

## 1. Introduction

The topic of the present paper derives from Henry Sidgwick (1838-1900), and is sometimes labeled as the “paradox of conservative justice”. In *The Methods of Ethics* (1st edition, 1874) Sidgwick asks whether political reforms that have a morally desirable goal could justifiably be rejected simply on the grounds that realizing them would spoil the life plans of those who believe that the future would be like the past. The paradox is that “ideal justice” demands us to make reforms but “conservative justice” requires respecting people’s reasonable expectations, although making reforms seems to imply that those expectations will not be respected. The question seems to be about a moral dilemma. The government has an obligation to improve society and correct existing injustices, but surely it has also an obligation not to disappoint people’s natural expectations, partly created by the government itself. When the circumstances are such that correcting injustices happens to disappoint people’s reasonable expectations, the government simply cannot comply with both of its obligations.

In what follows I will clarify the nature of Sidgwick’s paradox and explicate how the demands of conservative justice work. In particular, I will distinguish the claims of conservative justice from various other claims that may seem similar but are not. I will argue that the assumption that it is a common feature of political reforms that they disappoint people’s reasonable expectations is empirically suspicious. Therefore the *argument for conservative justice* – the requirement that reforms should not be realized – may not be as convincing as it may seem to be. I will distinguish between actions that disappoint people’s reasonable expectations and actions that do not allow people to form long term life plans, and argue that today we should be much more concerned about the latter actions than the former ones. But let us start by considering briefly what have been said about the paradox of conservative justice and how it has been understood.

## 2. Conservative Justice

In *The Methods* Sidgwick famously distinguishes between what he calls conservative justice and ideal justice. Among other things, conservative justice requires us to respect laws and “natural and normal expectations”, and it serves to maintain the existing order and customs (Sidgwick 1962: 293). Ideal justice goes in the opposite direction, as it requires us to make social reforms and pursue political ideals. Sidgwick writes that it “is the reconciliation between these two views which is the chief problem of political Justice” (Sidgwick 1962: 273). He confesses that the obligation to respect natural and normal expectations “is of a somewhat indefinite kind” but, in his view, ideal justice “is still more difficult to define” (Sidgwick 1962: 293). The problem is that there are two opposing conceptions of ideal justice, namely the individualistic ideal and the ideal that he calls

“socialist”. The individualistic ideal “takes the realization of Freedom as the ultimate standard of right social relations” (Sidgwick 1962). The “socialist” ideal is based on the contention that the basic principle of justice is the “principle of requiting Desert” (Sidgwick 1962: 294). Sidgwick argues, however, that “a society in which Freedom is realized as far as is feasible does not completely suit our sense of Justice” and that the principle of requiting desert is in that respect a better ideal (Sidgwick 1962: 293-294). But even the better alternative is difficult to define precisely as we should be able to estimate the degree of desert in different cases and determine the criterion of fair requital (Sidgwick 1962: 294). Arguably, as pointed out by D.D. Raphael, we cannot refer to customs here, because that would return us to conservative justice (Raphael 2001: 149-162, esp. 161). Another point is that Sidgwick seems to accept that the

validity of a theory of justice cannot be determined *merely* by checking how well it matches with particular moral judgments and common sense (Singer 2008: 68-91, esp. 89).

Joel Feinberg argues that Sidgwick's paradox "confronts us at every turn", as every "reform of an imperfect practice or institution is likely to be unfair to someone or other" (Feinberg 1980:

257). When the unfair rules are changed in the middle of the game, it will disappoint the "honest expectations" of those whose prior commitments were made when relying on the continuance of those unfair rules. It follows that in political decision-making people must almost always weigh incompatible claims against each other "in circumstances such that whichever judgment is reached it will be unfair to someone or other" (Feinberg 1980). Feinberg argues that the acceptability of the reform in a given case depends, among other things, upon "the degree of unfairness of the old rules and the extent and degree of the reliance placed upon them" (Feinberg 1980). This is to say that if the existing arrangements are only mildly unjust or the reform would improve the old rules only slightly and reforming them would cause considerable harm to many people, then decision-makers should follow conservative justice. In such circumstances, the price of the reform would be too high.

