

Agents of Change

This is a draft. Comments appreciated.

Ben Laurence
University of Chicago

According to a tradition that begins with Aristotle, political philosophy is an exercise of practical reason. It functions to specify norms, identify institutions, and propose ends that are to guide political practice. The knowledge at which it aims is efficacious knowledge, knowledge, as Kant (another illustrious member of this tradition) would say, that is the cause rather than the effect of the actuality of what it represents. In short, political philosophy is reasoning that aims at action.

These formulations are difficult to understand, and would, even if clearly articulated, be subject to controversy, and require defense. However, I think we can discern a latent partial agreement with them in a consensus about nonideal theory. For, although political philosophers disagree about how best to understand nonideal theory and its role in the theory of justice, they agree that nonideal theory is a central task of political philosophy, and that is supposed to be practical.¹

To take one conspicuous example, John Rawls thinks the theory of justice includes both an ideal component that articulates a conception of a just society, and a nonideal component that deals with “the pressing and urgent matters” of injustice

¹ The disagreement I have in mind is between those who think nonideal theory is a part of the theory of justice along with ideal theory, and those who view nonideal theory as an alternative and rival approach to ideal theory. I have defended one variant of the former view in “Constructivism, Strict Compliance, and Realistic Utopia”, forthcoming in *Philosophy and Phenomenological Research*.

that confront us in the real world.² About nonideal theory, Rawls says that if done well, it proposes politically possible, morally permissible, and effective changes to overcome injustice.³ As much as Rawls is the ideal theorist par excellence, when he defends this two-part conception of the theory of justice, he takes for granted the centrality of nonideal theory. He simply assumes as obvious that the theory of justice must enable us to confront the pressing injustices of our society. It is ideal theory that he thinks must be defended in terms of this practical orientation. He does this by arguing that it is essential for doing nonideal theory well. He thus assumes that the paramount task of political philosophy, at least under nonideal conditions, is informing our practical confrontation with injustice.⁴

To take a single worthy example from a crowded field of Rawls critics, Elizabeth Anderson rejects Rawls' two-part segmentation of the theory of justice. She views nonideal theory as a superior rival that ought to replace, rather than complement, ideal approaches to the theory of justice. She thus thinks that the theory of justice, when performed in methodologically sound ways, *simply is* nonideal theory. But what is nonideal theory according to Anderson? In an

² John Rawls, *A Theory of Justice: Revised Edition*, Harvard University Press (Cambridge: 1999), 7-8 (hereafter *TOJ*). See as well 351, and 453-454.

³ John Rawls, *The Law of Peoples*, Harvard University Press (Cambridge: 1999), 89-90. The most illuminating discussion of Rawls' approach to nonideal theory is to be found in A. John Simmons', "Ideal and Nonideal Theory", *Philosophy and Public Affairs* 38:1, 5-36.

⁴ As critics have noted, this raises the obvious question why Rawls, outside of scattered discussions of intolerance and civil disobedience, only discussed nonideal theory in the context of international justice. I believe these critics are right that Rawls' practice was at odds in this respect with his own views about the theory of justice. The most pointed criticism on this score can be found throughout the work of Charles Mills. For a representative and influential instance, see Charles Mills, "Ideal Theory as Ideology", *Hypatia* 20:3, 165-184.

illuminating discussion, she likens the nonideal theorist to a doctor who diagnoses pathologies of injustice that plague our society, and proposes practical courses of treatment for them that will move us towards health. Anderson holds that nonideal theory's aim is to identify, diagnose and effectively respond to currently existing injustice, so that we can take action to move towards a more just society.⁵

What is striking is that philosophers who otherwise disagree converge on the following two claims. First, nonideal theory is central to political philosophy. Second, nonideal theory is thinking about justice that is done in opposition to the reality of actually existing injustice, thinking that seeks to contribute to overcoming this injustice through political action.

In this essay, I wish to explore one consequence of this consensus for our thinking about requirements of realism on nonideal theory. The idea that political philosophy must be realistic is itself an expression of the practical nature of political philosophy. The requirements of realism, I think, are best understood when explained by a broader theory of political philosophy as practical reasoning.⁶ But in this essay, my aim is a limited one: to highlight, clarify, and defend one requirement of realism on nonideal theory that has been under-theorized in analytic political philosophy, and to connect it with the consensus about the practical character of nonideal theory. The requirement is to identify a plausible agent of political change,

⁵ Elizabeth Anderson, *The Imperative of Integration* (Princeton: Princeton University Press, 2010), 3-5.

⁶ This is one way of thinking about the principle unifying Pablo Gilabert's valuable typology of different requirements of realism. See Pablo Gilabert, *From Global Poverty to Global Equality: A Philosophical Exploration* (Oxford: Oxford University Press, 2012), 111-162

the practical subject in relation to which one reasons practically about the confrontation with injustice.

§1: Realism in Nonideal Theory

As all seem to agree, the point of nonideal theory is to change the world. For this reason, it must engage with political reality. It cannot abstract from relations of power or the structures of oppression that characterize our political community. Nor can it traffic in extreme idealizations of the citizen, or of democracy, idealizations that might preclude or obscure the pressing injustice to which it is addressed. If it is to identify and effectively diagnose this injustice it must draw on a rich synthesis of relevant empirical work, work which begins with the real world and seeks to comprehend it through the tools of social science and theory. And if it is to fashion remedies, in the form of policies or institutional proposals, then it must be grounded in realistic evaluation of the effectiveness of various possible responses.

For those political philosophers critical of the enterprise of ideal theory, it is this engagement with reality that has seemed to give nonideal theory its edge. Since ideal theory operates with an ambitious conception of a just society, it naturally attracts charges of idle utopianism. A political world without structural injustice and relations of oppression is far removed from our ordinary experience. Nonideal theory, with its palpably practical orientation to existing injustice, it might be thought, raises no parallel concerns about utopianism.

But nonideal theory can fail to be realistic too. Let us say that a theory is realistic if it possesses the features necessary for it to engage in a practical way with reality. Since nonideal theory is supposed to be practical, it must be potentially open to this charge. Indeed, there are at least three places where nonideal theory might stumble.

