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Skepticism about unconstrained utopianism

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Abstract
In this paper I critically engage with a methodological approach in contemporary political theory – unconstrained utopianism – which holds that we can only determine how we should live by first giving an account of the principles that would govern society if people were perfectly morally motivated. I provide reasons for being skeptical of this claim. To begin with I query the robustness of the principles unconstrained utopianism purportedly delivers. While the method can be understood as offering existence proofs, because we can devise other situations in which morally flawless decision making would unearth alternative sets of principles I argue that such proofs tell us surprisingly little about how we should live in general. Drawing on this point, I contend that normative models that wish away certain phenomena which are uncontroversially central to any account of politics cannot plausibly claim to tell us how we should live in political society. I conclude by offering a more positive sketch of why avoiding this brand of utopianism might not represent a problematic capitulation to the morally nonideal and suggest that theorizing in light of certain constraints may be a precondition of good normative theorizing itself.

<u>Keywords</u>: utopianism, ideal theory, political realism, G.A. Cohen, Jason Brennan.

An influential strand of contemporary analytic political theory tells us how we should live by offering an account of the principles that would govern society if people were perfectly morally motivated. Even though we are obviously not morally flawless beings, advocates of this approach, which I refer to as unconstrained utopianism, hold that it is only when we grasp the nature of such principles that we can rigorously diagnose what is wrong with our politics as it currently is and comprehend the nature of the kind of ideal society that we should either aspire towards or bemoan our inability to achieve. This methodological stance accordingly assumes that a profitable discussion can be had by political theorists outlining their visions of the nature of moral perfection and using these visions as preliminary blueprints for political design.

I want to scrutinise this way of doing political theory. I will do so by chiefly engaging with two important recent pieces of political philosophy – G.A. Cohen's *Why not socialism?* and Jason Brennan's *Why not capitalism?* – that wholeheartedly embrace unconstrained utopianism as a method. First, I query the robustness of the principles unconstrained utopianism purportedly delivers. While the method can be understood as offering existence proofs – that is, as offering reasons to think that there are possible worlds in which various moral principles capture how we would ideally live – when we devise other situations in which morally flawless decision making would unearth alternative sets of principles it reveals that such proofs tell us surprisingly little about how we should live in general. I then argue that if we are to choose between the principles that competing models of morally perfect decision making deliver, we need to decide which model best represents the kind of practice we are seeking guidance about. As a result political theorists should not to wish away certain phenomena which are uncontroversially central to any account of politics.[1] I conclude by offering a more positive sketch of why avoiding this brand of utopianism might not represent a problematic capitulation to the morally nonideal – in fact theorizing in light of certain constraints may be a precondition of good theorizing itself.

What is unconstrained utopianism?
Theorists who endorse unconstrained utopianism deny that the principles which tell us how we should live are constrained by any factual considerations about how we are likely to act, or what kinds of political institutions we can realistically be expected to achieve.[2] This is because they stress that "there are lots of things we can't do or might not be able to do that we know are good to do". For example, as Jason Brennan observes, "even if it were impossible to cure AIDS we know that it would be better if we could".[3] As a result, unconstrained utopians hold that "we judge practical rationality, as we judge justice, and the normative in general, independently of factual possibility".[4]

This conceptual claim about the nature of moral thinking leads unconstrained utopians to argue that if we are to answer the question "how should we live?" we must uncover the most intrinsically morally desirable way of living together which, in turn, requires us to consider what would be best if people had "morally perfect motivations" because in the best possible society all people would be committed to acting as morality demands.[5] Taking various kinds of moral imperfection into account cannot tell us what is truly morally desirable because it allows "*ignoble* human motivations to constrain the content of our theories".[6] As a matter of logic we must therefore begin our theorizing by positing utopian situations in which "people always do the right thing for the right reason, know what they are doing, and feel the right way about it".[7] If we do not, our normative theories will be tainted by our morally imperfect motivations and the less than ideal status quo we find ourselves in.

Even though such theories will probably generate principles that we are highly unlikely to meet, unconstrained utopians insist that their methodological approach does not violate ought implies can. This is because a moral principle can be unlikely to be complied with without demanding more of us than we *can* do.[8] Consider David Estlund's example of a situation in which someone "pleads that he is not required to refrain from dumping [household garbage by the side of the road] because he is motivationally unable to bring himself to do it".[9] As Estlund argues, it is absurd to think that this person's motivations are a constraint on how we should morally demand they act because *can't will* is not coextensive with *can't do*. This is because "a person is able to (can) do something if and only if, were she to try and not give up, she would tend to succeed".[10] Given that someone would succeed in not dumping their garbage by the side of the road if they tried not to, we can coherently say that they could refrain even if they won't actually refrain. As a result, unconstrained utopians hold that "the inability to bring oneself to do something (to will to do it) might coexist with an ability to do that thing".[11] They accordingly claim that there is nothing wrong with a normative theory which refuses to "concede any facts that represent moral failings", even if they are basic features of human nature.[12] The key issue we must ask when we are confronted by various factual considerations about human motivation or moral incapacity is "whether or not those incapacities are, for all their naturalness, forms of morally deficient will or concern" and as Estlund notes, "vicious, or complacent, or selfish concerns are not somehow morally sanitized if they should happen to be characteristic of humans".[13]

In consequence, unconstrained utopians argue that even if various facts about human incapacity can rightly exclude us from endorsing highly idealistic institutional proposals this does not mean that highly idealistic principles fail to capture the truth about how we *ought* to live. For example, even if it would be foolish to institute garbage policies which ignore the prevalence of ignoble motivations it does not follow that the principles which underwrite such proposals fail to capture what we *should* do. To this end, unconstrained utopianism holds that when any principles are rejected due to our motivational capacities "we may then ask what we should say about the putatively excluded principle on the counter-factual hypothesis that it *could* be obeyed. And it is only when we thus clear the deck of facts about capacity and get the answer to that counterfactual question that…we reach the normative ultimate".[14] For this reason, the only pertinent factual obstacles facing the principles we derive from thinking about situations of moral perfection are ones of design and such obstacles should not affect our assessment of a principle's moral desirability.[15] Allowing our normative theorizing to be constrained by considerations that only arise due to our moral flaws, causes us to misunderstand the ideal and the merely feasible and this "leads to confusion, and confusion generates disoriented practice".[16]

