argue that if principles are independent from facts, then it is not required that ideal theory concerns itself with questions about the applicability of its prescriptions. But if they are not completely independent from facts, we will try to answer the problem of knowing if we should always endorse them regardless of the facts.

**Keywords:** Ideal theory; Nonideal theory; Noncompliance; Principles; Facts

Neste artigo será analisada a relação entre teoria ideal e teoria não ideal. Discutiremos problemas que a teoria ideal enfrenta no que diz respeito à sua aplicabilidade em circunstâncias desfavoráveis. Serão apresentados alguns argumentos sobre o papel da teoria ideal para as políticas reais, e as suas possíveis limitações. Finalmente, analisaremos a afirmação de Cohen acerca da independência dos princípios em relação aos factos. Argumentaremos que, se os princípios são independentes dos factos, então não é necessário que a teoria ideal se ocupe da aplicabilidade das suas prescrições. Mas se eles não forem completamente independentes dos factos, tentaremos responder ao problema de saber se deveremos sempre apoiá-los, independentemente dos factos.

**Palavras-chave:** Teoria ideal; Teoria não ideal; Não cumprimento; Princípios; Factos

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## 0. Introduction: ideal theory and nonideal theory – a preliminary introduction

The distinction between ideal and nonideal theory is a very important one, since it deals with the boundaries of political philosophy. Nowadays, one of the main critics that philosophers deal with is that their theories have no practical application, because they are simply too utopian, and therefore detached from the real world. According to this point of view, any attempt to develop an ideal theory that prescribes how the world should be in perfect conditions, rather than concerning with dealing with real problems in the real world, trying to solve some of the problems in a realistic way, is an unnecessary and counterproductive task. This distinction deals with this kinds of remarks about the usefulness of ideal theory.

This distinction goes back to Rawls. His work is an attempt to prescribe principles of justice that can be shared by reasonable and rational individuals within a political society. These principles form an ideal theory, in the sense that they presuppose full compliance of all the members that constitute the political society, under favourable circumstances (Rawls, 1971: 216).

Nonideal theory, on the other hand, assumes that it is not possible to have full compliance with the theory's prescriptions (*ibid.*).

So, the main difference between the two theories relates to what we can call the achievability condition. Nonideal theory concerns itself more with feasibility constraints than ideal theory, in the sense that it accommodates in its prescriptions the possibility of changing due to unfavourable circumstances that can happen in the real world. Those unfavourable circumstances may take many shapes, such as economic crisis, or false assumptions that can be displayed by facts, and that could not be foreseen by the theorists.

In order to illustrate this issue, one of the criticisms that the principles of justice by Rawls face is that, under unfavourable circumstances, it can be a bad thing to do to give priority to the principle of liberty over the principle of difference, which the theory prescribes and assumes that should be done in an ideal society. For instance, Farrelly notes that all rights granted to citizens have costs, and, under unfavourable conditions, giving priority to the basic liberties over the fight against inequalities may not result in increasing of justice. Let's analyse this excerpt:

The right to vote is a basic liberty and a just society should ensure that no adult citizen is denied the right to vote. But the difficulty arises when decisions

must be made concerning the allocation of the public funds needed to run an election and ensures citizens can exercise their right to vote. Prohibiting citizens from voting is not the only way citizens can be disenfranchised. The distribution of polling stations within a geographical territory and the hours of operation of a polling station, etc. Will also have an impact on the opportunity citizens have to exercise the right to vote (Farrelly, 2007: 853).

This means that, given the scarcity of resources in a poor country, it may be more important to fight against inequalities than granting the right to vote for everyone. Since that all rights have costs, fighting poverty may be more useful than investing funds so that everyone can vote.

This is a classic example of a criticism that ideal theory may have to answer. Sen also argues against this emphasis in the liberty principle, claiming that this priority may be too extreme. In unfavourable circumstances there is no reason to think that hunger, starvation or medical neglect is less important than any kind of personal liberty (Sen, 2009: 65). So, by focusing too much in the assumption that the theory is going to be fully complied, ideal theory is ignoring that the principles endorsed may be counterproductive in order to achieve the goal of going towards a more fair society. However, it is not clear that Rawls could not answer this criticisms. He does not ignore that sometimes it may be difficult to implement the ideal principles, and, in those circumstances, nonideal theories have an important role, provided that they fulfil the task of making it easy to pursue the goals prescribed by the ideal theory (Rawls, 1971). So, for Rawls, nonideal theory is a means for achieving ideal theory under unfavourable circumstances. For instance, Rawls gives the example of obeying an unfair law. He admits that citizens should obey that law, provided that those laws are reasonably just (Rawls, 1971: 308). So, in that circumstance, citizens should obey if the law is not too unjust and the society is, on the whole, just. But, if the laws do not fulfil in any way the purposes of ideal theory, then there is a justification to put a nonideal theory in action. In this particular case, civil disobedience is legitimate.