First, there is the identification of injustice and the diagnosis of its causes. Nonideal theory can be out of touch with reality in its identification of the problem to be dealt with, operating with a faulty or fantasized conception of the underlying causes of some of injustice.⁷ Second, there are the remedies for this problem, proposed political changes that would ameliorate or remove altogether the injustice. Nonideal theory can be unrealistic when its recommendations are impractical, say being nearly impossible to carry out, or feasible but completely insufficient to remedy the relevant problem. Third, there is the identification of a potential agent who is, or might come to be, positioned to effectuate the proposed political change. A nonideal theory might be unrealistic if it puts faith in a set of actors of who will not effectuate the needed changes, either because they cannot or because they will not do so.

These three tasks—identifying a problem, proposing remedies, and identifying an agent of change—are clearly inter-related. An identification of a problem suggests certain remedies. Both the problem and the solution have

⁷ See Elizabeth Anderson's illuminating discussion of "left-multiculturalism" and "color-blindness" as ideals that are analogous to forms of quack medicine that operate with fantasized or poorly understood views about the causes of a pathology. (I am sympathetic to the second charge, but considerably skeptical of her case against the first.) See Elizabeth Anderson, *The Imperative of Integration*, pp.4-5, 155-179.

consequences for determining who is most plausibly positioned to effectuate change. Similarly, assumptions about who is the relevant agent of change can affect what sorts of remedies are salient and realistic. Thus, what looks initially like a policy dispute often involves deeper disagreement about the nature of the underlying problem and the identification of the relevant agents positioned to effectuate change. Although it is one of my themes, explored at length in §4, that the points of this triad are intimately connected, in this essay I focus on what strikes me as the least acknowledged dimension of the requirement of realism as it applies to nonideal theory. This is the requirement to identify a plausible agent of change.

This requirement was a central preoccupation of the socialist tradition.⁸ A sense of this requirement could also be seen as shaping much valuable contemporary philosophical work in the analytic tradition on the political emotions, ideology, and racism.⁹ It has also been the subject of concern in discussions of global justice, where the question is especially pressing.¹⁰ My point is not that the

⁸ See Georg Lukacs, "What is Orthodox Marxism" in *History and Class Consciousness* (Boston: MIT Press 1972), 1-26.

⁹ For penetrating discussion of the political emotions and their role both as obstacle and facilitator of political change, see Martha Nussbaum, *The Political Emotions: Why Love Matters for Justice* (Cambridge: Belknap Press 2015). For stimulating new work on ideology, see Jason Stanley, *How Propoganda Works* (Princeton University Press 2016); Sally Haslanger, "Ideology, Social Knowledge, and Common Ground" in *Feminism and Metaphysics*, ed. Charlotte Witt; and Rahel Jaeggi, "Rethinking Ideology" in Boudewijn Paul de Bruin & Christopher F. Zurn (eds.), *New Waves in Political Philosophy* (New York: Palgrave-Macmillan 2009), 63-87. For writing about racism see, for example, Jorge Garcia, "The Heart of Racism", Lawrence Blum, *I'm Not A Racist But...*, Elizabeth Anderson, *The Imperative of Integration*, Tomie Shelby, "Is Racism in the Heart?", etc.

¹⁰ This is a theme in Pablo Gilabert, *From Global Poverty to Global Equality: A Philosophical Exploration* (Oxford: Oxford University Press 2012), and especially Lea Ypi, *Global Justice and Avant Garde Political Agency* (Oxford: Oxford University Press 2012).

requirement I will identify and advocate is unknown, but only that it has not been sufficiently highlighted and systematically theorized in the context of analytic political philosophy.

§2: The Question of the Agent of Change

Suppose a philosopher is giving an excellent talk about some issue in nonideal theory.¹¹ Using social science in conjunction with normative principles and conceptual argumentation, she works to identify an injustice (e.g. exploitation in the U.S. workplace of low-wage workers). She next provides a diagnosis of some of its underlying causes (e.g. labor law and the structure of authority in the firm). In doing so, she identifies agents who are violating requirements of justice (e.g. corporate managers and boards) imputing responsibility to them for this wrongdoing as agents of oppression. Drawing again on social science, she next identifies general policies (e.g. radical labor reforms) that would effectively remedy the injustice, perhaps criticizing alternative policies as either causally insufficient or normatively problematic. When it comes to implementing the proposed political change, she employs a first person plural without any further specification, saying what “we should do” to address the injustice.

The proposal put forward appears to recommend a course of action. It tells us what is to be done. But everything done is done by someone; every change that is

¹¹ If the political orientation of the following example is distracting, I ask the reader to be patient. In §3 I will present some right leaning views about the appropriate agents of change for a variety of issues, and in §4 I will argue that the question of the agent of change arises inescapably, regardless of one's political orientation.

effectuated through action is effectuated by some agent or agents. So who is the envisioned agent of change here? Who is to bring about the recommended policy changes and by what channels? Presumably the agent is being referred to by the use of the first person plural about what “we” should do. This first person plural seems to name the practical agent on whose behalf, or from whose perspective, the reasoning about what to do is being conducted. But who are we?

The most natural answer is that the “we” in question is the political community. Certainly, if the author’s arguments are successful, the political community is failing low-wage workers by allowing firms to exploit them. And the political community is under a requirement of justice to remedy this problem. The proposed changes are, after all, changes to the laws and resultant underlying economic structures of the political community.

On the one hand, this answer has the virtue of identifying a collectivity that is the subject of the proposed change. On the other hand, it is not very illuminating. It seems less an answer to the question and more the name of the problem. It invites the rejoinder: “Could you please be a little more specific?”

To bring this out, note that injustice involves some being wronged. Sometimes an injustice is structural in nature, and there is no assignable agent who can be identified as the wrongdoer. But often there are identifiable groups that are doing the wronging, and other groups that are in some way enabling and supporting them, with varying degrees of intentionality and culpability. Let us call the first group of wrongdoers “agents of injustice”. Agents of injustice are often politically well organized to protect the status quo through a formidable arsenal of political,

economic, and rhetorical tools. Such entrenched injustices often engender and are sustained by attendant ideologies, which are in turn exploited by agents of injustice in constructing narratives that support the status quo and call into question the decency and legitimacy of attempts to address it.

