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## On the Relationship between Political Philosophy and Empirical Sciences

*Abstract:* In this paper, I will focus on the role that findings of the empirical sciences might play in justifying normative claims in political philosophy. In the first section, I will describe how political theory has become a discipline divorced from empirical sciences, against a strong current in post-war political philosophy. I then argue that Rawls's idea of reflective equilibrium, rightly interpreted, leads to a perspective on the matter of justification that takes seriously empirical findings regarding currently held normative beliefs of people. I will finally outline some functions that empirical studies might have in political philosophy.

### 0. Introduction

In the last years there has been an increase in the call for a more 'realistic' political theory, or to at least rethink the relationship between practical politics and political theory (Gunnell 1986; Honig 1993; Smith 2004; Stears 2005; Williams 2005). This plea has been put forward in different arenas and regarding various concerns. For instance, there is now a fairly common objection to purely ideal theory and an insistence on the need to engage with non-ideal theory as well (Farrelly 2007). There are also complaints about the impotency, or even futility, of political philosophy in relation to real life problems (cf. Goodin 1995). Finally, there is a thread of discussion regarding the feasibility of political theories (Mason 2004). I share the general sentiment of the criticism and appreciate the common reference to empirical studies as a remedy to the lack of realism. But I believe the need for more realism is not, or not only, to be identified regarding the mentioned topics. Empirical findings, I will claim, have a far more basic task to fulfil than is anticipated in the common appeal to realism in political theory. They are vital in the very construction of a plausible political theory.<sup>1</sup> In this paper, I will focus on the role that findings of the empirical sciences might play in justifying philosophical claims. Regarding this more basic aspect of the need for realism, there is very little scholarly work being done so far. There are some ex-

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<sup>1</sup> I will be unspecific about the notion 'empirical findings'. My main focus is on normative beliefs of real people, which can be studied empirically, but obviously this is only one aspect. Others are, e.g., anthropological findings about human biology, about the functioning of the human mind, or "the 'muddied' waters of regular political discourse" (Freeden 2005, 133).

ceptions, though. I will take my cue first and foremost from David Miller's recent work on theories of justice and 'what the people think' (Miller 1991; 1992; 1994; 1999); though I will broaden the perspective from issues of justice to normative problems in political philosophy more generally. In the first section, I will identify a more empirically minded strand in 20th Century political theory, which, to my mind, has been underplayed in post-Rawlsian political philosophy. I then attempt to show that Rawls's idea of reflective equilibrium, rightly interpreted, leads to a perspective on the matter of justification that takes seriously empirical findings regarding currently held normative beliefs of people. I will finally outline some functions that empirical studies might have in political philosophy. I don't claim that they have a function without first developing methods of how to properly conduct them. But this, again, is a task for political theory: to inform empirical sciences about the particular needs regarding the input that would be useful for the purposes of theory (cf. Shapiro 2004). This paper is therefore no more than a prolegomena to further research on the necessity and potential roles of empirical data within political philosophy and on the methodology of empirical studies that will be useful for dealing with theoretical issues in political philosophy.

## 1. The Absence of Empirical Sciences from Political Philosophy

In 1956 Peter Laslett announced the death of political philosophy, if only "for the moment", because he assumed that a particular tradition in intellectual life had been broken. The tradition was "to apply the methods and the conclusions of contemporary thought to the evidence of the contemporary social and political situation" (Laslett 1956, vii). According to Laslett, logical positivism was the culprit responsible for the demise of political philosophy. Indeed, the influence of logical positivism had been devastating in some respects. For instance, Thomas D. Weldon's influential book *The Vocabulary of Politics*, published in 1953, added a fierce assault on the already anxious nature of normative theorising in political philosophy at that time (see also Easton 1951; cf. Ball 1995). Logical positivism deemed normative statements unverifiable and separated by an unbridgeable gap from descriptive, especially scientific, discourse. Hence the only proper task of political philosophers would have seemed to be logical analysis of words used in politics. If political theory had been using non-normative methods, political philosophers probably could have ignored the logical positivists' critique, but obviously that wasn't the case. In fact, Laslett nicely summarises the common viewpoint: "Since political philosophy is, or was, an extension of ethics, the question has been raised whether political philosophy is possible at all." (Laslett 1956, ix)<sup>2</sup> So it was mainly normative political theory that became problematised (Vincent 2004, 91ff.). Although I doubt that political philosophy,