So far we have explained the origin of the distinction between ideal and nonideal theory. We have seen that it appeared firstly in the work of Rawls. The most important difference between the two of them is related to the full compliance and the partial compliance distinction. It is important to note, however, that there are many other ways in which we can make a distinction between ideal theory and nonideal theory. Several authors have stressed many important differences between the two theories.

For instance, ideal theory is considered to be less fact-sensitive than nonideal theory (Hamlin & Stemplowska, 2012: 6). According to this definition:

(...) a theory is more fact-sensitive the more facts it recognizes and incorporates as elements of the model or as constraints on the model (*ibid.*).

In other words, ideal theory is less fact-sensitive than nonideal theory because its goal is to prescribe how a fully just society must be. In order to do that, it must assume full compliance, and that assumption does not require any special attention to facts in the sense that it tells us how the world should be rather than showing us how it really is.

These considerations lead us to another distinction: the distinction between utopian and realistic theories. If ideal theory is less fact-sensitive than nonideal theory, one tends to say it is utopian. The main criticism made by those who think ideal theory is utopian may be summarized in this way: a perfect ideal of justice may be imagined but not achievable <sup>[1]</sup>(Valentini, 2012: 658). Therefore, a utopian theory does not concern itself about feasibility constraints, because it does not address the problem of achievability. It assumes that the theory will be fully complied (or should be). A more realistic theory is the one that addresses the possibility that the theory will not be completely fulfilled. However, even though utopian theories are related to ideal theories, it does not mean that an ideal theory is always utopian. Rawls thinks that principles should be implemented in an ideal society, but he also acknowledges the need to implement nonideal theories in unfavourable circumstances.

Valentini also points out that ideal theory is an end-state theory, and nonideal theory is a transitional theory. An end-state theory is a theory that shows us a final goal that a society should pursue. A nonideal theory is transitional because it gives us gradual steps in order to achieve a better world (*ibid.*:660-661). So, ideal theory is an end-state theory because it guides our action towards a final goal – the perfectly just society. Nonideal theory is a

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1 Vide: Valentini (2012). Valentini gives us an example of a utopian theory. She shows us that Cohen endorses a utopian argumentation because he claims that the principles are fact-free. This, of course, does not necessarily mean that he would ignore factual constraints to the values and principles supported by an ideal theory. But, it does mean that an ideal theory tells us what we should think rather than showing what we should do (Cohen, 2008: 268). The consequence of this claim is that, even though an ideal theory is not implemented, it should be, in the sense that the principles endorsed are right. We will analyse these problems in the following chapters and we will try to show what their relevance is to the problem of ideal theory's achievability.

transitional theory because it assumes that the improvements of justice are made in small steps.

In the following chapter, we will address the problem of noncompliance. Like we have seen, there are many other possible distinctions that we can find in the literature, but we will focus our attention on the problem of noncompliance. Our claim is that, although these distinctions are very important, they all relate to the problem of noncompliance. For instance, if ideal theory is less fact-sensitive than nonideal theory, it is so because it assumes strict compliance of the theory, no matter what the problems of implementation are. Ideal theory is also related to utopian theories for the same reason, as we have seen. In that context, we will analyse the arguments of two important authors, Stemplowska and Robeyns.

After that, we will analyse the relations between principles and facts. We will focus our analysis in G.A. Cohen's work. Our main claim is that principles are not completely independent from facts, but they are important too. Also, if facts can make us reanalyse principles, we will try to see how it can be done, and whether that analysis should make us still endorse those principles or not.