As a result, the diagnosis of a problem to be addressed in nonideal theory often involves the identification of several groups, among which are, on the one hand, those suffering an injustice, and on the other hand, agents of injustice. Since the agents of injustice are often politically mobilized defenders of the status quo, the forces they can bring to bear are among the obstacles to a solution that must be overcome through political action. In this case, the activity of the wrongdoers is part of the problem, for which the proposed remedy is a solution. The whole question of a remedy is how, through institutional changes, we can make them stop.

In our imagined case, the relevant agent of injustice is that segment of the corporate community that is exploiting low-wage workers. What is being proposed as a solution are radical labor reforms, labor reforms that would make it much more difficult to exploit low-wage workers. Drawing on our knowledge of the current functioning and history of corporate lobbying in the U.S., we can anticipate that the sizable portion of the major firms employing low-wage labor will fight the proposed legal changes tooth and nail with a mix of hired and in-house lobbyists.¹² We can expect that their activity will be supplemented by business organizations like the Chamber of Commerce and Business Roundtable who make it a policy to oppose

¹² For essential history see David Vogel, *Fluctuating Fortunes: The Political Power of Business in America*. For the increasing role of individual firms in lobbying, see Lee Drutman, *The Business of America is Lobbying*.

even modest labor reforms. We may anticipate, in fact, that the issue will serve as a “business unity issue”, as labor issues often do, drawing a very wide range of firms into the fray, even those not directly affected by the proposed reforms.¹³

The corporate community will constitute the organized opposition to any forward movement on this issue. To identify the corporate community as part of the agent of change is to imagine that the organized group constituting the main obstacle to reform might itself be part of the coalition producing reform. To entertain such pious hopes is one way of failing to cope with reality.

These observations raise problems for the use of a first person plural referring to the political community as a whole. The problem is that the pronoun, on this interpretation of its scope, does not discriminate between potential agents of change and the organized opposition they confront. But when there are identifiable wrongdoers, such discrimination is an essential preliminary in identifying a real practical subject of change and the obstacles it must overcome. What all this suggests is that in contexts of significant injustice and oppression, we may need a more discriminating concept of the “we” of political action, a concept that does not necessarily represent the whole of the political community. Where there are organized agents of injustice, in identifying the “we” who is the agent of change we

¹³ For the concept of “business unity issues” see Dan Clawson and Alan Neustadt, “The Logic of Business Unity: Corporate Contributions to the 1980 Congressional Elections” in *The American Sociological review* 51:6, 797-811. For controversial claims about how the capacity for business to achieve unity has changed over time, see Mark Mizruchi, *The Fracturing of the American Corporate Elite* (Cambridge: Harvard University Press 2013). Note that Mizruchi’s story of fracture depends on business having tamed labor by the early 1980s. Were labor resurgent, the current political ecology Mizruchi describes would be radically altered, in some ways returning things to the formations of the 1970s.

also need to distinguish between “us” and “them”.¹⁴ For, under conditions of oppression, the nonideal theorist is likely, in identifying the agent of change, to end up identifying an agent who is of necessity a partisan in a struggle against agents of injustice. In this sense, nonideal theory must often be a partisan enterprise.

While the cases that involve agents of injustice dramatize the problem, it is in fact more general. For even where some systemic injustice is not traceable to identifiable wrongdoers (as is often the case under market arrangements and other “spontaneous orders”), the point remains that not everyone will be equally well positioned, much less motivated, to overcome this structural injustice. To identify potential practical subjects of such change is to narrow focus considerably from the totality of political actors to some specific subset. This narrowing is essential in thinking about plausible agents of change.¹⁵

§3: Political Institutions and the Agent of Change

¹⁴ To be clear, I reject the (Schmittian) idea that politics essentially involves friends and enemies, even in a just society without structural oppression. But there is an important kernel of truth in this view when applied to nonideal theory.

¹⁵ To be clear, I do not mean to be policing language. The use of the first person plural to refer to the political community as a whole has legitimate uses in a nonideal context. For example, it can remind us that the injustices belong to the political community to rectify and rhetorically imply (what is true) that this moral responsibility falls on the shoulders of everyone. It can also be quite useful at a certain stage of our thinking, when we reason as a concerned citizen about injustice without having gotten clear enough about the problem yet to identify possible agents of change. My point is only that use of the first person plural in a political context can cover over the problem of the agent of change, a problem that must be addressed in nonideal theory.

But perhaps my dismissal of the “we” indexed to the political community was too quick. Granted, if understood in a crude distributive way it may be too general to specify an agent of change. However, we need not understand it in such a crude way. For since we live in a democratic republic, the people have representative government, which (so they say) acts on our behalf and in our name, and is not to be identified with the interest of any particular group.¹⁶ So perhaps the “we” refers to the government acting on behalf of the people. It is a recommendation about what our government is to do. Unless, after all, we are imagining a change brought about through revolution, the labor reforms in our imagined case will be enacted by our representatives in congress if they are enacted at all.

It is first of all worth pointing out that the debate between reform and revolution is precisely a debate about the agent of change. People on both sides of such a debate may agree, at some level of abstraction, on the political changes they want to bring about, but disagree on whether or not it will be possible to pursue the change productively through the currently existing political regime. Since, I assume, there are times and places where revolutions have been justified, this is by no means a minor point. It already shows that the question of the agent of change can be important.

But let us set it aside, and suppose we are talking about reform, and not revolution. In that case, change will have to be enacted within the system. Won't then the government be the agent of change?

¹⁶ Eric Beerbohm, *In Our Name: The Ethics of Democracy*; Thomas Nagel, “The Problem of Global Justice”.

One problem with this quick inference is that sometimes a desirable social outcome is not achieved through government action at all, but by a set of private actors. The view that voluntary organizations in civil society can better or more appropriately solve some problem than state or federal officials is itself a view about the agent of change. So too are arguments in favor of privatization, where the agents of change are firms operating under the incentives provided by competition on a market.¹⁷ Many libertarian arguments are, in fact, precisely arguments about the appropriate agent of change.¹⁸ It is, for example, a common refrain for at least a certain strain of “bleeding heart” libertarian that they share the social goals of their egalitarian brothers and sisters, but believe that these goals can be pursued more in a more normatively acceptable and effectively way through market forces and voluntary arrangements.¹⁹ In other words, they disagree about the agent of change.