I think that we can only evaluate unconstrained utopianism as a methodological approach by examining the character of the first-order argumentation it engenders. Accordingly I now turn to the illustrative examples of such theorizing offered by G.A. Cohen and Jason Brennan.[17] Cohen's *Why Not Socialism?* attempts to offer a compelling moral argument for thinking that a form of socialism represents the best way that we could live together. To do so Cohen asks us to

imagine the best possible camping trip. On such a trip Cohen argues that the resources the campers use – pots and pans, oil, coffee, fishing rods, canoes, a soccer ball, decks of cards and so forth – are under collective control and that the campers have shared understandings about when and why particular campers will use them based on their enjoyment of or aversion to particular activities.[18] For example if I enjoy fishing but you enjoy cooking we may decide to carry out these tasks exclusively. The collectivist and voluntarist spirit of the trip ensure that "there are no inequalities to which anyone could mount a principled objection".[19] This makes the trip uniquely enjoyable: each camper enjoys "a roughly similar opportunity to flourish, and also to relax, on condition that she contributes, appropriately to her capacity, to the flourishing and relaxing of others".[20]

Cohen contends that two key socialist principles are realized on this camping trip. The first, *socialist equality of opportunity*, "seeks to correct for *all* unchosen disadvantages, disadvantages that is, for which the agent cannot herself reasonably be held responsible, whether they be disadvantages that reflect social misfortune or disadvantages that reflect natural misfortune".[21] It prevails when "differences of outcome reflect nothing but difference of taste and choice, not differences in natural and social capacities and powers".[22] The second, *the community principle*, "constrains the operation of the egalitarian principle by forbidding certain inequalities that the egalitarian principle permits".[23] For example, suppose that when a dozen campers arrive at the campsite for one night of camping there are six state of the art single-person trailers they can choose to use and that to maximise overall utility the group agrees to decide who will use them by drawing straws. Although this does not violate the socialist principle of equality of opportunity, the resulting difference in comfort between the winners and losers would violate the principle of community because that principle captures the fact that on the best possible camping trip each camper takes care to ensure that none of their number labours under challenges the others do not face.[24]

Cohen also imagines a camping trip governed by capitalist norms of private property and market exchange. For example, he posits a situation in which one of the campers stumbles across a huge apple tree during a walk but only agrees to share the apples with the others if they reduce her labour burden. He also posits a scenario in which the campers come across a cache of nuts abandoned by a squirrel and another camper, who alone knows how to crack the nuts, says she will only share that information for a price.[25] Because this is such unattractive behaviour Cohen claims that socialist norms are rather obviously "the *best* way to run a camping trip".[26] Cohen notes that we cannot simply infer from the fact that these principles are desirable on the camping trip that society wide socialism is desirable.[27] However he thinks that there are no serious obstacles – other than obstacles of feasibility – facing these principles. As a result his argument is premised on the idea that we can, in fact, infer that society wide socialism is desirable.

Jason Brennan's *Why Not Capitalism?* aims to prove, contrary to Cohen, that various capitalist principles capture the best way of living together. To do so, Brennan chooses a different thought experiment, the *Mickey Mouse Clubhouse Village*.[28] In the village, Mickey Mouse, Minnie Mouse, Donald Duck, Daisy Duck, Goofy, Clarabelle Cow, Pete, Professor Ludwig Von Drake and many other characters live together. Various facilities exist that help them to carry out their projects. Hence, there are "communal spaces, such as amphitheatres, racetracks, obstacle courses, and parks" and the villagers "avail themselves of the facilities collectively". Much like Cohen's campers, the villagers also "have shared understandings of who is going to use them and when, under what circumstances, and why".[29] However certain objects and resources are privately owned. The villagers' moral perfection ensures that they all "work hard to add to the social surplus" by trading "value for value".[30] As a result each villager "is free to pursue his or her vision of the good life without having to ask permission from others" but "all the villagers are extremely kind. If anyone has any unmet needs, the others line up to help him or her" and for this reason "force is not necessary to maintain social order".[31] Because of these perfect motivations the

villagers "live together happily, without envy, glad to trade value for value, glad to give and share, glad to help those in need, and never disposed to free ride, take advantage of, coerce, or subjugate one another".[32]

Five capitalist principles are realized when the villagers live like this. The first is *the principle of voluntary community*, which holds that "people should live and cooperate with one another without resorting to violence or threats of violence" with the result that "no one is coerced or threatened into behaving well or cooperating with others".[33] The second, *the principle of mutual respect*, is that "the villagers are tolerant of one another and their differences in taste and attitudes…villagers take joy in the diversity of life experiences and perspectives the others bring to the table".[34] The third principle realized is *the principle of reciprocity*: the "villagers always pitch in to help with others' misfortune…they do not primarily confront one another as creatures of need. Rather, they trade value for value with one another in all of their relationships".[35] The fourth principle is *the principle of social justice*: the villagers "live under a set of rules designed to ensure that no one, through no fault of his or her own, will lead a less than decent life". This is because the village's "norms of trade, private property, respect, and so on, ensure that everyone has sufficient opportunity, wealth and freedom to have a good chance to live out his or her individual conception of the good".[36] Finally the village realizes *the principle of beneficence* because the villagers "are always willing to help those in need".[37]

Because the villagers respect these principles, they take care to ensure that they "do not make themselves objects of charity by choice – that would violate the spirit of reciprocity". If they are unfortunate enough to suffer from bad luck, Brennan argues that their fellow villagers will "come together to ensure that any such crisis is resolved" because each villager is prepared to "undertake personal sacrifices for the sake of the common good for others".[38] Because this is a morally inspiring vision of collective coexistence, Brennan insists that "even if the limits of human motivation are not a constraint, we should still advocate capitalism, not socialism".[39]

What's wrong with unconstrained utopianism

We have three options regarding how to judge the Cohen-Brennan dispute:

1) That Cohen's socialist principles capture the morally ideal way of living together.
2) That Brennan's capitalist principles capture the morally ideal way of living together.
3) That neither Cohen's socialist principles nor Brennan's capitalist principles capture the morally ideal way of living together.

