

## Juha Räikkä, *Social Justice in Practice*

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Imagine yourself standing on the edge of a canyon, marveling at the terrain below, wondering about all the sights currently obscured from your view, and lamenting that you just don't have time to commit to the steep descent in and long trek across, which would give you a perspective from right up close. Being handed Juha Räikkä's new book *Social Justice in Practice* is like being told there's a flying fox you can take: the canyon is applied political theory, and the flying fox allows the reader to see many different issues, at some speed, and always with the wider context in view. Tuck your loose items of clothing away in your bags, and hop on.

The book is loosely organized into six sections, with twelve chapters overall. The first two sections ("Theory and Practice" and "Action and Uncertainty") introduce readers to the issues around the methodology of contemporary political theory, from whether the arguments of political theory should be more sensitive to what is feasible, through the correct weight to assign to citizens' political expectations that things will remain more or less the same, the bases of political reasoning about what is second-best when ideally preferred alternatives prove to be unavailable, and to what is taken as presumed (i.e. which side has the burden of proof) when it comes to political argumentation and political obligation. The third and sixth sections ("Unmasking Injustices" and "Self-Deception as Explanation") concern epistemic issues, including the acceptability of conspiracy theories, and self-deception for both religious and cultural reasons. The fourth section ("Privacy and Justice") concerns information broadly construed, in particular privacy and secrets, and the fifth section ("Morality and Inner Life") is about forgiveness and alien beliefs. The chapters are self-contained, so readers can feel free to either read the book from cover to cover, or to dip into different chapters as suits their interests.

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It would be impossible in a review-length piece to engage deeply with all twelve of the topics contained in Rääkkä's book. I've chosen to focus in what follows on the parts of the book that I know best, to maximize the chance of saying something useful. So I'll restrict my attention to just two of the chapters, which are, respectively, "Social Justice in Practice", and "How to Find the Second-Best Option" (noting, for the record, that I found "The Dilemma of Conservative Justice"—wedged between these two—especially interesting and useful). Readers interested in, or more familiar with, the book's later topics are encouraged to consult the book directly.

In recent years there has been some backlash against the utopianism of much contemporary political theory, which has taken the form of increased discussion about the distinction between ideal and non-ideal theory and the proper place of each within political theory as a discipline. Some think ideal theory has no place at all, because we should be solving the problems we actually have rather than constructing perfect theoretical worlds in which those problems are abstracted away from; some think non-ideal theory has no place at all, because it involves unacceptable concessions to the status quo. The claim that political theory needs a greater proportion of feasibility-constrained arguments weighs in on the non-ideal side of this debate. It doesn't entail that this is the right kind or the only kind of political theorizing; just that it's important, both for evaluating the current political order, and for shifting to a better one, that we take certain constraints as fixed and think about the improvements we can make in spite of them.

In Chapter 1, "Social Justice in Practice", Rääkkä argues that feasibility arguments are of most benefit to those who in fact cannot make use of them, and that given his view of the role of political theory, it's just not true that political theory needs a greater proportion of feasibility-constrained arguments. Let me explain each of these claims, before commenting on what I think is mistaken about them.

The first claim, about benefit, is that in political life, a claim that some outcome is infeasible and therefore we should pursue an alternative course of action will often be beneficial to those who, by their actions, actually make the outcome infeasible. Rääkkä gives many examples, including: the people of a country who claim that the government's improving public health by prohibiting the consumption of alcohol would result in a black market for liquor; the talented, who claim that without sufficient economic rewards they would not be motivated to exercise those talents for the benefit of the greater society; nurses, who claim that without increased wages they'll emigrate to countries where the pay is better; religious groups, claiming that if ritual slaughter of animals is prohibited it will simply be outsourced to the black market where it will likely involve even more suffering for the animals; and parents of sick children, who claim that if the government decreases its subsidies of the required medicines they'll turn to less safe but cheaper alternatives online.

