

Deep Contextualism and Radical Criticism: The Argument for a Division of Labor

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Abstract:

Raymond Geuss has recently argued for a “realist” re-orientation of political theory. This argument is based on a devastating critique of what he calls the “ethics first”-approach, that is, an approach to politics that is essentially derived from, and thus tributary to, ethics. Geuss’s own account of realist political theory urges us to engage in two distinct activities: (1) embracing some form of deep contextualism and (2) exploiting the potential for radical criticism. This paper argues that these imperatives cannot be fully synthesized because they impose completely different requirements on the philosopher: the former forces the philosopher to immerse herself into the analysis of the real world so as to tailor her normative judgments to the particularities of the situation under scrutiny, while the latter might actually be served better if the principles of justice remained untainted by any considerations of the real world. To illustrate this claim about the structural incompatibility, I will start by unfolding a continuum of various positions in the debate about the relationship between deep contextualism and radical criticism. This continuum has at one extreme Michael Walzer’s notion of “immanent criticism”, and on the other extreme we can find G. A. Cohen’s suggestion that principles of justice should remain “fact-insensitive”. The final part of this paper suggests that we best conceive of deep contextualism and radical criticism not as mutually exclusive, but rather as reciprocally complimentary. This idea is encapsulated in the notion that we need a division of labor between idealizing and realist approaches to politics.

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"Ethics is usually dead politics: the hand of the victor in some past conflict reaching out to try to extend its grip to the present and the future."¹

"Forget, in other words, all the articles and monographs and introductory texts you have read over the years that may have socialized you into thinking that this is how normative theory should be done. Perform an operation of Brechtian defamiliarization, estrangement, on your cognition. Wouldn't your spontaneous reaction be: *How in God's name could anybody think that this is the appropriate way to do ethics?*"²

I. Introduction

What does it mean to ask from political theorists to be "more realist"? Evidently, it can mean a number of things in any given context. First, it can mean: be more practical, and less lofty, in the sense of applying theoretical insights to reality. Second, it can mean: take into account the facts upon which normative considerations are built so that the prescriptions are not overly demanding. Third, it can mean, already more precisely, that power and interest have to occupy a prominent place in any approach to politics. If we were to further narrow the meaning of "realism" by exploring what it is *not*, we would probably be tempted to say that it militates against abstract, idealizing and naïve interpretations of politics. Often, it is not entirely clear whether pleas for more realism reject all three, or only some of these interpretations, but this is not the issue here.³ On the most general, yet to be specified level, it suffices to state that realism is animated by a discontent with abstraction, idealization and naivety. In that sense, we can say that realist political theory intervenes into the flourishing debate about the plausibility of the ideal/non-ideal distinction.⁴

Undoubtedly, there must be more semantic layers to the notion of "realism", but for the purpose of this paper I will primarily stick to these three. More precisely, I shall engage with a particular tension that appears to be pervading some pleas for more realism in political theory. I am referring here to the tension between, on the one hand, the call for a

¹ Raymond Geuss, "Moralism and Realpolitik," in *Politics and the Imagination* (Princeton, N. J.: Princeton University Press, 2010), 42.

² Charles W. Mills, "'Ideal Theory' as Ideology," *Hypatia* 20, no. 3 (2005): 169.

³ Take, for example, Onora O'Neill's claim that, while idealization is problematic for political theory, abstraction cannot, and indeed should not, be avoided. See: Onora O'Neill, "Justice, Gender and International Boundaries," *British Journal of Political Science* 20, no. 4 (October 1990): 439-459.

⁴ This debate has been ignited by the influential distinction in Rawls's early work: John Rawls, *A Theory of Justice*, Revised Edition. (Cambridge, Mass.: Belknap Press of Harvard University Press, 1999), XXX. For some seminal texts in this debate see: Amartya Sen, "What Do We Want from a Theory of Justice?," *The Journal of Philosophy* 103, no. 5 (May 2006): 215-238; A. John Simmons, "Ideal and Nonideal Theory," *Philosophy & Public Affairs* 38, no. 1 (2010): 5-36.

realist grasp of politics, and, on the other hand, the need for transformation and change that such a realist grasp might bring about. This contradiction becomes evident once we realize that the refutation of abstract, idealizing and naïve interpretations of politics often entails a special kind of assessment of their ideological nature⁵: critics maintain that abstraction, idealization and naivety are not (only) signs of an innocent and idle exercise in the ivory tower of academia; rather they are presented as part and parcel of a conservative agenda. From this observation, they conclude that a realist re-calibration might also correct the predominance of this conservative agenda.

The issue, then, arises whether realist political theory can indeed be brought in conjunction with the project of radical criticism. Is the commitment to understanding the political world as it is perhaps even an impediment to criticizing it for violating a standard of how it could, or should, be? Can it be in the proper interest of Critical Theorists to press for a more realist approach to politics, given that intuitively we locate the resources for radical criticism in a gesture of distancing oneself from the object of critique?

These are, of course, very challenging questions that look menacing enough to undercut any serious attempt at answering them. However, I take them as forming a nagging doubt that shall drive the upcoming reflections. In this paper, I am not so much interested in the, otherwise certainly important, problem whether the criticism of ideal theory as such is warranted or not. Rather, I will address the above-mentioned tension between, what I will call, deep contextualism and radical criticism *from the inside* of those theories that argue for a re-calibration of political theory, by exploring the conditions under which realist political theory can indeed live up to its critical vocation.

The main author I want to grapple with is Raymond Geuss. Geuss has, over the last couple of years, issued a rather harsh verdict on how political theory operates today. Most of Geuss's writings on this topic deal with what he considers a lamentable shift in political theory towards moralizing or moralistic approaches. However, these writings do not only address the nature of political theory by questioning the way in which political theorists see the object of their inquiry; they are also contributions to the ongoing debate over the directions in which Critical Theory should move in the future. In that sense, I hope this essay also contributes to a better understanding of some current trends in Critical Theory.

⁵ See notably: Mills, "'Ideal Theory' as Ideology."

