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Political Philosophy and Public Policy: Six Models

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I will begin my presentation the same way Jonathan Wolff begins his book *Ethics and Public Policy*: there is a phone call from a certain government agency asking you to participate in a team creating a new public policy—on gambling, treatment of animals, health reform, railway security—take your pick. After a long deliberation—about 30 seconds—you say yes, but then a moment of reflection kicks in: what can political philosopher actually contribute to the process of creating a public policy? What can philosophers offer that economists, sociologists, political scientists, legal scholars and experts in that specific field—can't? Obvious answer is that we have a better mastery of abstract concepts, ideas and arguments employed in policy-decision processes. But what does that actually mean? How can we translate this mastery into something useful to policy making? In short, what is the role of a political philosopher involved in designing a new policy or in defending the existing one?

In this article I'll try to answer this question or, to be more precise—as the title suggests—I'll offer six different ways we can answer this question. Each of these six answers will correspond to a model of political philosopher involved in discussing public policy issues. To make things a bit more coherent, I will look at three different things in each of these models: 1) what is the goal that this specific model of political philosopher is trying to achieve, 2) what are the advantages and 3) what are the disadvantages of each model. In my discussion I will rely on

insights and examples from Wolff's book *Ethics and Public Policy*. Although Wolff in his book poses a same question I do in this article—what role should philosophers play in policy-making process—his focus, it is worth nothing, is somewhat different from mine. His main goal is to provide a number of practical insights derived from interplay between philosophy and public policy and also to tell us how these practical insights might transform some of our normative presumption, making them more relevant for the world we live in. Wolff has a clear preference for more realist, 'bottom-up' approach rather than more idealist, 'top-down' approach. However, this preference is based on his understanding of the most fruitful way for philosophers to think about and contribute to policy issues. In what follows I will leave that question aside and try to look at how different (and sometimes conflicting) views on what are the more general aims political philosophers should strive to achieve translate into different models philosophers follow when contributing the policy-making agenda. Major part of the article will deal with describing and comparing these different models. The concluding part will offer a suggestion how we could go about evaluating each of these models.

I

Syracuse Model

The Syracuse model's answer to the question posed above—what is a philosopher's role in policy-making process—is the following: bringing the truth of a rational argument to the table. The political philosopher who embraces this model is on an enlightenment mission: he wants public policies to be directed by a philosophical principle or set of principles (think of Kant's "treating persons as ends, never as means," Bentham's "greatest

happiness of the greatest number” or Mill’s harm principle). What should be avoided is political bargaining, populist tendencies or incoherent claims of influential moral traditions. Syracusean (if we can call him that) philosopher is a true philosopher-king that brings the light of rational and philosophically coherent principles to dirty business of policymaking. This model take its cue from Leo Strauss’ view essay “What is Political Philosophy?” where he argues that “[p]olitical philosophy will then be the attempt to replace opinion about the nature of political things by knowledge of the nature of political things” but also “the attempt truly to know both the nature of political things and the right, or the good, political order.”¹ Social scientists and experts on policy issue being discussed can tell us more about efficient means necessary to achieve certain ends, but it is the political philosophers who can tell us what ends are worth pursuing. It is their job to explain what a just policy that is compatible with an ideal of common good should be.

So, what are some of the advantages and disadvantages of this model? Syracuse model political philosopher, when it comes to deciding policy issues, should be, at least in his own view, the main gal or guy in the room. Any revision or radical change in existing policy will have to begin by taking into account the abstract principle (or set of principles) that philosopher puts forward. In top-down process of policy-decision making we can’t avoid looking at the concepts and principles that are on very top and therefore, can’t avoid giving the philosopher a central role. However, possible disadvantage is that this model seems to work only if we take a top-down approach, but as Wolf points out in his book, we should be skeptical about this type of approach.

¹ L. Strauss, “What is Political Philosophy?,” in M. Cohen and N. Fermon (eds.), *Princeton Readings in Political Thought* (Princeton: Princeton University Press, 1995), pp. 643-644.