In this section of the paper I will defend 3. My skepticism derives from a worry about the method Cohen and Brennan endorse rather than concerns about the internal plausibility and consistency of their argumentation. The problem is that by stipulating what perfect moral motivation consists of and creating thought-experiments in which all inhabitants happily comply with contrasting principles of property ownership it is difficult to think about how we can defend one set of principles over the other.[40] This in turn calls into question the idea that unconstrained utopianism can tell us how we can best live.

To defend my claim about the futility and normative indeterminacy of unconstrained utopianism I will now elaborate a further thought-experiment which asks what decisions morally perfect people would make in a different context. I will argue that an answer to this question delivers a third set of ideal distributive principles. This is meant to function as a *reductio ad absurdum* of unconstrained utopianism as a method for telling us how we should live.

Flat in The City

Three perfectly morally motivated acquaintances – Boris, Priya, and James – have just graduated from Provincial University. Because none of them enjoy living alone they have decided to rent a flat together when

they move to The City to begin the graduate training programme at The Company.[41] That summer in The City only one three bedroom flat with identically sized bedrooms is available to rent, although various studio flats are available. Graduate trainees at The Company earn £5 per month. However, in addition to their salary Boris and Priya will receive an additional £10 per month each from a fund they created to invest some money they won when they were members of the Provincial University Poker Society. Having grown up in a religious household that outlawed gambling, James did not join the Provincial University Poker Society but devoted his free time to writing unappreciated poetry.

According to The City's statistical office after housing costs £2 is the minimum amount of income someone requires to have a decent standard of living while £4 gives that person the resources to have a good chance of enjoying a flourishing life. The flat's rent is £9 a month. Boris, Priya and James need to decide how to pay the rent. They consider the following options:

1) *The group decide to split the costs evenly as Boris and Priya have no reason to help James enjoy anything above a decent standard of living. Therefore after paying the rent Boris and Priya have £12 while James has £2.*

2) *So that James can have a good chance to live a flourishing life, and because neither of them enjoys doing it, Boris and Priya decide they will pay £4 and James will pay £1 but only if he agrees to do all the housework. Therefore after paying the rent Boris and Priya have £11 while James has £4.*

3) *So that James can have a good chance to live a flourishing life the group decide that Boris and Priya will pay £4 and James will pay £1. Therefore after paying the rent Boris and Priya have £11 while James has £4.*

4) *The group decide to collectivise their income of £35 and deduct the rent from the flat's wealth fund. Therefore after paying the rent £26 remains. This is distributed by the flat's spending committee according to its judgment of each flatmate's needs.*

How would Boris, Priya, and James choose to pay the rent if they were perfectly morally motivated? It strikes me as reasonably uncontroversial to hold that morally perfect flatmates would not choose 1 as they would want James to have a good chance of living a flourishing life rather than a merely decent one at little cost to themselves.[42] However, I also think that Cohen and Brennan's principles deliver this verdict so this does not help me to build my case. Option 2, however, is perfectly compatible with the spirit of Brennan's capitalist principles. Indeed labouring in this way appears to be the only way that James can satisfy Brennan's reading of the capitalist principle of reciprocity. However, it is implausible to think that if Boris and Priya were perfectly morally motivated they would want James to labour for them in their shared home in this way because this would sully the relations that obtained between the flatmates. It therefore appears that Brennan's capitalist principles would not be chosen by perfectly morally motivated flatmates.

Cohenite socialists would find 3 problematic because James' reasons for not gambling are outside of his control as they are the result of an upbringing for which he should not be disadvantaged.[43] Therefore, Cohen would urge us to adopt 4. However, there are plausible reasons for thinking that a perfectly morally motivated James would not want to opt for 4. For one thing, he might not want to lay claim to the benefits that Boris and Priya enjoy from being talented poker players who have taken care to hone their talents. James might also acknowledge that adults make different choices in life and that even though these choices are often conditioned by factors outside of their control, they can sometimes deserve their results.[44] James accordingly might think that in certain situations, provided people do not fall below some minimum baseline, expecting them to bear the burdens of their decisions is not worrisome even if inequalities in outcome result. He therefore might not want to treat Boris and Priya's winnings as a collective

resource and even claim that that would violate his sense of self-respect by diminishing his ability to take responsibility for his religious beliefs and literary aspirations.[45]

If so, we have reason to hold that perfectly morally motivated flatmates would opt for 3 over 4. The decision to choose 3 realizes two *social democratic principles* which hold that justice requires us to a) ensure that no person falls below the minimum baseline at which they can expect to have a good chance of living a flourishing life and b) strive to create social relations which enable all people to maintain their self-respect (rather than aiming to correct for all unchosen disadvantages) by ensuring that no-one should labour under burdensome challenges others do not face, or be forced to be subservient to the wills of others, if these burdens could easily be alleviated via unobjectionable redistributive strategies.

Have I just proven that social democracy and not socialism or capitalism occupies the moral high-ground? While my thought-experiment has as much claim to have done so as Cohen's camping trip can claim to deliver the moral superiority of socialism, and Brennan's village the inherent value of capitalism, I don't think I have because I deny that unconstrained utopianism can deliver such truths. This is because although I think morally perfect flatmates would indeed opt for 3, Cohen is also surely right that the best possible camping trip would be governed by the type of socialist norms he elaborates, and Brennan gives us reason to believe that the capitalist principles he adduces would play a valuable role in ensuring that the clubhouse villagers live lives of meaning and contentment. If this is the case, and each thought-experiment is compatible with unconstrained utopianism's theoretical strictures, it appears that affirming socialist, capitalist and social democratic principles are all possible outcomes of perfectly morally motivated decision making in different contexts. This calls into question unconstrained utopianism's claim to be able to deliver compelling judgments about the inherent moral superiority of competing distributive principles over their alternatives because these sets of principles are in tension with one another.