## **1. Ideal theory and the problem of noncompliance**

Several authors have analysed the relationship between ideal and nonideal theory. Some of them argue that ideal theory can be useful to develop public policies to increase justice in the real world, others argue that it is not useful at all. In order to discuss this subject, one must analyse the problem of noncompliance. Ideal theory is a theory that assumes full compliance, under favourable circumstances, as we have seen. But in the real world, what we consider more just may not be followed due to economic constraints or lack of motivation of individuals to whom it applies, or other reasons. We will analyse some arguments regarding this problem.

### **1.1. Robeyns and the problem of bad idealizations**

According to Robeyns, idealizations are assumptions that are not met in reality (Robeyns, 2008: 355). The reason why they are not met in reality is connected to the definitions we have analysed in the previous chapter. Ideal theory makes assumptions that are not met in reality because it tells us how a perfect society should be – it is an end-state theory. So, the prescriptions

made by ideal theory are also less fact-sensitive than prescriptions made by nonideal theory because they do not accommodate possible constraints that can be evidenced by facts. But there are some good reasons to do so. One possible reason is that ideal theory should not be concerned about how the world really is, but should be concerned about how the world should be. Even if facts show that an ideal theory is not complied, that does not mean it should not be, as Estlund, for instance, argued (Estlund, 2011)<sup>[2]</sup>.

One example of an assumption that may not be met in reality is the one made by Rawls. Considering that all citizens are free and morally equals is an essential aspect of his theory. But there is another important aspect. All people have common sense and all are capable of conceiving the best for them and the others (Robeyns, 2008: 352). What if some people cannot show those qualities? It may happen that in the real world some people may prefer a different theory of justice, because they are willing to take the risk that they can be poor, but they prefer that they are not coerced to pay taxes, because they believe that they are talented enough to succeed. Maybe this example does not show an incapability of thinking in a rational way, but at least it shows that in the real world people may disagree about the best way of thinking about what is the best thing to do to care about themselves and the others. Robeyns stresses that, by its own nature, ideal theory is compelled to use idealizations. But she also recognizes the importance of an idealization for the success of a theory:

The use of idealizations is necessary to keep the complexity of the theory within manageable boundaries. By introducing idealizations, we reduce the number of parameters that the theory has to deal with (*ibid.*: 353).

For instance, in the real world there are prejudices and discrimination. But, of course, if one wants to prescribe how the world should be, we may make the assumption that in an ideal society there is no prejudices nor discriminations. However, not all idealizations are good. For Robeyns, a bad idealization is an idealization that does not serve legitimate purposes (*ibid.*:358). One of the examples of this is a theory that ignores the need that human beings have of each other (*ibid.*). If human beings are, by their own nature, social, a theory that demands that they do not have that need is not legitimate. Let us analyse the example of Robeyns about the distribution of

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2 Vide: Estlund (2011). One of the main distinctions made by Estlund is the *won't do/can't do* distinction. The main issue is that the fact that an ideal theory is not followed does not mean necessarily it could not be.

care in modern societies. Her claim is that the distribution of care is not equally distributed in modern societies. Also, most of the care services are made by women and immigrants. By making the assumption that human beings do not need each other, we are biasing against the groups that are in worst social conditions (*ibid.*: 359).

There is another problem regarding idealizations. Being an end-state theory rather than a transitional theory, ideal theory will not be very helpful in order to reach the principles it endorses. It is the task of nonideal theory to think about how we will reach those principles. That is why Robeyns compares ideal theory with a paradise island where we ideally would like to be, but we do not know the way to achieve it (*ibid.*: 361). So, what are the options when it comes to implementing idealizations in the real world? According to Robeyns, there are two options. The first one is to wait that idealizations materialize. The problem with this is that researches within cognitive psychology show that the causal mechanisms of injustices are very persistent. The other option is to implement those principles, even though the circumstances are not favourable. The problem is that, since those principles depend on conditions that do not exist in real world, that implementation may have unpredictable consequences (*ibid.*: 358).