Another complication is that, whatever its representative functions in (supposedly) speaking for everyone, the government is itself many agents. There are the different branches of government. Is this change one best pursued through the courts? Or is legislation more appropriate and likely to be effective? Or perhaps executive action will be a productive route. This too is a debate about the agent of change.

But the third and most important point is that the mere fact that government action is required for some political change does not automatically make the

¹⁷ Of course, privatization requires either executive or legislative action.

¹⁸ This is true of many of F.A. Hayek’s classic arguments in favor of “spontaneous orders”. One central line of argument in Hayek concerns the epistemological limitations of centralized planners, and the informational role of the price system in transmitting otherwise dispersed information to the relevant actors.

¹⁹ For this line of argument, see especially Michael Tomasi, *Free Market Fairness*.

government the agent of change, at least not in the first instance. Indeed, the resistance of government to altering an unjust status quo may be one of the main obstacles to overcome in bringing about change. The analysis of what sustains the unjust status quo may in part lie with the nature and dynamics of party politics in the U.S. The question might initially be how one of the two parties can be forced to deal with an issue that its members have intentionally kept off the legislative agenda for decades. Or, more ambitiously, the question might be how one of the two parties can be reformed such that it comes to embrace the cause in question. In the first case, it is probably not right to describe the party as the agent of change at all. To do so would be to give them credit for what they were dragged kicking and screaming to do. In the second case, post-transformation the party will have been brought into a coalition serving as the agent of change. But, initially, the question is how to overcome the party's opposition in such a way as to transform its character and bring it into the agent of change.²⁰

The way different agents act through government, and their relation to the two parties, is a crucial topic for nonideal theory. Much profound political disagreement about pressing and urgent matters, of the sort dealt with by nonideal theory, has its source in differing views of the two-party system, and the way it relates to different non-governmental agents. For example, we might think of the split between those who view one of the two major parties as the plausible agent for pursuing some desirable social change, and those who share the same goal but think

²⁰ I will return in §5 to the essential point that the question of the agent of change is dynamic, and that such agents undergo transformation.

this goal can only be achieved as a result of a mass protest movement operating outside of the party system.

Someone who thinks that energy should be focused outside the narrow parameters of the party system might have a variety of views. For example, she may think that the major parties are responsive to the public opinion of the median voter, so that it is necessary to change public opinion to effectuate a change in party politics.²¹ Or she may think that the parties are largely unresponsive to the views of ordinary voters, functioning as “policy maximizers”, pursuing agendas set by party elites and campaign donors, especially in circumstances where the public is not watching.²² If the party agendas are being set by forces opposed to the remedy, then social mobilization may be viewed as a way of bringing pressure on these organized groups who may then capitulate on the issue, or as a way of shaking their hold on the system, at least temporarily.

The results of these different views may lead to entirely different courses of political action. For example, for someone who views one party as a plausible agent of change, it may lead to efforts to identify, raise money, or turn out the vote for, candidates in one of the two parties that share a political perspective friendly to the remedy. Or it may take the form of attempts to influence the ideas circulating in the “policy planning network” of (liberal or conservative) think tanks and discussion groups from which policy solutions are usually drawn by the members of this

²¹ See Anthony Downes, *An Economic Theory of Democracy* (New York: Harper and Row, 1957).

²² See Martin Gilens, *Affluence and Influence* (Princeton, Princeton University Press 2014); Marty Cohen, David Karol, Hans Noel, and John Zaller, *The Party Decides* (Chicago, University of Chicago Press 2008).

party.²³ By contrast, for someone who views the parties as implausible agents of some change, it may lead to participation in mass mobilizations, disruptive protests, and the building of civic groups intended to pressure the system from the outside.

A nonideal theoretic approach to a topic that remains silent on the questions that divide such differing political orientations remains silent on some of the most pressing questions of political thinking. It also ignores questions about how prevailing party politics sustains injustice, and how this injustice is related to the functioning of our government. These would appear, on the face of it, to be just the kind of questions with which we might expect nonideal theory to deal.

§4: The Unity of the Questions Posed in Nonideal Theory

The diagnosis of a problem, the recommendation of a remedy, and the identification of an agent of change are tightly connected. This fact provides further support for the requirement of identifying a plausible agent of change.

People often agree that there is a problem, but disagree about the policies to address it. For example, suppose the problem is underperforming public schools in economically disadvantaged neighborhoods. All parties to the disagreement recognize the problem and share the social goal of improving educational outcomes. However, some think that effective policies would, among other things, channel more resources to challenged public schools, allowing them to retain quality teachers, employ full-time social workers, reduce class sizes, allow a fuller range of

²³ For the concept of the policy planning network, and an overview of its structure, see G. William Domhoff, *Who Rules America*.

extra-curricular activities, and increase access to more advanced curriculum. Others think the remedy lies with closing under performing schools and replacing them with a wide range of charter schools that are not unionized, and are freed from regulations and centralized control to which traditional public schools are subject.

These radically different proposals do not come out of thin air, but rather flow from different theories about the causal underpinnings of the problem. According to the first theory, the educational outcomes are in part the product of a prior distributive problem arising from the funding of schools through property taxes, whereby schools in more affluent areas have far greater resources than schools in poorer areas.²⁴ These distributive patterns are magnified by the fact that students in poorer neighborhoods are at much greater risk for a whole range of problems owing to the stresses of their environment. As a result, the students who need and have a claim on the most resources receive the least. By contrast, according to the second theory, poor educational outcomes are the product of government monopoly on free education that deprives poor parents of the innovative options they would find on a market under conditions of competition. This problem is magnified by the existence of teacher's unions, which further stifle innovation, protect incompetent and lazy teachers, and drive up the cost of education for taxpayers.

²⁴ As I write these words, President Obama's Department of Education is considering a proposal that would require spending in Title I districts (poor) equal to the average of spending per student in non-title 1 districts. Even if adopted at the 11th hour, this policy will almost certainly be reversed by the incoming administration of President Elect Trump.

