Incomplete Ideal Theory[1]

Amy Berg
Department of Philosophy, Rhode Island College
aberg@ric.edu

Abstract: *What is the best way to make sustained societal progress over time? Non-ideal theory done on its own faces the problem of second best, but ideal theory seems unable to cope with disagreement about how to make progress. If ideal theory gives up its claims to completeness, then we can use the method of incompletely theorized agreements to make progress over time.*
Keywords: *ideal theory, non-ideal theory, Sen, Sunstein, Rawls*

Perhaps the dominant method of doing political philosophy is to begin by developing an *ideal theory* and then figuring out how we can get to our ideal from where we are now. But whenever we try to do this, we are engaging in ideal theorizing in non-ideal conditions. The practice of political philosophy among philosophers is marked by deep disagreements; there are even more intractable disagreements about political issues among nonphilosophers. So the ideal-theory approach has been challenged by those who think that *non-ideal theory* is better when it makes no reference to an ideal at all. We ought to identify concrete social ills and figure out how to fix them. No ideals are needed for this job.

Both of these approaches have come under fire. Ideal theorists point out that, without reference to an ideal, it's not clear that the fixes non-ideal theorists prescribe will make things better over the long run—they may even make things worse.[2] Their critics charge that we will never be able to achieve broad agreement on the kind of fully worked out ideal theory we would need in order to guide us. Both of these critiques have merit, and both approaches have serious potential flaws.

---

[1] I received helpful feedback on previous versions of this article from Craig Agule, Richard Arneson, Saba Bazargan-Forward, David Brink, Brookes Brown, Steve Swartzer, and anonymous referees at *Social Theory and Practice.*

[2] See, for example, Simmons (21). Boot also responds (Boot 2012: 10-16) to some aspects of the Sen view I will discuss later in the article.

But if both of these approaches are potentially in trouble, what's next? To answer that question, we need to think about one reason ideal theorists wanted ideal theory in the first place. While there are many different uses of ideal theory (among them motivating ourselves, understanding our own values, and seeing where we fall short), one central reason to do ideal theory is to *guide sustained societal progress over time.* We need to know whether our progress is sustainable over time because, given how far from ideal our present world is, we have a lot to do, and it will take a long time, to approach the ideal. And as societal progress takes place in a messy, complicated environment, it can be difficult to know what we ought to do. Although there are different ways to use ideal theory, and thus various ways ideal theories can succeed or fail, here our question is: in spite of the non-ideal conditions of disagreement we are in, can we come up with an ideal theory that we can put to practical use in guiding sustained societal progress?

In this article, I will argue that a new approach to ideal theory, *incomplete ideal theory,* can better achieve this aim than either non-ideal theory alone or a completely worked out ideal theory can. Incomplete ideal theory takes its cues from Cass Sunstein's concept of *incompletely theorized agreements,* developed to explain how judges make decisions about particular cases while disagreeing on legal theory. If we can come to agreements about what particular, concrete features of the ideal look like, even if we don't necessarily agree about the theory underlying those features, we can use this incomplete ideal to make progress.

This approach to ideal theory has the potential to be better at guiding sustained societal progress over time. It's better than an entirely non-ideal theory because, as we will see, the problem of second best poses a real threat for non-ideal theory. It's better than a complete ideal theory because, given disagreement, completeness is too high a bar to clear for the purpose of guiding sustained societal progress over time. Incomplete ideal theory has substantial flaws too. It's ill-suited for the project of discovering a theoretically justified ideal—that takes more theorizing. And it's potentially redundant when the answers to concrete social ills are clear. But for guiding sustained societal progress over time, it is very likely to be better than the alternatives.

I'll begin by saying more about why non-ideal theory and complete ideal theory face problems: what ideal theory is; why non-ideal theory, when done on its own, has trouble with the problem of second best; and why complete ideal theory faces a compelling challenge from Amartya Sen. I'll then develop incomplete ideal theory as an alternative—what it is and why we should use it to make progress. As we explore the uses of incomplete ideal theory, we will see that its incompleteness causes problems—it's not perfect. But given the non-ideal conditions under which we're doing ideal theory, its strengths have the potential to be stronger, and its weaknesses less weak, than its competitors. It is an avenue worth pursuing.

1. What ideal theory is

Rawls says that ideal theory "presents a conception of a just society that we are to achieve if we can" (Rawls 1999b, 216). This is what Valentini has called "end-state theory": Rawls's normative political theory "sets out a long-term goal for institutional reform" (Valentini 2012, 660).[3] This isn't the only conception of ideal theory—others may be appropriate for other aims besides guiding societal progress.[4] For Rawls, the end state winds up being relatively abstract. It is delineated by the two principles of justice, which do not entail, for example, a single type of economic system (1999b, xv-xvi).

But presenting a conception of a just society need not be so abstract. Rather than starting with abstract principles, we could ask our ideal theory to tell us, in some detail, what the ideal society looks like. What institutions does it have? How do they do their jobs? What specific economic, political, and social policies are ideal? Rawls does touch on a number of specific policies: about civil disobedience, free speech, and campaign finance (1999b, 319; 2005, 340-363; 1999b, 198). But, as we'll see, if we make these specific policies and institutions the *primary* focus of ideal theory, we may wind up with an ideal theory that is better suited for certain purposes.

Whether abstract or concrete, ideal theory is supposed to guide our progress. To do this, it must tell us not just which values or institutions are important, but also why they are important and how they interact. A good ideal theory gives us guidance by showing us which elements of the ideal are relatively more urgent (Rawls 1999b, 216). This means it can set our priorities as we attempt to make progress.[5] Once we have those priorities, we use non-ideal theory (derived from our ideal) to get from where we are to where we want to be, and it also tells us how to treat others in the world as it is.[6] The goal, according to ideal theorists, is to deliver a complete package of ideal and non-ideal theory,

---

[3] That's not all Valentini says—she initially writes that end-state ideal theory identifies "an ideal of social perfection" (2012, 654). As we'll see, incomplete ideal theory is unlikely to identify a *perfect* ideal. But, as it does set out a long-term, integrated, positive goal, it's best seen as a kind of end-state theory.

[4] Valentini lists a number of these other conceptions: "full-compliance" theory assumes that what distinguishes the ideal is full compliance with the principles of justice; "utopian theory" does not come with the feasibility constraints of non-ideal "realistic" theory (2012, 654). Hamlin and Stemplowska distinguish between ideal theory, which focuses on particular societal arrangements, and "theory of ideals," which clarifies specific ideals without fitting them into a broader scheme (53). Erman and Möller define ideal theory as theory which makes use of idealizations rather than abstractions (22). Farrelly thinks that what marks ideal theory is its insensitivity to facts (844; 846). All of these are distinct, but many of them are related (e.g., Rawls seems to be doing both full-compliance and fact-insensitive theory in his ideal theory).