But there is no reason why ideal theory cannot answer this problem. First, if we agree that there are good and bad idealizations, we will endorse the need to be moderate and be careful with idealizations that are so difficult to implement that we should avoid them<sup>[3]</sup>. If we think about the analysis of Rawls, we will reach a conclusion similar to this one. According to Simmons's analysis of Rawls principles, ideal theory must be a realistic utopia (2010: 7). This means that ideal theory must take human nature, economic restraints and other factors into consideration. Moreover, Rawls thinks himself that nonideal theory may be useful as a means to achieve ideal theory's prescriptions. In Simmons's analysis of the role of ideal theory and nonideal theory in the theory of justice, we can see some examples about the importance of nonideal theory. First of all, nonideal theory is required in a noncompliance's scenario. Noncompliance can be deliberate or can be the consequence of a certain impossibility. For instance, when

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3 This problem seems, however, somehow difficult to solve. For instance, on Estlund's account, a theory that is not followed because people are selfish is not necessarily a bad one, because motivational reasons are not requirement-blocking to ideal theory (Estlund, 2011). Only something impossible to do can block ideal theory. How can one say the difference between good and bad idealizations if they are, by definition, assumptions that are not met in reality? Robeyns gives us the example of the assumption that human beings do not need one each other. Would this count as an impossible thing to do or is it socially constructed?

it comes to basic structures, a deliberate noncompliance can be the cause of an institutional unfairness. In that case, civil disobedience is legitimate, because it is a means to confront those who hold the power with the need to stop promoting that institutional unfairness (*ibid.*: 17).<sup>[4]</sup>

Robeyns, on the other hand, reach the conclusion that theorists should pay more attention to the limitations of ideal theory, and thus, she thinks that it has a limited role in making the world more just (2008: 361). Although it is not necessarily true that all idealizations are bad, ideal theorists are, in some cases, dismissive about empirical information that is useful to implement ideal theory in a nonideal world. Let us analyse this little excerpt:

If ideal theorists want to produce theories that are action-guiding in the real world, and want to avoid the dismissive reactions of nonideal theorists or scholars working on effective justice-enhancing strategies that these ideal theories are of no use in reality, then they have to be much more upfront about the limitations of ideal theory, and invest much more time and effort into working out how ideal theory can be developed into nonideal theory and ultimately into action design and implementation (*ibid.*: 361).

In other words, even if we have common sense and are not deluded as ideal theorists, we must compromise with facts in order to make our idealizations valuable to the task of really improving justice in the real world. When we analyse the connection between principles and facts, based on G.A. Cohen's work, in the chapter two, we will endorse this point of view. From now on we will address the arguments of another important author, Stemplowska.

## 1.2. Stemplowska – AD recommendations

Stemplowska is also concerned with feasibility constraints and assumes that ideal theory must deal with the problem of noncompliance.

She begins by characterizing the structure of a normative theory. A normative theory is made of principles, which are normative statements expressing positions on values. Those principles are connected by analytical devices, such as arguments (Stemplowska, 2008: 323).

Ideal theory is a normative theory, in the sense that, by prescribing how the world should be, it advocates a set of principles that should be followed by a political community.

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<sup>4</sup> This issue is discussed primarily by Rawls (1971: 309).



The problem that she identifies is that some of those normative theories also give recommendations for action. Those recommendations should be desirable but also achievable, because there is no point in prescribing recommendations if they will not be successfully applied (*ibid.*: 323-324). So ideal theory must concern with achievable and desirable recommendations – what Stemplowska calls AD recommendations.

Nonetheless, the usual criticism that ideal theory faces – such as the tendency to make false assumptions, once that ideal theorists usually concern themselves more with how the world should be than how the world really is, neglecting the facts and jeopardizing the possibility of fully implementing the theory – is not always fair. Stemplowska recognizes the usefulness of false assumptions, because a theory that removes false assumptions also removes the possibility of dealing with broader problems that are very important, such as: What is justice (*ibid.*: 326-327)? That is because when we are tackling broad problems such as this, we will inevitably make false assumptions, because our theorization will be forced to make approximations that are necessarily false in the sense that, applied to a given society, they will require adjustments in order to succeed.

This, of course, does not mean that there are not any problems with ideal theory (Stemplowska began by saying that recommendations should be desirable but also achievable, after all). One of the main failures of a normative theory is that its prescriptions will not result in an increase in real justice (*ibid.*: 329). That is because the theory fails to issue achievable recommendations. That may happen because theories ignore nonmarginal noncompliance or because, even with full compliance, it fails to solve the problem it was supposed to solve (*ibid.*: 331).