I mean this debate to be only a highly schematic example, familiar to the reader, and lacking nuance.²⁵ But even with this simple example, we can see immediately that different diagnoses of the underlying injustice give rise to radically different proposed remedies. It is not surprising that our understanding of a problem affects our understanding of solutions. A rational solution is tailored to the problem it addresses; the two are obviously and inextricably linked. What is only slightly less obvious, but more important for our present topic, is that the diagnosis and remedy also have immediate consequences for our thinking about agency.

Both diagnoses of the problem serve to identify agents implicated, sometimes in complex ways, with the injustice. What is responsible for the problem on the first view is a pattern of residential segregation along class lines, coupled with formulas for school funding through property taxes. A large part of this story concerns the self-segregation of the affluent—including but not limited to “white flight”—coupled with the “fractured metropolis” produced by the incorporation of affluent suburbs into separate municipalities.²⁶ This in part involves the intentional efforts to hoard opportunities within affluent communities and avoid paying a fair share of the tax base for the social services of the less affluent.²⁷ Such efforts are

²⁵ Sophisticated approaches on each side will affirm and accommodate elements of truth on the other. For example, no sensible advocate of better support for public schools will deny the need for curricular experimentation and teacher accountability. Similarly, a sophisticated proponent of privatizing public education will acknowledge that funding is also an issue, even if not the most important or decisive one.

²⁶ See Kenneth T. Jackson, *The Crabgrass Frontier*; Jonathan Barnett, *The Fractured Metropolis*

²⁷ Of course, these very same phenomena also stand in complex relations to the economic disadvantage of the neighborhoods that provide the background stressors for students in the relevant schools. For a nuanced and theoretically powerful

enabled by state and municipal laws that set school funding formulas and the parameters for the funding of social services at the state and municipal level.

On the second view, the problem is produced by the paternalistic central planning of government bureaucrats that removes conditions of choice from poor parents and shields schools from competitive pressures, while simultaneously subjecting educators to stifling regulation, thereby doubly inhibiting innovation. The obstructionism of teacher's unions precludes real teacher accountability and leads to higher costs for taxpayers. The result is an inefficient mess that is wronging both poor students and taxpayers.

By implicating some agents but not others in the reproduction of this injustice, the causal diagnoses suggest remedies involving different sets of actors. For example, on the first diagnosis, the problem is not per se with public schools or teachers' unions, and so making greater funds available to them may well be a sensible policy if intelligently enacted. On the second diagnosis, throwing more money at traditional schools is a dubious remedy at best, since it puts more funds at the disposal of the very bureaucrats and the teacher's unions responsible for perpetuating the problem. If this diagnosis is correct, we can predict that these funds will not be used to make available to parents the sort of innovative education options that would come from market competition between less regulated schools. The diagnosis of the problem suggests the need to introduce a new set of actors.

Each diagnosis of the injustice to the disadvantaged schoolchildren also links the problem to other (purported) injustices of a similar character, as well as to

discussion, see Nancy Denton and Douglas Massey, *American Apartheid* (Cambridge: Harvard University Press 1993).

different injustices produced by the same causal underpinnings. By identifying agents of injustice (if they do) they also unite agents struggling with the same (or similar) agents of injustice, by a principle of solidarity. The diagnoses thus connect the struggle for justice here to broader ongoing social struggles to overcome related injustices, and to broader attempts to oppose the same agents of injustice. In identifying the source of the problem, battle lines are drawn and certain alliances naturally suggest themselves.²⁸

For example, if taxpayers are being wronged by paying higher wages to teachers than the market would otherwise bear, then they are also wronged by footing the bill for the wages paid to unionized postal workers and government clerks. The opposition to the teacher's union thus could naturally be linked to a broader struggle to weaken public sector unions to save taxpayer dollars.

Furthermore, since the diagnosis of inefficiency produced by government monopoly is one that could be applied to a wide range of regulation and the provision of goods through government services, it can be connected to broader efforts by agents working to privatize, and to introduce market-like solutions to the problem of the provision of public goods.

On the other diagnosis, the injustice is linked to a broader set of class-based and racial injustices that arise from residential segregation and the opportunity hoarding it allows. The injustice is connected to the more general fact that the self-segregation of the affluent allows them to pay less in taxes and receive better

²⁸ This argument is related to E.E. Schattschneider's claim that political power consists in the ability to determine which problems, with their attendant battle lines and alliances, define the political groupings in society. See E.E. Schattschneider, *The Semisovereign People: A Realist's View of Democracy*.

services than the poor. It thus connects the struggle to a more general struggle for tax justice and proper funding of public services in disadvantaged communities. This suggests a different set of alliances along class lines. It also suggests ways in which this struggle might be linked to a long civil rights struggle around fair housing and the dismantling of residential segregation, to the extent that race and class intersect around these issues.

The point is just that these broader struggles are ongoing, and involve a variety of agents and social forces. By interpreting the injustice and situating it in a causal context, and by providing a remedy to this injustice with broader ramifications, nonideal theorizing also situates our thinking in a space of real agency. Since it does so in any case, we should make this fact explicit, so that we might reason well and soundly about this. Otherwise we may find ourselves stuck with half thought through implications, implications we might find implausible or unseemly were they brought to light.

Thus far, I have focused on the way a diagnosis of a problem leads to the specification of remedies, which involve various potential and actual agents who are, or might come to be, positioned and motivated to effectuate the remedies. But it is important to note that the influence can run in other directions as well. Elizabeth Anderson's argument in *The Imperative of Integration* against the "left multiculturalist" solution of Iris Marion Young to racial segregation and inequality provides a nice example. For, it involves, among other things, what we might think of as a line of

argument running from thoughts about agency to conclusions about effective remedies.²⁹

Young argues in favor of a policy of responding to racial inequality in the context of high levels of de facto racial segregation by “moving resources to the people” rather than making the people move to the resources.³⁰ The core idea is that genuine transformative progress will be made when, for example, majority black neighborhoods receive adequate levels of funding, social service, and investment to generate jobs. But Anderson holds that there is no agent of change to plausibly effectuate the required transformation.³¹ The reason is that residential segregation, when combined with racial inequality, and common cognitive biases, produces in whites a set of racially stigmatizing representations of blacks.³² These stigmatizing representations feed a politics of resentment, undermine political cooperation, and stymie democratic coalition building across racial lines that would be required to address this kind of systematic change.

²⁹ It also involves a normative critique of Young’s multi-culturalist democratic theory.