The most powerful way to show that any one of the three options is the intrinsically best way to live would be by demonstrating that adhering to its principles would also generate the best possible camping trip, village and rental decision. However the fact that Brennan chooses to employ a different thought-experiment to Cohen to showcase the moral value of capitalism strikes me as tacit acknowledgement that he knew he could not better Cohen's thought-experiment on its own terms. Likewise, I did not seek to show that my social democratic principles would create happier campers or cartoon villagers. As a result why think that the clubhouse village, or the camping trip, or the decision that perfectly morally motivated flatmates would make, teach us anything about how we should live *in general*? Yet this is what unconstrained utopianism claims to do as it purports to show us the intrinsically morally desirable way we could live together and holds that if a set of distributive principles really was intrinsically morally desirable they represent the best possible way morally ideal people could choose to regulate their conduct.[46] Yet Cohen, Brennan, nor I cannot be said to have shown that about our favoured principles absent further argumentation.

This demonstrates one of the most pressing problems with unconstrained utopianism: if political theorists can stipulate perfect moral motivation, happiness, and merry compliance, an array of competing distributive principles are likely to look morally inspiring from within the strictures of the thought-experiments they create so long they are competent thought-experimenters. However, as soon as we ponder the general desirability of the principles by applying them to different contexts, where agents are by stipulation also perfectly morally motivated, it is highly likely that their attraction diminishes.[47] It is accordingly very difficult to give conclusive reasons for favouring one of the set of principles we are currently considering over the other two simply by reflecting on the thought-experiments in their own terms. In each case the denizens of the thought-experiments live flourishing lives and none of them experience any resentment because they happily comply with the principles adduced.

To this end, perhaps we should interpret Cohen and Brennan as offering existence proofs – that is, as offering reasons to think that there are possible worlds in which socialist or capitalist principles capture how we would ideally live. However if I am right, when we devise other situations in which morally flawless decision making would unearth alternative sets of principles, it becomes obvious that such proofs tell us surprisingly little about how we should live at a more *general* level. In this regard we can be skeptical of unconstrained utopianism's claim to tell us how we should live by doubting the *robustness* of the principles it purports to deliver.[48] To wit, any decision in favour of socialism, capitalism or social democracy simply on the basis of our reactions to the three thought-experiments will be the consequence of one of the thought-experiment's ability to generate more in the way of our approbation, awe or veneration than the others. And that reaction, absent further justification, is clearly deeply idiosyncratic.[49]

If unconstrained utopianism is to move us beyond this situation of normative indeterminacy it must enable us to come to a judgment about which thought-experiment, if any, delivers the general truth about how we should live – a truth we can then employ to determine which set of distributive principles we should ideally endorse. What considerations might we appeal to make this decision? Roughly speaking two options confront us. One is compatible with unconstrained utopianism's methodological stance but will probably fail to lead us to any determinate conclusions about which set of principles capture the truth about how we should live in general. The other may lead to a determine conclusion but it appears to be incompatible with unconstrained utopianism as a methodological stance.

The first option is simply to engage in even more utopian theorizing. Perhaps we should postulate more thought-experiments populated by morally perfect/flawless agents and consider which of the three sets of distributive principles would generate better results overall. However, the reasonable conclusion to draw on this front (based on past experience) is that convergence is very unlikely. This is because the ability of different principles to generate the kind of hypothetical results of which we will maximally approve is just as likely to depend on the nature of the thought-experiments as the inherent moral superiority of the principles themselves. This is why, as we have seen, different principles capture the actions and decisions that morally perfect campers, cartoon villagers, and flatmates would make. Moreover, as Brennan demonstrated by offering his account of the Mickey Mouse Clubhouse Village and as I demonstrated with my discussion of the rental decision, the number of internally coherent candidate principles is likely to proliferate in line with the number of theorists seeking to ground their favoured political programs by constructing their own utopian thought-experiments. For this reason simply engaging in *more* utopian theorizing is unlikely to deliver a concrete judgment about how we should live.

The second option is to argue that one of the thought-experiments better models something theoretically relevant about the context to which it is meant to apply and that this gives us reason to take its findings more seriously as a guide for how we should live. Miriam Ronzoni argues that Cohen's thought-experiment is inadequate on such grounds precisely because:

> The camping trip is distinct from everyday life and society in two … *morally* important respects: (1) the fact that, for the duration of the camping trip, the realization of its communal and frugal values are the *central* goal of its participants, rather than being something that needs to be balanced with other legitimate and valuable competing goals that people may have, and (2) its discontinuity in time.[50]

To this end, Ronzoni argues that "the rules of the camping trip might be desirable for the camping trip *given its point and purpose* and specific features of its constraints and participants – and yet not be appropriate for other scenarios".[51] For that reason, Brennan might allege that we should endorse his capitalist principles because the clubhouse village is much more analogous to the kind of society we are interested in theorizing. For one thing, its social arrangements will last for an indefinite period whereas camping trips are, as Ronzoni notes, short with a definite end point. In

addition, Brennan's villagers explicitly do not display the kind of goal monism Cohen's campers do and this captures something morally significant about free societies.[52]

Nevertheless it does not follow from the fact that Brennan's thought-experiment is a more adequate model than Cohen's that it is adequate enough. If we can only choose between competing internally consistent accounts of moral perfection by asking which model best applies to the practice we are reflecting on then we have to think hard about what that practice is like. This is because what perfect moral motivation requires varies according to the practices or relationships we are considering – as we all know, a perfect family member will display different motivations toward you than a perfect colleague.[53] Thus if we are to decide which of Cohen's, Brennan's, or my principles tell us about the nature of the ideal society we need to think hard about politics and social order.[54] Unconstrained utopianism's practitioners are strangely insensitive to this issue because while they claim to be reflecting on the principles which should govern society they make little or no effort to focus on any of the specificities of politics. This problematizes their attempt to tell us how we should live because if they do not endorse an underlying conception of the political that has some plausibility which they seek to idealize, they can, at most, claim to tell us how a set of agents who display few of our characteristics could live well in a series of dissimilar contexts. And to put it polemically, while it might be interesting to know how morally perfect campers or cartoon villagers or flatmates would act (although equally it *may not*) such knowledge is not especially *important*.