Even though this happens, Stemplowska still claims that ideal theory is important, because it helps us to clarify the values we wish to pursue. Let us take the example that she analyses. Imagine that in perfect conditions we consider that it is wrong to have private education. That means that if the public schools gives families all the conditions necessary for a good education it is unfair to allow families wealthy enough to pay for it to give their children a private education. But, as we have seen, there may be constraints to this principles. If in a particular society public schools do not offer those conditions, it is legitimate that parents call upon private schools. But Stemplowska argues that, even in this situation, it is important to have this general principle, because it gives us the direction to which we want to go in order to have a perfect society (*ibid.*: 332).

## 2. Are principles from ideal theory independent from facts?

Until now we have been analysing the problem of noncompliance faced by ideal theory. As we have seen, many authors stress that the main problem of ideal theory is its applicability in the real world. Being less fact-sensitive than a nonideal theory, it may fail because it fails to take into account feasibility constraints regarding its implementation.

But, what if principles are independent from facts? If general principles can be considered right or wrong, no matter what the facts are, than it is possible to claim that there is no need to worry about feasibility constraints.

First, we will consider Cohen's arguments on this subject, and then we will point some problems.

### 2.1. Values and principles against reality?

Our general aim when analysing ideal theory and nonideal theory relates to the question raised by Sen: is a transcendental theory of justice necessary and sufficient to improve justice in the real world? His answer is negative. What he calls transcendental justice is neither necessary nor sufficient to improve justice in the real world. First of all, what Sen calls transcendental justice is the kind of theory that focuses in the perfect justice, that is, a fully perfect society. Also, it is a theory that focuses more in the institutional rules that a fair society must have, rather than concerning with the actual behaviour of citizens (Sen, 2009: 5-6). So, transcendental justice is related to ideal theory, because it assumes full compliance in order to achieve a perfect idea of justice.

But why does Sen argues that transcendental justice is neither necessary nor sufficient to improve justice in the real world? The answer is that it is not a good theory in order to make comparisons between nonideal states of the world. That is so because a descriptive approach is different from an evaluative approach. A descriptive approach is the definition of an object, which comprises its main characteristics. An evaluative approach is the evaluation that we make of those characteristics. One example may help us to clarify this matter. For instance, if we consider red wine the perfect wine, it will not help us to decide between a white wine and a blend of red and white wine. That happens because there is no reason to consider that the blend is closer to the perfect wine just because it contains red wine along with the white wine. The fact is that the mixture makes it different from red wine (*ibid.*:16). If we guide ourselves by a descriptive approach, we

should say that the blend is better than the white wine, because it contains red wine, so it contains some of the characteristics of the best wine. But the problem is that, on an evaluative level, the blend may not be better than the white wine because, even though it has some of the characteristics of the red wine, it does not contain all of them<sup>[5]</sup>.

So, the point is that ideal theory does not help us deciding between two different nonideal circumstances of the world. That is why ideal theory is neither necessary nor sufficient on Sen's account. These considerations tell us that ideal theory may be useless to consider the best options in a non-ideal world.

Nonetheless, this argument may be too hasty. When one says that a blend of white and red wine is further away from the red wine alone than white wine, why are we saying that? Because the flavour and the general main characteristics of the blend can be at a greater distance from the red wine than the white wine. It is possible to seek for that main characteristics, and by doing that we are getting closer to the red wine. So, it is possible to make comparisons with perfection as well, by making a clarification of the main characteristics and, if it is necessary, by ranking them. Sen points out other comparisons as well. For instance, he claims that knowing that *Mona Lisa* is the ideal picture won't help us deciding between a Dalí or a Picasso. It may seem odd to compare wines or pictures with perfect justice, though. The issue at stake is this: transcendental justice will not help us to decide between two available nonideal choices. Even though ideal justice is a more complex issue than wines or pictures, the idea of Sen seems is very straightforward and it seems plausible. If it is not possible to achieve the principles endorsed by an ideal theory we should strive to get as near as possible of those principles. If our theory demands that several values such as liberty and equality should be pursued, but it is not possible to implement all of them because of conditions of scarcity, we should choose the second best available option. The problem is this: it is not necessarily true that the second best option is the one who preserves more values endorsed by the theory (Goodin, 1995: 53-54).