The structure of the paper is the following: In section II, I attempt to reconstruct Geuss's diagnosis of, and antidote against, such moralizing or moralistic strands in political theory.⁶ I then single out a fault-line in Geuss's proposal that emerges from two requirements inherent in his view of realist political theory: between an emphasis on taking the world as it is and an emphatic call for transformation and change. I shall claim that Geuss's conceptualization of this tension is insufficiently theorized, for it does not offer an account of how these requirements can be moderated. In the following section (III), I introduce two alternatives to Geuss's proposal that point at opposing extremes as regards the relation between contextualism and criticism. The first, deeply contextualist alternative is the "immanent criticism"-option according to which the standard of judgment should be generated from a conversation with the community in which the theorist/critic operates (Michael Walzer). The second, radically critical alternative is the "fact-insensitivity"-option of distinguishing as sharply as possible between ideal principles of justice and the muddled waters of the political world (G. A. Cohen). The purpose of the contrast between Walzer and Cohen is to unfold a continuum of possible positions between which Geuss's proposal should find a footing.

The final part of the paper (section IV) argues that realist political theory cannot have it both ways: deep contextualism and radical criticism. In the last instance, realist political theory needs to make a decision, geared towards the specificity of a particular situation, whether to prioritize its deeply contextualist or its radically critical inclinations. This means that some sort of trade-off becomes inevitable: one can steer realist political theory in the direction of a deeply contextualist engagement with the "non-ideal" world, but only at the expense of giving up radical critique: and one can, of course, steer realist political theory in the direction of a radically critical attitude towards the "non-ideal" world, but only at the expense of sacrificing deep contextualism. While both directions offer interesting perspectives, they cannot, or so I shall argue, be fully synthesized. I shall propose that, all things considered, some division of labor between these perspectives is what we need. This implies that only an analysis of the particular situation permits a judgment as to whether deep contextualism or radical criticism is more appropriate.

⁶ In this paper, I will mainly focus on the following books by Geuss: *History and Illusion in Politics* (Cambridge, U. K.: Cambridge University Press, 2001); *Philosophy and Real Politics* (Princeton, N. J.: Princeton University Press, 2008); *Politics and the Imagination* (Princeton, N. J.: Princeton University Press, 2010); *Outside Ethics* (Princeton, N. J.: Princeton University Press, 2005). My main focus, however, will lie on *Philosophy and Real Politics*, in which Geuss articulates his position in the most comprehensive manner. In this effort I have greatly benefitted from the early discussion of Geuss's realism in: Glyn Morgan, "The Realism of Raymond Geuss," *Government and Opposition* 40, no. 1 (2005): 110-120.

II. Geuss's Realism: Deeply Contextualist and/or Radically Critical?

In this section, I summarize the main contours of Geuss's vision of political theory today. It is important to note from the outset of this summary that most of Geuss's claims are deliberately sweeping: The author clearly does not aim at a detailed, fine-grained analysis of this or that text, although he channels at a later stage much of his anger at Robert Nozick and John Rawls; rather, Geuss wishes to launch a frontal attack on what he believes to be a dangerous development in political theory today. If we want to understand, and eventually assess, this attack, we therefore need to apply a principle of interpretive charity and initially grant Geuss's claims plausibility.⁷ Yet, interpretive charity also requires us to grapple with Geuss as someone who is, perhaps even against his own will, involved in a project of reasoning and deliberation that is accessible to others. This reminder, while sounding superfluous to some, is necessary precisely because Geuss has lately indicated he would prefer to retreat from intellectual encounters in the academe altogether.⁸

However, before we reach Geuss's positive suggestions, we have to take a look at his destructive work. The destructive part of the project is directed against a particular view of political theory that can be distilled in the phrase "ethics first". This phrase means that political theory is, in its current configuration, essentially conceived of as a branch or subdivision of ethics or moral philosophy. The following paragraph brings this point to the fore:

⁷ One consequence of this principle is to refrain from an all-too easy, yet very tempting, line of criticism: On my account, it is of little value to show where Geuss's reading of Nozick or Rawls has gone wrong. There is certainly some (limited) merit to debunking straw-men, but this cannot be my goal in this paper. Such a line of criticism might even miss a crucial point about the addresses of Geuss's proposal. At the beginning of the book, Geuss states that he does not intend to convince people who already have settled their opinion on how political theory needs to be undertaken; rather his aim is to address those who have had some doubts about the way mainstream political theory operates today. (Geuss, *Philosophy and Real Politics*, 18.) For some reviews that nevertheless bring up the charge that Geuss approach pays insufficient attention to the complexity of the mainstream see: Samuel Freeman, "Raymond Geuss, *Philosophy and Real Politics*," *Ethics* 120, no. 1 (October 1, 2009): 175-184; Thomas Hurka, "Raymond Geuss - *Philosophy and Real Politics*," *Notre Dame Philosophical Reviews*, January 19, 2009, <http://ndpr.nd.edu/review.cfm?id=15086>. For a more charitable reading, to which I would largely subscribe, see: Patchen Markell, "Books in Review: *Philosophy and Real Politics* Princeton, by Raymond Geuss," *Political Theory* 38, no. 1 (February 1, 2010): 172-177.

⁸ See the following, almost unbearably bleak passage: "So the experience I have of my everyday work environment is of a conformist, claustrophobic and repressive verbal universe, a penitential domain of reason-mongering in which hyperactivity in detail -the endlessly repeated shouts of 'why,' the rebuttals, calls for 'evidence,' qualifications and quibbles - stands in stark contrast to the immobility and self-referentiality of the structure as a whole. I suffer from recurrent bouts of nausea in the face of this densely woven tissue of 'arguments,' most of which are nothing but blinds for something else altogether, generally something unsavory; and I feel an urgent need to exit from it altogether. Unsurprisingly, Plato had a name for people like me when I am in this mood: *misovlogos*, a hater of reasoning." (Raymond Geuss, "A World without Why?," *The Point Magazine*, Winter 2010, <http://www.thepointmag.com/archive/a-world-without-why/>.)