³⁰ Iris Marion Young, *Inclusion and Democracy*.

³¹ This it seems to me must be her main point. Other arguments that she emphasizes more tacitly presuppose this line of argument. For example, her argument about the role of social capital in access to jobs, presuppose that no major investment in jobs within majority black neighborhoods is possible, so that blacks must have white acquaintances to find jobs. But, of course, if black-white coalitions on class lines could be forged in support of radical policies, then it would be possible to pursue policies that brought jobs directly into poor communities of whatever color. Many of her arguments are, I think, tacitly constrained by her view about the consequences for the agent of change of the racially stigmatizing representations of blacks circulating among whites. (I should perhaps remark here that I do not mean to endorse Anderson’s argument here. For an insightful discussion that raises some penetrating questions, see Tommie Shelby’s review essay in *Ethics*, “The Imperative of Integration”.)

³² Elizabeth Anderson, *The Imperative of Integration*, 44-66.

Anderson argues that the process could be disrupted if residential segregation could be dismantled, since this would undermine the operation of the cognitive biases that form the basis of these demeaning racial ideas that undermine inter-racial coalition building.³³ So we should focus first on dismantling residential segregation, rather than attempting to move resources to residentially segregated neighborhoods. This would enable broader egalitarian political transformation, by altering the political environment so as to enable democratic cooperation across race lines. Here we have an argument running from a view about an obstacle to forming an ambitious inter-racial egalitarian agent of change, to an argument for (and against) a set of responses to racial injustice.

The take away is this. In nonideal theory, the problem of the agent of change is tightly connected to the other core tasks of diagnosing a problem and proposing a set of remedies. Entailments run in various directions, and these questions must be addressed together. The problem of the agent of change is unavoidable.

§5: Two Objections

Having presented my case for the requirement to identify a plausible agent of change, I now entertain two lines of objection. The first objection is that the requirement involves concessions to power in a way that unacceptably lowers the bar of justice, and foreclose essential lines of critique.³⁴ Here the charge is that it corrupts the central normative task of nonideal theory. The second is that

³³ Elizabeth Anderson, *The Imperative of Integration*, 112-134.

³⁴ This is, I think, a natural reaction to Anderson's critique of Young.

identifying a plausible agent of change is not a task that philosophers are well equipped to engage in. Here the charge is that it is too epistemically demanding. I take these challenges up in turn.

We might develop the first line of objection with the help of a related challenge to ideal theory. Suppose we are presenting a view about what institutions have to be like to satisfy the principles of social justice. David Estlund has argued that it is wrong to hold against such institutional principles the fact that they are utterly hopeless to achieve or maintain, when what explains this hopelessness is the unwillingness of people to reliably do what justice requires.³⁵

To defend this claim Estlund employs an analogy to individual ethics. Suppose there is something that I am purportedly ethically obliged to do. Estlund grants that if I cannot perform the relevant action, then I am not under the requirement to do it, so that inability refutes the claim that I am under the obligation. But, he argues cogently, the mere fact that I am *unwilling*—say out of selfishness or laziness—to do the thing provides no reason to think that I am not under the relevant obligation.

One way he has of bringing this out is to note that for me to argue otherwise is manifestly a form of bad faith.³⁶ For, it is a form of rank hypocrisy when I cite my unwillingness to do what is right as a reason for denying that it is something I am required to do. Another related point is that the disposition that makes me unwilling

³⁵ In what follows I draw from David Estlund, “Utopophobia” in *Philosophy and Public Affairs*; and David Estlund, “Human Nature and the Limits (If Any) of Political Philosophy” in *Philosophy and Public Affairs*.

³⁶ See, for example, the discussion of selfish Bill and “dumping” in Estlund, “Human Nature and the Limits (If Any) of Political Philosophy”, 220.

to fulfill my obligation is itself subject to ethical evaluation, evaluation in light of the obligation in question.³⁷ Selfishness is morally bad because it makes one unwilling to perform one's ethical obligations. Such evaluation presupposes that I am under the relevant obligations, and so the disposition cannot exempt me from it. Although morality (maybe) respects a principle that ought to do implies can do, Estlund argues, it does not bend to people's dubious inclinations to exempt them from doing what's right.

Estlund, however, grants that such considerations are very relevant to deciding whether to propose a set of institutions as a practical goal to pursue.³⁸ This is because pursuing a hopeless goal may lead to practical disaster, or, at any rate, worse outcomes than pursuing some other goal that is more concessive to human failings. From this, Estlund infers that not all institutional specifications function as proposals for practical goals. Some merely tell us what justice requires without recommending it as a course of action. Estlund thus defends theories that are aspirational in that they consider institutional specifications that realize principles of justice, but which are utterly hopeless and so not practical—what he calls “hopeless aspirational theory”.

We can imagine a parallel argument about nonideal theory. Suppose there is some set of institutional transformations that is necessary to significantly

³⁷ This is what lies behind Estlund's protest to the “absurd” pattern of arguments he canvasses purporting to justify selfishness and cruelty. See Estlund, “Human Nature and the Limits (If Any) of Political Philosophy”, 223-224. See also Estlund, “A Little Bit Utopian?”, 10-11, available here <http://crookedtimber.org/wp-content/uploads/2013/03/ESTLUND-On-Wright-A-Little-Bit-Utopian-DRAFT-Feb-2013.pdf>.

³⁸ See Estlund's discussion of “nonhopeless theory” in Estlund, “Utopaphobia”, 123.

ameliorate an entrenched injustice. Suppose further that the plausible contenders for tackling the problem are unable to effectuate this change, for example, because the organized agents of injustice will oppose it and are very powerful, and possible sources of opposition are very weak and disorganized. Suppose, on the other hand, that there is some other change, much less ambitious and effective, that is within reach. Let us suppose that this is so precisely because the change is less offensive to the agents of injustice, since it leaves their wrongful advantage largely if not entirely intact.