[5] See Simmons (10) and Valentini (2009, 334-36).

[6] Of course, just as ideal theory has many functions, so does non-ideal theory (for example, it may also present a critique of our current society, even if it cannot guide our progress).

so we know what to do now, and in the distant future, and at all the steps between.

Alternatively, we could do non-ideal theory on its own, without making use of any ideals. Against "end-state" ideal theory, Valentini juxtaposes theory which focuses "on transitional improvements without necessarily determining what the end-state is" (2012, 654). This is the kind of non-ideal theory Sen thinks we should engage in; as we will see, he thinks that identifying an ideal is, at best, a waste of time. He's joined in this by other critics of ideal theory. Wiens argues that we should start by examining societal failures, and then see what we can do to move away from those failures, rather than moving toward any particular goal (2012, 46). The overall societal vision of these non-ideal theorists is relatively abstract: "making things better" or "avoiding injustice" rather than establishing some particular end state of justice. The focus of our societal improvements is primarily on how we can get away from particular problems. In contrast, the goals (end-state) ideal theorists propose are holistic rather than focused on a specific problem; they provide a target for us to move toward, rather than a problem to move away from. (We have seen already that not everyone does non-ideal theory in this way; the alternative is to start with an ideal theory and work down from there. The target of ideal theorists is not non-ideal theory in general but rather those who think non-ideal theory *alone* is good enough.)

One reason sometimes given for doing non-ideal theory on its own comes out of the problem of second best.[7] When a state of affairs is the best, this sometimes has to do with the interactions between its features. When I really want pasta for dinner, I don't want one bowl of marinara, a second bowl of noodles, and a third bowl of Parmesan cheese; I want the delicious combination of these three things. If I don't have noodles on hand, then I'd rather eat a burrito, rice, and beans than sauce and cheese alone. That is, I'd prefer a second-best state that includes fewer or even no features of the ideal. Critics of ideal theory argue that since we can't determine what to do simply by what's most superficially similar to the ideal, we can't trust the ideal to give us guidance.[8]

But this is a problem for non-ideal theory too. When we do ideal theory well, we know not just *what's* in our ideal but how the various components *interact*.[9] The reason that I wanted pasta and sauce was that it's a delicious dinner where the flavors harmonize well; that's also true of a burrito, rice, and beans, but it's not true of rice, beans, and noodles.[10] The ideal tells me what's important. When we do non-ideal theory without an ideal, we don't have this ultimate state of affairs telling us what's important. The best we can do is to compare various

---

[7] For the original paper in economics, see Lipsey and Lancaster. For a sample explanation in the philosophical literature, see Goodin (1995).

[8] For example, see Wiens (2012).

[9] Räikkä discusses related issues, although he couches them as a potential criticism of the problem of second best (2000, 214-216).

[10] See also Boot on the importance of a "covering value" (11-12).

non-ideal states of affairs and try to judge which one we prefer. But this isn't a recipe for sustained progress. We might be tricked by attractive features of one state of affairs, even though choosing that state of affairs will not necessarily be the best for making long-term progress. If I don't check the pantry before I start cooking, I might decide between pasta and a burrito and start cooking the pasta without realizing I'm out of sauce. I should have considered the interactions between the features of the possible alternatives before I started in on making my comparative judgments between dinners.[11]

This is no less true in policy cases. As part of our plan to mitigate or reverse harms caused by climate change, should we manipulate various features of the climate? Some proposed tactics, such as planting more trees to increase CO_2 removal from the atmosphere, seem like good things to do no matter what. But other ideas, such as seeding the ocean with iron filings to stimulate the growth of CO_2-consuming phytoplankton, are not the kind of project we'd want to undertake if we weren't facing the threat of climate change (Harris). If all we have to go on is a pairwise comparison between otherwise similar societies, one with oceans seeded with iron filings and one without, we'd choose not to dump iron in the oceans. But if we think about where we want to end up, and if the science works out such that the best way to get there involves seeding the ocean with iron, then we should do it.

This is not to say that we should seed the ocean with iron filings, only to point out that when scientists debate this question, they do so with an eye to the future: will undertaking this project get us where we need to go? In this, and in many other policy decisions, the society that more closely resembles the ideal is not necessarily the one that is the most conducive to making progress. If we're just making piecemeal progress by hopping from one comparative judgment between societies to the next without a clear idea of where we want to end up, we fall prey to this problem.

This means that the problem of second best is an issue for critics of ideal theory as well. When we don't know what we're aiming for, a simple ranking of two states of affairs may not give us the kind of sustained progress we're after. The problem of second best is a problem for *bad* ideal theory: ideal theory that doesn't take into account the interactions between features of the ideal and instead just makes progress by looking for whatever is superficially most similar to the ideal.[12] If we attempt to leap directly from our current situation to the ideal,

---

[11] Goodin points out that problems of second-best are pervasive at any level of theorizing. Unless "our moral theory [is] crafted to the *exact* circumstances actually obtaining in the real world," we don't know whether we face problems of second best. And since non-ideal theorists are trying to improve the world, they face problems of second best any time they attempt to get us to make progress (2012, 163, emphasis Goodin's).

[12] Wiens argues that the problem of second best doesn't disprove ideal theory, but it does make its task more complicated: it requires ideal theorists "to undertake the kinds of causal and comparative analyses typically neglected by conventional ideal theories"

we are very likely to err. Some things will be impossible right now, and we will fail disastrously if we try to implement them. Or if we try to implement their apparently closest cousins, we will again make mistakes—that's what the problem of second best is all about. But if we do ideal theory well—if we pay careful attention not just to the various features of the ideal but also how they interact—then we can use ideal theory to make durable, sustainable changes. Thus the problem of second best is not a problem for ideal theory done well. But it's a problem for *all* non-ideal theory done without an ideal. Since this kind of non-ideal theory doesn't tell us where we are hoping to end up, progress means comparing non-ideal states of affairs against each other; it is therefore susceptible to the problem of second best.

Now, some injustices are obvious, and we don't need an ideal theory to see that we should get rid of them. Even here, ideal theory could be helpful. Without it, we could fail to understand precisely why a problem is an injustice, and so we could move in the wrong direction even early on. But in some cases, the ideal theorist may have to concede that the first step needs only "failure analysis"—a move away from a problem.[13] Once we've made any big obvious changes that are certain or likely to have few or no unforeseen negative consequences, we then have to make much finer-grained changes, and the potential for getting lost is much greater. This is where our map—ideal theory and associated non-ideal theory—can help us to avoid the problem of second best. Ideal theory is most important when we're making large, complicated changes that require awareness of the interactions between the features of the ideal, that is, when what we're after is *sustained societal progress over time.*[14] Here, ideal theory gives us a detailed way to know what to move *toward,* not just what to move away from. Where the ideal is a big, complicated one (as the ideally just society surely is), and the problems keeping us from reaching the ideal are messy, and it will take significant time and effort to transition to the ideal, ideal theory becomes crucially important.