“‘Politics is applied ethics’ in the sense I find objectionable means the we *start* thinking about the human social world by trying to get what is sometimes called an ‘ideal theory’ of ethics. This approach assumes that there is, or could be, such a thing as a separate discipline called Ethics which has its own distinctive subject-matter and forms of argument, and which prescribes how humans act toward one another. It further assumes that one can study this subject-matter without constantly locating it within the rest of human life, and without unceasingly reflecting on the relations one’s claims have with history, sociology, ethnology, psychology, and economics.”⁹

What is problematic about this view is that it fundamentally misconstrues, albeit on purpose, how the political world is organized. The “ethics first”-approach, thus, commits an epistemic error when it claims precedence over other approaches, for it treats political problems as if they were ethical in nature. This misunderstanding of politics is premised on idealization: the “ethics first”-approach strips the political world from both history and culture so as to formulate principles of justice that are neither historically nor culturally grounded.¹⁰ Political action is then assessed in terms of living up to or at least approximating principles that had been laid out beforehand by ethics. In Bonnie Honig’s words, we might dub this the “displacement” of politics from political theory.¹¹ Genealogically, Geuss identifies the “ethics-first”-approach’s origin with the philosophy of Kant. This leads to the conclusion that contemporary discussions in political theory unfortunately remain under the spell of Kantianism. While it is not always obvious who would count as a member of the “ethics first”-group, it is beyond any doubt that Geuss sees John Rawls among its main proponents.¹²

Turning to Geuss’s positive outlook on political theory, we can identify four theses: political theory has to be (1) realist, (2) action-oriented, (3) historically located, and (4) receptive to politics as an art or craft. Each of these characteristics entails a criticism of mainstream political theory with its “ethics first”-approach. Realism, certainly the list’s most important feature, implies that political theory needs to primarily look at the results political agency generates: what matters most in politics is not the guiding ideal to be followed, but the effective motivation to attain a certain goal. A consequence of such realism is a general mistrust towards any other kind of declarations of goodwill:

⁹ Geuss, *Philosophy and Real Politics*, 6-7.

¹⁰ Raymond Geuss, “Neither History nor Practice,” in *Outside Ethics* (Princeton, N. J.: Princeton University Press, 2005), 29-39.

¹¹ Bonnie Honig, *Political Theory and the Displacement of Politics* (Ithaca, N. Y.: Cornell University Press, 1993).

¹² This idea is particularly present in the essay: Raymond Geuss, “Liberalism and Its Discontents,” *Political Theory* 30, no. 3 (June 2002): 320-338.

“(A) political philosopher cannot take ideals, models of behaviour, or utopian conceptions at their own face value. (...) A realist can fully admit that products of the human imagination are very important in human life, provided he or she keeps a keen and unwavering eye upon the basic motto *Respice finem*, meaning in this case (...) ‘Don’t just look at what they say, think, believe, but at what they actually do, and what actually happens as a result.’”¹³

Related to this claim is the focus on action, broadly construed. Here, Geuss does not propose a narrow definition of “action” in terms of deeds as opposed to words. Instead, he makes use of some crucial insights from the theory of speech acts so as to clarify that words can be, and often are, deeds in politics.¹⁴ But, again, words are significant to political theory only to the extent that they actually are deeds. The third point relates to the historical and cultural embeddedness of all political action. Political action always happens at a certain time and space, and if this fact is not reflected in attempts to theorize politics, something essential about political action will get lost. One upshot of this idea is that political theory of the “ethics first”-variety stretches the limits of due abstraction too much:

“(I)t simply turns out as a matter of fact that excessive generalising ends up not being informative. There are no interesting ‘eternal questions’ of political philosophy. It is perfectly true that, if one wishes, one can construct some universal empirical truths about human beings and the societies they form, e.g., it is correct that people in general try to keep themselves alive and that all human beings have had to eat to eat to survive, and that this has imposed various constraints on the kind of human societies that have been possible, but such statements, taken on their own, are not interestingly informative. (...) If one wants understanding or any kind of guidance for action, one will have to take the specific cultural and historical circumstance into consideration.”¹⁵

The last thesis Geuss wishes to defend so as to strengthen the profile of his proposal builds on the former characteristics. If politics is about agency within a particular set of cultural and historical institutions, it follows that strict principles, which remain independent of time and place, are incapable of structuring agency. What is needed in an environment of changing demands of agency is a conception of politics that is, metaphorically speaking, closer to creative practices than to the hard sciences. In this respect, Geuss positions his

¹³ Geuss, *Philosophy and Real Politics*, 10.

¹⁴ Geuss has over the years established close intellectual ties with members of the “Cambridge school”, such as Quentin Skinner and John Dunn. Their employment of the theory of speech acts in the context of understanding political thought, thus, bears a resemblance to Geuss’s approach. See: Quentin Skinner, “Meaning and Understanding in the History of Ideas,” *History and Theory* 8, no. 1 (1969): 3-53; “Conventions and the Understanding of Speech Acts,” *The Philosophical Quarterly* 20, no. 79 (April 1970): 118-138; “On Performing and Explaining Linguistic Actions,” *The Philosophical Quarterly* 21, no. 82 (January 1971): 1-21; “Motives, Intentions and the Interpretation of Texts,” *New Literary History* 3, no. 2 (Winter 1972): 393-408.

¹⁵ Geuss, *Philosophy and Real Politics*, 13-15.

outlook clearly in a line with judgment-based approaches to politics, from Aristotelian *phronesis* to Arendtian *Urteilkraft*.

This general characterization is then accompanied by more specific explorations of the tasks of political theory in a realist vein. The question Geuss wants to answer is: to what ends can realist political theory be employed? The point in this exercise is, of course, to show that these ends cannot be reached by the “ethics first”-approach and that realist political theory has a comparative advantage over its competitor. Here, Geuss distinguishes between five activities: (1) understanding, (2) evaluation, (3) orientation, (4) conceptual innovation, and (5) ideology. Of these activities the tasks of evaluation and orientation deserve the most attention, for they appear, at first sight, contradictory to the very idea of realist political theory. (Furthermore, understanding politics is intuitively one of the areas where realism must necessarily excel in comparison with more abstract, idealized and naïve approaches.) Sometimes realism, for example in international relations, is taken to be inimical to any form of guidance or coordination: it is primarily about getting the facts about power and its outlets right. However, this is clearly not the kind of realism Geuss embraces.¹⁶ From what has been said so far it must be clear that realism does not abstain from issuing and defending particular judgments. On the contrary, deliberating and deciding about what should be done is an important and unavoidable activity in which political theorists should be involved.¹⁷ Evaluative measures – judgments as to what should be done – are, thus, included in this version of realism. What is, however, distinctive in Geuss’s conception of evaluation is that it categorically rejects any identification of such evaluation with moral judgment:

“It is an assumption that there is always one single dimension of assessing persons and their actions that has canonical priority. This is the dimension of moral evaluation; ‘good/evil’ is supposed always to trump any other form of evaluation, but that is an assumption, probably the result of the long history of the Christianisation and then gradual de-Christianisation of Europe, which one need not make. Evaluation need not mean moral evaluation, but might include assessments of efficiency (measured in one or another of varying ways), simplicity, perspicuousness, aesthetic appeal, and so on.”¹⁸

¹⁶ Morgan has coined the term “ideational realism” to adequately describe Geuss’s project. See: Morgan, “The Realism of Raymond Geuss,” 112-114.