A. John Simmons agrees with Feinberg. In Simmons' view, correcting "unjust institutional rules" is often morally impermissible, because of the wrongness of "rug-pulling" (Simmons 2010: 5-36, esp. 20). In many cases "people base life plans or important activities on the reasonable expectation that the rules will remain unchanged" and the correction of those rules means that the rug is pulled from under them (Simmons 2010). Simmons emphasizes that the "loss and suffering that such changes in institutional rules can bring about may often be considerable" (Simmons 2010: 21). According to Simmons, many people think that institutional changes should be realized gradually and with ample prior warning, and that those who have "innocently relied" on the unjust rules should have compensation if harmful reforms are made (Simmons 2010). Political reforms, even if their goal is clearly desirable, may involve morally impermissible "transitional unfairness".

The price of the reforms can be simply too high.

One way to describe the structure of Sidgwick's paradox is to distinguish between (1) key outcomes, (2) process outcomes and (3) comprehensive outcomes of political projects and reforms. The distinction is very similar to that of Amartya Sen who distinguishes between culmination outcomes and comprehensive outcomes (Amartya 1999: 27-28, fn. 20). If the goal of the political project or reform is desirable then we can say that the *key outcomes* of the project are desirable. Roughly, the goal is desirable if reaching it would improve things, in terms of justice. But we can also estimate the desirability of the *process* leading to the goal and assess the *process outcomes*. We may find that all the routes to the goal are actually undesirable in the sense that they all have serious costs. Process-related costs consist of those involved in the action that is supposed to lead to the intended goal (i.e. the costs of means) as well as costs of the possible side-effects of the action, understood as undesirable outcomes that are not intended but are *known* to arise from the actions committed. If the reform turns out to be undesirable when the key outcomes and process outcomes are both taken into account and *evaluated together*, then we – following Sen – should say that the *comprehensive outcomes* are not desirable. Using this terminology, it seems that those who support the argument for conservative justice think that the comprehensive outcomes of the reforms tend to be undesirable. This is because the process outcomes are simply intolerable, as it is clearly wrong to change the rules in the middle of the game.

Of course, the undesirability of the comprehensive outcomes does not mean that the goal of the project is undesirable, i.e., that the key outcomes are problematic. The process outcomes may disqualify the reform but not its goal. If a given social ideal is desirable, then it is desirable even if we are unwilling to realize it because of the process-related costs (Räikkä 1998: 27-40, esp. 37). It is consistent to desire the realization of a certain social ideal and not to desire the realization of that ideal by morally questionable or otherwise costly means. As David Braybrooke and Charles E. Lindblom write, "the costliness of achieving an objective does not disqualify the objective but merely makes its relative importance dependent on the means at hand with which to pursue it" (Braybrooke & Lindblom 1963: 94). A person who stresses the importance of not disappointing people's expectations tends to think that *all* means are too costly, because whatever the reformers do they disappoint people's expectations and hence act against the demands of conservative justice.

### 3. A Dilemma

Consider an example of a possible clash between conservative and ideal justice. Call this example *Scenario 1*, as another scenario will follow. Members of ethnic minorities work in low paid jobs. Due to racist biases and a lack of appropriate education, low paid jobs are all that they can get. Their salary is so low that many of them have to have two jobs in order to pay their rent and buy some cheap food. The government notices that the rules of the game are not fair and plans to pass a law that requires employers to pay a minimum salary to their employees so that the salary suffices for necessary expenses. The goal is to improve the situation of the members of ethnic minorities and the means is the law reform that should give an incentive for the employers to reshape the working conditions. The government plans to allow only a few months to make the changes. Thousands of employers are unhappy, as they have made their business plans on the normal, natural, honest, reasonable and innocent expectation that there will be cheap (indeed, almost free) labor available forever, or at least in the forthcoming decades. They argue that the rug will be pulled from under them and blame the government for unfairness. They also say that should the reform come true they will be justified in claiming tax reductions, as compensation. Some members of the minorities are also worried, as they are afraid of losing their jobs and have made their plans on the expectation that overt discrimination will continue. Thus, even if the reform is designed for the sake of the members of the minorities, they can share the feelings of disappointment with the employers. (It seems to me that Feinberg's discussion mistakenly suggests that if the members of a certain group are disappointed because of the reform then the members of a rival group cannot be disappointed as well.)