Doesn't the requirement that we identify an agent of change work here to lower the bar of justice in light of the intransigence of agents of injustice? Won't it amount to a form of bad faith, supposedly getting us off the hook for providing real remedies for injustice by appeal to the unwillingness of the powerful to do what justice requires? Furthermore, since this intransigence is itself to be criticized on the grounds of its injustice, isn't this requirement to identify an agent of change unstable in precisely the same way as the view Estlund critiques? In short, doesn't the requirement wrongly foreclose the prospects for what we might call, echoing Estlund, "hopeless remedial theory", a theory that is necessary if we are to criticize unwillingness to overcome injustice, and which, in any case, is more honest in thinking about just remedies without making concessions to the power relations inherent in an unjust status quo?

Whatever we are to say about Estlund's arguments about ideal theory, I think this challenge can be defused in our current context.³⁹ First note that the charge about bad faith is complicated in this case for reasons having to do with the first person plural I noted above. Bad faith, as Estlund treats it, involves exempting oneself from responsibility for something one could do by taking one's unwillingness to do it as given. But if I reason that something is not a realistic course of action for me because you oppose it, I do not thereby engage in bad faith, since I take as given the unwillingness of you and not me. Similarly, in pointing out that plausible agents of change do not currently have the power to pursue some course of action because of the intransigence of powerful agents of injustice, we do not thereby act in bad faith or ascribe bad faith to potential agents of change.

Such a concession to the power of the unjust can seem more problematic than it is when we fail to highlight the temporal dimension of reasoning about change. The objection used as its time scale merely presently existing agents of change, by referring to the weakness of current opposition to the unjust status quo. But agents of change do not spring from Zeus' head fully formed. They are themselves formed or reformed, built or shaped. They also develop capacity over time. Whenever the change required to remedy a problem is ambitious and opposed by powerful proponents of the status quo, we will usually begin far back from the needed capacity required to win great victories against what are currently overwhelming odds. When there is no plausible agent of change at present, the

³⁹ I myself would resist Estlund's argument that the principles of justice do not (essentially) serve to identify a practical goal. I grant that in doing so we need to answer the challenge he has raised by explaining how we can avoid engaging in the sort of bad faith and incoherence he so clearly identifies.

question becomes how a currently compromised agent might be reformed so as to remedy injustice in the future, or how capacity might be built for a currently weak agent to become capable of effecting change at a later date.

The identification of an agent of change in these circumstances might, for example, take the form of pointing to fledgling political agents, say a nascent social movement.⁴⁰ It might also involve pointing to shared interests revealed by the interpretation of the problem and its solution that could be developed into robust alliances. For these purposes it is crucial to understand what prevents such alliances from forming, including ideology, bias, and problems coordinating collective action, and to have some idea of the conditions and means by which such forces can be overcome, when they can. It is also crucial to think about how these agents relate to our shared political institutions and the actors they empower. Often historical parallels will be illuminating, although they may certainly mislead as well. Since the first steps tackling a problem often have the form of capacity building, it may make sense to pursue the concessive goals initially, not because they are sufficient to address the problems, but because they make possible pursuing more ambitious and worthy goals later.

Let us turn to the charge of incoherence, whereby we excuse those who sustain or fail to rectify an injustice by appeal to their unwillingness to do what is right. This charge can be met by noting that the identification of an agent of change stands in a very mediated relation to the identification of who is under what duties of justice. Certainly, nonideal theory involves normative thinking at all stages. For

⁴⁰ See Lea Ypi, *Avant Garde Political Agents*.

example, we must identify an injustice, and then consider morally permissible, and normatively attractive, remedies to this injustice. In doing so we will necessarily draw on moral principles and ideals. But it is important to see that identifying an agent of change is not the same as determining who is under what duties. For, often identifying those who are under the relevant duties is a way of identifying the organized agents of injustice whose force the agent of change must overcome as an obstacle. It is crucial to identify the obstacles to forward progress, including the role played by any agents in creating and sustaining the problem. Presumably these agents, more than anyone else, bear moral responsibility for undoing the wrong that they have perpetrated and sustained. Yet, they may not be the agent of change; indeed, they may, on a realistic analysis, be the primary obstacle to change.

So sometimes those under a duty to remedy an injustice are not the agent of change. But we can go further. For, sometimes the agent of change is not even under a duty to remedy the relevant injustice. This might be the case if the most plausible agent of change is one suffering under oppression, and the pursuit of the most effective and normatively appropriate remedy would come with great costs for them.⁴¹ It may be that the pursuit of such a remedy is more than justice requires from the victims of the system. But they may nonetheless be the most plausible agent of change, and indeed, they may actually act so as to effectuate powerful changes. It is thus important to oppose a moralism that views the primary business of nonideal theory as the specification of who is on the hook, morally speaking, for what changes.

⁴¹ Shelby raises some relevant points in “Integration

Thus, the requirement of identifying an agent of change does not preclude identifying and criticizing wrongdoing. Sometimes this criticism can take the form of identifying institutional changes that some agents could adopt that would suffice to rectify the injustice, were they not unwilling to make the changes. The requirement to identify an agent of change does not preclude criticism of the unwillingness to do what justice requires, nor does it *even* preclude the identification of institutional changes that are currently hopeless in light of the opposition they face, at least as a way of highlighting the injustice of the unwillingness of the powerful to do what they easily could do to rectify a problem.

But since nonideal theory is practical, moral criticism and the identification of duties is not the end, or even the main purpose, of the inquiry. As reasoning towards the end of a more just society, nonideal theory cannot *rest* with hopeless remedial pronouncements, no matter how righteous. Thus, when it comes to nonideal theory, the identification of practicable remedies has a privileged place. Nonideal theory must identify practical goals, and for this purpose thinking about the power of different agents to effectuate change is essential.⁴² The questions of nonideal theory are broadly practical, not being constrained to moral accounting alone.⁴³

⁴² As Estlund would likely agree, given his own statements about practical goals.

⁴³ It is also worth pointing out that there is no reason *ex ante* to hold that the systematic identification of hopeless remedial goals is a worthwhile task for nonideal theory. Since the diagnosis of problems of injustice almost always involves different classes of agent who fail to do what justice requires, it may not be interesting or illuminating to be told what remedial changes we are under a duty to introduce on the supposition that everyone is willing to do their duty. Whatever allure the idea of strict compliance has when it comes to ideal theory, it seems to lack it altogether in the nonideal context.