¹⁷ This view of evaluation is compatible with a certain understanding of value pluralism. Historically, we might associate Geuss’s view of evaluation with Machiavelli’s *Prince*, interpreted through Isaiah Berlin’s lens. See: Isaiah Berlin, “The Originality of Machiavelli,” in *The Proper Study of Mankind: An Anthology of Essays*, ed. Henry Hardy and Roger Hausheer (London: Chatto & Windus, 1997), 269-325.

¹⁸ Geuss, *Philosophy and Real Politics*, 39.

If evaluation and orientation in a variety of ways are recognized as tasks that realist political theory must be able to fulfill, we might ask how this can be achieved in more concrete terms. Geuss suggests two areas in which realist political theory fares particularly well: conceptual innovation and ideology critique. Conceptual innovation can help people make sense of new and unforeseen situations, which makes it an enterprise in which political theorists can be engaged constructively. As an example, Geuss draws attention to the notion of “the state”, which became useful as a means to describe a particular form of authority that could not have been conceptualized with the tools of medieval political thought. However, in describing an emergent regime type as “the state”, political theorists did not simply mirror an existing reality; they also created a certain semantic category that contributed to the “material” emergence of the state. At the same time, Geuss insists that he does not propose an excessively constructivist thesis according to which the notion of “the state” brings into being the institution of “the state”, as if the words contained some magic. Rather, he sees the interplay of linguistic and material factors in a thoroughly dialectical fashion: for a conceptual innovation like “the state” to be successful, a number of preconditions need to be met, both on the level of the concentration of power and on the level of wording.¹⁹ This aspect makes his theory intuitively more plausible than excessively constructivist approaches.²⁰

The last function of realist political theory has to do with ideology, understood here largely as “false consciousness”²¹. Geuss believes that political theory cannot escape a somewhat uneasy relationship with ideology. This is the case because, on Geuss’s view, nothing can ever escape ideology completely. Generally, he distinguishes between two ways how this relationship can be fleshed out: On the one hand political theory can grapple with ideological formations in a critical manner, thereby striving to combat illusions arising from “false consciousness”; on the other hand, political theory might also play, wither consciously or by mistake, an instrumental role in consolidating ideological formations, for example by diverting attention from the most crucial issue. Facing a choice between these two options, it is evident that Geuss favors the ideology-critical variant of

¹⁹ Ibid., 42-50.

²⁰ For a concise introduction to the topic of social constructivism see: Ian Hacking, *The Social Construction of What?* (Cambridge, Mass.: Harvard University Press, 1999).

²¹ Geuss’s somewhat canonical definition of ideology is the following: “An ideology, then, is a set of beliefs, attitudes, preferences that are distorted as a result of the operation of specific relations of power; the distortion will characteristically take the form of presenting these beliefs, desires, etc., as inherently connected with some universal interest, when in fact they are subservient to particular interests.” (Geuss, *Philosophy and Real Politics*, 52.)

political theory according to which it is one of the most noble activities of an intellectual to uncover the particular dressed up as universal.²²

What is vital for the ideology-critical variant of political theory is that it acknowledges the ubiquity of power. Here we find the most fundamental building block of Geuss's theory: Since any society is pervaded by power structures, we need political theory, at the minimum, to be sensitive to this fact. On Geuss's account, the "ethics first"-approach is highly problematic precisely because it pretends these power structures can be bracketed through some hypothetical device, like Rawls's "original position". Such bracketing might be possible as a thought experiment in the ivory tower, but it is of little use in terms of understanding politics:

"To think that an appropriate point of departure for understanding the political world is *our* intuitions of what is 'just,' *without* reflecting on where those intuitions come from, how they are maintained, and what interests they might serve seems to exclude from the beginning the very possibility that these intuitions might themselves be 'ideological.' Even, however, if one wished to have no truck with any concept of 'ideology,' one might find it highly peculiar to present what is supposed to be a reasonably overview of any social and political system without giving any explicit attention to the relations of power that exist in that system, and the way power can influence thought, feeling, and evaluation."²³

The claim defended in this passage is that willful ignorance or persistent inattentiveness to the ubiquity of power constitutes more than a lack of imagination on behalf of the "ethics first"-approach. It poses an imminent danger to political theory because any form of critique needs to start from acknowledging the ways in which power is organized in a given society. Therefore, abstract, idealizing and naïve styles in political theory automatically become suspicious from the point of view of ideology-critique. The realistic approach advocated by Geuss remedies this predicament because it concentrates from the beginning on understanding power structures in their manifold manifestations.

This raises the question whether Geuss has something more substantial to say about the concrete analysis of power structures: what alternatives would be advisable if Geuss's approach were successful? The challenge of positively modeling alternatives obviously

²² Part of the explanation why probably everybody would choose the ideology-critical variant is that Geuss seems to suppose a clear dichotomy: either criticism or complicity. This dichotomy follows from the assumption that ideology is ubiquitous – there is just no escaping it, for better or worse. Hence the need to take sides.