As applied to Scenario 1, the paradox of conservative justice is that it may seem correct to pass the law but it may also seem correct to respect people's expectations even if it is clearly impossible to do both. Described in this way, the paradox is a typical moral dilemma, understood as a situation in which an agent has conflicting moral obligations. It seems quite clear that the dilemmas that arise from the conflicting demands of conservative and ideal justice must be solved on a case by case basis. A person who is inclined to think that in cases such as the above the government should realize the plan and follow ideal rather than conservative justice may of course admit that in many other cases considerations based on conservative justice are much more important than those based on ideal justice. On the other hand, a person who is convinced that the government should not pass the law concerning minimum salaries need not think that conservative justice always overrides ideal justice.

Whether the demands of conservative justice are related to justice at all is a separate conceptual issue, but even if the demands of conservative justice are called “moral demands” or something similar, the conflict between two different demands remains. We may want to say that the proper name of the “paradox of conservative justice” would be the “dilemma of conservative justice”, but that would not affect the fact that considerations based on ideal justice tend to be in tension with the considerations based on conservative justice.

If we assume for the sake of argument that the goal of the government’s plan is faultless and acceptable in Scenario 1 and that the members of the minority groups do deserve better working conditions and so on, then it seems that the only plausible way to criticize the plan is to claim that there is something badly wrong with the *process* that would realize the plan. Of course, the argument that refers to the wrongness of rug-pulling and the importance of respecting people’s expectations is exactly this sort of criticism. The side-effect of the reform is loss and suffering. The argument for conservative justice does not aim to show that the demands of ideal justice are somehow mistaken or unjustified. (As said, the process outcomes may disqualify the reform but not its goal.) The argument merely claims that the demands of ideal justice should not be pursued. However, in political philosophy the argument for conservative justice has been much less popular than another argument that works in a similar fashion, that is, it may accept the goals of the reforms as unproblematic but concludes that, still, the goals should *not* be pursued. Let us briefly look at this popular argument that I will call the *risk argument against reforms* and compare it to the argument for conservative justice.

#### **4. On the Relevance of Empirical Issues**

Consider the logic of the argument for conservative justice. Roughly, when a particular political reform is criticized, the argument goes as follows. The opponents of the reform say: “People were unable to expect that the rules of the game will be changed and therefore the reform will spoil the plans of many people and bring about considerable suffering. It is morally wrong to spoil people’s plans and bring about considerable suffering. Therefore, the reform should not be realized (even if the existing order is unjust).” The argument consists of an empirical premise and of a normative premise. Both premises (and the reasoning) can of course be criticized. The defenders of the reform could say, for instance, that those who support conservative justice overemphasize the moral significance of respecting people’s expectations.

Let us now turn to the risk argument against reforms. Very roughly, when a particular political reform is criticized, the critics who rely on the risk argument against reforms argue as follows: “It is improbable that this (radical) reform can be realized successfully, and there are alternative options that would also improve things and could be easily realized. Because of the costs of a possible failure, it is morally wrong to pursue improbable outcomes, especially if there are alternative options that would also improve things and could be easily realized. Therefore, the reform should not be realized (even if the existing order is unjust and will remain unjust if the radical reform is not realized).” Like the argument for conservative justice, the risk argument against reforms consists of two premises, one empirical and one normative. Again, both premises (and the reasoning) can be criticized. The defenders of the reform could say, for instance, that it is morally wrong to be satisfied with cosmetic changes that will not remove injustices, granted that a possible failure of a major reform would not cause a catastrophe.