All this has shown so far is that *some* goal is the best way to guide sustained societal progress over time, even if that goal is not an absolute ideal. With respect to the question of whether to dump iron in the ocean, for example, we might think that the relevant goal is not the absolute ideal of complete reversal of climate change but instead a subsidiary goal of mitigating some of its harmful effects. We don't have to have the path to the complete reversal of climate change fully mapped out in order to be able to make real progress on an

---

(2016, 144). As we will see, incomplete ideal theory requires us to engage in significant empirical work and so is sensitive to Wiens's point here.

[13] Valentini: "a society in which people are arbitrarily arrested is *obviously* more unjust than one in which, all other things equal, they are not. No account of perfect justice is needed to make this kind of judgment. Although correct, this observation is also rather inconsequential" (2010, 8; see also 2012, 661).

[14] See also Stemplowska and Swift (8); and Robeyns (344-45).

important goal. But the problem we saw above with pairwise comparisons repeats itself. We may make real progress toward the local ideal but then get stuck there and be unable to make progress beyond it to the absolute ideal. The more complete our idea of what the end state ought to be, the better our chances of using that information to make real progress.

2. Sen's critique of complete ideal theory

So far, things are looking pretty good for ideal theory. When we want sustained societal progress over time, ideal theory is the best way to draw our map. Without knowledge of the ideal, we are limited to pairwise comparisons between states of affairs, so we have no way to steer clear of the problem of second best. But ideal theory isn't home free yet. How do we draw the map that will guide our progress?

Sen highlights the persistence of disagreement about ideals: we cannot agree on the contents of a complete ideal theory, at least not right now.[15] He claims that ideal theories wrongly take a totalist approach: ideal theorists wrongly believe that it is possible to arrive at a complete picture of the ideal.[16] But this is both impossible and unnecessary: "A theory of justice that makes systematic room for incompleteness can allow one to arrive at quite strong—and strongly relevant—judgments" (Sen 103). We can all agree that famines are harmful and that women are treated badly in many parts of the world, even without a totalist ideal theory.

And it's good that we can make these important judgments about justice without a totalist theory, because we shouldn't expect to have one any time soon. Sen blames "unbridgeable gaps in information, and judgmental unresolvability involving disparate considerations that cannot be entirely eliminated, even with full information" (103). We can't predict the future. We might not be able to decide how to trade off different features of the ideal (whether we should care more about equality or liberty). We may not be able to agree with the other groups in our society about what justice is.[17] Without bridging these gaps, we cannot agree on an ideal theory.

---

[15] Sen makes other critiques of ideal theory as well, which others have amply replied to. Gilabert points out that Sen has misconstrued some aspects of the ideal-theory project (2012, especially 42-44). Valentini has written an extensive response to Sen's charges that ideal theory is unnecessary, insufficient, parochial, and inflexible (2010). And Robeyns responds to the charge that non-ideal theories can tell us everything we need to know about justice, making ideal theories redundant (2012). These responses show that some of Sen's views on ideal theory are incomplete, perhaps even flawed; but in at least one major respect, Sen's views pose a significant challenge to ideal theory.

[16] Sen puts this in slightly different, but closely related, terms: that if we can make a complete ranking of states of affairs using pairwise comparisons, we will be able to identify the best state of affairs (102).

[17] *Political Liberalism*-era Rawls (2005) notices the same thing, arguing that the "burdens of judgment" keep us from agreeing on comprehensive doctrines. This doesn't seem to make Rawls as skeptical as Sen is about ideal theory.

Here, Sen seems to me to be completely right that disagreement is likely to persist. Consider disagreements just among Rawlsians about any aspect of Rawls's ideal theory. And then consider disagreements between Rawlsians and libertarians about ideal justice. And then zoom out to the disagreements our actual politics is riven with (and how infrequently they resemble our philosophical disagreements). All of the problems Sen points to, and more, are recognizable in our own political discourse: bad-faith argumentation; "unbridgeable gaps in information" (how many economic theories have conclusively been proven?); and "judgmental unresolvability" (how important is stability to justice, exactly?). The more fine-grained principles our ideal theory includes, the more precise guidance it can give on how we should make progress. But the more fine-grained our principles are, the fewer people we can find who fully endorse them. Sen has our actual experience of philosophical and political disagreement as good evidence for the idea that agreement on a complete ideal theory is, now and perhaps permanently, impossible.[18] And while ideal theories lacking broad acceptance are far from useless—they may shift the terms of political debate, or inspire innovations in more mainstream views, or slowly gain wider acceptance—a theory we agree on still has a particular use. A theory we agree on is a theory we can use to guide our progress *now*: a theory voters, policymakers, and philosophers can use to understand what change will gain widespread approval and where that change could take us. But, if Sen is right, we cannot find an ideal theory fit for this purpose, since we cannot achieve agreement.

We have already seen what Sen's alternative looks like: we should do non-ideal theory without an ideal, by "focus[ing] on the comparative": our theories should tell us which of the choices "actually on offer" are better (106). We may have goals, but the examples Sen lists are all negative goals, more like Wiens's "failure analysis" than like ideal theory: "iniquities of hunger, poverty, illiteracy, torture, racism, female subjugation, arbitrary incarceration, or medical exclusion as social features that need remedying" (96).

So now we seem to be stuck. So far, we've seen that there are good reasons to think that ideal theory can help guide us to carry out sustained societal progress over time, and good reasons to think that a Sen-style approach is vulnerable to the problem of second best—yet a complete ideal theory is currently impossible.[19] What we must do now is combine these insights. We must

---

[18] There may be some societies that are so homogeneous or advanced that they already have achieved widespread acceptance of a particular ideal theory. These societies don't need the incomplete ideal theory I will outline in what follows; they don't face the challenges Sen describes. But for the rest of us—for those of us who see in our own societies the deep disagreements Sen describes—a complete and agreed-upon ideal theory seems impossible in the near future. Even if we can achieve it somewhere down the line, we still need to know how to make progress right now.

[19] Erman and Möller defend ideal theory (convincingly, I think) against one version of the charge that it is impossible: we cannot say yet whether an ideal theory violates "ought

use the information we have to construct an ideal that's as complete as possible, while at the same time accepting that a complete ideal may be out of our reach for now. This does not fall prey to Sen's arguments against totalist theories of justice, but we can still use it to make sustained progress over time. So how can we do this?