Let me now turn to the second question, about epistemic demandingness. The requirement to identify an agent of change raises a pressing question about the capacity of philosophers to execute this task. To identify an agent of change it is necessary to understand the social tendencies and powers of collective agency that exist, or might come to exist in the foreseeable future. The range of potentially relevant topics is large. To hold intelligent views about the agent of change for any given arena one may need to form opinions about the functioning of our political system, about the role of the two parties, the electorate, economic elites, and capitalism in legislative change. One may need to draw lessons from history concerning the possibility and effectiveness of broad social movements, and to form opinions about nascent and existing current social movements. One may need to think about the obstacles to political mobilization and the formation of coalitions, including those that lie in political psychology, ideology, racism, and much else.

This is all true, and it certainly is daunting. But it is an illusion to think that nonideal theory could be executed without leaving whatever narrow boundaries (might) exist to political philosophy conceived as an autonomous domain. Nonideal theory already involves the identification and diagnosis of actually existing injustice, and the proposal of effective remedies for this injustice. It thus must draw on a wide range of social science. In this area the philosopher is best conceived of as what Tommy Shelby has called a “social critic” who, armed with views about justice, synthesizes a broad range of social theory to discuss pressing and urgent matters

from a normative point of view.⁴⁴ In nonideal theory, the political philosopher simply cannot afford to remain on some narrow patch of turf, specially drawn to include only what falls within the bounds of her disciplinary expertise. Although the political philosopher does not possess through her philosophical training expertise in all of these areas, neither does anyone else. This is a work of synthesis required by the theory of justice that is inevitably interdisciplinary.

It is also hard to shrug off this work as impossible, when some of the most excellent contemporary political philosophy takes up directly relevant themes. I include here work on the political emotions, as well as on ideology, and on race and racism, misogyny, and homophobia.⁴⁵ Such work goes beyond narrow disciplinary confines, engaging with broader psychological, sociological, and social-theoretic work in a variety of disciplines. These lines of research are crucial for understanding the possibilities of political agency. For some of the phenomena being studied represent forces that work to sustain oppressive structures, and that must be overcome for the purposes of building broad coalitions that might serve as the agent of change for ambitious political reform. Current debates about the best understanding of the sources, nature, and causal underpinnings of racism may provide a model for such work in the analytic mode.

Relevant work on political agency can also be found in discussions of global justice, where the issue of agency and incentives looms especially large, in the

⁴⁴ A similar view about nonideal theory is endorsed by Elizabeth Anderson, in *The Imperative of Integration*.

⁴⁵ For some relevant citations, see footnote 9 above.

absence of official institutional actors.⁴⁶ It is also hard to shrug off once one realizes that the question of the agent of change has been at the heart of socialist political theory, and currently occupies a large share of libertarian concern as I argued above.⁴⁷

§6: The Role of the Philosopher

I have advocated a requirement on nonideal theory to identify a plausible agent of change, and have argued that this requirement arises from the practical orientation of the enterprise. I have argued that the task of identifying an agent of change is tightly connected to the activity of diagnosing an injustice and proposing a remedy. I have argued that these tasks already locate our arguments in a space of real social agency, and that we can either do this consciously and intelligently, or unconsciously by implication and insinuation. Finally, I have defended this requirement, and the task it gives rise to, from the charge that it is merely pragmatic, concessive to injustice, or inappropriate for philosophers to engage with.

In closing I would like to argue that how we answer the question of the agent of change has consequences for the way in which philosophy interfaces with

⁴⁶ Pablo Gilabert, *Global Poverty and Human Rights*; Lea Ypi, *Global Justice and Avant-Garde Political Agency*; Thomas Pogge, *World Poverty and Human Rights* (Cambridge: Polity Press 2008); Christian Barry, *International Trade and Labor Standards* (New York: Columbia University Press 2009).

⁴⁷ Perhaps the most famous political philosopher in the socialist tradition to foreground and make central the agent of change is Georg Lukacs. On his view, the heart of Marxism is the view that the working class is the agent of change uniquely positioned to overcome capitalism. See Georg Lukacs, *History and Class Consciousness*. As I noted above, many of Hayek's arguments could be fruitfully be viewed as arguments about the agent of change.

political practice. Indeed, one virtue of thinking about the question of the agent of change is that it forces us to squarely address the question of the relationship of political philosophy to practice.⁴⁸ If the agent of change is the practical subject who is to address injustice by enacting the changes identified in nonideal theory, then the knowledge produced by nonideal theorizing stands in a special relation to that subject. One need not exaggerate the practical importance of such philosophical work to note that given its practical orientation, the work aims to benefit the agents it identifies in their struggle against injustice, and to serve some good from a practical point of view by making available to those subjects knowledge for them to act on.

Depending on the nature of the agent capable of remedying an injustice, different forms of intellectual uptake are feasible or sensible. For example, if one thinks that it is possible that the remedy in question could be taken up by one of the two parties as an object of legislation, then it makes sense to try to get ones work read by the members of think tanks, and discussion groups, where intellectual policy discussion happens, and from which proposals are often drawn. If one thinks that the courts are a possible agent of change, then publishing in law journals, and giving talks at law school will be eminently sensible and practical. If one thinks that the way forward lies with a social movement, then speaking and publishing in a more activist mode may be the most reasonable way forward. In some cases it may be feasible for a philosopher to be a member of the agent of change in a direct

⁴⁸ Once again, Lukacs provides an example of a theorist who squarely faced this problem, albeit in a controversial and problematic way. That he did so is no accident, since he was above all concerned with the question of the agent of change.

practical sense, as when a philosopher has the opportunity to be involved in a government commission, or devotes herself to involvement in a social movement or civic association. When one does so, of course, one brings one's philosophy along with oneself, and it shapes what one advocates, and how one thinks about the issue.

My main point here in closing is that a desire to have one's work taken up by an agent of change is not best viewed as something extrinsic to nonideal theory. It is not as though the political philosopher also happens to have a side interest in such things, a side interest that is understandable but no means necessary, arising from the same bent of character that got her interested in "pressing and urgent" matters to begin with. Such an aspiration rather seems to arise directly from the self-understanding of nonideal theory as a practical intellectual work in opposition to existing injustice. Philosophy about the pressing and urgent matters is practically engaged philosophy, philosophy that potentially makes available knowledge to a practical subject in its struggle to remedy injustice.