I do not want to attribute the risk argument against reforms to any particular authors – I guess it is quite commonly accepted in some circles – but I would like to mention that its

normative premise brings to mind the recent works of Pablo Gilabert and Holly Lawford-Smith on the notion of feasibility.<sup>1</sup> They do not claim that we should not have *long term* political goals that may seem to be quite unlikely to be realizable at the moment, and in this respect their argument is not particularly conservative or anti-reformative<sup>2</sup>. However, Gilabert and Lawford-Smith do argue (if I understood their reasoning correctly) that in “determining all-things-considered obligations”<sup>3</sup> of actual political agents we should put weight to feasibility considerations, which means that we should avoid actions that are “irresponsibly risky”<sup>3</sup> and choose political projects whose prospects of success are not highly improbable, especially if there are tolerable alternative projects whose demands can easily be met<sup>5</sup>. For me, this sounds very much like saying that it is morally wrong to pursue improbable outcomes if there are good alternative options (the normative premise of the risk argument against reforms).

I think that the close resemblance between the argument for conservative justice and the risk argument against reforms is interesting on its own right. However, the reason why I introduced the risk argument against reforms in this context is that the risk argument seems to reveal something important about the argument for conservative justice.

Consider how the risk argument against reforms is typically used. Suppose that a critical citizen suggests that the government should make a radical reform, say, concerning a health care system or education, and supports her claims with more detailed requirements. The response that she will probably receive will argue that her plan is “unrealistic” or “idealistic” or “utopian” and that the plan simply would not work. Pursuing the reform that she suggests would be simply a waste of resources. This reply is based on the empirical assumptions concerning what kinds of social arrangements are stable, accessible, and can be successfully realized within a reasonable time limit. It is quite obvious that the critical citizen does not share the empirical assumptions of her pessimistic critics, although she may very well share the normative point that the government should not use scarce resources in irresponsible ways and she may understand “irresponsible ways” in the same manner as her critics. The crucial and controversial premise in the risk argument against reforms is very often the *empirical premise*. This is not surprising, as it is quite difficult to see in advance what kinds of arrangements could work. (We have little information about the future probabilities, especially if such probabilities have been low in the past.) As Dennis Thomson and Adam Swift, among others, have pointed out, issues of stability, accessibility and probability require the expertise of social scientists and psychologists, for instance<sup>6</sup>. There are few philosophical methods that could solve questions concerning what can be done, and the more practical details are required the less relevant purely philosophical methods are. The risk argument against reforms is often contestable, because even the relevant experts disagree with each other. An additional point is that when the experts agree to a certain extent the politicians do not always trust in their judgment. They may feel that they know better than the “experts”.

In the literature concerning the argument for conservative justice the empirical premise of the argument is often taken for granted. I think that this is a mistake. I think that in real life cases the empirical premise of the argument for conservative justice is as controversial as is the empirical premise of the risk argument against reforms. That is, it can be a highly controversial issue whether people were unable to expect that the rules of the game will be changed. Suppose that “political reform” refers simply to the situations in which existing rules and practices (that give a shape for the ongoing social processes) are changed. Suppose also that “unfair rug-pulling” refers to the situations in which (1) a person has a plan whose success depends crucially on the fact that the existing rules and practices remain in place, (2) reform

implies that the rules and practices do not remain in place, (3) the person in fact believed that the rules and practices will remain in place when she made her plan, and (4) she did not have easy access to or there was no evidence that the rules and practices will not remain in place when she made her plan<sup>7</sup>. As far as I see, it follows that sometimes political reforms do involve large scale rug-pulling and sometimes not. It is unlikely that political reforms involve unfair rug-pulling on a large scale as a rule. Often it is a matter of discussion whether people have in fact believed that the existing rules and practices will remain in place and (if they have believed so) whether they did have easy access to evidence that would have shown that actually it is not unlikely that the rules and practices will not remain in place. I guess it is not uncommon that we could say for a person who did not have a clue that changes are quite likely that she should have known that they are likely and that she should have taken that fact into account when making her plans<sup>8</sup>. Of course, I do not want to deny that rapid institutional changes can be serious moral crimes. Surely they can. But I emphasize that when a political reform is criticized on the basis that it involves or will involve rug-pulling, an empirical claim is made, and that particular empirical claim should be supported by evidence.