3. Incomplete ideal theory

The strategy I'm going to explore for doing ideal theory is to use what Sunstein calls "incompletely theorized agreements." We come to an incompletely theorized agreement whenever we agree on a result, and perhaps a very low-level explanation for that result, without necessarily agreeing on the high-level theory or fundamental principles behind that result (Sunstein 1995, 1735-1736). So, for example, we may be able to agree to protect endangered species, even if we can't agree on whether this is because of the benefit to humans, or to the species themselves, or to the environment as a whole (Sunstein 1995, 1736). We can then apply this agreement in making policy decisions: we can agree to set aside nature preserves, keep endangered animals in zoos, and punish poaching.

As a legal scholar, Sunstein focuses on how this "conceptual descent" from high-level theory to low-level results is useful for legal decision-making—how judges can agree that there is a right to free speech in a particular case without agreeing on what exactly satisfies that right (2007, 2). But these agreements get their power in the law partly from their familiarity from everyday life: whenever parties (roommates dividing up the rent, parents debating how to punish a child, relatives putting politics aside at Thanksgiving dinner) agree on a result without agreeing on every theoretical detail behind the result, they are coming to an incompletely theorized agreement.

Sunstein gives four reasons why incompletely theorized agreements are so valuable (2007, 13-15). First, incompletely theorized agreements preserve stability. If we have deep, fundamental disagreements on our principles, then any political or moral disagreement might rip up our social fabric. But if we can agree to bracket those fundamental disagreements, at least sometimes, we can still make progress without putting everything on the line. Second, because we can sometimes bracket fundamental disagreements, it is easier to respect one another. When our differences are not always in our face, it can be easier to agree on a common way of life that helps us to live together in conditions of mutual respect. Third, where there is disagreement, some people will lose. We have to adopt some policy or other; if there's disagreement on which one, that means

---

implies can," because that an ideal theory is unlikely to be achieved does not mean it is impossible (36-40). But this does not get ideal theory off the hook completely. Erman and Möller are right that, once we have an ideal theory, it may not be impossible to implement it; my concern is with what comes first. Sen is right to argue that *agreeing* on an ideal theory is impossible, at least for now. The problem, that is, is not coordinating on an ideal theory but rather knowing what it is in the first place.

someone will lose. But because we are not returning to fundamental theoretical questions whenever we resolve disagreements, those who lose may not lose every time. And even if they lose a lot, their fundamental theories have not been ruled invalid. So the losers lose less. And finally, incompletely theorized agreements can help where what we want is to make progress over time. If we have arrived at the complete theory, then we cannot evolve. If we know all of the reasons behind all of the results, why would we ever change the rule or make an exception to it? But we know that we could be wrong about some of our values, so we should be open to revisions (Sunstein 1995, 1749).

3.1 Ideal theory using incompletely theorized agreements

All four of these reasons apply to our current question. We do see deep disagreement and significant diversity within our society. By putting aside some of our disagreements about abstract principles, rather than fighting about them all the time, we can get along better. Bracketing questions of theory will also mean losers lose less, since no theories are ruled out. Most importantly, Sen is right that complete ideal theory is currently impossible, so Sunstein's fourth reason for incompletely theorized agreements is crucial. If we try to implement a complete ideal theory right now, we won't just threaten stability or mutual respect, or provoke anger on the part of the losers. We are also very likely to get it wrong. Given the obstacles in the way of complete ideal theory, we need to be open to revisions in our ideal theory.

So incompletely theorized agreements can help us to make progress without falling prey to the problems Sen diagnoses with complete ideal theory. We don't need to wait around for a complete ideal theory, if we can use incompletely theorized agreements to start to sketch what an ideal would look like. This will help us to avoid some of the theoretical questions that bog down complete ideal theories.[20]

The first step in doing incomplete ideal theory is to look for points of broad agreement within a society on particular features. The more concrete these features are, the likelier we are to be able to gain agreement on them without engaging in contentious theoretical debates. Perhaps we can agree that universities in the ideal society would conduct medical research or that it is important for us to protect the white rhino. We can also look for low-level rules that unify particular cases, again relying on little to no theory: if we can agree that white rhinos and spotted owls both deserve protection, then maybe we can agree to protect endangered species in general. Coming up with a vision of a society that

---

[20] It's not clear that Sunstein himself would be on board with the use of incompletely theorized agreements in order to do ideal theory—he writes that there is "no special magic in theories or abstractions" (1998, 19). But if we find that theories are sometimes helpful, even if not magical, we can use incompletely theorized agreements to develop them.

contains these particulars gives us our target: not based on some grand theory, but because of the particular features we agree the ideal society should have.

Above, I contrasted Rawls's version of end-state ideal theory with incomplete end-state ideal theory. We can now see more clearly how they're distinct. In the "four-stage sequence" of *A Theory of Justice,* Rawls talks about how parties apply the principles of justice; the fourth stage, the most concrete, is when judges and administrators apply rules in particular cases and citizens follow those rules (1999b 175). This stage includes all the facts about the society; it is not an abstraction. But the fourth stage requires us to have principles to apply, principles developed in the first three stages. Incomplete ideal theory starts from the other direction and stays there—rather than applying principles to particular cases, we look for agreement, not necessarily based on principles, about the results in those cases.

Even *Political Liberalism,* which is more focused on the problems disagreement poses for ideal theory, is more principle-based, abstract, and theoretical than incomplete ideal theory is.[21] Rawls explicitly appeals here to the use of abstractions in settling disagreements: abstraction, he writes, "is a way of continuing public discussion when shared understandings of lesser generality have broken down. We should be prepared to find that the deeper the conflict, the higher the level of abstraction to which we must ascend to get a clear and uncluttered view of its roots" (2005, 46). While we may start with disunified conceptions of justice, Rawls's process of coming to an overlapping consensus requires us to accept certain liberal principles eventually (2005, 168). Incomplete ideal theory resembles an overlapping consensus, with a crucial difference: it never requires us to accept any particular theoretical principles. By identifying areas of consensus in order to make progress in the face of disagreement, the method of incomplete ideal theory has some significant things in common with Rawls's method in *Political Liberalism.* But there are also real points of departure—at the beginning, which starts from particulars, and in the outcome, which comes up with specific features about the ideal society, rather than developing abstract principles to govern it.

Rawls has perhaps put too much faith in abstraction as a tool for understanding justice and overcoming conflict. As Sunstein points out, often we are "puzzled by general principles"—we may not even know why we ourselves believe what we believe (Sunstein 1998, 47-48). We are much better at identifying what we want or what we like than why we like it. Incompletely theorized agreements avoid theoretical disagreements when we know what our theories are, and they also allow us to make progress when we aren't necessarily aware of our own theories.