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<sup>2</sup> The idea of conceiving political philosophy as applied ethics has recently been forcefully criticised by Geuss 2008. See also Newey 2001.

or political theory for that matter, is conceivable only as a normative enterprise, I will focus on normative political theory in this paper.<sup>3</sup>

Logical positivism, if not completely forgotten by now, is pretty much dead itself, and there are very few people who would still support the thesis that normative sentences are meaningless. It has instead become almost commonplace to object to a rigid distinction between facts and values (cf. Gerring/Yesnowitz 2006). But this rapprochement has only worked in one direction, to converge empirical studies, and conceptual analysis as well, to normative professions by pointing out, most importantly, their value-laden nature (e.g. Ashcraft 1975, 19; Miller 1983; Putnam 2002). Normative debate, in contrast, is still seen remote from empirical findings. The proper method of doing ethics, for instance, is supposedly to give reasons, not to describe the world; and to give reasons is allegedly divorced from providing descriptions.

It might be helpful to take a quick look back at the debate that followed Laslett's obituary for political philosophy, because it will be seen that there might have been an occasion for a different, more empirically minded, conceptualisation of normative political theory at that time. The initial reaction of political philosophers to Weldon's challenge was to defend the robustness and usefulness of normative discourse (Plamenatz 1960). The problem, however, was to conclusively rebut the assaults on normative thinking instead of just question-begging by reiterating the importance and rigour of political theory. One answer that would have especially promised to appease scientifically minded critics was to identify a proper method of political theory. The question of the nature and method of political theory accordingly became a topic high on the agenda (Kateb 1968; Raphael 1970; Miller/Siedentop 1983). Probably the best known publication of that time to address this topic is Isaiah Berlin's 1962 essay *Does Political Theory Still Exist?*. Berlin maintains that the nature of the problems that political philosophy attempts to solve calls for an approach that cannot be performed by either linguistic analysis or science; hence by neither of the two methods championed in logical positivism. But a genuinely normative approach did not make the task pointless. In fact, Berlin maintains, as human beings we could not possibly dismiss these normative issues on positivistic grounds, because they are an element of the *condition humaine*. The particular irony of Berlin's paper is to add the claim that the very fact that these issues fall out of the proper scope of disciplines which proceed by an acknowledged method is what makes them philosophical issues. If there were an agreed 'end of society', it wouldn't be too difficult to agree on a method and political theory would eventually turn into applied political science, or political engineering, and silence all discussion about the 'tools' of the profession. However, the world of politics is a normative world and it is here that we encounter value pluralism and conflict about ends. This value pluralism leads to the need for philosophy:

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<sup>3</sup> For an illuminating and impressive analysis of different traditions of doing political theory, see Vincent 2004.

“If we ask the Kantian question, ‘In what kind of world is political philosophy—the kind of discussion and argument in which it consists—in principle possible?’ the answer must be ‘Only in a world where ends collide.’” (Berlin 1962, 8)

But it is important to notice that although there might be no agreed method in political philosophy, the methodological question is still an important one. It would also be a mistake to conclude from Berlin’s assumption that empirical disciplines cannot address philosophical questions or that they don’t contribute to their solution at all. For Berlin, as for other contemporaries, to address normative issues does not mean to be completely detached from empirical findings. Berlin’s stance regarding political philosophy is anti-reductionist, though nevertheless allows for natural, human and social sciences to have significance for philosophical endeavours:

“[O]ur political notions are part of our conception of what it is to be human, and this is not solely a question of fact, as facts are conceived by the natural sciences; nor the product of conscious reflection upon the specific discoveries of anthropology or sociology or psychology, although all these are relevant and indeed indispensable to an adequate notion of man in general [...].” (Berlin 1962, 22f.)