²³ Geuss, *Philosophy and Real Politics*, 90-91.

strikes at the heart of this proposal, for it cannot be denied that Geuss's account of realism, albeit being inherently adverse to abstract, idealizing and naïve forms of reasoning, remains at a considerable distance from the muddled waters of politics. Thus, Geuss adds the following remark so as to clarify his understanding of critique:

“(A)ny society has a tendency to try to mobilize human inertia in order to protect itself as much as possible from radical change, and one main way in which this can be done is through the effort to impose the requirement of ‘positivity’ or ‘constructiveness’ on potential critics: you can’t criticise the police system, the system of labour law, the organization of the health system, etc., unless you have a completely elaborated, positive alternative to propose. I reject this line of argument completely: to accept is to allow it to impose a theoretically unwarranted burden of positive proof on any potential critic.”²⁴

The crucial phrase in this passage is “radical change”. Geuss wants political theory to be at least potentially concerned with reflecting how such “radical change” to the status quo can be achieved. In response to those who might be interested in a positive, constructive articulation of what would follow from his critique, Geuss tries to preempt precisely the same objection that Habermas had raised against Foucault: that of harboring “cryptonormative” pretensions.²⁵ The objection says that any appeal for radical change remains hollow until it is worked out in concrete terms; the (radical) critic is, thus, obliged to spell out which institutions or practices she prefers to those she considers deficient.²⁶ For Geuss, such an understanding of positive, constructive critique is deeply flawed. Remaining committed to “radical change” implies disregarding calls for positive, constructive engagement. “Radical” here means that sometimes no thought should be spent on what consequences would ensue if the critique were successful and the *status quo* abandoned.

To summarize: Geuss attempt at luring political theory away from the “ethics first”-approach involves two major steps. The first is to urge political theorists to take the world “as it is” more seriously. Such a disenchanting view is, naturally, beneficial to a better understanding of agency under non-ideal conditions; it will, moreover, enhance political theory’s capacity to provide evaluation and orientation, tailored to the specificity of the

²⁴ Ibid., 96.

²⁵ Jürgen Habermas, “Some Questions Concerning the Theory of Power: Foucault Again,” in *The Philosophical Discourse of Modernity: Twelve Lectures* (Cambridge, Mass.: MIT Press, 1987), 266-293.

²⁶ For a detailed interpretation of the debate see: Matthew King, “Clarifying the Foucault-Habermas debate: Morality, ethics, and ‘normative foundations’,” *Philosophy & Social Criticism* 35, no. 3 (March 1, 2009): 287-314. For a more general engagement with Foucault from the point of view of Critical Theory see: Stephen K. White, “Foucault’s Challenge to Critical Theory,” *The American Political Science Review* 80, no. 2 (June 1986): 419-432.

particular situation. Call this the “contextualist imperative”. The second step that strikes me as essential in Geuss’s argument is related to the potential for radical criticism. Since political theory entertains a somewhat ambiguous relationship with ideology, it must strive to become a force of resistance, questioning the way power structures are organized in any given society. This might be dubbed the “critical imperative”.

Discussing these two steps, and especially how they are connected with each other, will be the main interest of the following pages. This interest is triggered by what I perceive, *prima facie*, as a considerable problem in Geuss’s proposal: it lacks a clear articulation of how the twin goals of contextualism and criticism can be united under a single umbrella, or, if they cannot be synthesized in a satisfactory fashion, which imperative should be given priority. It appears unambiguous to me that there is a tension inherent to the conception of political theory as both deeply contextualist and radically critical. While contextualism requires an in-depth analysis of a particular situation so as to devise prescriptions that are valuable in terms of evaluation and orientation, criticism is in some sense predicated upon a disregard for positive, constructive engagements with the world “as it is”.

To illustrate this tension let us scrutinize (rather superficially) one of the principal ideas introduced in John Rawls’s later work. Rawls saw a similar difficulty arising from the tension between contextualism and criticism, but he offered a peculiar solution that might not be compatible with Geuss’s view. In his discussion of the scope of global justice, Rawls envisions the project in the seemingly oxymoronic terms of a “realistic utopia”. This phrase is meant to convey the intuition that ideal theory needs to simultaneously satisfy the conditions of general feasibility (hence be “realistic”) and of transforming the circumstances of justice (hence be “utopian”).²⁷ The purpose of this conjunction is to show that we must establish a middle position between the *status quo* and an imaginary place without any association with reality. Now, this is one possible way to conceive of the relationship between contextualism and criticism – by endorsing a middle position that remains in equidistance to the extremes at both ends of the spectrum.

Rawls’s idea has, unsurprisingly, been rejected due to precisely this plea for a middle position. Accordingly, the proposal for a “realistic utopia” has been accused of being either

²⁷ John Rawls, *The Law of Peoples; with, The Idea of Public Reason Revisited* (Cambridge, Mass.: Harvard University Press, 1999), 6.

insufficiently utopian²⁸ or insufficiently realistic²⁹. These objections cannot surprise given that Rawls refutes extreme utopianism as well as extreme realism in international relations. But it is much less clear what Geuss's verdict would be, or perhaps it is more correct to assume that his verdict would be wavering between two contradictory statements. Since Geuss wants political theory to be oriented towards deep contextualism as well as towards radical criticism, he would probably be forced to conclude that Rawls's idea is at the same time too utopian and too realistic: too utopian because it refuses to accept the fact that states are the main actors in international relations; and simultaneously too realistic because it reflects on global justice with a view to offer alternatives that are actually viable.³⁰

While I do not believe that contradictions like this are always fatal for a theory, the tension between deep contextualism and radical criticism poses indeed a challenge to Geuss's proposal that can hardly be overestimated. This is largely the case because it concerns two fundamental aspects of the theory without which something crucial would definitely get lost. The next section, therefore, explores alternative readings of the relationship between contextualism and criticism that differ quite strongly from Geuss's. The purpose of this contrast is to bring into relief the conceptual terrain within which Geuss has to locate his proposal. This contrast shall eventually assist us in getting a grasp on how an alternative to Rawls's "realistic utopia" might look like.

III. Unfolding the Continuum: From "Immanent Criticism" to "Fact-Insensitivity"

The two authors I want to discuss in this section envisage the relationship between contextualism and critique in a completely different light. Michael Walzer, on the one hand, conceptualizes the activity of social criticism in a way that puts special emphasis on the connection of the critic with the society in which she operates. G. A. Cohen, on the

²⁸ Christian Arnsperger, "What is Utopian about the Realistic Utopia?. Relocating Rawls in the Space of Normative Proposals," *Revue Internationale de Philosophie* 237, no. 3 (2006): 285-300.