So if we're going to start with particulars, the second step in incomplete ideal theory is to unify these particulars to whatever degree we can. In his

---

[21] Both Sunstein and Shapiro (in a review of Sunstein's book) discuss the differences between Sunstein's view and Rawls's (Sunstein 1995, 1735-1736 fn.8; Shapiro 391).

argument for ideal theory, Simmons distinguishes between integrated and piecemeal ideals: integrated ideals give us a picture of ideals that spans the ideal society, while piecemeal ideals are more narrow (ideal gender justice or ideal economic conditions). The danger with piecemeal ideals is that "a particular policy might, for instance, be a good bet for remedying a particular injustice (or kind of injustice), while at the same time being a policy that retarded, stalled, or set back efforts to achieve overall justice" (Simmons 21). Recall the discussion of the problem of second best from earlier. Pursuing racial justice without thinking about gender or socioeconomic justice could make things worse in those arenas. Instead, once we have a list of concrete, specific particulars, we must think about how they fit together. Is it possible to come up with a coherent ideal that includes racial equality, economic prosperity, and freedom of speech? Looking at interactions between the features of our ideal is particularly important because it helps us to avoid the problem of second best, which was the original problem facing ideal theory. If we know how our education system interacts with our pension system, we'll know whether it is superficially better but in fact worse than an alternative system. Although we recognize that the facts may change, empirical work may help us here.

This may not be easy. Empirical research can help us, but it can't tell us everything. Even when good empirical work has been done, agreement may just not be possible. Americans are deeply divided on all political issues. How can we expect agreement on any particulars about the ideal society at all? This is a genuine problem, without easy resolution. And yet there are some reasons to be optimistic. Studies consistently show that there is more bipartisan support for certain government programs than we might think—88% of Republicans and 78% of Democrats support Medicare; 75% and 78% support Social Security; 93% and 61% support defense spending (Rajczi 346). Over two-thirds of Americans support stricter gun laws, and 88% support stricter background checks (Shepard). Immigration was perhaps the most contentious issue of the US presidential campaign in 2016, and yet approximately 80% of Americans support a path to citizenship for undocumented immigrants brought to the US as children; about two-thirds support eventual citizenship for all immigrants (Malloy 1-2). Seventy-five percent say that immigration is a good thing for the United States (Brenan). Even if these numbers gloss over some disagreement about the details, they point to a higher level of consensus on specific issues than we might expect given the nature of American politics.[22]

One additional finding helps to explain why these numbers might be surprising: some polls show that support for many features of Obamacare is greater than support for Obamacare itself (Enten). This suggests that one factor driving opposition to Obamacare is partisan identification, rather than opposition

---

[22] Broockman and Skovron provide an interesting explanation for some of these phenomena: for various reasons, state legislators overestimate how conservative their constituents are.

to the specifics of the plan. This gives us even more reason to focus on particulars, rather than principles. If we can abstract away from the principles we support (or believe we support, since we may not always know), we may find that we have more concrete, specific views in common than we realized. This will not bridge all the gaps in our agreement on particulars, but it will help with some.

3.2 Do we need conceptual ascent?

But sometimes we may not be able to agree on particular features, or on how they fit together, without doing some higher-level theory. When this happens, we could engage in what Sunstein calls "conceptual ascent"—we could move from particulars to a higher level of abstraction (1995, 1760-1762). We started by identifying a list of particular features of the ideal; this was because, as Sunstein argues, those are often easier to agree on than on high-level theory is. But putting the particular features together to get a picture of the ideal society may require us to prioritize some particulars over others, and this may be easier if we make theoretical judgments as well as judgments about particulars.

Consider two Supreme Court cases: *Plessy v. Ferguson* (1896) and *Brown v. Board of Education* (1954). The Court decided in *Plessy* that the "separate but equal" doctrine of racial segregation was constitutional; in *Brown*, it reversed that decision. It may seem that the only thing that can justify *Brown* as opposed to *Plessy* is a theory, not an incompletely theorized agreement. And this is only one of many examples of choices we make that seem to require a complete theory. Sunstein holds that we can usually reach at least "a degree of closure" by focusing only on particulars, but he acknowledges that we will sometimes need to engage in conceptual ascent (1995, 1736; 1995, 1761; 2008, 18).

Before we do, we can try some other strategies in tricky cases. Analogies can give us some new, largely theory-free information about the ideal (Sunstein 2007, 8-10). If we can think of cases in which we agree unequal treatment is inherently unfair, and if we can analogize those cases to the case of race relations, we may be able to come to an agreement on race relations, even without resorting to more complete theories. We may also be able to make use of empirical work. We can see that, in practice, "separate" has never meant "equal"; we don't need to adjudicate theoretical disagreements to figure that out. Finally, our effort to come up with a coherent ideal means some possibilities can be discarded. Which model of race relations, *Plessy*'s or *Brown*'s, better accords with the rest of the incompletely theorized agreements comprising our ideal? If we start out by identifying obvious, easy points of incompletely theorized agreement, and then tackle more controversial and complicated issues, we may find that only one option coheres with the rest of our ideal theory. Or we may not. This method will not guarantee that we can resolve pressing questions, about race relations or about anything else. Some questions can only be answered through abstraction.

This presents us with a choice. If we use incomplete ideal theory on its own, we must acknowledge that it will have gaps, perhaps significant ones. Instead, we might fill in some of those gaps using conceptual ascent, perhaps

where the ascent isn't so very high (lots of people share a theory, or the theory is highly likely to be correct, or the theory isn't very abstract). Once we have come up with a particulars-only ideal theory, we have less theory to work out to fill in the gaps—rather than starting from scratch, we know the places (such as racism and racial integration, in the *Plessy/Brown* case) where we need theoretical investigation. But conceptual ascent removes some of the advantages for which we turned to incomplete ideal theory in the first place. Which of these we choose will depend on the costs and benefits of each approach—how damning the gaps are, how much agreement there is on theory.[23] Either way, the disadvantages do not completely erase the considerable advantages incomplete ideal theory offers.

3.3 What's next?
What we have now is better than non-ideal theory alone, because our attempt to agree on particulars and put them together into an ideal is less vulnerable to the problem of second best. The more information we can get about what the ideal should look like, and about how its parts are integrated, the more we can avoid being tricked by superficially better states of affairs when making progress.

      This approach is both better and worse than a complete ideal theory. As we just saw, our ideal may be gappy, especially where filling in the gaps would require significant conceptual ascent. Since we haven't reached consensus on the theoretical backing of our ideal, we don't have a foundation beyond a broad agreement on particulars. But this approach is better than trying to find a complete ideal theory, because the ideal can have broader appeal and doesn't rely on answers to theoretical questions. Because this way of doing ideal theory is more realistic about what we do and don't know about the ideal, this flawed ideal is more immediately usable.