So according to Berlin philosophical accounts of political issues need to be in touch with empirical reality. Other thinkers of the time said very much the same. But the envisaged “complex mixture of empirical, formal and evaluative criteria” (Miller/Siedentop 1983, 12) did not materialise. Today, reference to empirical issues like the current state of welfare states, to name just one example, is merely used, if at all, by the majority of political philosophers to address the problem of feasibility of political theories, mentioned at the beginning (cf. Swift/White 2008). The construction and justification of a political theory is still done apart from any empirical concerns. Hence natural, human and social sciences are seen as serving only one purpose: To show whether a theory can be put into practice here and now. However, if a theory is unlikely to become reality, it is usually reality, not the theory, that is blamed, e.g. by pointing to lack of resources, of motivation, or of civic virtue. After all—political philosophers would probably maintain—any given reality is not a fixed certainty, but a possible future only. Hence even the circumstances under which we would have to reason about a particular political problem could be changed.<sup>4</sup> So why bother with the contingent data if we can find a more solid basis in a justified ideal? I believe that normative thinkers have a point in their misgivings about empirical findings, but only insofar as they dismiss a very crude form of realism, which holds that the given should directly drive our political thinking.<sup>5</sup> However, by rejecting a

<sup>4</sup> Jerry Cohen (2003; 2008) for instance, criticises the Rawlsian (and Humean) account of the ‘circumstances of justice’. For a penetrating critique of Cohen’s account, see Miller 2008.

<sup>5</sup> Margaret Thatcher’s dictum “there is no alternative” is one example of this kind of thinking. Similarly, Helmut Schmidt used to say that he would like to send people who have visions to the doctor.

reduction of political philosophy to political engineering they throw out the baby with the bath water.

In the following section, I will scrutinise the arguably hardest case for a defence of the importance of empirical findings, namely its role in justification. I will do so by assessing one of the best known methods of justification in political philosophy: Rawls's reflective equilibrium. I shall attempt to show that this method is actually, rightly understood, calling for a serious interest in empirical findings, especially in 'what the people think'.

## 2. Reflective Equilibrium

Reflective equilibrium is a method of deliberating about moral issues. It is a paradigm example of moral coherentism, an approach that is set out in analogy to coherentism in general epistemology. Although Rawls introduced it in a particular context—to support his interpretation of an initial choice situation for principles of justice, i.e. the original position—it is now widely regarded as a plausible general means of justification in ethics and political philosophy. I will use Rawls's discussion as an illustration, albeit a very important one, of a method of normative justification that leads us to taking empirical findings, especially regarding the normative beliefs of people, more seriously than is usually done (cf. Plant 1991, 355ff.).

Reflective equilibrium might be called a subject-internal state, i.e. a viewpoint or set of beliefs, which is accomplished by a person using a method of reflection guided by the criterion of coherence. It is possible that there will be different sets of coherent beliefs, e.g. some persons might hold the original position to be a good description of the constraints on thoughts about justice, others might coherently support a different account of the initial choice situation. This is the problem of underdetermination. Hence the particular normative claim—in case of Rawls's theory the belief in the original position as the "favoured interpretation of the initial situation" (Rawls 1971, 21)—is not yet justified.<sup>6</sup> To accomplish a general normative justification of a claim or a theory, the convergence of individual reflective equilibria is needed. Without congruence of individual beliefs, there is no justification of a particular moral claim, because different coherent belief systems might be possible.

Although subject-internal, the elements which are brought into coherence in reflective equilibrium are not merely subjective or intuitive beliefs, because they should be, according to Rawls, *considered* judgements. These are judgements made in specific circumstances, without impeding influences on deliberative abilities.

But why should the fact that our judgements are considered render them more trustworthy or normatively authoritative? Richard Brandt objected to Rawls that "[t]he fact that a person has a firm normative conviction gives that belief a status no better than fiction" (Brandt 1979, 20). Yet, against Brandt we can

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<sup>6</sup> Note the difference between a person being justified in holding a particular belief and a normative claim being justified.

hold that stable subjective moral judgements do not seem to arise suddenly or solipsistically, but in a process, which is, *inter alia*, fuelled by historical experiences of a community, and even humanity. So even if we like to call considered judgements intuitions, they are definitely not arbitrary, but more like condensed experiences, ‘distilled’ by history. Hence they cannot be equated with mere prejudices.