Although it is foolish to hope to give an exhaustive definition of the political[55] there are certain phenomena which seem uncontroversially central to any account of politics which are notably absent from all of the utopian thought-experiments we have considered thus far. First, it is uncontroversial to state that politics is about exercising power to settle disputes.[56] Second, it is "integral to political rule to invoke at least some claim to authority and thereby to legitimacy…which implies some recognition of this on the part of citizens".[57] To this end political authority, unlike warfare or Mafioso coercion, is a "relationship of command and compliance where compliance is not elicited by threats, persuasion, or incentives, but by the subject or citizen acknowledging that those who rule have a right to do so".[58] If the above purposefully broad, and obviously incomplete, characterisation of some constitutive features of the political is, at least as far as it goes, reasonably incontestable, this represents a serious problem for Cohen and Brennan's brand of unconstrained utopianism because their thought-experiments make no reference to these features of the practice of politics which, if I am right, compromises their claim to deliver principles we can employ to assess our political societies.[59]

The problem is that unconstrained utopianism's practitioners insist that if we are to find out how we should live we must posit a situation in which all people are perfectly morally motivated and ask what principles would govern their interactions. However we cannot choose between the conflicting normative principles delivered by competing models of moral perfection without asking which model best relates to the practice we are seeking moral guidance about. This means that any utopian theory which reasonably purports to capture a set of principles we can use to assess our political societies must make some claim to be idealizing political society rather than some other practice like a camping trip or a cartoon village. If any adequate normative model of political society must acknowledge that beyond small-scale, close-knit groups, power will have to be exercised to settle disputes, we can conclude that by imagining away the exercise of power, Cohen and Brennan's brand of utopian thinking is incapable of offering a plausible account of the principles that ideally *ought* to govern our political societies. This is because the attractiveness of living in accordance with principles Cohen and Brennan adduce is dependent on the voluntaristic nature of their models. Such models cannot tell us in their own terms which principles should regulate the exercise of power or what forms of authoritative social order are the most normatively appealing.

Working from within

The foregoing argument paves the way for a more constructive sketch of how we should theorize which is not entailed by my critique of unconstrained utopianism but which has an elective affinity with it. I will attempt to vindicate this claim by examining an issue which sheds light on how to responsibly idealize certain relationships and practices – the question of how we could best theorize the features of an ideal or perfect friendship. One possible way of theorizing the character of an ideal friendship would be by imagining a relationship between two morally perfect agents in which the friends' interests and value-judgments always aligned (due to their perfection) with the result that they never disagreed or fell-out and then thinking about the goods such a friendship would realize (the intimacy generated by a unity of will and judgment, care, closeness, and perhaps an enjoyable sense of shared moral superiority) and the resulting principles which would underwrite the friends' conduct. Let's call this the utopian way of thinking about friendship. Alternatively, consider the possibility of theorizing for a case of ideal friendship in a way that is constrained by our experiences of the features of the best friendships we actually enjoy as imperfect moral beings. Theorizing in this way, I surmise, would lead us to realize that an ideal friendship is one that evinces high-levels of intimacy, care, and closeness for other-regarding reasons[60] *despite* the fact that great friends may occasionally disagree and fall-out for myriad reasons. The advantage of this latter approach is twofold. First, it grasps, in a way the utopian account cannot, that one of the most valuable things about the best friendships we can enjoy is the knowledge that certain disagreements and fallings-out will not destroy the intimacy, care and closeness we have built up with our close friends in the way that they might with minor acquaintances.[61] For this reason it is only the second approach that can actually understand the nature of the goods that prevail among close friends. Second, we might also think that disagreement and argument is part of a good friendship precisely because we often need someone to tell us to amend our ways, to point out how we might inadvertently have been acting like an arsehole, and to keep us on the straight and narrow. A friendship in which someone didn't feel free to disagree and argue with you, in the knowledge that the friendship is secure, would be limited.[62]

Arguing that an ideal friendship would display a perfect alignment of interests, desires, and value-judgments, and that ideal friends would therefore never disagree or fall-out, is not a matter of sanitising some of the nonideal features of the friendships we experience in the real world. Instead, it banishes some things that are incredibly normatively significant about deep friendships – the ability to maintain closeness despite certain kinds of disagreement and to be called to account by someone you trust – which enable us to understand why those relationships are so valuable in the first place. It will consequently be a very bad guide to what an ideal friendship would be like. As a result, we can see that theories that wish away various features of our lives (the non-alignment of our interests and value-judgments) for merely being the result of our imperfections may fail to understand the nature of the goods that certain practices and relationships can realize.

This reveals that theorizing in a way that is sensitive to the non-alignment of interest and judgment, and other all too human characteristics, does not always represent a problematic capitulation to the morally nonideal because we may only be able to grasp the normative significance and character of some relationships or practices – and the nature of the goods they enable us to enjoy – in light of such constraints. This matters when we come to think about how we can responsibly idealize political society because while power may need to be exercised in response to the kinds of disagreements we experience which result from typical human characteristics, banishing these from our theoretical models may preclude us from adequately grasping the normative characteristics of politics in the same way that it would preclude us from understanding the value of close friendships. In this sense, foregrounding our theorizing in an appreciation of why we need politics, and consequently need power to be exercised, matters

because we are unlikely to be able to appreciate the nature of the distinctive renderings of the goods that politics can enable us to enjoy – "order, protection, safety, trust, and the conditions of cooperation"[63] – and at its best social justice, liberty and toleration – if we postulate the kind of perfect moral motivation which renders opaque our reasons for valuing these goods in the first place. It is equally hard to understand why we would need theories of legitimacy, authority and maybe even justice if human beings did not repeatedly encounter the predictable problems that result from our need to live together despite our supposed moral imperfections.