In each case, the people making the claims about what outcomes would follow if certain measures were implemented are themselves responsible for producing those outcomes. People could obey a law prohibiting alcohol, the talented could take talent as its own reward, nurses could work for comparatively low wages, religious groups could stop slaughtering animals, and parents could simply spend more on medicines. But feasibility arguments are agent-relative; they explicitly exclude

‘self-prediction’. I can’t say “it’s infeasible that I write this review of Rääkkä’s book, because I’m going to watch another episode of *The Killing* instead” (the hidden premise being that I ought to write the review only if it’s sufficiently feasible that I do). Many analyses of feasibility assume the trying of the relevant agent, so they would say my writing the review is feasible if I would be sufficiently likely to write it, so long as I tried. But of course, if I tried I’d likely succeed, so writing the review is not infeasible for me after all. But the citizens, the talented, the nurses, the religious, and the parents in Rääkkä’s examples are all in that position, so while they’d do well out of having their claims about infeasibility accepted (in gaining concessions by government), they’re in fact not in a position to make those claims. Infeasibility is no excuse for those whose actions cause it. Those arguments, then, are really just threats in disguise: the nurses are saying that if the government doesn’t raise their wages, they’ll leave the country.

Rääkkä’s second claim relies on the role of political theory being to inform public debate over political issues. Accepting for the moment that this is its role (I do not think it is and will soon explain why), his claim is that the overall message political theorists give the public should be “be better”, rather than “give into threats”. A nice example of this choice is featuring in the news and across social media at the moment: nail polish that detects rape drugs in beverages. The nail polish is clearly a non-ideal solution, because it takes the prevalence of attempted drugging for granted, and it looks to protect potential victims by giving them a way to detect the presence of the drugs in their drinks. Many commentators are angry about the invention, because they think it sends the wrong message, namely that it’s the responsibility of the potential victim to ensure she isn’t raped (to wear the nail polish, to check her drinks) rather than the responsibility of the would-be rapists not to rape. If political theorists were to have the opportunity to weigh in on this debate, they should be giving “ideal” argumentation, namely about the wrongness of rape, the importance of enthusiastic consent, about gender-egalitarianism, and about mutual respect; not “feasibility-constrained” argumentation, conceding that the world is a place with rape in it, and advising women to protect themselves as best they can (or others to protect potential victims as best they can, including by coming up with these kinds of inventions). In Rääkkä’s view, the role of political theory is to inform public debate, and this should be done by sending the clear, “ideal” message: which in this case would be that it is the responsibility of men not to rape.

So much for the main claims of the chapter; now to the problems with them, taking the latter claim first. While one role of political theory may well be to weigh in on public political debate, that is surely not its only role. Political Theory is a sub-area of Philosophy, and philosophical inquiry is broadly-speaking the pursuit of truth. It determines both evaluative truths (truths about what is good, whether or not it can ever be actual) and normative truths (truths about what we should attempt to bring about). Setting aside the evaluative truths, the normative truths may be unconditional (ought  $p$ ) or conditional (given that  $not-p$ , ought  $q$ ). The following two claims are not mutually exclusive: would-be rapists ought not to rape, and, given that at least some would-be rapists will in fact rape, victims ought to be protected as much as possible from potential attack. We can lament the fact that our circumstances are such that the latter is true—I’m sure we would all agree that we’d

much rather be in a world in which anti-rape drug nail polish were not a useful invention. (Whether the nail polish is an effective and not overly demanding means of protection is an empirical question). Whether a political theorist wants to make an unconditional, “ideal” claim, or a conditional, “feasibility-constrained” claim, depends on the kind of project she is interested in, and wanting to weigh in on public debate does not determine that she make only the former types of claims.

Taking Rääkkä’s side in this debate has the advantage of avoiding any accusation of victim-blaming, because it avoids giving any responsibilities at all to those who might either use the nail polish, or who might create the nail polish or other similar inventions, and therefore avoids blaming them if they fail to act on those responsibilities (which would indeed be a despicable implication in the case of the victim: we certainly do not want to say that a person who fails to wear the nail polish is in any sense at all responsible for her situation if she is attacked). But going in for feasibility-constrained recommendations has the advantage of not restricting moral advice to contexts in which there is no wrongdoing. Even if the reader disagrees over the diagnosis of the nail polish case, there are many other cases in which we want to know what the good worlds look like *given that* certain wrongs will remain in place, or at least not be completely eradicated).