The charge of conventionalism, as we might want to call it, is not valid for another reason. For Rawls, considered moral judgements are not the final arbiter of normative reflection. The reflective method does not merely aim at a consistent and coherent viewpoint; other considerations are also to be included, specifically theoretical insights provided by background theories. Although these background theories do not form a non-human or supra-human point of view—it is not a view from nowhere—their inclusion in reflective equilibrium shows that Rawls’s account is not conventionalist. Every single considered judgement can come under scrutiny in reflective equilibrium and has to stand the test.

In order to make the reference to background theories more evident, Rawls later distinguished between narrow and wide reflective equilibrium. Narrow reflective equilibrium achieves an internal order and coherence between beliefs. But this only implies sorting out conflicts with ourselves as individuals, as it were. In wide reflective equilibrium a couple of further considerations are added in our search for a balance. These can be philosophical considerations, e.g. about human agency, the nature of persons, the role of morality, but also scientific facts and theories regarding, for instance, the mechanisms of economic markets.

So altogether we get, in the elegant description of Norman Daniels, the following account of (wide) reflective equilibrium:

“The method of wide reflective equilibrium is an attempt to produce coherence in an ordered triple of sets of beliefs held by a particular person, namely, (a) a set of considered moral judgments, (b) a set of moral principles, and (c) a set of relevant background theories.”  
(Daniels 1979, 22)

By endorsing wide reflective equilibrium, Rawls can maintain that his method does not merely depend on coherence as a criterion of justification. After all, the background theories are subject to constraints of reason; they cannot themselves be explained and justified by reference to the criterion of coherence alone. Still, Rawls wants to do without any genuine subject-external deliberative authority, contrary to, e.g. moral realism. But then it seems that Rawls does not ascribe sufficient significance to subjective judgements by holding that any considered judgement might be dropped on the way to equilibrium on account of background theories and moral principles.

I believe that this doubt concerning the role of considered judgements is correct insofar as the revisability of any subjective judgement suggests that there might be a deeper foundation instead of coherence in wide reflective equilibrium. And this very foundation seems to be built by background theories. However, Rawls does not want to support these very background theories by subject-external considerations, because in that case he would have to endorse

metaphysical and meta-ethical presuppositions, which he clearly tries to avoid. And he would not need to include considered individual judgements at all in the method of justification, because it would be enough to identify a philosophical background theory as justified, or true for that matter.

It seems that Rawls wants to suggest instead that the plausibility of the background theories must somehow depend on their harmony with our considered judgements. However, this again seems to imply the very circularity of simple coherence, which was supposedly rejected by introducing wide reflective equilibrium. Background theories allegedly work as measures for scrutinising our subjective judgements, but, in the final analysis, the question whether these background theories themselves are convincing or justified, and whether we are prone to reconsider our judgements, depends on whether the background theories correspond to our subjective judgements—since Rawls does not want to be committed to ‘philosophical’ assumptions. It seems that he can only break the circle if he grants background theories at least a qualified subject-independent plausibility.

In summary, Rawls’ account of wide reflective equilibrium suffers from an ambiguity as regards the question of whether it is coherentist or foundationalist. I believe that it is neither, at least not in an unqualified sense. Background theories break the limits of narrow reflective equilibrium, but they are themselves not justified by subject-independent considerations. Nevertheless, they are not supported merely by an individual coherent set of beliefs either. That is why they at least partially fulfil the independence constraint. In terms of the issue of normative justification this conclusion does not lead to much progress, since there are still many coherent wide equilibria possible. After all, there might be many different reasonable background theories, which are not all in congruence. Hence the problem of underdetermination is still unresolved.

In order to justify normative claims such as Rawls’ conceptualisation of the original position, all individuals need to reach the same reflective equilibrium. How likely is the convergence of individual reflective equilibria? Is such a general reflective equilibrium at all possible? Rawls’ own viewpoint regarding this question is not entirely clear. For instance, he explicitly states that several different reasonable conceptions of justice might be possible: “[...] one seeks the conception, or *plurality of conceptions*, that would survive the rational consideration of all feasible conceptions and all reasonable arguments for them.” (Rawls 1975, 289; emphasis added) So could we reach convergence in our beliefs, at least for the time being, or in a particular society? I believe there are two different routes to be found in Rawls’ writings, neither of which is convincing. The first route employs the ideal notion of a well-ordered society and in so doing settles the issue of achieving general reflective equilibrium by stipulation. The second route is more realistic but ends in wishful thinking. However, this route will finally lead us to a position that shows the need to appreciate the normative beliefs of real people.