²⁹ Colin Farrelly, "Justice in Ideal Theory: A Refutation," *Political Studies* 55, no. 4 (2007): 844-864.

³⁰ It seems, though, that Geuss is aware of this problem in his theory, for he includes in the preface of his latest book a passage that raises similar doubts to the ones presented here. However, nowhere in the book can we find answers to the following questions: "Effective engagement in the political sphere requires not merely that we see how things really stand, but also that we understand, and perhaps even to some extent sympathize with, the way in which others see them, even if they are deluded, and we know they are deluded. How is it possible to be realistic without getting caught up in the web of powerful fantasies which our society spins around us? How can one get the appropriate imaginative distance from one's own society, its practices, norms, and conceptions? What is the 'appropriate' distance? 'Appropriate' in what sense; for what? What are the possibilities, and what the limits of criticism?" (Geuss, *Politics and the Imagination*, x.)

other hand, proffers a view of justice that is “fact-insensitive” so as to discover principles that can be enlisted to uncover injustices in the real world. Both philosophers, while disagreeing on almost anything else, articulate a discontent with precisely the kind of political theory attacked by Geuss. Not only Walzer, but also Cohen believes that the project of a “realistic utopia” is bound to fail. I will discuss their respective arguments with a view to establish alternative routes leading away from Rawls. This shall help us in getting a clearer picture of the challenges that Geuss’s proposal faces.³¹

In *Interpretation and Social Criticism*, Walzer distinguishes between three paths in moral philosophy: discovery, invention and interpretation.³² The first path, discovery, is one where the moral philosopher receives her ideas from the outside of those communities at which these ideas are directed. The classical example for this path is the revelation of the commandments to Moses. However, there are also secular versions of this revelatory process, such as the insistence that certain inalienable rights can be anchored in human nature, detached from a particular time or space. Thus, some strands in the philosophy of human rights tread the path of discovery so as to seek a fundament.

The second path, invention, starts from the assumption that rules of human interaction cannot simply be discovered – they need to be constructed for the purpose of guiding collectives. The difference to the path of discovery is that the moral philosopher makes use of some hypothetical device or thought experiment so as to generate principles of justice. Prime instances of the path of invention can be found in the “veil of ignorance” (Rawls) or the “ideal speech situation” (Habermas). The underlying intuition is that no external creator is needed in order to produce rules of human interaction; instead, the application of the appropriate method alone will lead to the right kind of results. However, and this is a crucial facet of many such hypothetical devices and thought experiments, the individuality of those who contribute to the constructive process gets effaced. Individual

³¹ A disclaimer appears necessary here: I believe I do not need to offer any original, or even fully adequate, interpretation of Walzer or Cohen because my primary goal in this part of the paper is to draw an instructive contrast so as to unfold a continuum of possible positions in the debate about the relationship between realism and criticism.

³² Michael Walzer, *Interpretation and Social Criticism* (Cambridge, Mass.: Harvard University Press, 1987). Walzer has also written a book in which he discusses the biographies of several 20th century intellectuals with a view to establish their particular understanding of social criticism. In this collection, some fare better (e.g. George Orwell) and some fare worse (e.g. Herbert Marcuse) against the criterion of “connectedness”. See: Michael Walzer, *The Company of Critics: Social Criticism and Political Commitment in the Twentieth Century* (New York: Basic Books, 1988). For an in-depth analysis of Walzer’s account of social criticism, and how it is tied to his conceptualization of political participation see: Tyler T. Roberts, “Michael Walzer and the Critical Connection,” *The Journal of Religious Ethics* 22, no. 2 (Fall 1994): 333-353. Mitchell Cohen, “Should We Trust Intellectuals?,” *Common Knowledge* 16, no. 1 (January 1, 2010): 7-21.

standpoints disappear in the course of inventing principles of justice. Such is the very purpose of impartial procedures. The path of invention, thus, accentuates human agency, but only to the extent to which it can help generate principles of justice that abstract from the individuality of those involved.

Walzer identifies a third path of moral philosophy that breaks with both discovery and invention: that is the path of interpretation. Moral philosophy as interpretation conceives of the activity of social criticism as embedded in, and dependent on, society:

“We don’t have to discover the moral world because we have always lived there. We don’t have to invent it because it has already been invented — though not in accordance with any philosophical method. No design procedure has governed its design, and the result no doubt is disorganized and uncertain. It is also very dense: the moral world has a lived-in quality, like a home occupied by a single family over many generations, with unplanned additions here and there, and all the available space filled with memory-laden objects and artifacts. The whole thing, taken as a whole, lends itself less to abstract modeling than to thick description. Moral argument in such a setting is interpretive in character, closely resembling the work of a lawyer or judge who struggles to find meaning in a morass of conflicting laws and precedents.”³³

Social criticism of this variety is an activity that can only be pursued once the moral philosopher sees herself in a significant connection to the society she addresses. In opposition to the heroic model of the social critic as someone who rejects a community’s values *tout court* – nicely embodied by Jean-Paul Sartre and by Herbert Marcuse – Walzer praises the “connected” intellectual for exercising her duty to participate in the political debate, through difficult and upsetting encounters with her fellow citizens. Absolute detachment is no virtue: If the critic does not speak the language of those at whom her discourse is addressed, the intervention will have no effect. Shared understandings and interpretations of what is valuable in a society, hence, form the basis upon which the social critic stands.

One upshot of this is that certain epistemic requisites of intellectual interventions become obsolete. Intellectuals do not have to obtain and secure access to a special kind of knowledge if they wish to become social critics. All they need is an ability to continuously interpret the given set of ideals governing a specific society. Thus, Walzer rejects the idea that a vanguard is called upon to make moral and political change happen. Rather, he endorses a conception of social criticism that moves it closer to the expression of everyday

³³ Walzer, *Interpretation and Social Criticism*, 20.

grievances: "Social criticism is less the practical offspring of scientific knowledge than the educated cousin of common complaint."³⁴ The historical heroes in this story are the prophets of the Bible, like Amos, who articulate their concerns by appealing to values that are already alive, if perhaps somewhat invisible, in the community.