      So now we need to use it. Once we have our incomplete ideal, our next task is transitional theory. We must figure out whether, and how, we can make progress toward that ideal.[24] Here we definitely need empirical work, as Simmons notes (19). Taking account of the facts can help us determine the feasibility of our ideal and the various paths to it. But we also need to think about the moral constraints on our progress. Dictatorship in service of fighting climate change seems impermissible. Arvan emphasizes the role of fairness in transition, not just in ideal theory (Arvan 98, 101-105). Francis argues that the transition to a more just healthcare system must (among other things) give priority to more fundamental rights, spread the burdens of transition equitably, and honor the legitimate expectations of those already in our society (273-274). Some of these decisions may themselves require theoretical arguments to be settled, but, once again, we should take a specific, low-level, and practical view of the transition. It is probably easier to agree on legitimate healthcare expectations or on what

---

[23] Sunstein himself is skeptical that the benefits of resorting to conceptual ascent will outweigh the costs (1995, 1761-1762).
[24] See also Herzog.

constitutes an undue healthcare burden than it is to identify fairness in transition across an entire society.[25]

Once we know what our ideal is, and we know how to get there, we can embark on our journey. But—and this will be obvious from the procedure I've described—our ideal is still incomplete. Revision and adjustment of our ideal and of the pathways to it will almost certainly be necessary. Sometimes this is easy: we may simply be able to fill in gaps in our ideal, as our moral and empirical knowledge become more complete.[26]

Sometimes this is more difficult. We will also probably realize that some of our initial specifications of the ideal were not just incomplete but actually incorrect. We might have been led astray by our biases or simply not had all the facts about what really would be best. When we construct an ideal out of incompletely theorized agreements, some of the features will inevitably be missteps. But mistakes may not always lead us seriously astray; some may turn out to be productive. We know now that it is feasible for an ideal theory to include full marriage equality. If we were constructing an incomplete ideal theory in the 1990s, we probably wouldn't have been able to agree to include same-sex marriage as a feature of the ideal. But we might have been able to agree to include civil unions. From where we are now, it doesn't seem like civil unions are truly ideal. But they could have been helpful as a provisional part of an incomplete ideal. Civil unions are a reasonable step on the way to marriage equality, one that is less likely to hinder the transition to a state of affairs we eventually came to see as more ideal. In this case, a mistake is nevertheless a helpful signpost, something we can go on to revise later.

But we can't always expect to be so lucky—sometimes revisions to our ideal theory will be more significant (Sen 107). As our ideal changes, our path to it will also change. We may find ourselves having to backtrack. Even in these cases, incomplete ideals can help us: since coming up with an incomplete ideal theory requires us to consider societal progress holistically, realizing we need to revise that ideal will also require us to consider how that revision affects other problems we face. Without an ideal—if we just hop from a worse society to one that appears better—we are even likelier to realize we need to backtrack even more significantly.

4. Why incomplete ideal theory works (and when it won't)

---

[25] Räikkä also discusses the "moral costs of the changeover" from non-ideal to ideal (1998, especially 33-38).
[26] My focus has been on whether we can *know* the ideal, but once we do, there's a separate problem—can we coordinate to achieve it? Will people be more motivated by an ideal that includes some features that appeal to them, without ruling out their theories? Or will they be less motivated by an ideal that's incomplete? These questions of motivation and coordination are important questions, but they're distinct from the task of arriving at an incomplete ideal.

I started out by considering an objection to ideal theory: because of the problem of second best, ideals cannot provide guidance. But I argued that this is really only an objection to *bad* ideal theory: when we know not just what the features of the ideal are but also how they interact, we can use that ideal as a guide to our progress. If we use non-ideal theory alone, then we don't have an ideal to guide our progress—when we compare two states of affairs, we don't know whether the better-seeming one is really better in the long run.

Incomplete ideal theory can solve this problem better than a wholly non-ideal theory can. When we decide on the features of the ideal society, we get important information. Crucially, we can consider the interactions between the features of our ideal—this is what allows us to mitigate the problem of second best. So while we don't have as much information as we would if we had a complete ideal theory, we know more about where we're headed than we would if all we did was try to eliminate the problems we see in the non-ideal world.

We already know why we might pursue incomplete ideal theory rather than the complete kind. We have seen that complete ideal theory is likely to be impossible due to disagreement, and incompletely theorized agreements are a tool that can help us in just such a situation. But incomplete ideal theory comes with significant limitations. One way in which incomplete ideal theory is worse than complete ideal theory is that incomplete ideals will, by their very nature, be gappy. When we cannot come to an incompletely theorized agreement on some particular, we can try analogizing it to something that's already in the ideal. But maybe nothing is analogous. Then maybe we can look at the empirical facts, but perhaps this question has normative dimensions too. We could try fitting our options with the rest of our incomplete ideal, but maybe nothing fits, or maybe multiple options fit equally well. We can do limited conceptual ascent, but some questions will require the kind of heavy normative theorizing we turned to incompletely theorized agreements precisely to avoid. If we exhaust all of these options, then our incomplete ideal must remain silent on this question. Sometimes this won't be a big loss—we'll figure it out as we go along, and it's not a central part of our ideal society. But if this is a central feature of the ideal, then the gap is significant.

A second way in which incomplete ideal theory does worse than complete ideal theory does is that it seems to be giving up something that was a hallmark of ideal theory: an attempt at a guarantee of correctness. This was Valentini's original conception of end-state ideal theory: we attempt to identify "an ideal of social perfection" (2012, 654). Incomplete ideal theory has no guarantee of correctness, since it's just constructed out of our beliefs about particular features of the ideal, without solid theoretical backing. Not aspiring to societal perfection makes some sense. Sunstein warns against too quickly concluding that we've hit on the correct ideal; overconfidence about our ideals has stymied moral progress in the past (1995,1749). Ideal theories need to be revisable, because we will sometimes have to admit that we've made mistakes in thinking about what the ideal is. Perhaps our moral or physical capabilities are enhanced as we improve

our society, so that older moral theories become obsolete. As new, even-more-ideal possibilities emerge, we should expect to have to revise any ideal theory.[27]

But the flip side is that if a completely theorized ideal is the right one, then we don't just have *an* ideal—we've got the *right* one, and we know *why* it's right. Incomplete ideal theories, by contrast, are only "right" insofar as they correctly capture the agreements on particulars we might actually be able to come to. We can certainly try to make sure that our ideal is the right one—by using analogies and limited conceptual ascent—but we can't guarantee it. Because standard ideal theories have generally relied on principles, they have a claim on telling us what really is the best and why. Incomplete ideal theory doesn't.

Since incomplete ideal theory relies on what people can agree on right now, maybe it has a status quo bias and thus is even less likely to be correct. But we can't assume this too quickly. People are pretty quick to point to problems with their lives. While it is a possibility that looking for areas of commonality in these problems and their solutions will give us something that resembles the status quo, we can't draw this conclusion out of hand. (We have already seen that some of the things people can largely agree on, such as gun control, would have cause us to make significant changes to our laws.) And what incomplete ideal theory loses by potentially being biased toward the status quo, it may make up for by paying heed to the democratic character of our society, since it starts with a bottom-up look at our preferences about particulars. Meanwhile, critics of complete ideal theory charge that it too has a status quo bias, as Charles Mills contends when he argues that some Rawlsian views are too friendly to existing power structures. And we have seen that failure analysis, without reference to an ideal, may bias us toward the status quo too, by focusing only on how to fix current problems without giving us a target to move toward.