The idealist argument for general reflective equilibrium consists of the claim that in a well-ordered society all agree on the same conception of justice.

“Recall that a well-ordered society is a society effectively regulated by a public conception of justice. Think of each citizen in such a society as having achieved wide (versus narrow) reflective equilibrium. But since citizens recognize that they affirm the same public conception of political justice, reflective equilibrium is also general: the same conception is affirmed in everyone’s considered judgements.” (Rawls 2001, 31)

This merely begs the question: Rawls’s claims that his theory is justified, because it would be supported in general reflective equilibrium. According to him, every single person in reflective equilibrium would endorse the original position as the best means to think about issues of justice. But in fact this general reflective equilibrium can only be secured by Rawls’s retreat to the idea of a well-ordered society. The notion of a well-ordered society, in turn, is of course nothing more than a stipulation. Therefore, this argument for the feasibility of general reflective equilibrium is a non-starter.

By taking the other route, Rawls claims that he merely describes a possible convergence in different persons’ reflective equilibria. He adopts the role of an “observing moral theorist” (Rawls 1975, 289). He does not prescribe particular judgements, nor does he refer to them as the only possible correct ones; he just claims that persons would in reality converge in their beliefs if and when they are in wide reflective equilibrium. Allegedly, they would then all support his conception of justice. So Rawls’s theory of justice, according to this reading, is not being justified as a theoretical entity, but it is shown that people do really accept it. In this interpretation, his method of reflective equilibrium is a test of “psychological fit” (Sayre-McCord 1985, 171) between normative claims and beliefs of real people.

In several publications Rawls connects the idea of reflective equilibrium directly to the real world of “our convictions, here and now” (Rawls 2001, 17; cf. Rawls 1985, 238). So it seems that, in the final analysis, he holds that the only basis for singling out a particular conception of justice is the fact that the beliefs of real people, here and now, are in harmony with it. But to claim that this is the case is, again, just an assertion which may be based on wishful thinking. To be sure, it might be shown to be true, but only if we could empirically check its truth-value. However, as long as persons have not all reached reflective equilibrium it is merely an unfounded claim that his theory of justice would be preferred to other conceptions. Generally speaking, this renders the method of reflective equilibrium defective as a method of justification, because it is based on an empirical claim about the possible convergence of individual equilibria, which itself cannot be tested, or could only be tested under circumstances which are not possible to achieve. If we truly want to include moral beliefs of real people in a method of moral justification, then, I believe, we better take these beliefs seriously, and not merely make assumptions about them.

The main conclusion of this section is therefore that reflective equilibrium, as conceived by Rawls, does not work as a method of justification. It is either based on unfounded idealisations, wishful thinking, or untestable assertions. I



believe we have to abandon the contractualist ideal of justification, hence the standard of collective or even universal convergence of individual moral beliefs. In addition, we need to include considered judgements of real people in the method of justification, i.e. to draw on results of empirical disciplines. Therefore, we need to take account of ‘what the people think’. I believe that Rawls, at least in his later writings, actually supported this idea, but tried to rescue other elements of his theory, which are in tension with a less idealised approach. Be that as it may, the Rawlsian method of reflective equilibrium is neither fish nor fowl, it is neither a realistic nor an idealistic method of justification. But it can help us in seeing a way forward in developing a proper method of justification for political philosophy; a method that includes reference to empirical findings, not just assumptions about the real world.<sup>7</sup>

### 3. The Functions of Empirical Studies of Normative Beliefs

Rawls’s method of reflective equilibrium is an example of how empirical findings might have an impact on developing a convincing normative political theory, in his case a theory of justice. Background theories are at least partly empirical in that they include data on, e.g. the economic state of affairs of a state or psychological findings about the structure of citizen’s motivation. More importantly, his account, in the right interpretation, also includes reference to facts about normative beliefs of people. In this section I want to address the question of the significance of these data a little more closely.