A realization of a political reform does not as such show that now people's life plans have been suddenly and unfairly spoiled. Obviously, the circumstances that make the demands of ideal justice and the demands of conservative justice conflict may or may not exist. Following Ruth

Barcan Marcus we may say that a set of demands is consistent "if there are possible circumstances in which no conflict will emerge," and inconsistent "if there are **no** circumstances, no possible world," in which they all can be realized<sup>9</sup>. It follows that the demands of ideal justice and the demands of conservative justice are *not* inconsistent, as there *is* a possible world in which they both can be realized, namely the world in which reforms do not imply rug-pulling. Bernard Williams has made a similar point as Marcus by pointing out that demands can be in conflict because of the logic or because of the world<sup>10</sup>. When the demands of ideal justice and demands of conservative justice conflict *it is the world, not logic* that makes them conflict<sup>10</sup>. Their conflict is a contingent thing.

Consider the reforms made in agricultural policy of the European Union. Perhaps they are suitable targets of moral criticism because of their content, but it would be ridiculous to claim that the changes have hit the farmers like a bolt from the blue. Belligerent political negotiations have continued for years, and all the farmers in Europe should have realized that sudden changes are possible, even likely<sup>11</sup>. The content and timing of the changes may come as surprises, but if everyone knew or at least should have known well in advance that some kind of changes are likely, then they should have taken this into account. The talk about unfair rug-pulling does not apply. This example does not show that demands of ideal justice can be carried out without unfair rug-pulling, as it is unlikely that the reforms made have been based on (any conception of) ideal justice, but the example does show that political reforms need not involve unfair rug-pulling<sup>12</sup>. Therefore, political reforms that *are* based on (some conception of) ideal justice need not involve unfair rug-pulling.

It seems to me that Sidgwick, Feinberg and Simmons assume too strong a connection between political reforms and unfair rug-pulling. Remember that Sidgwick writes that the reconciliation between conservative justice and ideal justice is "the *chief problem* of political Justice" (Sidgwick 1962: 273). In his view we do not face the problem merely occasionally. Feinberg suggests that it is a very typical (if not the essential) feature of reforms that they will disappoint the expectations of one group or the other whose prior commitments were made in relying on the continuance of existent rules and practices. As already pointed out, in Feinberg's

view Sidgwick's paradox "confronts us at every turn" (Feinberg 1980: 257). This is an empirical claim, and in my view it is a false empirical claim. Feinberg admits that "the extent and degree" of the general reliance placed upon the existing practices varies (Feinberg 1980). My point is that in good many cases the extent and degree may be zero, and that the empirical claim that political reforms and unfair rug-pulling tend to go hand in hand is patently mistaken. Simmons' idea that institutional changes should be realized with "prior warning"<sup>12</sup> suggests that people are usually ignorant of the fact that something unexpected could happen in their political and economic environment, if there are no official announcements to inform them. But this is hardly the case, not at least in democratic societies that have a free press, the Internet and so on. In general, people know painfully well that all kinds of changes and reforms are possible, or even likely, although they may not know the content and timing of those changes and reforms<sup>13</sup>. (If "prior warning" provides information about the content of the reforms, *then* of course there is certainly use for such warnings.)

The main moral problem of political reforms is not that they tend to disappoint people's honest and reasonable expectations. The main problem of constant reforms is that they do not allow people to form long term plans. When there are no plans in the first place, the government certainly cannot spoil anyone's plans. When planning is impossible, so is rug-pulling, and the most effective way to prevent rug-pulling is to create a society that does not allow long term planning or that allows only plans that are extremely risky so that people cannot really complain if they fail to realize their plans. A precondition of planning is not that the existent rules and practices will remain in place. The precondition is that there is evidence available what is the content and timing of the possible forthcoming reforms. The evidence (which is very often easily available) that the rules and practices will *not* remain in place is not sufficient evidence for planning. Of course, *as such*, reforms are unproblematic – given that their content is unproblematic. But they are problematic when they prevent planning, and they do prevent planning when people cannot predict the content and timing of the forthcoming reforms.