Returning to the first claim, this makes a serious mistake in understanding agent-relativity. Feasibility assessments do not permit of self-prediction, but in none of the examples Rääkkä used was there something resembling a “self”—either an individual self or collective agent—whose actions were being predicted. He acknowledges this, to some extent, when he says “to assume that nurses could decide not to emigrate... is not to assume that there is a strictly organized collective agent”, but it’s not merely that there is no “strictly organized” collective. There are only uncoordinated aggregates of persons: citizens of a country, those with talent, nurses, those in a certain religious group, parents. Perhaps there are cases, such as when nurses are represented by strong and cohesive labour unions, or when religious groups are coordinated within one church, where the groups can act on (the functional equivalents of) intentions, and thereby count as a single unit for the purposes of assessing feasibility. Parents, those with talent, and most likely citizens, do not count in this way. Thus the claim that those who would most benefit from infeasibility arguments cannot make use of them falls down.

Assessments of what is feasible, and how our normative recommendations ought to be adjusted in light of what is feasible and what isn’t, are usually made by political theorists, political analysts and commentators, policy advisors, those in government. Those people can all make predictions about what will happen if certain measures are implemented, such as making the consumption of alcohol illegal, or refusing to raise nurses’ wages. They might well reason that on balance, a future in which nurses simply accept low pay without being incentivized to emigrate by neighbouring countries’ higher wages is infeasible, and give a feasibility-constrained argument (holding this fact fixed) that it is better to swallow the costs of raising wages than the costs of large-scale emigration of nurses. Rääkkä does not deny that this is possible, but he greatly understates the extent to which this is the primary use of feasibility-constrained argumentation, and the use to which many working on feasibility envisage it being put to.

In Chapter 3, “How to Find the Second-Best Option”, Rääkkä makes a helpful distinction between three different ways in which we might approximate when our political “bests” are out of reach. He calls these “condition”, “degree” and “denial”. Condition-based approximation tells us to get as many of the things that matter as we can. Degree-based approximation tells us to get as much of each of the things that matter as we can. And denial-based approximation tells us to go for the ideal even when we know it won’t quite be realized, because what we’ll get will probably be close enough to be an adequate approximation. What’s great about this chapter is that it doesn’t make the same mistake as quite a bit of the discussion of second-bests in political theory by following the economic results and assuming the interdependence of the desirable elements of the “best”. Values are independent: it’s just not true that finding one to be out of reach we should revise our whole conception of what we’re aiming for. To put these different methods of approximation in terms of a political case, imagine that the case for Scottish Independence is strong on the grounds of community, security, and self-determination. And now imagine that our best empirical predictions tell us that we just cannot get an independent Scotland that is fully self-determining, while also fully secure and fully embodying community. Assuming these three values to have equal weight, the condition-based approach would tell us to take whichever two we liked (3/3 conditions is best, but 2/3 conditions beats 1/3); the degree-based approach would tell us to get as much self-determination, security and community as we can (any configuration with some of each value instantiated beats any configuration in which one value remains entirely uninstantiated); and the denial-based approach tells us to just go ahead with whatever the original plan was, assuming things will work out as “close enough”.

There are two problems with the discussion in this chapter. The first is that the example Rääkkä uses (about where to take a holiday) is unhelpfully apolitical, and misleading in the case of the degree-based conception. The problems with getting “more rather than less” of a value are put in geographical terms, and give the wrong results for that reason, because getting closer to a holiday destination (and ending up somewhere in the ocean) is quite obviously not better than going somewhere else entirely. But a more sophisticated understanding of the metric of degrees—which is to say, what counts as more or less of something—will avoid this problem. Approximating a relaxing holiday in the sunshine might take you geographically far afield from the original destination, just as approximating comprehensive security, community, and self-determination in an independent Scotland might take you politically far afield from the utopian vision of independence. If the scale is specified well, the imperative to get more rather than less doesn’t look nearly as problematic.

Rääkkä’s argument in the chapter is that real people when making decisions about approximation don’t actually rely on any of these three theoretical versions of approximating, and therefore those versions can’t be criticized on the grounds that they cause poor decision-making. Even if the outcomes of their decisions often align with the outcomes any one such procedure would yield, that is not a reason to be critical of that procedure. He takes this to make the three theoretical versions of approximation immune from empirical rejection.

However, what he doesn't comment on is which of the three is in fact theoretically the most well-motivated, or has the greatest advantages over the others. The denial-based approach looks obviously inappropriate, yet little is made of this. Perhaps his aim was only to insulate practice from theory (and vice versa), but having made these useful distinctions between the ways in which approximating might be done, it was somewhat unsatisfying that more was not said about how second-best theorizing ought to go, and what the right relationship between such theory and practice might look like.