Our claim is that the problem of not being able to compare nonideal states of the world with the perfect idea of justice can be reduced by making a clarification of the values we endorse in our ideal theory. That clarification allows us to rank the values, and that makes it easier for us to decide which

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5 This problems relates to the problem of second best. According to Goodin's example, if our favourite car is a silver Rolls Royce, but it is not available, our second choice may not be the car that has two of the three main characteristics we like in that car (Goodin, 1995: 53).

of the available states is closer to our ideal conception. If we analyse what do we really enjoy in the red wine (whether it is the texture or the acidity, or other characteristics, and which one is the most important), it is easier for us to know if the white wine is preferable to the blend or not. Likewise, when we clarify the main values we wish to endorse, ideal theory can be useful to make comparisons as well.

Adam Swift analysed this issue as well. He approves the idea that ideal theory is a good theory to guide our action in a nonideal world. If so, it allows us to make comparisons between nonideal circumstances and the ideal of perfect society. Of course, in a nonideal world, we can be faced with the impossibility of implementing principles we consider very important. Science is important because it tells us which states of the world are possible to achieve, but philosophy is important because it clarifies which of those states are better (Swift, 2008: 368). But, according to Swift, philosophy has a practical application too, even in a nonideal environment. When it is not possible to apply all the principles we believe in, we will be faced, once again, with the problem of second best. For example, if we support the idea that an ideal theory requires that children are cared for properly without gender inequality, but social science tells us that such a society is not possible in the short term, what political decision should be taken if one wants to proceed according with the theory (*ibid.*: 375)? Swift's answer is precisely that one should clarify the values behind the principles we endorse. By doing that we will be able to know what to do while it is not possible to comply with all the principles endorsed by the theory (*ibid.*: 376-377).

In short, nonideal theory is fundamental but ideal theory is important because it helps us to evaluate practical action. So, in that sense, it has a practical application too.

So, the main conclusion of this part is that not only ideal theory allows us to make comparisons with nonideal circumstances, but also that those comparisons are desirable, because they allow us to evaluate our available choices and they give us a guidance in order to achieve a more just world<sup>[6]</sup>.

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6 In this regard, Stemplowska also claims the importance of ideal theory, even if it has false assumptions, because those assumptions serve the purpose of clarifying the values one think is important, even if they are not met in reality (2008: 331).

## 2.2. G.A. Cohen, on principles and facts

Even if we reach the conclusion that ideal theory allows us to evaluate which states of the world available are the best ones, a question remains: can ideal theory tell us what the best political action is, regardless of the facts?

Why is it important to clarify if principles are independent from facts? Because if so, ideal theory is correct, in the sense that it survives to evidence from factual propositions. Even if the facts show that where those principles were implemented they were not completely followed, or, if they were, justice was not improved, if they are independent from facts, than facts cannot disprove them.

Cohen's argumentation is as follows:

Even if there is a fact grounding a principle, that happens because there is a more general principle grounding that fact.

Example:

*Fact – Religion is important in at least some people's lives (F1).*

This fact grounds the following principle:

*Principle – There must be freedom of religious practice (P2).*

But this happens because there is a more general principle grounding that fact:

*Principle – If something is important in some people's lives, then they should be free to pursue it (P1).*

So, we have the following scheme:

$P1 \rightarrow F1 \rightarrow P2$

Does this example show us that principles are independent from facts?

In Cohen's opinion it does show, because there are no facts grounding the more general principle (Cohen, 2003: 225).

Let us analyse Cohen's example. Imagine this other fact:

*Fact – In a specific social context, religious freedom causes severe social conflicts, increasing violence and putting citizen's security at risk.*

That fact makes it difficult to accept the conclusion of our former example.

A supporter of Cohen may argue that there is another general principle grounding our decision of blocking religious freedom:

Principle: No one should be free to achieve their goals when severe damage can follow from it.

So, implementing the principle that says that people should be free to pursue things important to them depends on knowing if that pursuit will harm others or not.

Given this, we can reformulate the principle:

*Principle – If something is important in people's lives, they should be free to pursue it, unless that pursuit will cause social conflict or be harmful in anyway to others.*

Even if we still hold that this principle is independent from facts, we will need facts to decide whether we concede religious freedom or not. Also, maybe if there wasn't facts denying the virtues of our principles, we couldn't reformulate them.