There's no getting around it: incomplete ideal theory has some significant hurdles to clear. If major questions of racial or gender or economic justice cannot be resolved for the purposes of developing an incomplete ideal, because that would mean too much contentious theoretical work, then our ideal theory is missing something important. Without aiming for the *right* ideal, then we don't know if we're making the right kind of progress. If incomplete ideal theory is especially biased toward the status quo, then we have even less reason to believe it will be correct. But the alternative is at least as bad: waiting to resolve these contentious theoretical issues before settling on a complete ideal theory will mean not having a guide for sustained progress for a long time, maybe forever. Given that any ideal we can put to use right now is going to be incomplete, we will have to (in Simmons's words) "muddle through the best we can" in this kind of case (24). Muddling through with no guide would be even worse than muddling through with an incomplete one. So where we can find some agreements on particulars, we should try to do so.

---

[27] Gaus refers to this as "progressive ideal theory" (2016, 85).

But while we use incomplete ideal theory to guide our progress, we don't have to give up traditional ideal theory entirely. Incomplete ideal theory is good for a particular purpose: guiding societal progress in the face of disagreement about the ideal. But it cannot completely replace the insights we get from a complete ideal theory. We should continue these two projects in parallel, searching for the correct theoretical framework while using incomplete ideal theory as a practical guide in the meantime. As long as the costs of incomplete ideal theory (in gappiness and uncertainty) are lower than the costs of complete ideal theory (in disagreement), incomplete ideal theory is a worthwhile addition to our methodological toolkit.

Whether the costs of this dual approach are lower will depend on how much theoretical disagreement there is in our society. If Sen is right, then pursuing complete ideal theory on its own means we are going to be waiting for a long time for our guide on how to make progress. Even if we did agree on a complete ideal, we'd then have to tackle the separate empirical and moral questions about *how* to make progress toward it. Agreement on particulars, the more granular the better, is often easier to identify and implement than broader social change is. This does not guarantee that pursuing incomplete ideal theory in tandem with complete ideal theory would be better, but it gives us strong reason to think so.

But perhaps a different approach would be even less costly. Gaus presents yet another view of ideals, disagreement, and societal change. While he is not nearly as skeptical as Sen is about the uses of ideal theory, ultimately he concludes, societal diversity prevents us from agreeing on a shared ideal we can use to guide our progress (2016, 147). Instead, we need the Open Society, which may include communities with their own ideals, but which is not itself governed by a single ideal (146). Maybe Gaus is wrong; maybe societies can come to more of a consensus than he recognizes.[28] Some small, wealthy, relatively homogeneous societies might share a complete ideal theory, or something close to it.[29] (Even if they don't, they might have made more progress still if they'd had a shared ideal.) Either way, Gaus's concerns certainly apply to the rest of us—societies marked by greater diversity, where people do not share complete ideal theories.

In some ways, incomplete ideal theory is responding to some of the same concerns Gaus's view is. As I have argued throughout the article, we need incomplete ideal theory precisely because our diversity makes agreement on a complete ideal unlikely. Incomplete ideal theory, like the Open Society, leaves room for people to pursue their own complete ideal theories in tandem with incomplete ideal theory. But the moral framework of Gaus's Open Society is

---

[28] Estlund's review of Gaus's book makes this point (923-927).

[29] See n. 17—these societies probably need neither incomplete ideal theory nor Gaus's approach, if they can truly agree on a complete ideal theory. But these societies are the exception, not the rule. For the rest of us, one of these alternative approaches may work better.

polycentric, with competing sets of rules followed by different parts of the population (2016, 180; 184). This polycentricity relies heavily on markets to sort out conflicts between these competing rules (2016, 202-205). If you think there are some institutions, decisions, or rules that must be monocentric—that we all must decide on together—then you have to make a decision about the shape those should take. And that brings us back to some version of ideal theory. But incomplete ideal theory can do this without, or with less of, what Gaus calls "normalization": by focusing on particular features of a society, rather than on the correct theoretical perspectives about those features, we don't have to make any problematic theoretical claims.

So incomplete ideal theories do better at guiding sustained societal progress than complete ideal theories, non-ideal theories alone, or alternatives such as Gaus's Open Society. But even if they're appealing, it might not seem right to call them ideal theories. In giving up the guarantee of correctness, we may have given up incomplete ideal theory's claim to being a "real" ideal theory. If we view ideal theory narrowly, expecting it to identify an ideal of societal *perfection,* perhaps incomplete ideal theory doesn't count as ideal theory (Valentini 2012, 654). But it bears a closer resemblance to ideal theory than anything proposed by critics such as Sen does. It gives us an integrated goal we can progress toward, not just some current societal ills to move away from. It is ideal theory done within a particular set of constraints: it is the best end-state we can come up with when we take into account our disagreements about what is best. It is ideal theory done with sensitivity to the non-ideal conditions in which we're trying to do ideal theory. Given our inability to find common theoretical ground, incompletely theorized agreements are the best we can do for guiding progress in the near future. As our information gets better, and if we find ourselves able to engage in conceptual ascent, our incomplete ideal theory will, over time, acquire more of the virtues of complete ideal theory.

The flaws of incomplete ideal theory are important to reckon with. A list of particular features may give us less information than we'd like, since these features may be incompatible. Even after we apply our best social science in order to see how they cohere, we are still just constructing an ideal theory out of what happens to appeal to us right now. Without theory behind our results, we give up on some of the claims to correctness that had been a selling point of ideal theory. And yet, for all its flaws, incomplete ideal theory may be the best game in town. Social progress attempted without ideal theory is vulnerable to the problem of second best. If we try for a complete ideal theory, we cannot avoid deep theoretical disagreements. All of these ways of making social progress have their flaws, but incomplete ideal theory offers the potential for guiding sustained societal progress over time.

5. Conclusion

I started out by outlining two major constraints on theorizing about sustained social progress toward justice over time. First, ideal theory helps us to avoid the

problem of second best—to avoid getting tricked by apparent but unsustainable improvements. But second, as Sen points out, because of deep disagreements, ideal theory appears to be impossible. I spent the rest of the article outlining one possible solution. When we do incomplete ideal theory, we agree on particular features the ideal society would have, without agreeing on the theory behind those particulars. This gives us a target to aim for, which we refine over time as we come to know more empirical facts and as we understand more about the theory of justice undergirding those practical conclusions.