This is why refusing to allow our theorizing to be constrained by any of the things that unconstrained utopians dismiss to the domain of the nonideal, imperfect, or morally blemished, is unlikely to help us to think about political values or the principles which tell us the truth about how we should live in political society – just as utopian theories cannot tell us what an ideal friendship would be like or make sense of the values it would realize, unconstrained utopianism cannot tell us what an ideal political society would be like or make sense of the values it would provide. The mistake is not merely that Cohen and Brennan forget that even perfect people would need government, although that is true.[64] More significantly they attempt to offer principles to assess our societies by constructing models which, as a result of stipulating an alignment of private moral judgment and motivation, forget why politics is of value to creatures like us. This precludes them from understanding the character of the goods we can reasonably hope to strive for in society which in turn compromises their claim to tell us which principles ought to regulate our conduct.[65]

David Estlund holds that complaints like mine, which argue that theorizing for a case of moral flawlessness absurdly assumes "away politics itself" are impotent because "a lot of work is being done in this objection by a definition" and it simply does not matter if the theory under examination does not count as political philosophy because "this would leave entirely intact its claim to have a correct theory of justice, authority, and legitimacy".[66] However, if the best way to choose between competing, internally consistent, theories of moral flawlessness and the principles they prescribe, is to ask which thought-experiment best idealizes the practice it is supposed to apply to, unconstrained utopians cannot evade interpretative considerations about the nature of the practice they claim to be theorizing about. It is unfair to impugn this as a matter of arguing by definition given that if unconstrained utopianism is to generate any determinate considerations about how we should live we must make recourse to such interpretative claims.

It might also be thought that my view violates what is right in Cohen's celebrated thesis about the fact-insensitive nature of normative principles.[67] Cohen denies that facts can constrain our normative thinking because even if facts sometimes seem to exclude certain principles, ultimate normative principles may have the conditional form: "One ought to do *A* if it is possible to do *A*".[68] However, contrary to Cohen's surmise objections to this line of thinking do not *have* to invoke feasibility constraints. Indeed, my point is not that we should reject some of the ultimate principles unconstrained utopianism adduces because they are politically infeasible *per se*. It is rather that certain kinds of utopian theorizing fail to idealize the practice they claim to deliver truths about and therefore cannot in good faith claim to tell us how that practice should be.[69] Various utopian principles fail to apply to politics because they are derived from models which theorize a different practice – as we have seen many of Cohen's ultimate normative principles which take a conditional form will only apply to happy campers, Disney cartoon characters, or perfectly morally motivated flatmates. Political theorists are not interested in that kind of star-gazing but in uncovering the constellation of principles that apply to politics.

Conclusion

Despite the seductive nature of the arguments in favour of unconstrained utopianism, we should reject the idea that our political theorizing *must* begin by positing a vision of a utopia populated by perfectly morally motivated people who can do away with political machinery. This is because the

principles such theorizing delivers are unlikely to be robust enough to plausibly guide our judgement of how we should live in political society. Moreover, I have suggested that because unconstrained utopianism is incapable of grasping the need for political rule and understanding some of the distinctive goods that politics enables us to enjoy, it is incapable of offering a plausible idealized account of the kind of political society that we should aspire to. Some philosophers may protest that my argument rests on a merely stipulative conception of the political. Be that as it may: as Bernard Williams once remarked, you cannot always "blast someone into seeing the point".[70] And the point that normative political theory should speak to politics rather than some other practice entirely is worth making because the methodological starting point favoured by some very influential political philosophers is structurally engineered to obscure it.

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[1] While criticising unconstrained utopianism does not refute the suggestion that the central task of political theory is to offer an ideal account of how we could live together, it gives us reason to be sceptical of the point of answering that question by thinking in deeply utopian terms.

[2] For example G.A. Cohen claims that "infeasibility of application does not defeat the claim of a principle": *Rescuing Justice and Equality,* (Harvard, Harvard University Press, 2008), 20.

[3] Jason Brennan, *Why not capitalism?,* (Oxford: Routledge, 2014), 10.

[4] Cohen, *Rescuing Justice and Equality*, 252.

[5] Brennan, *Why not capitalism?*, 20.

[6] Ibid, 52.

[7] Ibid, 70. As Brennan puts it later, "if you imagine a society in which people sometimes did wrong things, you'd be imagining a society with some injustice in it, and thus be imagining a less than fully just society. So, if you care at all about what justice requires, you have to ask what utopia would be like": 71.

[8] Ibid, 54. See also Cohen, *Rescuing Justice and Equality*, 251.

[9] David Estlund, "Human nature and the limits (if any) of political philosophy", *Philosophy and Public Affairs*, 39, 3, (2011), 219 – 220.

[10] Ibid, 212.

[11] Ibid, 213.

[12] David Estlund, "Utopophobia", *Philosophy and Public Affairs*, 42, 2, (2014), 130.

[13] Estlund, "Human nature and the limits (if any) of political philosophy", 235.

[14] Cohen, *Rescuing Justice and Equality*, 251.

[15] G.A. Cohen, *Why not socialism?*, (Princeton: Princeton University Press, 2009), 57. See also, Brennan, *Why not capitalism?*, 40.

[16] Cohen, *Why not socialism?*, 80.

[17] This brief exposition of Cohen and Brennan draws on some of the material in my review of Brennan's book: Edward Hall, "Why not", *European Journal of Political Theory*, (forthcoming): DOI: 10.1177/1474885115595805.

[18] Cohen, *Why not socialism?*, 3-4.

[19] Ibid, 4.

[20] Ibid, 4 – 5.

[21] Ibid, 17 – 18.

[22] Ibid, 18.

[23] Ibid, 12.

[24] Ibid, 35. Compare Cohen's discussion of a fictional Jane who chooses to destroy an "extra piece of irremovable and unredistributable [manna from heaven]" because she did nothing to deserve it. As Cohen puts it, "I for one would not think Jane is being foolish. I would think that she is simply a remarkably just person": G.A. Cohen, "How to do political philosophy" in in Michael Otsuka ed., *On the currency of egalitarian justice, and other essays in political philosophy*, (Princeton: Princeton University Press, 2011), 229.

[25] Ibid, 7 and 9.

[26] Ibid, 10. In chapter 3 of his book Brennan observes that Cohen unfairly compares a utopian socialist camping trip with real, rather than idealized capitalist motivations here and argues that if we are to fairly compare socialism and capitalism we need to compare them as competing utopian systems. The rest of Brennan's book is supposed to show why capitalism wins the debate in these terms.

[27] Cohen, *Why Not Socialism?,* 10 – 11.

[28] Brennan insists that the village is not merely intended to function as a parody but is meant to prove the moral superiority of capitalism: *Why not capitalism?*, 20.