Consider again the real life example mentioned above, the reforms made in agricultural policy of the European Union. The farmers do know very well that changes are likely, but they do not know what their content and timing is. This makes long term planning very difficult, if not impossible. Expensive investments are extremely risky, as there is no reason to think that the policy adopted now will be in place after a year or two. This is speculation, but I would say that the *lack of trust* in the continuance of existing policies is a global phenomenon that concerns not only developing countries and the post-soviet societies but also the most affluent countries of the world, including Australia and the United States. Why this is so is a difficult empirical question, and as a philosopher I can only conjecture what kinds of things might be relevant here. The bad governance may explain a lot, but the phenomenon of globalization – understood simply as a global economic pressure and interdependence – may be one of the root causes of the current uncertainty among citizens around the world. If this is so, then we have a good reason to fight against such economic pressure and interdependence or to reshape them so that they allow planning.

## 5. A Different Argument

I have argued that the connection between political reforms and unfair rug-pulling is coincidental and random. But I have not claimed that there is no strong connection between political reforms and disappointment. Consider *Scenario 2*. Again, members of ethnic

minorities work in low paid jobs. Due to racist biases and a lack of appropriate education, low paid jobs are all that they can get. Their salary is very low and many of them have to have two jobs in order to pay their rent and buy some cheap food. In the name of fairness, the government decides to pass a law that requires employers to pay a minimum salary to their employees. The goal is to improve the situation of the members of ethnic minorities and the means is the law reform that should give a sufficient incentive for the employers to reshape the working conditions. The government plans to allow only a few months to make the changes. Again, thousands of employers are unhappy, although the news does not surprise them. They argue that the reform would seriously harm them, as they would lose many of the benefits that the existing unjust order brings about to them. They point out that harming them is morally wrong, and they blame government on moral grounds. In their view, the government should not make the reform and cause disappointment for thousands of employers. Although they admit that the existing order is unjust, they point out that the overall costs of the reform would be so high that the reform simply is not morally justified.

Scenario 2 suggests that political reforms tend to cause frustration to some people – almost *always*. This is because political reforms tend to benefit some groups but not others or because the reforms benefit some groups more than other groups. But, of course, this fact has nothing to do with the argument for conservative justice. Obviously, the argument for conservative justice has potential normative force because certain suddenly realized institutional reforms disappoint – in the words of Henry Sidgwick – “normal and natural expectations” of people who have had good reasons to trust in political continuance (Sidgwick 1962: 293). The point of the argument for conservative justice is *not* to say that we should avoid political reforms and simply accept all social injustices, because those who benefit from injustices will be disappointed if we reshape an unjust social order and make the world a better place to live in.

Feinberg’s claim that “whichever judgment is reached it will be unfair to someone or other” (Feinberg 1980: 257) raises the worry that he does not really distinguish the argument for conservative justice from the argument presented in Scenario 2 – the argument that has nothing to do with the paradox of conservative justice and rug-pulling.

## 6. Concluding Remarks

I have argued that Sidgwick’s paradox can be seen as an instance of a typical moral dilemma, and understood as a situation in which an agent has conflicting moral obligations. The argument for conservative justice does not aim to show that the demands of ideal justice, whatever their true content, are somehow mistaken or unjustified. The argument merely claims that – because of moral costs – the demands of ideal justice should not be pursued. I argued that the assumption that it is a common feature of political reforms that they disappoint people’s reasonable expectations is empirically suspect, and that therefore the argument for conservative justice may not be as convincing as it may seem to be.