Applying general philosophical principles to policy issues can often backfire: either 1) because we are trying to make facts fit our theories or 2) because we are refusing to see the full consequences of applying abstract theories to real-life challenges. Now, the advocate of Syracuse model can argue convincingly that his approach doesn't need to sweep facts under the rug or deny the complexities of real-life challenges. He can even accept a certain level of compromise when it comes to formulating the policy in question due to these kind of challenges: the government that wants to be re-elected will be reluctant to push forward a policy that is fair and just, but goes against the opinion of the majority of voters; fiscal limits that determine the limits of applicability of the policy; discrepancy between the levels of inconvenience that voters are ready to accept and what new policy requires; etc. The Syracusean philosopher can take all of these factors into account and still consistently argue that just principles might not always be realizable, but they still offer a measuring standard by which we can judge the success or a failure of certain policy.

More important disadvantage of this model arises from the fact that it rests on two premises that most political philosophers would reject today: 1) that there are objective principles that work as knock-down arguments when applied to policy issues and 2) that we can convincingly show that there is a single theoretical principles (or set of principles) that is superior to all other options. In the first case, take Wolff's example of calculating the costs of ensuring higher standards of railway safety. We can use a moral standard of sanctity of human life which would exclude the option of putting a monetary value to human life, but at the end of the day when we have to make a decision how much are we ready to pay to lower the chance of preventable deaths (by, for example, putting additional barriers next to train tracks or train doors that open only when trains stop). Such a decision,

inevitably, leads to putting a monetary value on human life. The second case is even more troubling, because the whole enlightening mission of the Syracusean philosopher is put into question if we take value pluralist epistemology seriously and accept that, for example, both a consequentialist and a Kantian approach to a certain policy issue can be seen as philosophically coherent and just, although they are also mutually exclusive.

II Rawlsian Model

This model of political philosopher—both epistemologically and ethically—is less ambitious than the previous model, but it is also more realistic. First, Rawlsian doesn't seek to affirm the Truth with a big T and proclaim *sub specie aeternitatis* what objective principles certain policy has to embody to be considered justifiable, but relies on underlying core values and concepts that are imbedded in the moral and political tradition of specific community, such as particular understanding of equality or liberty. Second, this model allows much more flexibility than previous model in a sense that it doesn't strive to impose one particular principle (or set of principles) on the issue that is being debated, but rather tries to exclude certain arguments from the policy-debate by declaring them unreasonable or irrational. As the name suggests, this model is, basically, what you get if you apply philosophy of later Rawls to policy-making process.² The stating point for this model is to call upon basic values that political community identifies with (usually in the letter of the constitution), rather than offer a unique insight into philosophical truths. This allows for the next step where those policy proposals that are contrary to these basic values are dismissed.

² J. Rawls, *Political Liberalism* (New York: Columbia University Press 1996).

Philosopher's main job is to make sure that whatever policy solution we decide upon in the end, that solution is compatible with society's shared understanding of what is just, fair and right. Also, philosopher should point out which kind of arguments should be taken as valid and which should be discarded in policy debates (for examples, in secular and rationalistic societies scientific arguments should carry much more weight than religious arguments).

The advantage is that, unlike Syracuse model, Rawlsian model can accommodate more than just one option and even strive to reach a compromise between these different options. Also, it doesn't necessarily rest on top-down approach; it can more easily incorporate empirical insights without interpreting them so they are compatible with abstract philosophical principles. Again, philosopher's job is to deal with ends rather than means of specific public policy. However, this time around he is not the one who necessarily has to propose the goals we should strive to achieve, his main task is to filter different proposals offered by public or experts and explain why some of these proposals are unacceptable.