[29] Ibid, 24.

[30] Ibid, 24.

[31] Ibid, 24-5.

[32] Ibid, 25.

[33] Ibid, 30.

[34] Ibid, 31.

[35] Ibid, 32.

[36] Ibid, 33.

[37] Ibid.

[38] Ibid, 34 +35.

[39] Ibid, 57.

[40]To rebut a potential rejoinder to the argument against unconstrained utopianism that follows it is worth noting that in Chapter 4 Brennan provides further reasons for thinking that utopia would be capitalist. First he claims that private property makes people's lives go better because we are 'project-pursuers'. His second argument relates the invaluable information function markets fulfil. Third, economic freedom extends the sphere of self-authorship to the economic realm which is a good thing. Fourth, capitalist utopia allows for a wide array of experiments in living. I don't think these arguments succeed in proving the intrinsic moral superiority of capitalism. The second point is granted by Cohen when he discusses Joseph Carens' work (although Cohen also insists that we cannot be completely certain we won't be able to devise a better system at some point). The fourth claim is also problematic because it is not a claim about which system of property rights is best. As a result by invoking it Brennan is not speaking to the debate on fair terms (moreover if Brennan's arguments about the value of private property are convincing, as a fully rational, morally motivated inhabitant of utopia I should want to live in a capitalist village rather than a kibbutzim even if no-one else has the right to force me to do that). This leaves us with Brennan's first and third arguments which I am happy to accept provide reasons to think that private property can make people's lives go better in certain circumstances. However, the suggestion that extensive private property rights will lead to the best possible village relies on Brennan's stipulation that the "norms of trade, private property and respect" ensure that everyone in the village "has sufficient opportunity, wealth, and freedom to have a good chance to live out his or her individual conception of the good" (*Why Not Capitalism?*, 33). Yet Brennan must rely on his principle of beneficence to guarantee this outcome because none of his other principles ensure that all villagers will have requisite resources to satisfy their needs (even the principle of social justice, which assumes that extensive private property rights will ensure a wide dispersion of resources, cannot explain why this will occur as in chapter 4 Brennan notes that markets merely tend to create greater prosperity in general: ibid, 87).

Problems for Brennan's claim to have provided a more robust account of utopia than Cohen arise as a result. First, employing the principle of beneficence in this way vitiates Brennan's claim that he, unlike Cohen, avoids fallaciously identifying regimes with values or motives (ibid, 62 − 69). Second, it is hard to see why the principle of beneficence is a *capitalist* principle at all − after all, the blunt moral injunction "be beneficent!" is not *entailed* by a capitalist system of property rights. Yet the principle is a precondition of the village retaining its moral appeal because the fact that villagers are stipulated to be 'extremely kind' to one another allows Brennan to insist that 'if anyone has any unmet needs, the others line up to help him or her' (ibid, 25), and the fact all needs are met is supposed to eradicate the idea that any villagers can make reasonable complaints about having less property/resources than others. However, if the principle of beneficence is necessary for Brennan's village to retain its appeal, we need to ask what kinds of reasons ground it. I fail to see how Brennan can plausibly explain why morally motivated villagers would ensure that their cohabitants' needs are met in capitalist terms alone. Presumably wealthy villagers recognize that they should redistribute their property/wealth to those in need. But what kinds of reasons explain *why* they should? It is possible that these reasons may not be egalitarian in kind, although this strikes me as unlikely, but either way it is hard to see how Brennan's other capitalist principles explain such reasoning.

To this end, I think that Brennan's claim to provide a more robust account of utopia than Cohen's fails. Brennan merely shows that a village with extensive private property rights would be desirable if its inhabitants recognized that they had non-capitalist moral reasons to redistribute their wealth to others. This is no more indicative of the inherent moral superiority of capitalism than Cohen's observation that private property would pervert the spirit of the camping trip is indicative of the inherent moral superiority of socialism. This is because Cohen and Brennan merely deliver two competing models whose underlying principles look attractive so long as certain background conditions are in place − for Cohen the close-knit nature of the camping trip and for Brennan the fact that the good consequences of private property will be conjoined with a non-capitalist principle of beneficence.

[41] Their living together is therefore "a cooperative venture for mutual advantage". For this parlance see John Rawls, *A Theory of Justice: Original Edition*, (London: Harvard University Press, 1971), 2.

[42] Of course it may be the case that they are not obligated to do so but being *perfectly* morally motivated the flatmates will often choose to act in a supererogatory manner.

[43] From Cohen's perspective James's choice not to play poker is not something that should hinder his access to advantage as, being a result of his upbringing, it lay outside of his control: see G.A. Cohen "On the currency of egalitarian justice" and "Expensive taste rides again" in Michael Otsuka ed., *On the currency of egalitarian justice, and other essays in political philosophy*, (Princeton: Princeton University Press, 2011), 3 − 43 and 81 − 115.

[44] David Schmidtz, *Elements of Justice*, (Cambridge: Cambridge University Press, 2006), 31 – 72.

[45] For the view that in situations like this luck egalitarianism can be patronizing see Elizabeth Anderson, 'What is the point of equality?', *Ethics*, Vo. 109, No. 2 (Jan 1999), 287 – 337.

[46] Zofia Stemplowska and Adam Swift note that fundamental principles of the sort that unconstrained utopianism claims to deliver are meant apply "to all circumstances, including ours": "Ideal and nonideal theory", in David Estlund ed., *The Oxford Handbook of Political Philosophy*, (Oxford, Oxford University Press, 2012), 384.

[47] David Schmidtz argues that Cohen's thought-experiment only works as a way of modelling justice within a close-knit group. If we want to model justice in a community of strangers who do not share a common mission "what we need to imagine is not friends on a camping trip but a campground where strangers come and go": 'Nonideal Theory: What it is and what It needs to be', *Ethics,* Vol. 121, July 2011,787. In this situation Schmidtz argues that managing the water supply as an open-access communal resource would only work if water was not scarce. As soon as a scarcity is acknowledged we have good reasons to restrict access, "so as to limit the tragic overuse that is characteristic of an unrestricted commons" (ibid), which can end in all-out conflict. In discussing the difference between a perfect camping trip and a perfect campground Schmidtz provides reasons for thinking that moralised socialism of Cohen's sort is not likely to be inspiring among large groups of people, a point which is not neutral between alternative systems of property and which suggests that if we couldn't count on others being perfect some ideologies are likely to work better than others. However, this reminder does little to vindicate Brennanite capitalism over Cohenite socialism precisely because Schmidtz's very sensible comments relate to predictable behaviour in non-ideal situations. In this sense his argument provides yet more convincing reasons to reject unconstrained utopianism in political philosophy.