This emphasis on the connectedness of social criticism naturally invites a doubt about distance: how far should the critic be away from society if absolute detachment is in fact detrimental to her activity? The obvious danger in any conception of social criticism that singles out the embedded intellectual as a model is that injustices might be overlooked because they are so entrenched in a community's way of life. If shared understandings of what is valuable in a society are a precondition for effective social criticism, how much commitment to these communal values is minimally necessary? Arguably, if the intellectual becomes too involved in what is commonly seen as valuable, she will lose her critical edge. By focusing primarily on what is actually considered good in a given context, "adaptive preference formation"³⁵ might not be excluded. This means that the critic's standards of evaluation become so enmeshed with what she aims to reform that any appeal to ideals of justice becomes useless. Using Walzer's own metaphor, the critic might feel so attached to the home she was supposed to rearrange that she ends up dusting off the old furniture.³⁶

This danger is one of the motivating forces behind a diametrically opposed approach to the relationship between contextualism and criticism. Perhaps the most radical position can be found in G. A. Cohen's work. Cohen defends the view that morality needs to be conceived of as "fact-insensitive"³⁷. The conception of justice against which he positions this view is the constructivism of John Rawls, or, in Walzer's taxonomy, the path of invention in moral theory. Cohen intends to show that a "*principle can reflect or respond to a fact only because it is also a response to a principle that is not a response to a fact.*" To put

³⁴ Ibid., 65.

³⁵ Andrew Mason, "Just Constraints," *British Journal of Political Science* 34, no. 2 (April 2004): 253.

³⁶ Walzer has, hence, been criticized from both feminist and postcolonial authors for romanticizing the communal values of a "home" whose very groundwork might actually be rotten. See: Seyla Benhabib, "Feminism and Postmodernism: An Uneasy Alliance," in *Feminist Contentions: A Philosophical Exchange*, ed. Seyla Benhabib et al. (New York: Routledge, 1995), 17-34; Lawrie Balfour, "The Appeal of Innocence: Baldwin, Walzer, and the Bounds of Social Criticism," *The Review of Politics* 61, no. 3 (Summer 1999): 373-401.

³⁷ This view was first spelled out in an article and then later developed in Cohen's last book. See: G. A. Cohen, "Facts and Principles," *Philosophy and Public Affairs* 31, no. 3 (Summer 2003): 211-245; G. A. Cohen, *Rescuing Justice and Equality* (Cambridge, Mass.: Harvard University Press, 2008).

the same point differently, principles that reflect facts must, in order to reflect facts, reflect principles that don't reflect facts."³⁸

This point says that, if we want to claim that a fact F grounds principle P, we must appeal to a more ultimate principle P1 so as to explain why fact F is normatively relevant. Of course, one could easily respond by claiming that another fact F1 grounds P1, but then, again, we would be obliged to name an even more ultimate principle P2 so as to explain why fact F1 is normatively relevant, and so on and so on. As an illustration of this thesis about the fact-insensitivity of principles, Cohen refers to the practice of promising. When justifying the principle that promises should be kept, some will say that this principle helps people to freely pursue their life plans because they can rely on what others have agreed to do. That people want to freely pursue their life plans is a fact that seems at first sight to justify the principle of keeping promises. However, Cohen insists that this fact is only insofar normatively relevant as it reflects itself a deeper-lying principle, namely that people should freely pursue their life plans.³⁹

On this extreme view of the relationship between ideal and non-ideal considerations regarding justice, facts are logically, and not only for prudential reasons, excluded from morality. They simply do not count when we are to ponder what justice is. Nothing in the real world tells us anything about what we should do; as a consequence, feasibility is no condition for the acceptance of principles of justice. Whether a principle can in fact be implemented is not important for assessing its validity. Obviously, this fact-insensitivity thesis allows for radical criticism of the *status quo* because there is no requirement that the principles must actually lead to different outcomes. What counts, first and foremost, is discovering those principles. The philosopher is, moreover, not obliged to gain any knowledge of the economic, social or political institutions in a society, because these factors have no bearing whatsoever on the task of unearthing the fundamentals of morality. However, if we want to act morally in the real world, we need an ideal of justice that can at least orient judgment. In a succinct passage, Cohen summarizes this view:

"I agree with the Socrato-Platonic view that lead Socrates to reject illustrations of, for example, just behavior as providing a proper answer to the question 'What is Justice?': no list of examples reveals what it is about the examples that makes each an example of justice. Until we unearth the fact-free principle that governs our fact-loaded particular judgments about justice, we

³⁸ Cohen, "Facts and Principles," 214.

³⁹ Ibid., 216.

don't know why we think what we think just is just. And we have to retreat to (what we consider to be) justice in its purity to figure out how to institute as much justice as possible inside the cave."⁴⁰

Cohen does not deny that instituting justice inside the "cave" (i.e., the real world) is an important and praiseworthy goal. But as a committed egalitarian he is convinced that we are in urgent need of principles of justice in their purest form if we want to remain consistent in our political behavior and true to our moral ideals. Constructivism of the Rawlsian or Habermasian variety is erroneous since it factors in considerations about feasibility that structurally distort those principles.⁴¹ Thus, Cohen's objection to the path of invention does not lead him to the same conclusion that Walzer has drawn, namely that social criticism is best understood as an interpretive engagement with the actually existing values in a given society. To employ the tripartite distinction from above, we might rather state that Cohen proposes a restoration of the path of discovery.⁴²

IV. Conclusion: A Division of Labor

We can now, in the last section of this paper, return to Geuss's vision of political theory. If we read the proposal for a realist turn in political theory with two side views on Walzer and Cohen, we are able to see more clearly the pressure exerted by the twin imperatives of deep contextualism and radical criticism. In Geuss's proposal there are indications he would agree, to a certain extent, with both Walzer and Cohen. The idea that connectedness is absolutely crucial for the success of social criticism resonates (partially) with Geuss's call for a precise analysis of political agency. Walzer presses us to envisage the activity of the theorist as being predicated upon a commitment to shared understandings of how the world is, and how it should be. But the astonishing fact remains that Geuss would also be (partially) sympathetic to Cohen's hyper-analytical take on justice. While Cohen's view is undoubtedly extreme in its endorsement of ideal theory, it has the consequence that nothing in the way of how the world actually is may restrict the sense of justice. Such fact-free evaluation can be immensely liberating, for it might allow for a critique that truly deserves the prefix "radical", going to the root of real-world injustices.