Possible disadvantage is that this model inevitably has to establish a standard—in case of Rawls and his followers it's reasonableness—which allows it to exclude certain options and certain types of arguments invoked to justify these options. The fact that advocates of this model often disagree what that standard should actually be—just take existing disagreements that exist among the leading advocates of Rawls' political liberalism approach on how we should define reasonableness³—suggests that decision which options are in and which options are out can

³ G. Gaus, *The Order of Public Reason* (Cambridge: Cambridge University Press, 2011); J. Quong, *Liberalism without Perfection* (Oxford: Oxford University Press, 2011).

seem rather arbitrary. Do we allow religious arguments to enter policy debates or not? Do we insist that justice should always have priority over stability? Also, when it comes to discussing the basic values we should rely on, this model seems to have in-built bias for status quo: we are looking at values that we have traditionally relied upon and that are already widely shared by citizens. This historical and democratic perspective on values can lead to exclusion of new perspectives advocated by minorities. Take the example of animal welfare, which is one of the issues that Wolff devotes a whole chapter in his book. Advocates of animal liberation or animal rights can find themselves in disadvantage because the existing policies that regulate testing on animals do not seem to go against neither the tradition nor the moral views of the majority.

III

Value-Pluralist Model

The guiding light for this model is one of the last sentences of Isaiah Berlin's famous essay "Two Concepts of Liberty" (taken from Schumpeter): "to realize the relative validity of one's conviction and yet stand for them unflinchingly is what distinguishes a civilized man from a barbarian."⁴ Unlike the Rawlsian model, its goal is not to exclude certain positions and arguments from the debate, but to take them all into account and then advocate one of them, while pointing out that every choice, even the one pluralist advocates, entails that something of value will be lost: what Berlin called "the tragic choice". Value-pluralist's mission is threefold: 1) to give the best philosophical defense for different options being discussed and then 2) show

⁴ I. Berlin, "Two Concepts of Liberty," in *The Proper Study of Mankind* (New York: Farrar, Straus and Giroux, 1997), p. 242.

that there is no one superior principle that can make our decision easier, that different options are, basically, incommensurable and 3) give solid arguments for one option, while pointing out what is going to be lost.

Let us turn to advantages and disadvantages of this model. Value pluralist model allows different options to be discussed without eliminating any one of them *a priori* and giving them all moral weight (or most of them, some options are just ridiculous, deeply immoral or irrational), so that even if one option has to be taken, others are not just swept under the rug. It also takes into account that introduction of new policies, even if policy proves to be a success, comes at the price and that promoting some values means that some other values will have to be sacrificed. Take another example from Wolff's book—that of gambling laws. More regulation that the state imposes on gambling, the more likely will certain negative social problems that are usually connect with gambling decrease. On the other hand, such regulation inevitably limits the personal freedom of citizens and promotes a more powerful and paternalistic state. The main disadvantage of this model arises from a criticism that was often directed towards Isaiah Berlin: if different options are incommensurable, on what grounds do we chose one option over all others? Value pluralist can tell us what can be lost when we indorse one policy option over another, but he can't really tell us which policy to choose.

IV Proceduralist Model

This model is very similar to the value-pluralist model, in that it also accepts that there is no one best way to deal with a policy dilemma and that we might not able to rank different points of view on some pre-determined scale. One important difference

from the previous (Berlin inspired) model is that it doesn't strive to find what he thinks is either the best or the least painful option, its goal is only to give different options a same chance to be heard. Its main motto, following Stuart Hampshire, is *audi alteram partem*.⁵ In his book titled *Justice is Conflict*, an extended version of his Tanner lectures, Hampshire summarizes his main argument in the following way: "Particular institutions, each with its specific procedures for deciding between rival conceptions of what is substantially right and fair, come and go in history. Only the one most general feature of the process of decision is preserved as the necessary condition that qualifies a process, whatever it happens to be, to be accounted as an essentially just and fair one: that contrary claims are heard. An unjust procedure, violating this necessary condition of procedural fairness, is unjust always and everywhere and without reference to any distinct conception of the good."⁶

The role of proceduralist political philosopher involved in public policy reform or creation process is to make sure all the relevant sides involved in the issue regulated by policy in question have their say. One could ask: why do you need a political philosopher to do that? In democratic societies where free speech is guaranteed isn't it better to allow different interest or social groups to voice their own concerns about a certain policy? That might as well be true, but there at least three cases where a presence of a proceduralist on policy-making body can prove useful: a) where the group whose interests might be endangered is not mobilized enough to let it's voice be heard and b) when power relations between different parties are so skewed on one side that the voices of those on the other side are completely

⁵ S. Hampshire, *Justice is Conflict* (Princeton: Princeton University Press 2000), p. 8.