Common beliefs about normative issues might have an important role to play in the construction of theories in that they determine what is regarded as right or wrong, e.g. as just or unjust, in a particular society. It seems unlikely that we will find a method that is able to convincingly establish particular normative claims, or what is *really right*, without any reference to those beliefs. However, it is obvious that we cannot just use the ‘bare beliefs’ as material for constructing a political theory. They have to be somehow filtered in order to avoid a naive conventionalism (Bell/Schokkaert 1992). We therefore face another methodological problem, namely how and by using what measures to convert subjective opinions into relevant data for normative theory.

There is a quite general problem in trying to tackle normative questions by using empirical data. After all, it is a normative issue one is trying to solve, and empirical findings are merely descriptions, not normative viewpoints. As Berlin maintained: We cannot reduce normative concerns to empirical ones. In terms of normative beliefs it seems to be important what people *ought to* think, not what they do in fact think (Swift 1999, 341). Yet it does not follow that normative issues can be addressed by taking a point of view that is completely unrelated to what people think. What people ought to think, I maintain, cannot

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<sup>7</sup> We might want to retain the notion of reflective equilibrium for this altered method of justification. Interestingly, Stears refers to Miller’s approach as a “genuine reflective equilibrium” (Stears 2005, 339).

be determined without any reference to what people really think. It is true, of course, that empirical descriptions of normative beliefs are empirical, but they are descriptions of normative perspectives, after all. The main challenge is how to integrate those empirical data in a meaningful way into normative considerations.

Another argument against bringing normative beliefs of people here and now into play is that their judgements could be useless because they might be biased and impaired by distorting influences. For instance, if we ask people what kind of institutions or distributions they regard as just, they would simply choose the ones that fit their personal interest best. I believe that this objection is valid as far as the problem of ‘filtering’ normative beliefs is concerned. Obviously, it wouldn’t be helpful to ask people what they want for themselves and then to call these judgements normative (in the right way). After all, in the example mentioned, the answers wouldn’t be judgements about justice, but about self-interest. However, this objection does not lead to a general rejection of the approach but raises methodological problems concerning the set-up of empirical studies about normative beliefs. After all, it is possible to introduce measures which help to secure genuinely normative beliefs as an outcome of such studies. Simple multiple choice questionnaires conducted without any additional measures will certainly not do. For instance, test persons might need information about the nature of normative issues and regarding some of the involved philosophical debates.

Another weakness of empirical studies about normative beliefs consists in the common phenomenon that people tend to be impressed by the alterability of a situation. If someone is of the opinion that a certain state of affairs cannot be altered at all, or only by entailing severe costs, he might not assess it in a negative way, e.g. by calling the current conditions unjust. Obviously, this common psychological aspect might render normative judgements conventional, i.e. simply confirming the given reality. Again, this poses serious problems for an adequate methodology of empirical studies: It has to find a balance between idealism and realism. One way to get around this problem is not to ask what people think ought to be changed, but what they disapprove of, independent of the probability of change.

As long as empirical studies of normative beliefs cater for the mentioned and potential further provisos, the results are relevant in constructing and assessing political theories. If common normative beliefs, which are filtered by the proper methodological constraints, disagree fundamentally with a particular theory or aspect of a theory, then this theory is not acceptable under the current social circumstances. To be sure, such a theory might still claim significance as a utopian account of, say, a good society. But it wouldn’t be a justified theory in any philosophically serious sense of the word. Normative political theory can only claim wide acceptance if it is in line with the reflective normative beliefs of people, to whom it claims to be plausible. That doesn’t mean, to be sure, that a theory can only claim to be justified, *because* it fits common normative beliefs of people here and now. Justifying reasons need not be determined by conventionalist means.

Having defended the significance of empirical studies, I now want to elaborate on the different functions that they might have in political philosophy. I will make use of Adam Swift's distinction of three different roles sociological studies of normative beliefs might have for philosophical theories of justice (Swift et al. 1995, 18ff.; Swift 1999, 349ff.; 2003, 15ff.). Although this is, of course, a specific topic of political philosophy and a particular area of empirical research, it will still be a valuable starting point for the debate about empirical data's functions more generally.