In a good society the degree of predictability of the content and timing of the changes in political and economic environment is high, because it allows people to make rational plans and brings about feelings of security. High degree of predictability does not imply stagnation. The citizens may have become so accustomed to certain types of political reforms (such as currency devaluation) that *not* making reforms would spoil people’s plans. The government that is known to react to obvious injustices with reforms need not make people’s lives particularly unpredictable.



There are ongoing economic and social processes (such as inflation and immigration) that are found to be so “natural” that their existence does not prevent long term planning. A responsible government which is interested in respecting people’s expectations should have a clear picture about those expectations, created not only by the government itself but also by the previous governments and many other societal actors. *In principle*, it is possible to avoid the problem Henry Sidgwick considered to be the chief problem of political justice.

### Acknowledgements

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### NOTES

- <sup>1</sup> Pablo Gilabert and Holly Lawford-Smith, “Political Feasibility: A Conceptual Exploration”, *Political Studies* 2012 (forthcoming); Pablo Gilabert, “The Feasibility of Basic Socioeconomic Human Rights: A Conceptual Exploration”, *The Philosophical Quarterly* 59 (2009), 659-681; Pablo Gilabert, “Comparative Assessments of Justice, Political Feasibility, and Ideal theory”, *Ethical Theory and Moral Practice* (forthcoming); Holly Lawford-Smith, “Understanding Political Feasibility” (manuscript).
- <sup>2</sup> Gilabert and Lawford-Smith say explicitly that what “may have very low accessibility now may turn out to be highly accessible in the future” (p. 13), and they also stress that there may be even a duty to “change circumstances so that new things can be done” (p. 3). “Political Feasibility: A Conceptual Exploration”.
- <sup>3</sup> Gilabert and Lawford-Smith, “Political Feasibility: A Conceptual Exploration”, 15.
- <sup>4</sup> Gilabert and Lawford-Smith argue that “one demand may be more desirable than another, but if the former is much less likely to be met than the latter, it may make more sense to pursue the latter” (p.11). However, they admit that “political demands whose prospects of success are highly improbable” may have *some* “prescriptive bite” (p. 11). “Political Feasibility: A Conceptual Exploration”.
- <sup>5</sup> Dennis Thompson, “Philosophy and Policy”, *Philosophy and Public Affairs* 14 (1985), 205-218, esp. 205; Swift, “The Value of Philosophy in Nonideal Circumstances”, *Social Theory and Practice* 34 (2008), 363-387, esp. 364; Simmons, “Ideal and Nonideal Theory”, 19.
- <sup>6</sup> This is meant to be a rough characterization of unfair rug-pulling, not a definition or anything like that. Notice that if we are to blame the reformers we may need to assume that the reformers or their predecessors (such as the previous government) are at least partly responsible for the fact that the person believes that the rules and practices will remain in place.
- <sup>7</sup> For a discussion, see e.g. Gideon Rosen, “Culpability and Ignorance”, *Proceedings of the Aristotelian Society* 103 (2003), 61-84; Michael J. Zimmerman, *Living with Uncertainty: The Moral Significance of Ignorance* (Cambridge University Press, Cambridge 2008).
- <sup>8</sup> Marcus writes about rules (not about “demands”). See her “Moral Dilemmas and Consistency” in C.W. Gowans (Ed.), *Moral Dilemmas* (Oxford University Press, New York 1980), 188-204, esp. 195.
- <sup>9</sup> Williams writes about obligations. See his “Ethical Consistency”, in C.W. Gowans (Ed.), *Moral Dilemmas* (Oxford University Press, New York 1980), 115-137, esp. 118. Williams’ paper was originally published in 1965.

<sup>10</sup>Of course, many people say that the reforms should have been much more radical than they have actually been.

<sup>11</sup>Here I assume that not allowing people to know the content of the forthcoming reforms does not count as "rug-pulling".

<sup>12</sup>Simmons, "Ideal and Nonideal Theory", 21. Simmons argues that "many" people think that prior warnings are necessary. He does not say that they are necessary. But on the basis of his text it seems for me that he accepts what "many" (in his view) think.

<sup>13</sup>This is an empirical claim, and I admit that the society was different in Victorian England.