[48] I owe this way of thinking about the nature of my critique of unconstrained utopianism to very helpful comments from David Schmidtz and Iskra Fileva to which I am indebted more generally.

[49] This is why Brennan's claim that we can vindicate capitalism by asking which society one would rather live in – Cohen's camping trip or one like Mickey Mouse's clubhouse village? – is unconvincing. Surely the answer to that question depends on one's prior convictions – after all maybe some people would prefer to live in a society run on the lines of my hypothetical flat?

[50] Miriam Ronzoni, "Life is not a camping trip – on the desirability of Cohenite socialism", *Politics, Philosophy and Economics*, 11, 2, (2012), 172. See also Robert Jubb, "Playing Kant at the Court of King Arthur", *Political Studies,* 63, 4, (2015), 919 – 934.

[51] Ronzoni, "Life is not a camping trip", 176.

[52] Thanks to Matt Sleat for helpful discussions of this point. That said, I can also stipulate that this is true of my thought-experiment so in this sense Brennan's is a rather pyrrhic victory.

[53] To this end my criticism of unconstrained utopianism has affinities with what has come to be known as a practice-dependent theorizing: see Andrea Sangiovanni, "Justice and the Priority of Politics to Morality", *Journal of Political Philosophy*, 16, 2 (2008), 137–64.

[54]It might be objected that political society is not the right practice to appeal to at this point in the argument because Brennan declares that neither Cohen's campers nor the clubhouse villagers need political machinery because "they know what justice and morality require and are always willing to do it" (*Why not capitalism?*, 30-31). However this rejoinder faces two possible counter-arguments. First if, as I have argued, we can only decide which competing set of utopian principles we should employ to evaluate political societies by making a judgment about which model is most relevant to our enquiries (due to the problems of indeterminacy and lack of robustness outlined earlier), appealing to the nature of political society is simply unavoidable. Second, as Jacob Levy eloquently puts it in his contribution to this volume (when drawing on Gregory Kavka's seminal article), even if one theorizes in terms of moral flawlessness, one should still acknowledge that morally perfect people would suffer from good-faith moral and practical disagreement in ways "that would sometimes make reliance on individual moral judgment impossible, and would require recourse to collective decision-making". Accordingly Levy concludes that "the circumstances of politics arise even against the background of moral good faith, because of morally innocent disagreement": 'There's no such thing as ideal theory', *Social Philosophy and Policy*, (forthcoming).

[55] See Bernard Williams, "From Freedom to Liberty", 77.

[56] Kavka, "Why even morally perfect people would need government", *Social Philosophy and Policy*, 12, 1, (1995), 2. To this end, I follow Bernard Williams who claims that "the idea of the political is to an important degree focused in the idea of political disagreement" where that disagreement ultimately concerns "what should be done under political authority, in particular through the deployment of state power": "From Freedom to Liberty", 77.

[57] Mark Philp, *Political Conduct*, (Harvard, Harvard University Press, 2007), 55–6.

[58] Philp, *Political Conduct*, 56. The question of what such a view implies for the vexed issue of political obligation is too controversial to address here.

[59] Andrew Mason, Holly Lawford-Smith and David Wiens have all suggested that my critique may rely on a mistaken grasp of what utopian models are trying to do because rather than telling us how to live in the circumstances of politics, unconstrained utopianism may merely aim to outline the logical compatibility of certain desiderata or reflect

on how values conflict or align. However Cohen's ultimate principles/rules of regulation distinction, which is the most fully worked out way of elaborating this way of thinking about what unconstrained utopians are trying to do, makes more ambitious claims than they suggest. Although Cohen does not think that the singular purpose of ultimate principles is to guide practice (rather than our thoughts) he is committed to thinking that well designed rules of regulation must *express* or *serve* fundamental principles as best they can (*Rescuing Justice and Equality,* 277) and that "fundamental principles *do* bear on practice, since they are needed to justify the practice-guiding rules of regulation" (ibid, 307). However, if I am right we can only know which ultimate principles our rules of regulation should express or serve if we know how to choose between the competing models of moral perfection which supposedly deliver them and it is at this point that my arguments about how to choose between competing sets of utopian principles applies.

[60] For an introduction to philosophical accounts of friendship to which I am indebted see Bennett Helm, "Friendship", *The Stanford Encyclopaedia of Philosophy,* http://plato.stanford.edu/entries/friendship/

[61] This is why some of the closest relationships people enjoy are often marked by having overcome difficult situations the parties would not initially have chosen to encounter.

[62] Thanks to Matt Sleat for discussion of this point.

[63] Bernard Williams, "Realism and Moralism in Political Theory", 3.

[64] See Kavka, "Why even perfect people would need government", for the classic statement of that view.

[65] In this sense Cohen's and Brennan's unconstrained utopianism delivers *circular recommendations* as their models offer a series of normative principles that assume "away the nature of the problem we are trying to solve" when we ask how we should live *in* political society. I borrow this terminology from Patrick Tomlin, "Should we be utopophobes about democracy in particular?", *Political Studies Review,* 10, 1, (2012), 43.

[66] David Estlund, "Utopophobia", 130 − 31.

[67] Cohen, *Rescuing Justice and Equality*, 229 − 273.

[68] Ibid, 251.

[69] This is why I am not making the same kind of argument as Brennan's hypothetical rapist − Albert − who complains about the moral duty not to rape because he finds it too demanding: *Why not capitalism?*, 54–55. The suggestion that all criticisms of utopianism must have this form plagues Cohen and Brennan's books.

[70] Bernard Williams, *Truth and Truthfulness*, (Oxford, Princeton University Press, 2002), 264.