⁴⁰ Cohen, *Rescuing Justice and Equality*, 291.

⁴¹ For an attempt to rescue constructivism from Cohen's attack see: Miriam Ronzoni and Laura Valentini, "On the Meta-Ethical Status of Constructivism: Reflections on G.A. Cohen's 'Facts and Principles'," *Politics, Philosophy & Economics* 7, no. 4 (November 1, 2008): 403-422.

⁴² Biographically, Cohen describes this movement as one that has led him from moral philosophy directly to an interest in religion, without ever getting properly involved in political theory. See: G. A. Cohen, "History, Ethics, and Marxism," in *Canadian Political Philosophy: Contemporary Reflections*, ed. Ronald Beiner and Wayne Norman (Don Mills, Ontario: Oxford University Press, 2001), 107-117.

It has hopefully become clear that deep contextualism and radical criticism cannot be brought together in harmony. This is the starting point for the final remarks in this essay. As such, the observation about a genuine tension between deep contextualism and radical criticism does not imply that either option, taken by itself, is unsatisfactory. It is internally consistent to defend the Walzerian idea of immanent criticism or the Cohenian idea of fact-insensitivity. What is, I believe, problematic is the claim that one could hold on to both ideas at the same time, as Geuss seems to want. This is, I believe, a thing of impossibility, because deep contextualism imposes entirely different obligations on the political theorist than radical criticism. While the first imperative (exemplified in Walzer's work) asks the political theorist to immerse herself as much as possible into a society's actually existing values, the second imperative (exemplified in Cohen's work) pushes for a truly detached point of view.

The question, then, arises what options realist political theory has. My claim is that Geuss's project needs to find a way to balance or, perhaps more correctly, to trade off deep contextualism and radical criticism. What is crucial about this act of balancing or trading off, however, is that it must remain distinct from Rawls's view of a "realistic utopia". We have seen that Geuss is critical about the way in which Rawls approached the relationship between general feasibility and transforming the *status quo*. How can this be done?

I shall maintain that the best way to conceive of the relationship between deep contextualism and radical criticism is through a conceptual framework developed by Joseph Carens. Carens actually calls his own approach "contextual political theory", and I think that this indicates the direction in which Geuss's realism should be steering. In terms of clarifying the tension between deep contextualism and radical criticism, Carens introduces another distinction that might be useful here. With regard to the ethics of migration, Carens identifies two streams of arguments that can help orient our thinking: one realistic and one idealistic. He also excavates a tension between these streams that corresponds to the one outlined above. When discussing the respective advantages of realistic and idealistic approaches, he comes to the conclusion that some form of combination might be, under certain conditions, most fruitful:

"One way to respond to this discussion of realistic and idealistic approaches is to suggest that we try to combine the two. That is sometimes possible and useful. (...) These forms of reflection, situated somewhere between the extremes of ideal-typical idealistic and realistic approaches that I have sketched, can make important contributions to our understanding of the ethics of migration. But they do not preclude the need for analyses that are either more realistic or more idealistic. There is no single correct starting

point for reflection, no single correct set of presuppositions about what is possible.”⁴³

What Carens proposes is, hence, a division of labor between realistic and idealistic approaches. This means that some situations require the use of deep contextualism, while others call for radical criticism. In the face of extreme injustices in the real world, it might sometimes be necessary to use the vocabulary of radical criticism and to abandon deep contextualism altogether. Global inequality might, for instance, be deemed so pervasive and gross that a highly idealizing plea for open borders suddenly sounds plausible.⁴⁴ Other occasions, however, will shift the perspective and convince us to make use of the tools of deep contextualism.⁴⁵ Negotiating the place of religion in the public sphere seems to be a challenge that can only be met if political theorists pay attention to the way power structures are actually organized in a society. Abstract speculations about the “true nature” of the secular state fail to account for the situational variables that determine the complex relationship between religion and politics. Any proposal about what the place of religion should be in a democratic polity, thus, needs to be at least minimally responsive to these situational variables.⁴⁶

This is a first response to Geuss’s problematic claim that deep contextualism and radical contextualism could or should be united under the umbrella of a single theory: Only an assessment of the particular situation under scrutiny allows for a decision which imperative should be given priority. A second response draws more specifically on the idea of a division of labor mentioned before. Given the current prevalence of ideal theory in political theory, we might plausibly argue for a re-calibration so as to give more weight to realistic accounts. This is precisely the suggestion forcefully and convincingly put forth by Geuss. But I would like to add that such a re-calibration makes only sense if it is always based on a holistic understanding of the complementary tasks that idealizing and realist approaches in political theory can achieve.

⁴³ Joseph H. Carens, “Realistic and Idealistic Approaches to the Ethics of Migration,” *International Migration Review* 30, no. 1 (Spring 1996): 168-169.

⁴⁴ This is a proposal made by Carens in an earlier article. See: Joseph H. Carens, “Aliens and Citizens: The Case for Open Borders,” *The Review of Politics* 49, no. 2 (Spring 1987): 251-273.

⁴⁵ In his later work, Carens has explored the intricacies of migratory processes and multicultural citizenship in a distinctly contextual vein. See: Joseph H. Carens, *Culture, Citizenship, and Community: A Contextual Exploration of Justice as Evenhandedness* (Oxford: Oxford University Press, 2000). For his most developed theoretical engagement with contextualism in political theory see: Joseph H. Carens, “A Contextual Approach to Political Theory,” *Ethical Theory and Moral Practice* 7, no. 2 (April 1, 2004): 117-132.

⁴⁶ For an argument in that direction see for instance: Mathias Thaler, “From Public Reason to Reasonable Accommodation: Negotiating the Place of Religion in the Public Sphere,” *Diacrítica. Revista do Centro de Estudos Humanísticos da Universidade de Minho* 23, no. 2 (2009): 249-270.

What this division of labor entails in concrete situations cannot be spelled out abstractly. For a full account of the relationship between deep contextualism and radical criticism, however, more would have to be said about a general typology of concrete situations in which the pendulum swings in one direction rather than the other. This paper should, thus, ideally be read as a primer for such deeper-reaching investigations.

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