But this may not convince everybody that principles can be reviewed by facts. Estlund tells us that philosophers should not be concerned with feasibility constraints, because their duty is to imagine ideal conditions of justice, rather than concerns about its implementation. On Estlund's account, the only thing that can block ideal theory is something impossible to be followed (Estlund, 2011). Hence, considerations of lack of motivation and other limitations of human nature cannot be used to set ideal theory aside. In short, "won't do" does not imply "can't do". Moreover, the main task of an ideal theorist is to imagine how the world should be, rather than to concern itself with how the world is. If a principle is not followed, it does not mean it is wrong. Paying too much attention with how the world is leads us to what he calls *complacent realism* (Estlund, 2014: 115). If we are too cautious, we will not change the world. So, what an ideal theorist should pursue is a *hopeless aspirational theory*, that is, he should pursue a theory that aspires to imagine how the world should be, even if its recommendations are not followed, since that «the fact that people will not live up to them even though they could is, evidently, a defect of people, not of the theory» (*ibid.*: 118).

Given this, if we assume that the principle: *If something is important in some people's lives, then they should be free to pursue it (P1)* is right, than the

fact: *in a specific social context, religious freedom causes severe social conflicts, increasing violence and putting citizen's security at risk* should not block that principle. If the principle is right, then people should always be free to have their religious freedom, even in a conflict area. Those who commit crimes should be punished and the others should be left alone, even if the result of this politic could lead to some amount of violence.

Thus, in the previous example, the principle: *If something is important in some people's lives, then they should be free to pursue it*, which is independent from facts, may have bad consequences in a particular situation, as we have seen. In that case, what's the best thing to do? Taking into account what we have argued before, we should clarify which values we think are the most important. In this particular case, we can claim that the most important value is freedom, for instance. In an ideal society, people should have all the conditions to be happy, and that means that they should be able to pursue what they want. But, that principle may have bad consequences in a social environment of religious intolerance. If facts show that in that particular circumstance, violence and riots decrease if there are limitations to the religious practice, what to do with the principle we are supporting? We must clarify, as we argued, the values behind the principle. Innocent people who do not commit crimes should be free to practice their religion, but we are faced with empirical data that show us convincingly that giving those innocent people the opportunity to do that is dangerous for them and for the rest of the community. Therefore, we should pursue the second best option, clarifying and ranking our values. We have two different values competing here: safety and freedom. Thus, in order to choose what we should do in this situation, we must argue which of those values are more important. We are, of course, simplifying this issue. There are many other questions one could raise. For instance, this may not be only a matter of safety or freedom, but also a matter of dignity. If someone is innocent and tolerant, it is maybe intrinsically unfair to forbid that person to do something clearly important. Of course, there are intermediate solutions. In that scenario, people could still practice their religion at home, for instance, they could not do it only in public spaces. So, we must analyse all the values and rank them to solve this problem.

Let us see a last example: the principle of Marx, according to which private ownership should be abolished, is a principle that can be defended for different reasons. Let us assume that the implementation of that principle is not successful in the sense that in a society in which it is applied,

workers have lower wages compared with workers in capitalist societies. Should we stick to the general principle because it's right no matter what the real conditions in a nonideal context are? It depends of the values we really want to endorse. The classical reason for defending this principle is that it is intrinsically wrong that those who contribute with their work for the wealth only receive a very little amount of the produced value. But if what we really want is that people live well, have a good standard of living and have access to the goods and the services necessary to have a good live, than it is questionable if we should maintain that principle, knowing that the result of its implementation will not promote that. Nonetheless, if we support the idea that it is intrinsically unfair that workers receive less than they produce, even if the economy in such a society that abolished private ownership cannot allow them to receive better wages than those in capitalist societies, than it is possible to think that the principle should be defended after all.

In short, when the ideal principles are not followed, it is necessary to take the facts that put that noncompliance in evidence. But, if empirical data shows us that a principle is not followed, that does not necessarily mean we have to give up implementing it. We can analyse it to see what caused the failure.

In any case, principles can be informed by facts if they don't work out persistently and in several contexts. If that's the case, it is not enough to say that the theory is good, and people don't comply with it because they don't want to, and not because they cannot do it.

If we want to know if we should stick to the principles or not, we should clarify the core of indispensable values we hold on to.

### **3. Conclusion**

We have discussed the problem concerning the relationship between ideal and nonideal theory. Our main goal was to discuss the problem of the applicability of ideal theory. We began by clarifying the distinction between ideal and nonideal theory. There are lots of distinctions made in the literature but we argued that the essential distinction is that ideal theory assumes full compliance and nonideal theory does not assume it. So, the main problem that ideal theory deals with is the noncompliance of its prescriptions. Some authors, such as Robeyns, stress that ideal theory has a limited role in real life politics due to its lack of connection with facts and constraints.