Probably the most uncontested function is to encourage further theoretical work, in case of a clash between philosophical claims and empirical findings. This might cause a theorist to change his mind about certain issues. But although this function is hardly disputable it also does not lead very far. In the final analysis, most theorists, even if they gloriously fail to concur with common normative beliefs, stick to their normative claims and blame the moral corruptness of people than seriously consider changing their own beliefs. Swift himself is not very clear whether he sees this as a failure, i.e. if he believes that a severe incongruence between a theory and common normative beliefs should lead to its rejection, as long as the empirical findings are determined by using a valid method, of course. As far as I'm concerned, in these cases of conflict theories would lose their putative justification and would need to be seen as recommendations instead. This should not be regarded as degradation, though, but simply as a change in philosophical status.

Swift identifies the second function of empirical research on justice beliefs in determining a part of the circumstances under which we might hope a philosophical theory to be realisable. Only if a theory is in line with common beliefs, it might claim to be feasible. Whether this role is significant is itself a moot point, as many theorists are happy to design an ideal theory without being interested in its feasibility. However, I have already pointed out that too great a remoteness from the real world causes problems, which cannot simply be solved by blaming the reality for a theory not being feasible. I do believe that it is certainly possible to find a place between a bad realism, which humbly accepts every common belief as sacrosanct, and an excessive utopianism, which ignores any empirical hurdles. After all, adequately filtered normative judgements pose serious challenges for the practicability of political theories.

The third function of empirical findings in the construction of a theory is to allow common normative beliefs a constitutive role. According to this interpretation the very conception of justice is determined by those beliefs. But, again, different readings of this particular function are possible. Swift believes that, firstly, it does imply that philosophers who construct theories of justice, need to be in line with the common usage of the term—the grammar of justice, as it were—for instance insofar as justice has to be distinguished from beneficence. Secondly, Swift believes one might take justice beliefs to be constitutive for justice claims, because they might be regarded as normatively significant, even if one does not agree with the content of those beliefs.

“What people think is just, then, may enter into what justice requires, not via the claim that what they think is constitutive of correct principles of justice but via the claim that there is independent moral reason—a principle of justice justified independently of popular opinion—to give those views some weight.” (Swift 1999, 351)

Since theorists of justice are normally not of the opinion that their theories can simply be imposed on people by state coercion, but that they should be acceptable for citizens, there might be a difference between the demands of justice and the weight of legitimacy, after all (cf. Rawls 1993, 137). Common justice beliefs, however, only have an indirect function in the construction of a theory according to this interpretation. The third reading of the way that common beliefs might have a constitutive role in the construction of a theory of justice claims that the substance of principles of justice itself is determined by common justice beliefs. Swift does not find this particular function acceptable. I assume that he rejects it because he seems to interpret it as supporting the conventionalist point of view, according to which the generation and justification of a theory of justice ought to be determined by direct reference to common justice beliefs. I have already agreed that such a simple conventionalism is bound to fail and in that respect I agree with Swift. However, we might come to a different conclusion if we slightly change two assumptions that Swift seems to hold: Firstly, that justice beliefs would have to be used in an unfiltered way and, secondly, that there can be a justificatory authority that works in complete remoteness of empirical findings. As long as there is no convincing argument in favour of such a view we might as well hold that there is no strict divide between ‘what the people think’ and what justice ‘really’ is (Swift 2003, 19). If we get rid of both mentioned assumptions, Swift’s reluctance to accept a constitutive role of normative beliefs for political theories becomes less convincing.

#### 4. Conclusion

In this paper I have argued the case for taking account of empirical research in doing normative political philosophy. Above all, normative beliefs of people here and now are important data which every political theory ought to appreciate. This is not only for reasons of feasibility but also because of quite basic constitutive issues of justification. It does not mean, however, to blindly follow those findings. Indeed, it calls for a very close inspection of the current methods of gaining these data. This is a matter concerning the methodology of social science research, which is being performed in support of political philosophy. I have merely hinted at some pitfalls of doing this kind of research if it is supposed to contribute to the debate about normative political problems. In addition, there is the general methodological issue of how to include empirical findings into the construction of political theories. I believe that this is a question that has only just begun to be discussed. My paper is a contribution to this vital methodological debate, which is also a debate about the nature of political theory. I have taken a particular stance in favour of including empirical research, but I’m sure

that others disagree. Their objections will be welcome contributions in keeping political philosophy alive.

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