　　When we try to theorize about justice, we are doing it in non-ideal conditions. As Sen and Rawls both point out, the burdens on our judgment prevent us from being able to agree on a complete ideal theory that can guide our progress. Incomplete ideal theory is one way to guide our progress right now. This doesn't mean that we should stop trying to come up with complete ideal theories, and we should let these inform the ideals we use to guide our progress over time—but we should keep in mind that our efforts here so far have been incomplete, and that that incompleteness currently looks to be a lasting feature of ideal theorizing. But we can always hope for better. The process of using ideal theory to make progress requires constant revision of the ideal and the path we take to get there. As we continue to refine the ideal as we make progress, we can hope to find that we approach the true ideal after all.

Works Cited

Anderson, E. (2010). *The Imperative of Integration.* Princeton: Princeton University.

Boot, M. (2012). "The Aim of a Theory of Justice." *Ethical Theory and Moral Practice* 15(1)*,* 7-21.

Brenan, M. (21 June 2018). "Record-High 75% of Americans Say Immigration Is Good Thing." *Gallup,* https://news.gallup.com/poll/235793/record-high-americans-say-immigration-good-thing.aspx.

Broockman, D. and Skovron, C. (2018.) "Bias in Perceptions of Public Opinion among Political Elites." *American Political Science Review* 112(3), 542-563.

Enoch, D. (2013). "The Disorder of Public Reason." *Ethics* 124(1), 141-176.

Enten, H. (2012, June 26). "If Not Obamacare, What Healthcare Reform Do Americans Actually Want?" *The Guardian.*

Erman, E. and N. Möller. (2013). "Three Failed Charges Against Ideal Theory." *Social Theory and Practice* 39(1), 19-44.

Estlund, D. (2017). "The Ideal, the Neighborhood, and the Status Quo: Gaus on the Uses of Justice." *Ethics* 127, 912-928.

Farrelly, C. (2007). "Justice in Ideal Theory: A Refutation." *Political Studies* 55(4): 844-864.

Francis, L.P. (2002). "Age Rationing under Conditions of Injustice." In Rhodes, R., et al. (Eds.), *Medicine and Social Justice: Essays on the Distribution of Health Care* (270-277). Oxford: Oxford University.

Gaus, G. (2011). *The Order of Public Reason.* Cambridge: Cambridge University.

---. (2016.) *The Tyranny of the Ideal: Justice in a Diverse Society.* Princeton: Princeton University.

Gilabert, P. (2012.) "Comparative Assessments of Justice, Political Feasibility, and Ideal Theory." *Ethical Theory and Moral Practice* 15(1), 39-56.

---. (2017). "Justice and Feasibility: A Dynamic Approach." In Vallier, K. and Weber, M. (Eds.), *Political Utopias: Contemporary Debates* (95-126). Oxford: Oxford University.

Goodin, R. (1995). "Political Ideals and Political Practice." *British Journal of Political Science* 25(1), 37-56.

---. (2012). "The Bioethics of Second-Best." In Millum, J. and Emanuel, E. (Eds.), *Global Justice and Bioethics* (153-177). Oxford: Oxford University.

Harris, R. (2012, July 18.) "Can Adding Iron to Oceans Slow Global Warming?" *All Things Considered.* NPR.

Herzog, L. (2012). "Ideal and Non-Ideal Theory and Knowledge." *Journal of Applied Philosophy* 29(4), 271-288.

Lipsey, R.G. and Lancaster, K. (1956-57). "The General Theory of Second Best." *Review of Economic Studies* 24(1), 11-32.

Malloy, T. (18 June 2018). "Stop Taking the Kids, 66 Percent of US Voters Say, Quinnipiac University National Poll Finds; Support for Dreamers is 79 Percent." Quinnipiac University Poll.

Mills, C. (2005). "'Ideal Theory' as Ideology." *Hypatia* 20(3), 165-184.

Quong, J. (2011). *Liberalism without Perfection.* Oxford: Oxford University.

Räikkä, J. (2000.) "The Problem of the Second Best: Conceptual Issues." *Utilitas* 12 (2), 204-218.

Rajczi, A. (2014.) "What Is the Conservative Point of View about Distributive Justice?" *Public Affairs Quarterly* 28(4), 341-373.

Rawls, J. (1999a). *The Law of Peoples.* Cambridge: Harvard University.

---. (1999b). *A Theory of Justice* (Rev. ed.). Cambridge: Belknap Press of Harvard University.

---. (2005). *Political Liberalism.* New York: Columbia University.

Robeyns, I. (2008). "Ideal Theory in Theory and Practice." *Social Theory and Practice* 34(3), 341-362.

---. (2012). "Are Transcendental Theories of Justice Redundant?" *Journal of Economic Methodology* 19(2), 159-163.

Sen, A. (2009). *The Idea of Justice.* Cambridge: Belknap Press of Harvard University.

Shapiro, S. (2007). "Fear of Theory." *University of Chicago Law Review* 64, 389-403.

Shepard, S. (28 February 2018). "Gun Control Support Surges in Polls." *Politico,* https://www.politico.com/story/2018/02/28/gun-control-polling-parkland-430099.

Simmons, A. J. (2010). "Ideal and Non-Ideal Theory." *Philosophy and Public Affairs* 38(1), 5-36.

Stemplowska, Z. and Swift, A. (2012). "Ideal and Non-Ideal Theory." In Estlund, D. (Ed.), *Oxford Handbook of Political Philosophy*. Oxford: Oxford University.

Sunstein, C. (1995). "Incompletely Theorized Agreements." *Harvard Law Review* 108, 1733-1772.

---. (1998). *Legal Reasoning and Political Conflict.* Oxford: Oxford University.

---. (2007). "Incompletely Theorized Agreements in Constitutional Law." *Social Research* 74(1), 1-24.

---. (2008, 25 September). "Beyond Judicial Minimalism." Harvard Public Law Working Paper No. 08-40; U of Chicago, Public Law Working Paper No.

237; U of Chicago Law & Economics, Olin Working Paper No. 432; Harvard Law School Program on Risk Regulation Research Paper No. 08-6.

Thomas, A. (2014). "Sen on Rawls's 'Transcendental Institutionalism: An Analysis and Critique." *European Journal of Political Theory* 13(3), 241-263.

Valentini, L. (2009). "On the Apparent Paradox of Ideal Theory." *Journal of Political Philosophy* 17(3), 332-355.

---. (2010). "A Paradigm Shift in Theorizing about Justice?: A Critique of Sen." Centre for the Study of Social Justice Working Paper, 2-14.

---. (2012). "Ideal vs. Non-Ideal Theory: A Conceptual Map." *Philosophy Compass* 7, 654-664.

Wiens, D. (2012). "Prescribing Institutions without Ideal Theory." *Journal of Political Philosophy* 20(1), 45-70.

---. (2016). "Assessing Ideal Theories: Lessons from the Theory of Second Best." *Politics, Philosophy & Economics* 15(2), 132-149.