In this regard, we have analysed the arguments of two important authors that have addressed this issue, Robeyns and Stemplowska. Both authors agree that the assumptions made by ideal theory can lead to unpredictable consequences, and may not improve real justice<sup>[7]</sup>. Robeyns recognizes that not all the idealizations are bad, but she stresses that ideal theorists should pay attention to the limitations of the ideal theory, since that nothing follows from its prescriptions (2008, 359). In other words, it is true that the fact that an ideal theory is not accomplished does not necessarily mean that it will not be in the future, but it is the task of nonideal theory to apply the theory to the real world, and the more demanding an ideal theory is the more difficult it may be to apply its principles.

Stemplowska claims that false assumptions are important because they give us an important guidance for political action<sup>[8]</sup>. Nonetheless, she recognizes that the conclusions of such a theory may not result in any increase of justice in a particular society (Stemplowska, 2008: 330).

In chapter two we have analysed to which extent ideal theory is dependent from facts. First, we have seen the arguments of Sen about the insufficiency of ideal theory to make comparisons between several contexts. We have concluded that ideal theory can be used to make comparisons too. Nonetheless, when the demands of ideal theory are not met in reality, there is a problem of the second best. In that case, just like Swift claims, one must analyse the values behind the principles that are not completely followed, so that it is possible to make the choice that it is closer to the principles we endorse.

The main conclusion until this part was that ideal theory does have an important role in a theory of justice, because it is an important guide to political actions and also it allows us to evaluate the available choices that we have in a nonideal circumstance.

But a question remained: if our principles are not fully complied now, should we simply conclude that we must try to see how they can be complied in the future, and meanwhile we should try to see the second best option? Or, by the contrary, should the empirical evidences displayed by social sciences, for example, make us rethink about our principles? In this context we analysed the arguments of Cohen about the relations between facts and principles. Our first assumption was that if principles are independent from facts, than it is not required that ideal theory concerns about

7 Vide: Robeyns (2008), Stemplowska (2008).

8 In order to illustrate this idea, we have analysed the example of public and private education (Stemplowska, 2008: 332).

feasibility conditions. Cohen claims that principles are independent from facts.

Our claim is that, even if we can think about a principle that is independent from any fact, there are two important things to point out: a) sometimes facts are important to make us rethink about principles, and even change them<sup>[9]</sup>; b) even if one can always claim that if a principle is never implemented it is not necessarily a problem of the principle but only a problem of application, the truth is that if an important part of the principles endorsed by an ideal theory was implemented historically and by some reason it did not improve justice, it means that those principles were not complied and if there is a historical pattern of noncompliance, it means that it is unlikely that they will be fulfilled in the future, although it is not impossible. But the point is, if we clarify the values that are indispensable and the principles that should convey those values fail persistently, it is probably a better thing to do to reformulate those principles, provided that the new principles do not betray the values we wish to endorse<sup>[10]</sup>.

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9 In our example, we have reformulated our principle because of facts that made us rethink about it. We changed the original principle to: *If something is important in people's lives, they should be free to pursue it, unless that pursuit will cause social conflict or be harmful in anyway to others.* If we lived in an ideal society, maybe we would not have the need to reformulate it.

10 Robeyns defined bad idealization as an idealization that does not serve legitimate purposes (Robeyns, 2008: 358). For example, an idealization that goes against human nature is a bad idealization. One possible criticism to this is that it is very difficult to know what human nature is, since that societies change throughout history, and what seems difficult or even impossible to achieve now may be possible in the future. But when a significant part of an idealization is applied several times in diverse contexts and the consequences are bad, it seems a good reason to argue that the idealization is bad, because even though we never know if what is now difficult to implement will be possible in the future, it has now costs that should be taken into consideration. The reason why we can claim that it is a bad idealization is because the probability of that idealization will be successfully implemented in the future (we never know if it will be or not) is hardly worth the bad consequences of its application now. By making a clarification of values in a nonideal situation, and, if necessary, by changing the principles we have endorsed, we can try to avoid the problem of noncompliance without giving up trying to improve justice in the real world.

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