⁶ *Ibid.*, pp. 16-17.

muffled and c) when interests of a minority groups are not fully voiced by the spokesperson or representatives of that minority. Here, Wolff gives an example how a discussion of disability in the US has been dominated by war veteran invalids, skewing the policy discussion towards one type of disability (persons in wheelchairs). He offers a following warning: “just as we must pay attention to examples of people with disabilities we must also not allow the debate to become completely dominated by those with a greatest public presence or sympathy or strongest lobbying group.”⁷ In short, proceduralist, when faced with these three cases, can act as a mouthpiece for powerless or can make the playing field more even.

This model has the same advantages as the value-pluralist model, without having to explain why we choose one option over other incommensurable options. Its main task is not to point out what can be lost by implementing certain policy, but to make sure all interested parties had a chance to contribute to decision making process. Therefore, the outcome is of no concern to proceduralist, her only preoccupation is with just procedure. However, that is also its biggest weakness: in policy-making process we do have to make a decision in the end, even if that decision is to stick to *status quo*. Proceduralist doesn't have an answer to a question: which policy should we choose? This model limits the impact of political philosophy only to ensuring that proper procedures have been followed, but it denies philosophers the opportunity to argue for one policy solution over others.

⁷ J. Wolff, *Ethics and Public Policy* (London: Routledge 2011), p. 167.

V

Wizard-of-Oz Model

In the famous scene in *The Wizard of Oz* Dorothy's dog Toto pulls the curtain and reveals that the wizard is a mere con-man: in this model the political philosopher takes the role of Toto. He sees his mission not in promoting certain principles, or making sure that all sides have their say, but in pulling the curtain on concepts, principles and arguments invoked in public-policy debates and revealing them in full. It's a mission of avoiding, what Wolff calls, the dangers of hidden assumptions. One example of applying this model is when Wolff talks about deterrence theory in the chapter on crime and punishment and revealing the underling logic behind it: it rests on economic (cost-benefit) model of human behavior which might or might not be the best way to understand individual motivation. This model will most readily be embraced by those philosophers who rely on critical theory in their philosophical work. Their involvement in policy-making process can be seen as an extension of their theoretical commitment of seeing philosophy, first and foremost, as a great debunker. Different policy solutions most often have hidden agendas and reflect specific interests, prejudices and biased assumptions. Before we make an informed decision which policy to endorse we should take all of these agendas, interests, prejudices and assumptions into account.

It's worth noting that this model works as a two-way road: by revealing what's behind the curtain, philosopher finds out how and if different theories and arguments, when applied to public policy realm, work or not. After all, Oz was a con-man, but he also helped Lion find his courage, Tin-man his heart and Scarecrow his brain. I can't think of a better illustration of this than Wolff's book in which every chapter ends with a short *Lessons for Philosophy* section. So, for example, in the chapter on

scientific experiment on animals, Wolf convincingly shows that dominant philosophical thinking on this topic—treating animal as either having full or no moral concern at all—is misguided. Taking the argument out of the ivory tower and into policy arena can reveal not only that policy decisions rely on hidden assumptions, but also that our philosophical theories do to.

What are some of the advantages and disadvantages of this model? One advantage is that this model gives philosophers role where then can really shine: putting doubt in presumptions that are considered common-sense or intuitively true has always been philosopher's strong suit. Economist, sociologist and political scientists might be much better on collecting and crunching the data, but philosophers are usually better in giving us a broader picture that goes beyond sheer data. Policy decisions are often made without reflecting on some of the assumptions behind these decisions. Philosopher's role is to make us reflect more on what certain values and arguments that are taken for granted mean. How about disadvantages? Revealing the hidden assumptions behind certain policy solutions might not be the most popular, or, for that matter, the most effective way in tackling policy challenges, so the philosophers that advocate the Wizard-of-Oz model might not be most welcomed to contribute to policy-proposals. Also, policy-makers might not be too interested if philosopher involved in policy-making process has new insights for his fellow academics. They are interested in policy, not philosophy.

VI Bullshit Model

Bullshit model takes one step further from Wizard-of-Oz model: if there are no knock-down arguments, no great truths to

be realized through public policies, if all concepts are inherently contested, then it might make sense for a political philosopher involved in public policy making-process to behave as a modern-day sophist. If we start perceiving all the sides in some public policy debate as nothing more than different elements in the same power game, nothing stops us from becoming a gun-for-hire, offering our philosophical expertise to the highest bidder. Knowing that there every side in the argument can be shown to be true or untrue, right or wrong, just or unjust, reasonable or unreasonable, consistent or inconsistent, all that remains is a power game. Hence the name bullshit model: not carrying if what we are arguing for is true or not is, as Harry Frankfurt points out, the essence of bullshit.⁸

The advantage of this model is mainly personal: policy makers will probably be thrilled to hire a philosopher who is ready to defend with philosophical arguments their preferred position and discredit the position of their political opponents. Therefore, the political philosopher who embraces the bullshit model can expect many phone calls from the government. Of course, it's questionable if advocates of this model should call themselves philosophers at all: sure, they have the whole intellectual arsenal at their disposal, but as Plato pointed out in *Gorgias*, it's the goal we are striving for and not the tools-of-the-trade that make the philosopher. There is a reason why sophists have such a bad reputation. Of course, from sophist's perspective such reputation is undeserved: if we take moral relativist position as seriously as sophists do, bullshit model might be a most sincere way for a philosopher to contribute to policy-making process. If calls for truth or justice are mere masks that power wears then pretending otherwise is not only naïve, but also dangerous.

⁸ H. Frankfurt, *On Bullshit* (Princeton: Princeton University Press, 2005).

VI Conclusion

In conclusion I want to say a few words on the relationship between these six different models. The fact that I referenced Jonathan Wolff's book when describing some of these models, suggests that most of them are not mutually excludable. They work as ideal-models, while it's fair to assume that philosopher involved in making public-policy recommendations will take more than just one of these models into account. After all, that is exactly what Wolff does in his book. Of course, some models—such as a Syracuse and bullshit models—are mutually exclusive because they rest on opposing epistemological and moral positions and, therefore, define the role of the philosophy and its relations to public philosophy in contrary way. On the other hand, it is quite possible for a philosopher to embrace goals of value pluralist model, but also compliments them with proceduralist model: we can talk about what sacrifices choosing a certain policy solution might entail, but also make sure that all interested parties have there say before the final decision is made. Also, Rawlsian could, when taking about position and arguments that should be taken seriously or disregarded, make his position stronger by using some of the Wizard-of-Oz model's insights about assumptions embedded in these positions and arguments.

In the end, our understanding of how these models relate to each other will in large part depend on which model we find the most convincing. For those philosophers - like Leo Strauss - who embrace the Syracuse model the rest of the models I've described will tell a tale of decline, each next model losing a bit more of what true philosopher's calling should be from its sight, reaching the very bottom with a bullshit-sophist model. From the perspective of those that subscribe to bullshit model the story is just the opposite: it's a narrative of philosophers' *hubris*

culminating with a smug Syracuse model. For the other four models—all of which show their face in Wolff's book—the story is one of avoiding the extremes: we should avoid boarding that ship to Syracuse, but also keep away from becoming the philosopher's for hire in the bullshit land. The answer to the question we started with—what role should philosopher play in policy-making process—will depend on our understanding of what the proper role of political philosophy should be. It is in the nature of philosophical enquire that there will always be more than one answer to this question.

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